

2015-2016

**HOUSE
HOMELAND SECURITY,
MILITARY, &
VETERANS AFFAIRS**

MINUTES



**HOUSE COMMITTEE
ON HOMELAND SECURITY,
MILITARY, AND VETERANS AFFAIRS**

**REP. GEORGE G. CLEVELAND, Chair
REP. LARRY G. PITTMAN, Chair
REP. MICHAEL SPECIALE, Chair
REP. CHRIS WHITMIRE, Chair**

**2015-2016 Session
Year 2015
Book 1**

**Pamela Ahlin, Committee Assistant
Megan Kluttz, Committee Assistant
Tammy Pittman, Committee Assistant
Hazel Speciale, Committee Assistant**



HOMELAND SECURITY, MILITARY AND VETERANS AFFAIRS

2015-2016 Session

MEMBER		ASSISTANT	PHONE	OFFICE	SEAT
CLEVELAND, George	Chairman	Pamela Ahlin	715-6707	417A	18
PITTMAN, Larry	Chairman	Tammy Pittman	715-2009	1010	63
SPECIALE, Michael	Chairman	Hazel Speciale	733-5853	1008	52
WHITMIRE, Chris	Chairman	Megan Kluttz	715-4466	537	100
HALL, Larry	Vice-Chair	Theresa Wright-Bryant	733-5872	506	69
MARTIN, Grier	Vice-Chair	Sylvia Hammons	733-5773	1023	96
PIERCE, Garland	Vice-Chair	Janice Fenner	733-5803	1204	57
ADCOCK, Gale		Seth Morris	733-5602	1211	119
ARP, Dean		Wendy Miller	715-3007	531	66
AVILA, Marilyn		Susan Lewis	733-5530	2217	50
BELL, John		Susan Horne	715-3017	419B	27
BLUST, John		Gennie Thurlow	733-5781	2208	49
FLOYD, Elmer		Dorothy McLean	733-5959	1325	83
HORN, Craig		Pattie Fleming	733-2406	419A	32
HOWARD, Julia		Cody Honeycutt	733-5904	302	1
JOHNSON, Ralph		Mildred Alston	733-5902	1317	116
LUCAS, Marvin		Thelma Utley	733-5775	509	22
MARTIN, Susan		R. Lynn Taylor	715-3023	526	43
MEYER, Graig		Daphne Quinn	715-3019	1111	117
MILLIS, Chris		Vivian Sherrell	715-9664	609	87
PENDLETON, Gary		Kathy Peters	733-5860	610	97
REIVES, Robert		Veronica Green	733-0057	1323	104
SCHAFFER, Jacqueline		Sharon Sullivan	733-5886	2213	65
SHEPARD, Phil		Pamela Pate	715-9644	530	53
SZOKA, John		Beverly Slagle	733-9892	2223	73
TURNER, Brian		Andy Miller	715-3012	1209	120
WEST, Roger		Linda C. Johnson	733-5859	1229	8

Committee Clerks

Pamela Ahlin	715-6707	417A
Tammy Pittman	715-2009	1010
Hazel Speciale	733-5853	1008
Megan Kluttz	715-4466	537

Committee Staff

Bill Patterson, Committee Council	733-2578	545
Jennifer Bedford	733-2578	200
Lewis King, Speakers Office	715-2684	2307A



HOUSE COMMITTEE ON HOMELAND SECURITY, MILITARY & VETERAN AFFAIRS

2015-2016 SESSION

Updated: 2-10-15



Rep. Cleveland
Chairman



Rep. Pittman
Chairman



Rep. Speciale
Chairman



Rep. Whitmire
Chairman



Rep. L. Hall
Vice Chair



Rep. G. Martin
Vice Chair



Rep. Pierce
Vice Chair



Rep. Adcock



Rep. Arp



Rep. Avila



Rep. Bell



Rep. Blust



Rep. Floyd



Rep. Horn



Rep. Howard



Rep. Johnson



Rep. Lucas



Rep. S. Martin



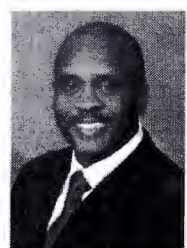
Rep. Meyer



Rep. Millis



Rep. Pendleton



Rep. Reives



Rep. Schaffer



Rep. Shepard



Rep. Szoka



Rep. Turner



Rep. West



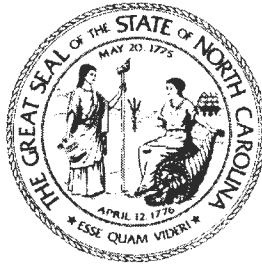
ATTENDANCE

Homeland Security, Military and Veteran Affairs

(Name of Committee)

DATES	3-12-15	3-19-15	4-1-15	4-15-15	4-21-15	6-11-15	6-25-15	7-15-15								
Rep. George Cleveland, Chairman	X	X	X		X		X	X								
Rep. Larry G. Pittman, Chairman	X	X	X		X	X	X	X								
Rep. Michael Speciale, Chairman	X	X	X	X	X	X	X	X								
Rep. Chris Whitmire, Chairman	X	X	X	X	X	X	X	X								
Rep. Larry Hall, Vice-Chairman	X															
Rep. Grier Martin, Vice-Chairman	X		X	X	X		X	E								
Rep. Garland Pierce, Vice-Chairman	X			X			X	X								
Rep. Gale Adcock	X	X		X	X			X								
Rep. Dean Arp		X	X	X				X								
Rep. Marilyn Avila	X	X		X	X	X		X								
Rep. John Bell	X						X									
Rep. John Blust		X	X				X	X								
Rep. Elmer Floyd		X		X	X	X	X	X								
Rep. D. Craig Horn	X	X				X	X	E								
Rep. Julia Howard																
Rep. Ralph Johnson	X	X	X	X	X	X	X	X								
Rep. Marvin Lucas		X	X		X		X	X								
Rep. Susan Martin		X		E	X	E	X	E								
Rep. Graig Meyer		X	X		X		X	X								
Rep. Chris Millis			X					X								
Rep. Gary Pendleton	X				X		X	X								
Rep. Robert Reives	X				X	X	X									
Rep. Jacqueline Schaffer		X		X				X								
Rep. Phil Shepard	X	X	X	X			X	X								
Rep. John Szoka					X	X	X	X								
Rep. Brian Turner			X	X	X		X	X								
Rep. Roger West				X	X											





**House Committee on Homeland Security, Military, and Veterans Affairs
Thursday, March 12, 2015 at 10:25 AM
Room 421 of the Legislative Office Building**

MINUTES

The House Committee on Homeland Security, Military, and Veterans Affairs met at 10:25 AM on March 12, 2015 in Room 421 of the Legislative Office Building. Representatives Adcock, Avila, J. Bell, Cleveland, L. Hall, Horn, Johnson, G. Martin, Pendleton, Pierce, Pittman, Reives, Shepard, Speciale, and Whitmire attended. Legal Staff attending were Kelly Tornow and Jennifer Bedford. Megan Kluttz was the committee clerk. The attending Sergeants at Arms, the Pages, and the Visitors sheets are made part of this record.

Welcome and opening remarks from Representative Whitmire, presiding Chairman.

A presentation was made by Major General Cornel Wilson, Jr., USMC (Retired), Military Advisor to Governor Pat McCrory (Attachment 1). Major General Wilson's bio is also included (Attachment 2).

The meeting adjourned at 11:12 AM.

Handwritten signature of Chris Whitmire in cursive.

Representative Chris Whitmire, Chairman
Presiding

Handwritten signature of Megan Kluttz in cursive.

Megan Kluttz, Committee Clerk



Corrected #1: Committee meeting will be held at 10:15 AM or 5 minutes after session concludes.

**NORTH CAROLINA HOUSE OF REPRESENTATIVES
COMMITTEE MEETING NOTICE
AND
BILL SPONSOR NOTIFICATION
2015-2016 SESSION**

You are hereby notified that the **House Committee on Homeland Security, Military, and Veterans Affairs** will meet as follows:

DAY & DATE: Thursday, March 12, 2015
TIME: 10:15 AM
LOCATION: 421 LOB
COMMENTS: Rep. Chris Whitmire will be presiding.

Guest Speaker Major General Cornell Wilson, USMC (Retired), Gov McCrory's Military Advisor, will brief the Committee on NC Active, Reserve, & National Guard Installations to include their mission sets, economic impact, how they interact, and BRAC (Base Realignment and Closure) vulnerabilities.

Respectfully,

Representative George G. Cleveland, Co-Chair
Representative Larry G. Pittman, Co-Chair
Representative Michael Speciale, Co-Chair
Representative Chris Whitmire, Co-Chair

I hereby certify this notice was filed by the committee assistant at the following offices at 1:17 PM on Wednesday, March 11, 2015.

____ Principal Clerk
____ Reading Clerk – House Chamber

Megan Kluttz (Committee Assistant)





AGENDA

House Committee on Homeland Security, Military, and Veterans Affairs

Thursday, March 12, 2015, 10:15 AM
Legislative Offices Building, Room 421

- I. Welcome & Opening Remarks:** Representative Chris Whitmire, Presiding Chairman
- II. Guest Speaker:** Major General Cornell Wilson, USMC (Retired), Gov McCrory's Military Advisor, will brief the Committee on NC Active, Reserve, & National Guard Installations to include their mission sets, economic impact, how they interact, and BRAC (Base Realignment and Closure) vulnerabilities.
- III. Questions**
- IV. Adjournment**

Co-Chairman:
Representative George Cleveland
Representative Larry Pittman
Representative Michael Speciale
Representative Chris Whitmire





North Carolina Military Affairs Commission (NCMAC) Update

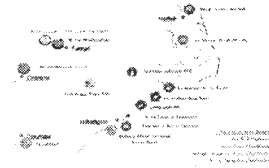
Cornell Wilson Jr.
Major General, USMC Retired
Military Affairs Advisor

1



North Carolina's Military Presence

- 4th Highest military presence
- 6 major installations (5 DoD/1 DHS)
- 116 NC National Guard facilities
- 40 Army Reserve facilities statewide
- Nearly 135,000 Active, Guard and Reserve personnel
- Largest concentration of Marines on the East Coast
- Over 50% of all Special Operations Forces



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Agenda

- Economic Impact
- Military Presence
 - Fort Bragg
 - Camp Lejeune / MCAS New River
 - MCAS Cherry Point
 - Seymour Johnson AFB
 - Coast Guard
 - Reserve Components
- NCMAC Purpose
- NCMAC Structure
- NCMAC Top Priorities
- BRAC Preparation
- Initial SWOT Observations
- Legislative Accomplishments in 2014
- Summary
- Questions

3



Fort Bragg

- Largest Army base by population
- Workforce; over 80,000
- Commands:
 - US Army Forces Command (FORSCOM)
 - US Army Reserve Command (USARC)
 - US Army Special Operations Command (USASOC)
 - Joint Special Operations Command (JSOC)
 - XVIII Airborne Corps, 82d Airborne Division
 - 440th Airlift Wing/43rd Airlift Group (Pope AAF)
- Estimated Economic Impact: \$10 Billion

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Economic Impact

- 10% of NC's economic activity – NC's second largest sector of the economy
- \$30B in Personal Income, \$50B in Gross State Product (when Veterans Affairs included)
- Defense contracts in FY2015:
 - Prime contracts: \$2.5 billion (reduce by nearly 1 Billion since 2012)
 - Subcontracts: additional billions*
- Prime Contracts in NC: Federal in 97 Counties (reduced by 3 since 2012); DoD in 79 Counties (reduced by 4 since 2012)
- Sequestration and declining federal budgets will likely continue to reduce the overall economic

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Camp Lejeune and New River MCAS

- Workforce: over 59,000
- Commands:
 - II Marine Expeditionary Force
 - 2nd Marine Division
 - Marine Corps Installations East
 - Marine Corps Forces Special Operations CMD
 - Marine Aircraft Groups 26 and 29
- Estimated Economic Impact: \$4.4 Billion

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MCAS Cherry Point

- Workforce: over 14,000
- Commands:
 - 2nd Marine Aircraft Wing
 - Fleet Readiness Center East (FRC East)
 - FRC East
 - Major aircraft depot maintenance facility
 - Largest civilian employer east of I-95
- Estimated Economic Impact: \$2.1 Billion

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Reserve Components

- NC National Guard
 - 120 Facilities / 11,778 Personnel
 - Est. Economic Impact: \$600 Million
- Army Reserve
 - 43 Facilities / 5,623 Personnel
 - Est. Economic Impact: \$570 Million
- Air Force Reserve:
 - 2 facilities / 3,305 Personnel
 - Est. Economic Impact: \$165 Million
- Navy Reserve:
 - 4 Facilities / 1,171 Personnel
 - Est. Economic Impact: \$17 Million
- Marine Corps Reserve:
 - 4 Facilities / 300 Personnel
 - Est. Economic Impact: \$4 Million
- Coast Guard Reserve:
 - 10 Facilities / 220 Personnel
 - Est. Economic Impact: \$8 Million

Total Estimated Economic Impact of the Guard and Reserves: \$1.4 Billion ¹⁰



Seymour Johnson AFB

- Workforce: over 7,200
- Commands:
 - 4th Fighter Wing (94 F-15E)
 - 916th Air Refueling Wing (16 KC-135R)
- Air Force "Home" for F-15E Strike Eagle
- Estimated Economic Impact: \$530 Million

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NCMAC PURPOSE:

To advise the Governor, NC General Assembly, and State agencies on ways to:

1. *Protect the existing military infrastructure in NC – against incompatible development, future military budget cuts, downsizing or consolidation, future base Realignment & Closure (BRAC)*
2. *Promote new military missions – supporting the vitality, prosperity and expansion of our military operations (grow the economic impact)*
3. *Improve quality of life – for military members and families by protecting and enhancing military programs and benefits.*
4. *Support Economic Opportunities for the State - leveraging opportunities for NC businesses and growing our economy*

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US Coast Guard

- Workforce: over 3,000
- USCG Base Elizabeth City Commands:
 - Aviation Logistics Center
 - Center for all depot maintenance of USCG aircraft
 - Air Station
 - Aviation Technical Training Center
- USCG Sector North Carolina (Wilmington)
 - Search and Rescue for North Carolina Coast
- Estimated Economic Impact: \$805 Million

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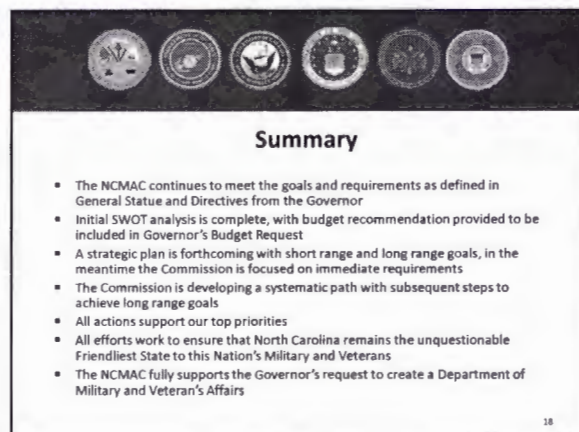
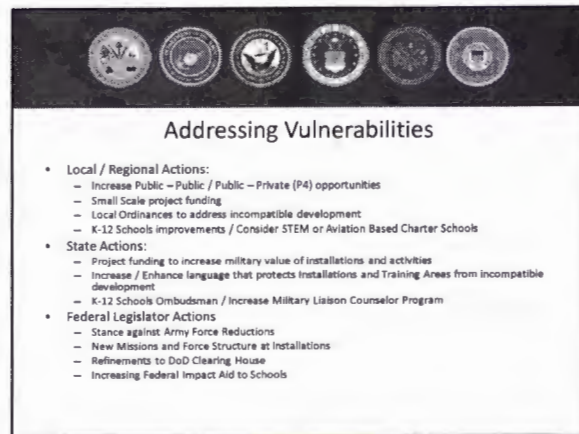
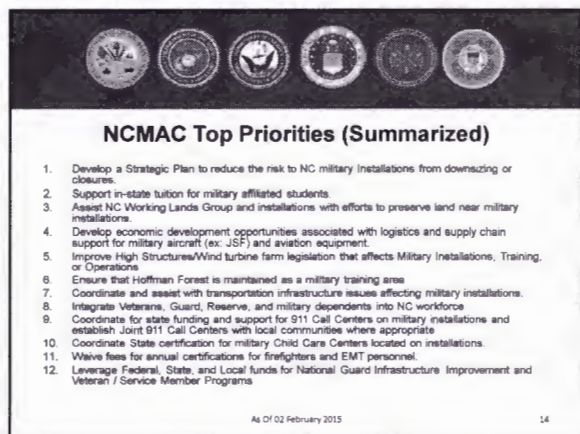
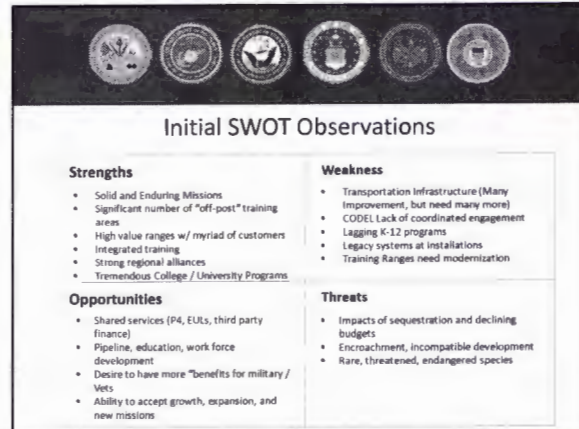
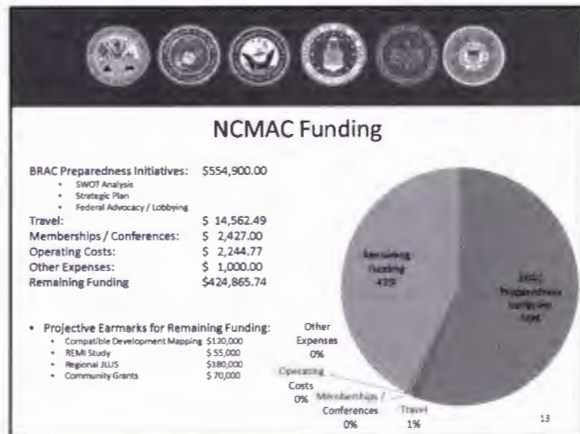


NCMAC Structure

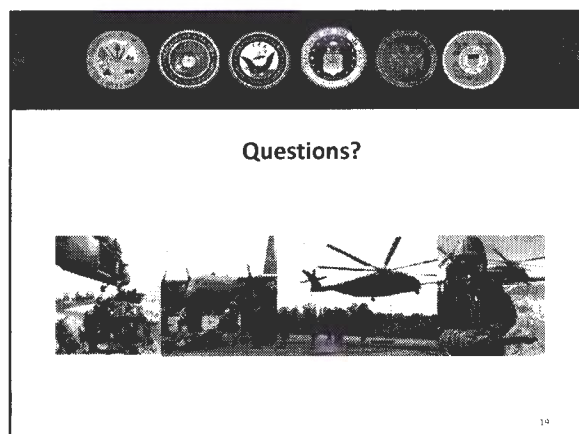
- 21 Voting Members
 - Lead by Chair (Bud Martin) and Vice Chair (Paul Dordal)
 - 2 Representatives from the General Assembly
 - 13 Installation Representatives (3 each from Fort Bragg, MCB Camp Lejeune, MCAS Cherry Point, and Seymour-Johnson, 1 from Elizabeth City CGS)
 - 6 At-Large Representatives
- Three Non-Voting Members
 - The Governor's Military Affairs Advisor
 - 2 Representatives from the General Assembly
- 29 Ex-Officio Members
- 4 Standing Committees / 1 Select Committee

– Economic Development	Chair, Gary McKissock
– Base Sustainability & Community Affairs	Chair, Robert Dickerson
– Quality of Life	Chair, Robert Anderson
– Legislative Affairs	Chair, Senator Harry Brown
– BRAC (as required)	Chair, Paul Dordal













General Cornell A. Wilson, Jr. Military Affairs Advisor

Present

Cornell A. Wilson, Jr. was named military advisor to Governor Pat L. McCrory in October of 2013, and represents the Governor in matters relating to business and economic development in the military and defense community. Wilson advises the Governor on operations and plans associated with the State's six major Department of Defense and Homeland Security commands and installations. He serves as the daily point of contact in the Governor's Office for the Commanders of the major commands and installations (both Active and Reserve) and performs highly advanced (senior-level) military consulting, advising, and analysis work. In his role as Military Advisor, Wilson represents the communities surrounding military bases with a specific focus on base and training area sustainability (air, land and sea), quality of life, infrastructure and economic development. Wilson also serves as the Administrative Head of the North Carolina Military Affairs Commission.



Military Experience

Commander, U.S. Marine Corps Forces South
Deputy Commander, U. S. Marine Corps Forces Command

Major General Cornell A. Wilson, Jr.'s last assignment was as the Commander of U.S. Marine Corps Forces South in Miami, Fl., and the Deputy Commander of U.S. Marine Corps Forces Command in Norfolk, Va., before retiring in 2010.

Major General Wilson attended the University of South Carolina on an NROTC scholarship and graduated with a Bachelor of Science degree in chemistry in 1972. He was commissioned a Second Lieutenant and assigned to The Basic School at Quantico, Va. after graduation.

Upon completion of The Basic School and Armor Officer Basic in 1973, he reported to 1st Marine Division, where he served as a Tank Platoon Commander,



Company Executive Officer, Battalion Assistant Operations Officer and Tank Company Commander, 1st Tank Battalion.

In 1976, he was assigned to USS Inchon as the Combat Cargo Officer at Norfolk, Virginia and transferred to Quantico, Va. in 1978 where he served as an Advanced Tactics Instructor at The Basic School. He was selected to attend Amphibious Warfare School in 1979 and following its completion in 1980, reported to 2nd Marine Division. Assigned to the 2nd Tank Battalion, he commanded H&S Company and served on the Battalion S-4 staff as Maintenance Management Officer before leaving the active component in 1982.

As a Reserve officer, he served on the Maintenance Battalion staff in Charlotte, N.C. before taking command of the Communications Company in Greensboro, N.C. in 1985.

In 1987 he transferred to the H&S Battalion staff in Marietta, Ga. and served as the Battalion's Operations Officer and Executive Officer before assuming command of the Battalion in 1990.

In 1993 he became the Executive Officer for the 25th Marine Regiment in Worcester, Massachusetts. Upon completing his tour with the 25th Marine Regiment, he served as the Depot Inspector for MCRD Parris Island, South Carolina in 1995 and served as the II MACE G-4 before taking command of 4th Supply Battalion in Newport News, Virginia in 1997. During this tour, he was selected for Brigadier General in 1999.

His first assignment as a General Officer was as the Deputy Commander for MARCENT at U.S. Central Command, Tampa, Fl. Following this tour, he was assigned as the Commanding General, 4th FSSG in New Orleans, La. In August 2002, he assumed command of the Augmentation Command Element of the Second Marine Expeditionary Force. He was selected for Major General in 2002.

In support of Operation Enduring Freedom, he was activated as the Deputy J-3 for Central Command in Tampa, Florida, from September to December 2002. From February through May 2003, he commanded the Combined Joint Task Force Consequence Management (C/JTF-CM), headquartered in Camp Doha, Kuwait, and supported Operations Enduring and Iraqi Freedom. On July 9, 2004, he assumed command of 2nd Marine Expeditionary Brigade, Camp Lejeune, N.C., where he served as the MEB commander, Commanding General for II MACE and the Deputy Commander for II MEF.

In July 2005, he was assigned as the Director, Reserve Affairs Division, Manpower & Reserve Affairs at Headquarters Marine Corps, Quantico, Virginia. In July 2007, Major General Wilson was assigned as Commanding General for U.S. Marine Corps Forces, Europe and U.S. Marine Corps Forces Africa in Stuttgart, Germany. He assumed his duties as Deputy Commander for U.S.



• Marine Corps Forces Command in October 2008, and as Commander of U.S. Marine Corps Forces South in October 2009.

Major General Wilson's professional military education includes the Harvard University Program for Senior Executives in National and International Security, Marshall Center Senior Executive Seminar, NATO Defense College General and Flag Officer Course, Senior Information Warfare Application Course, Logtech Executive Course, Revolution in Business Practices, National Defense University's Capstone Course, Naval War College's Strategy and Policy Course, and Amphibious Warfare School.

Major General Wilson completed a sales and marketing career with Siemens ICN in January 2002.

Wilson lives in Charlotte, North Carolina with his wife. They have one son, two daughters, and one grandson.



ATTENDANCE

Homeland Security, Military and Veterans Affairs

(Name of Committee)

[illegible]



Thursday, March 12
HOMELAND
SECURITY MILITARY
& VETERANS
AFFAIRS

Room
421

Page

Time
10:15 am

Name	County	Sponsor
Rashonda Blue	Wake	Yvonne Lewis Holley
Brooke Church	Wilkes	Jeffrey Elmore
Austin Johnson	McDowell	Josh Dobson
Mary Stuart Sloan	Mecklenburg	John R. Bradford, III
Melody Armistead	Wake	George G. Cleveland
Yates McConnell	Chatham	Robert T. Reives, II



Committee Sergeants at Arms

NAME OF COMMITTEE HOMELAND SECURITY, MILITARY & VET. AFFAIRS

DATE: MARCh 12, 2015 Room: 421

House Sgt-At Arms:

1. Name: Bill Bass

2. Name: John Brandon

3. Name: MARK CONE

4. Name: _____

5. Name: _____

Senate Sgt-At Arms:

1. Name: _____

2. Name: _____

3. Name: _____

4. Name: _____

5. Name: _____



VISITOR REGISTRATION SHEET

Homeland Security, Military, and Veteran's Affairs

March 12, 2015


Name of Committee

Date

VISITORS: PLEASE SIGN IN BELOW AND RETURN TO COMMITTEE CLERK

NAME

FIRM OR AGENCY AND ADDRESS

Patricia A. Harris	CDR NC. STATE VETERANS Council
Chip Kethin	Nelson Mullin (Veteran Council)
C. WILSON	CPTICB of SON BANOK
Jerry Schill	Veteran NC Fisheries Association
ILARIO RAMANO	NCDVA - NCYVETS
Glen Batten	NCDVA Dep Dir
Jared Cates	CFSA
Chris Agost	DOJ
	MWC
Donald Turner	Re) Lana Turner
Dan Brooks	Fayetteville Observer



VISITOR REGISTRATION SHEET

Homeland Security, Military, and Veteran's Affairs

Name of Committee

March 12, 2015

Date

VISITORS: PLEASE SIGN IN BELOW AND RETURN TO COMMITTEE CLERK

NAME _____

FIRM OR AGENCY AND ADDRESS

Kasey Ginsberg

Office of the Governor

Joel Magnarud

GPM 1 Assoc



VISITOR REGISTRATION SHEET

Homeland Security, Military, and Veteran's Affairs
Name of Committee

March 12, 2015
Date

VISITORS: PLEASE SIGN IN BELOW AND RETURN TO COMMITTEE CLERK

NAME	FIRM OR AGENCY AND ADDRESS
Sharon Kue	Duke Energy
Penny Bull	School 360
Isabel Villa-Garcia	NCAK
Troy Holowiti MAT	NCNG
Wendy Christensen	Ward & Smith, PA
Lewie King	Speakers Office
Steve Ogden	Senate Pro Tem's Office
Andy Chase	KMA



House Committee on Homeland Security, Military, and Veterans Affairs
Thursday, March 19, 2015 at 12:00 PM
Room 421 of the Legislative Office Building

MINUTES

The House Committee on Homeland Security, Military, and Veterans Affairs met at 12:00 PM on March 19, 2015 in Room 421 of the Legislative Office Building. Representatives Adcock, Arp, Avila, Blust, Cleveland, Floyd, Horn, R. Johnson, Lucas, S. Martin, Meyer, Pittman, Schaffer, Shepard, Speciale, and Whitmire attended.

Representative Larry G. Pittman, Chair, presided.

Lt.Col. Bill Cowan, USMC (ret) spoke to the committee regarding homeland security and terrorism threats in the United States and North Carolina specifically.

Threats are multidimensional and he addressed the following issues:

EMP Electromagnetic Pulse – An Electro Magnetic Pulse attack is one which occurs when a nuclear device is exploded high in the atmosphere, causing a short burst of electromagnetic energy which can take out the U.S. power grid, destroy our electronics networks, and create an existential crisis like nothing the world has ever witnessed. Should significant parts of the electric power infrastructure be lost for any substantial period of time many people may ultimately die for lack of basic elements necessary to sustain life.

Cyber Attack – The ability to get inside our systems and networks gives the attackers the ability to shut things down or to infect or alter them. There are real concerns about the vulnerabilities of our energy, telecommunications, financial and government institutions. Cyber is real and it causes fear.

Terrorism – We need to understand that the rise of ISIS in barely over a year has created competition among the terrorist organizations for dominance. ISIS and al-Qaeda are names we know well, but there are a hundred splinter organizations around the globe which share their hatred of American and Western values and are dedicated to destroying us.

Col Cowan said as far as North Carolina is concerned he doesn't think the big guys (ISIS) would choose North Carolina to strike. North Carolina would be just as susceptible as anywhere else to cyber attacks. But he said a lone wolf is a very real possibility anywhere including North Carolina.

He did make mention in his presentation of concern that the General Assembly building was not better protected. Anyone can just walk in without having to present any credentials.

What to do? Be proactive with coordination with Federal authorities.

The fact that a cyber attack is very real everywhere including in North Carolina means that North Carolina needs to study and be prepared. Otherwise fear and panic set in.



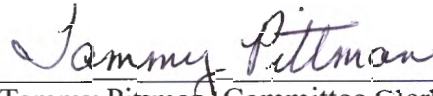
Lt. Col. Cowan answered questions from the committee

Presiding Chairman Pittman requested suggestions on ways we could be prepared. Don't think they are too far out there to be discussed. Please share your ideas.

The meeting adjourned at 12:48 pm.



Representative Larry G. Pittman, Chair
Presiding



Tammy Pittman, Committee Clerk



**NORTH CAROLINA HOUSE OF REPRESENTATIVES
COMMITTEE MEETING NOTICE
AND
BILL SPONSOR NOTIFICATION
2015-2016 SESSION**

You are hereby notified that the **House Committee on Homeland Security, Military, and Veterans Affairs** will meet as follows:

DAY & DATE: Thursday, March 19, 2015
TIME: 12:00 PM
LOCATION: 421 LOB
COMMENTS: Rep. Larry G. Pittman will be Chairing the meeting

Speaker: LtCol Bill Cowan, USMC (Ret)

Bill Cowan is a highly decorated, retired U.S. Marine Corps officer, Vietnam veteran, and Fox News Channel commentator since 2002 on military, terrorism, homeland security and national security matters.

He will be speaking on Homeland Security in North Carolina.

Respectfully,

Representative George G. Cleveland, Co-Chair
Representative Larry G. Pittman, Co-Chair
Representative Michael Speciale, Co-Chair
Representative Chris Whitmire, Co-Chair

I hereby certify this notice was filed by the committee assistant at the following offices at 11:32 AM on Thursday, March 12, 2015.

____ Principal Clerk
____ Reading Clerk – House Chamber

Tammy Pittman (Committee Assistant)



**HOUSE COMMITTEE ON HOMELAND SECURITY, MILITARY, AND VETERANS
AFFAIRS
THURSDAY, MARCH 19, 2015, 12:00 PM
421 LEGISLATIVE OFFICE BUILDING**

AGENDA

Welcome and Opening Remarks: Representative Larry G. Pittman, Presiding
Chairman

Introductions

Presentation: LtCol Bill Cowan, USMC(Ret) on Homeland Security in North
Carolina

Questions

Adjournment

Co-Chairman

Representative George G. Cleveland, Co-Chair
Representative Larry G. Pittman, Co-Chair
Representative Michael Speciale, Co-Chair
Representative Chris Whitmire, Co-Chair



LtCol Bill Cowan, USMC (Ret)

Bill Cowan is a highly decorated, retired U.S. Marine Corps officer, Vietnam veteran, and Fox News Channel commentator since 2002 on military, terrorism, homeland security and national security matters. In the early 80's following terrorist events in Beirut, he became one of the first members and only Marine in the Pentagon's most classified counterterrorist unit, the Intelligence Support Activity. Throughout the '80's and early '90's he participated in numerous special activities and operations into Central America, Europe, and Middle East, dealing with terrorists and terrorism, most notably working against Hezbollah, Iran, and the Syrians.

After the events of 9/11, Bill was called back to government service in support of special programs and activities of national priority related to intelligence, counterterrorism and military special operations. In that capacity he made numerous trips overseas, including 13 trips to Iraq after U.S. forces were pulled out in 2012.

Bill is well known in the media. Besides over 4,000 appearances on Fox, he has appeared multiple times on "60 Minutes"; has appeared on every major network to give analysis on matters of terrorism; has been featured in four TV documentaries aired on the Military Channel, the Discovery Channel, A&E TV, and PBS; and has written dozens of editorial and opinion pieces for various U.S. newspapers.



Committee Sergeants at Arms

NAME OF COMMITTEE House Comm. on Homeland, Military, Veteran Affairs

DATE: 3/19/2015 Room: 421

House Sgt-At Arms:

1. Name: Charles Godwin
2. Name: Dean Marshbourne
3. Name: Rey Cooke
4. Name: _____
5. Name: _____

Senate Sgt-At Arms:

1. Name: _____
2. Name: _____
3. Name: _____
4. Name: _____
5. Name: _____



Thursday, March 19

HOMELAND
SECURITY, MILITARY\
& VETERANS
AFFFAIRS

Room

421

Time

12:00 pm

Name

County

Sponsor

Sierra Cox

Gaston

Speaker



VISITOR REGISTRATION SHEET

House Comm. on Homeland Security, Military, Veteran Affairs

3/19/2015

Name of Committee

Date

VISITORS: PLEASE SIGN IN BELOW AND RETURN TO COMMITTEE CLERK

NAME

FIRM OR AGENCY AND ADDRESS

Velvet Cowan	NCTEA411 - Mt. Airy, NC
Glenn DATTEN	NCDVA - Dep Dir
Jeff Smith	NCDVA - call center
David Collins	SEAN
Susan Vick	Duke Energy
William Crews	DPS, Secretary's office
V. [unclear]	Ward & [unclear]
Chip Kellian	Nelson Mullin
Jerry Schill	NCFE
ILARIO PANTANO	NC 4 VETS / NCDVA Dir.
[Signature]	MWC



VISITOR REGISTRATION SHEET

House Comm. on Homeland Security, Military, Veteran Affairs

3/19/2015

Name of Committee

Date _____

VISITORS: PLEASE SIGN IN BELOW AND RETURN TO COMMITTEE CLERK

NAME _____

FIRM OR AGENCY AND ADDRESS

Rep. Dennis Riddell

Dist 64 - ALABAMA CNTY

Steve Ayden

Senate Pro Tem's Office

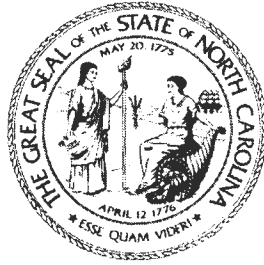
Bo H. Ho

McBain Wood

Cirk Ross

(online) P-512 P. 6/5





**House Committee on Homeland Security, Military, and Veterans Affairs
Wednesday, April 1, 2015 at 10:30 AM
Room 421 of the Legislative Office Building**

MINUTES

The House Committee on Homeland Security, Military, and Veterans Affairs met at 10:30 AM on April 1, 2015 in Room 421 of the Legislative Office Building. Representatives Arp, Blust, Cleveland, Johnson, Lucas, G. Martin, Meyer, Millis, Pittman, Shepard, Speciale, B. Turner, and Whitmire attended. Legal Staff attending were Bill Patterson and Jennifer Bedford. Megan Kluttz was the committee clerk. The attending Sergeants at Arms, the Pages, and the Visitors sheets are made part of this record.

Welcome and opening remarks from Representative Whitmire, presiding Chairman.

The following bills were considered:

HB 254 Protect National Guard Reemployment Rights (Representative G. Martin)

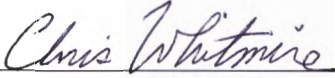
Representative G. Martin explained the bill (Attachment 1) and summary (Attachment 2) and referred to a handout (Attachment 3) that was provided for the meeting regarding this legislation. Representative Millis made a motion for a favorable report and all were in favor. HB 254 passed the committee.

HB 371 Terror Claims / Damages / Liability for Support (Representative Whitmire)

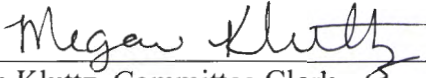
Representative Cleveland presided while Representative Whitmire presented this bill (Attachment 4) and summary (Attachment 5). Representative Lucas thanked the Bill Sponsors for introducing the bill. Next, Representative Pittman asked if there should be clearer language in cases where the perpetrator dies and Representative Stevens answered by mentioning a 6 month statute of limitations. Representative Shepard moved a favorable report for HB 371, and the bill passed with a serial referral to Judiciary 1.



No other business was taken up. The meeting adjourned at 10:45 AM.



Representative Chris Whitmire, Chairman
Presiding



Megan Kluttz, Committee Clerk



Corrected #1: Committee Will Start at 10:30 AM

**NORTH CAROLINA HOUSE OF REPRESENTATIVES
COMMITTEE MEETING NOTICE
AND
BILL SPONSOR NOTIFICATION
2015-2016 SESSION**

You are hereby notified that the **House Committee on Homeland Security, Military, and Veterans Affairs** will meet as follows:

DAY & DATE: Wednesday, April 1, 2015
TIME: 10:30 AM
LOCATION: 421 LOB
COMMENTS: Rep. Whitmire will be presiding.

Committee will meet from 10:30-11:30.

The following bills will be considered:

BILL NO.	SHORT TITLE	SPONSOR
HB 254	Protect National Guard Reemployment Rights.	Representative G. Martin Representative Whitmire Representative Pendleton
HB 371	Terror Claims/Damages/Liability for Support.	Representative Salmon Representative Whitmire Representative Cleveland Representative Stevens

Respectfully,

Representative George G. Cleveland, Co-Chair
Representative Larry G. Pittman, Co-Chair
Representative Michael Speciale, Co-Chair
Representative Chris Whitmire, Co-Chair

I hereby certify this notice was filed by the committee assistant at the following offices at 6:04 PM on Tuesday, March 31, 2015.

____ Principal Clerk
____ Reading Clerk – House Chamber

Megan Kluttz (Committee Assistant)





AGENDA

House Committee on Homeland Security, Military, and Veterans Affairs

Wednesday, April 1, 2015, 10:30 AM
Legislative Offices Building, Room 421

I. Welcome & Opening Remarks: Representative Chris Whitmire, Presiding Chairman

II. The following bills will be heard:

BILL NO	SHORT TITLE	SPONSOR
HB 254	Protect National Guard Reemployment Rights.	Representative G. Martin Representative Whitmire Representative Pendleton Representative Salmon
HB 371	Terror Claims/Damages/ Liability for Support.	Representative Whitmire Representative Cleveland Representative Stevens

III. Closing Remarks

IV. Adjournment

Co-Chairman:
Representative George Cleveland
Representative Larry Pittman
Representative Michael Speciale
Representative Chris Whitmire



GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2015

H

1

HOUSE BILL 371

Short Title: Terror Claims/Damages/Liability for Support. (Public)

Sponsors: Representatives Whitmire, Cleveland, and Stevens (Primary Sponsors).
For a complete list of Sponsors, refer to the North Carolina General Assembly Web Site.

Referred to: Homeland Security, Military, and Veterans Affairs, if favorable, Judiciary I.

March 30, 2015

A BILL TO BE ENTITLED
AN ACT CREATING A CIVIL CLAIM FOR RELIEF FOR DAMAGES SUSTAINED AS
THE RESULT OF TERRORIST ACTS.

The General Assembly of North Carolina enacts:

SECTION 1. Article 43 of Chapter 1 of the General Statutes is amended by adding a new section to read:

"§ 1-539.2D. Civil liability for acts of terror.

(a) The following definitions apply in this section:

(1) Act of terror. – An activity with all of the following characteristics:

a. Involves violent acts or acts dangerous to human life that violate federal or State law.

b. Appears to be intended (i) to intimidate or coerce a civilian population, (ii) to influence the policy of a government by intimidation or coercion, or (iii) to affect the conduct of a government by mass destruction, assassination, or kidnapping.

c. Occurs primarily within this State.

(2) Terrorist. – A person who commits an act of terror, including a person who acts as an accessory before or after the fact, aids or abets, solicits, or conspires to commit an act of terror or who lends material support to an act of terror.

(b) Any person whose property or person is injured by a terrorist may sue for and recover damages from the terrorist.

(c) Any person who files an action under this section is entitled to recover three times the actual damages sustained or ten thousand dollars (\$10,000), whichever is greater, as well as court costs and attorneys' fees in the trial and appellate courts if the person prevails in the claim.

(d) The rights and remedies provided by this section are in addition to any other rights and remedies provided by law.

(e) The limitations period for a claim under this section is five years from the date of the injury."

SECTION 2. G.S. 14-10.1 is amended by adding a new subsection to read:

"(e) Any person whose property or person is injured by reason of a violation of this section may sue for and recover treble damages, costs, and attorneys' fees pursuant to G.S. 1-539.2D."



1 **SECTION 3.** This act becomes effective December 1, 2015, and applies to acts
2 committed on or after that date.



HOUSE BILL 371: Terror Claims/Damages/Liability for Support

2015-2016 General Assembly

Committee:	House Homeland Security, Military, and Veterans Affairs, if favorable, Judiciary I	Date:	March 31, 2015
Introduced by:	Reps. Whitmire, Cleveland, Stevens	Prepared by:	Bill Patterson
Analysis of:	First Edition		Committee Counsel

SUMMARY: *House Bill 371 would permit any person whose property or person is injured by a terrorist to bring a civil action and, if successful, to recover three times his or her actual damages or \$10,000, whichever is greater, together with court costs and attorney's fees.*

CURRENT LAW: Under current law, a person who sustains personal injury or property damage intentionally caused by another has a cause of action for compensatory damages. The claim is subject to a three-year statute of limitations under G.S. 1-52.

A plaintiff who proves by clear and convincing evidence that the injury for which compensatory damages was awarded resulted from the defendant's willful and wanton conduct may also recover punitive damages. G.S. 1D-15. "Willful and wanton conduct" is defined as "the conscious and intentional disregard of and indifference to the rights and safety of others, which the defendant knows or should know is reasonably likely to result in injury, damage, or other harm." G.S. 1D-5(7). Punitive damages may be awarded in an amount up to three times the amount of compensatory damages or \$250,000, whichever is greater. G.S. 1D-25(b).

Under G.S. 14-10.1, a person commits the crime of "terrorism" if he or she commits an "act of violence" with the intent to do either of the following:

- (1) Intimidate the civilian population at large, or an identifiable group of the civilian population; or
- (2) Influence, through intimidation, the conduct or activities of the government of the United States, a state, or any unit of local government.

"Act of violence" as used in G.S. 14-10.1 includes homicide, manslaughter, any felony offense that includes an assault or use of force or violence against any person, any felony offense that includes a threat or use of any explosive or incendiary device, or any offense that includes a threat or use of an nuclear, biological, or chemical weapon of mass destruction.

BILL ANALYSIS: Section 1 of the bill would enact new G.S. 1-539.2D, under which any person whose property or person is injured by a "terrorist" would be entitled to sue for and recover damages from the terrorist.

"Terrorist" is defined as a person who commits an "act of terror" or who in support of or in conspiracy with others to commit an act of terror.

An "act of terror" is defined as an activity having all of the following characteristics:

- involves violent acts or acts dangerous to human life that violate State or federal law
- appears intended to intimidate or coerce a civilian population, to influence government policy by intimidation or coercion, or to affect government conduct by mass destruction, assassination, or kidnapping
- occurs primarily within this State

O. Walker Reagan
Director



Research Division
(919) 733-2578

House Bill 371

Page 2

Any person prevailing in an action under this section would be entitled to recover three times the actual damages sustained or \$10,000, whichever is greater, together with court costs and attorneys' fees in the trial and appellate courts. This new cause of action would be subject to a five-year limitations period.

Section 2 of the bill amends G.S. 14-10.1 by adding a new subsection (e) providing that any person whose property or person is injured by reason of a violation of this section may sue for and recover treble damages, costs and attorneys' fees under G.S. 1-539.2D.

EFFECTIVE DATE: This act becomes effective December 1, 2015, and applies to acts committed on or after that date.

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2015

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HOUSE BILL 254*

Short Title: Protect National Guard Reemployment Rights. (Public)

Sponsors: Representatives G. Martin, Whitmire, Pendleton, and Salmon (Primary Sponsors).

For a complete list of Sponsors, refer to the North Carolina General Assembly Web Site.

Referred to: Homeland Security, Military, and Veterans Affairs.

March 18, 2015

1 A BILL TO BE ENTITLED
2 AN ACT TO EXTEND NATIONAL GUARD REEMPLOYMENT RIGHTS TO MEMBERS
3 OF THE NATIONAL GUARDS OF OTHER STATES.

4 The General Assembly of North Carolina enacts:

5 SECTION 1. G.S. 127A-201 reads as rewritten:

6 "§ 127A-201. Entitlement.

7 Any member of the North Carolina National Guard or the National Guard of another state
8 who, at the direction of ~~the Governor~~, a state's Governor, enters State duty, is entitled, upon
9 honorable release from State duty, to all the reemployment rights provided for in this Article."

10 SECTION 2. G.S. 127A-202.1 reads as rewritten:

11 "§ 127A-202.1. Discrimination against persons who serve in the ~~North Carolina National~~
12 ~~Guard and acts of reprisal prohibited.~~

13 (a) It is the policy of this State that all individuals shall be afforded the right to perform,
14 apply to perform, or have an obligation to perform service in the North Carolina National
15 Guard or the National Guard of another state without fear of discrimination or retaliatory action
16 from their employer or prospective employer on the basis of that membership, application for
17 membership, performance of service, application for service, or obligation.

18 (b) An individual who is a member of the North Carolina National Guard or the
19 National Guard of another state who performs, has performed, applies to perform, or has an
20 obligation to perform service in the North Carolina National Guard or the National Guard of
21 another state shall not be denied initial employment, reemployment, retention in employment,
22 promotion, or any benefit of employment by an employer on the basis of that membership,
23 application for membership, performance of service, application for service, or obligation.

24 (c) A person shall be considered to have denied a member of the North Carolina
25 National Guard or the National Guard of another state initial employment, reemployment,
26 retention in employment, promotion, or a benefit of employment in violation of this section if
27 the member's membership, application for membership, performance of service, application for
28 service, or obligation for service in the North Carolina National Guard or the National Guard of
29 another state is a motivating factor in that person's action, unless the person can prove by the
30 greater weight of the evidence that the same unfavorable action would have taken place in the
31 absence of the member's membership, application for membership, performance of service,
32 application for service, or obligation.

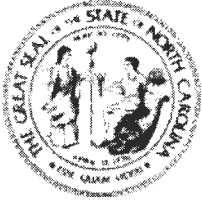


1 (d) Nothing in this section shall be construed to require a person to pay salary or wages
2 to a member of the North Carolina National Guard or of the National Guard of another state
3 during the member's period of active service.

4 (e) The Commissioner of Labor shall enforce the provisions of this section according to
5 Article 21 of Chapter 95 of the General Statutes, including the rules and regulations issued
6 pursuant to that Article.

7 (f) This section shall also apply when a member of the North Carolina National Guard
8 or the National Guard of another state is called into active duty at the direction of the President,
9 the Governor, or by any other competent authority."

10 **SECTION 3.** This act becomes effective October 1, 2015, and applies to denials of
11 initial employment, reemployment, retention in employment, promotion, or any benefit of
12 employment by an employer on or after that date.



HOUSE BILL 254: Protect National Guard Reemployment Rights

2015-2016 General Assembly

Committee:	House Homeland Security, Military, and Veterans Affairs	Date:	March 31, 2015
Introduced by:	Reps. G. Martin, Whitmire, Pendleton, Salmon	Prepared by:	Bill Patterson Jennifer Bedford Committee Counsel
Analysis of:	First Edition		

SUMMARY: *House Bill 254 would expand reemployment protections granted to members of the North Carolina National Guard to include members of the National Guards of other states.*

[As introduced, this bill was identical to S280, as introduced by Sens. J. Jackson, Soucek, which is currently in Senate Workforce and Economic Development.]

CURRENT LAW: Article 16 of Chapter 127A of the General Statutes, "National Guard Employment Rights," provides members of the North Carolina National Guard who have been called up by the Governor to serve with a number of reemployment rights upon honorable release from State duty. G.S. 127A-201.

Within five days after release from duty or from hospitalization continuing after release, a covered employee is required to make written application for reemployment with his or her previous employer, and if still qualified for the previous employment, must be restored to that position or one of like seniority, status and salary, unless the employer's circumstances make restoration unreasonable. G.S. 127A-202.

It is State policy that individuals who serve the North Carolina National Guard should be protected from discrimination or retaliatory action from employers or prospective employers on the basis of their National Guard membership, service, or obligation. G.S. 127A-202.1(a). Members of the North Carolina National Guard shall not be denied initial employment, reemployment, and retention in employment, promotion, or benefits on the basis of their National Guard membership. G.S. 127A-202.1(b). An employer that denies a member's initial employment, reemployment, retention in employment, promotion, or an employment benefit is considered to have violated this section unless the employer proves, by the greater weight of the evidence, that the same unfavorable action would have taken place absent the member's status in the North Carolina National Guard. G.S. 127A-202.1(c). Employers are not required to pay salary or wages during a member's service. G.S. 127A-202.1(d). The Commissioner of Labor is tasked with enforcement of these provisions. 127A-202.1(e). This section also applies to members of the North Carolina National Guard who are called into active duty by the President, or other competent authority. 127A-202.1(f).

If an employer fails to comply with G.S. 127A-202, then upon the employee's motion, the superior court for the district of the employer's place of business may require the employer to comply and to compensate the employee for any lost wages or benefits resulting from the unlawful failure to comply. G.S. 127A-203.

BILL ANALYSIS: House Bill 254 would extend the reemployment rights currently granted to members of the North Carolina National Guard to those who have served as members of the National Guards of other states.





House Bill 254

Page 2

EFFECTIVE DATE: This act becomes effective October 1, 2015, and applies to denials of initial employment, reemployment, retention in employment, promotion, or any benefit of employment by an employer on or after that date.





DoD-State Liaison Office

**OFFICE OF THE DEPUTY ASSISTANT SECRETARY OF DEFENSE
(MILITARY COMMUNITY AND FAMILY POLICY)**

**4000 DEFENSE PENTAGON
WASHINGTON, D.C. 20301-4000**

**NC House, Homeland Security, Military and Veterans Affairs Committee
HB 254, Protect National Guard Reemployment Rights**

**Testimony by
Kevin Bruch
April 2, 2015**

Honorable Chair Whitmire and committee members, thank you for the opportunity to provide information and ask for your support for the policies espoused in House Bill 254 sponsored by Representative Grier Martin.

My name is Kevin Bruch; I am the Department of Defense (DoD) South Atlantic Regional Liaison. I work for the Deputy Assistant Secretary of Defense for Military Community and Family Policy.

Employment protection during state-sponsored activation is an important quality of life issue for the Department. Although new for us, research indicates that 12 other states already do what we are seeking here, including AR, DE, ID, IL, LA, ME, MN, TX, OR, UT, WA, and WI. Seven states are currently considering legislation at this time. We really appreciate your consideration in joining these other states on this initiative.

While National Guard members are subject to federal call-up by the President of the United States, they can also be called-up for state active duty by the Governor of NC and other state Governors to respond to state emergencies such as fires, tornadoes and floods etc.

A federal law called the Uniformed Services Employment and Reemployment Rights Act (USERRA) protects members of the Army or Air National Guard when they are away from their civilian jobs for federal service under title 10 or title 32 of the United States Code.

However, USERRA does not apply when a National Guard member must leave their job for state active duty. If National Guard members are to have reemployment rights after state active duty, it must be by state law.

North Carolina has such a law that applies to public and private employees but it is explicitly limited to members of the North Carolina Army or Air National Guard. The reemployment of a member of the National Guard of another state who has a civilian job in North Carolina is currently not protected.

NC HB 254 will correct this current deficiency by including members of the National Guard of any other states.





**OFFICE OF THE DEPUTY ASSISTANT SECRETARY OF DEFENSE
(MILITARY COMMUNITY AND FAMILY POLICY)**

**4000 DEFENSE PENTAGON
WASHINGTON, D.C. 20301-4000**

DoD-State Liaison Office

Does this situation really happen in North Carolina? Yes it does! There is a Civilian Employer Information ((CEI) code used by the Employer Support for the Guard and Reserve (ESGR) program based on information self-reported by the individual Guardsman that is maintained by the Defense Manpower Data Center (DMDC).

We are able to identify that there are around 2685 Guardsman who self-reported where they work. While the majority of these are in the NC Guard, nearly 14% (around 370) of those that self-reported serve for various states TAGs. More than half (around 198) are assigned to South Carolina, Tennessee or Virginia National Guard units. This bill will help ensure that they will have reemployment rights to their NC job after completing any state active duty.

We thank Representatives Martin, Whitmire, Pendleton, and Salmon for sponsoring this measure. Thank you for taking up this issue, and for your consideration.

Kevin Bruch, South Atlantic Regional Liaison, Mark.k.bruch.civ@mail.mil, 571-309-8443



NORTH CAROLINA GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES

HOMELAND SECURITY, MILITARY, AND VETERANS AFFAIRS COMMITTEE REPORT

Representative George G. Cleveland, Co-Chair

Representative Larry G. Pittman, Co-Chair

Representative Michael Speciale, Co-Chair

Representative Chris Whitmire, Co-Chair

CORRECTED REPORT

FAVORABLE

HB 254

Protect National Guard Reemployment Rights.

Draft Number: None

Serial Referral: None

Recommended Referral: None

Long Title Amended: No

Floor Manager: G. Martin

FAVORABLE AND RE-REFERRED

HB 371

Terror Claims/Damages/Liability for Support.

Draft Number: None

Serial Referral: JUDICIARY I

Recommended Referral: None

Long Title Amended: No

Floor Manager: Whitmire

TOTAL REPORTED: 2



* C M R 1 O 6 - V - 3 *



Wednesday, April 1

HOMELAND MILITARY
& VETERAN AFFAIRS

Room

421

Time

10:30 am

Name

County

Sponsor

Alexis Gardner

Cumberland

Marvin W. Lucas

Stewart Haynes

Wilson

Susan Martin



Committee Sergeants at Arms

NAME OF COMMITTEE HOMELAND SECURITY & VET. AFFAIRS

DATE: 4-01-15 Room: 421

House Sgt-At Arms:

1. Name: BILL BASS
2. Name: JOHN BRANDON
3. Name: MARK CUNE
4. Name: _____
5. Name: _____

Senate Sgt-At Arms:

1. Name: _____
2. Name: _____
3. Name: _____
4. Name: _____
5. Name: _____



VISITOR REGISTRATION SHEET

Homeland Security, Military, and Veterans Affairs

Name of Committee

April 1, 2014

Date

VISITORS: PLEASE SIGN IN BELOW AND RETURN TO COMMITTEE CLERK

NAME _____

FIRM OR AGENCY AND ADDRESS

Swear

Duke Energy

Robert Cawen

NC strange quark

Troy Holowicki

NC National Guard

Whitney Christensen

Ward & Smith

Will Danyo

NCHFA

Todd Balow

NC Advocates for Just.



VISITOR REGISTRATION SHEET

Homeland Security, Military, and Veterans Affairs

April 1, 2014

Name of Committee

Date _____

VISITORS: PLEASE SIGN IN BELOW AND RETURN TO COMMITTEE CLERK

NAME _____

FIRM OR AGENCY AND ADDRESS

SANTA S. NINE

НДАСС

Alisha Wood

NCLVH

Jerry Schill

NCFH

Sarah Hince

No 1254

Jennifer Haiswood

ACDOL

Ryan Combs

NCOPS



House Committee on Homeland Security, Military and Veteran Affairs
Wednesday, April 15, 2015 at 5:40 pm
Room 643

MINUTES

The House Committee on Homeland Security, Military and Veteran Affairs met at 5:36 pm on April 15, 2015 in Room 643. Rep. Chris Whitmire, Rep. Grier Martin, Rep. Garland Pierce, Rep. Gale Adcock, Rep. Dean Arp, Rep. Marilyn Avila, Rep. Elmer Floyd, Rep. Ralph Johnson, Rep. Jacqueline Schaffer, Rep. Phil Shepard, Rep. Brian Turner and Rep. Roger West attended.

Rep. Michael Speciale presided. The Chair welcomed the committee members and recognized the staff and sergeants-at-arms, Charles Godwin, Dean Marshborne and Rey Cooke.

Legal Staff in attendance was Bill Patterson and Jennifer Bedford.

The following bills were considered:

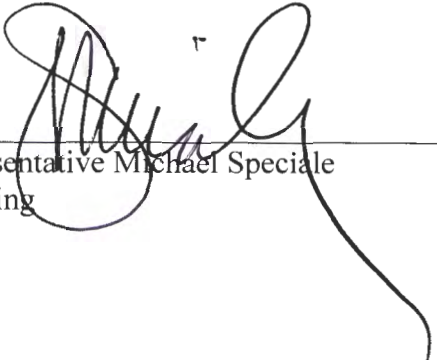
HB 340 Weekend Burials/State Veterans Cemeteries. Representative Shepard was recognized to explain the bill to the committee. Hearing no questions or comments, Representative Floyd made a motion for a favorable report for the bill. The motion carried and the bill received a favorable report.

HB 595 Military Experience/LEO Cert. Requirements. Representative Whitmire was recognized to explain the bill to the committee. Joe Dugdale, Chief Council of DPS (Department of Public Safety) explained not requiring an honorable discharge. Bill Patterson assisted in explaining discharge question stating 93B15.1 sets the criteria for the board. Representative Speciale drew differences between BLET (Basic Law Enforcement Training) and the Military. Representative Floyd made a motion for a favorable report for the bill. The motion carried and the bill received a favorable report.

HB 471 LRC/Homeland Sec. & Legislative Security. Representative Whitmire was recognized to explain the bill to the committee. After brief discussion, Representative Floyd made a motion for a favorable report for the bill. Representative Avila motioned with the re-referral to Rules, Calendar, and Operations of the House. The motion carried and the bill was re-referred to Rules, Calendar, and Operations of the House.

HB 558 Reserves & Nat. Guard/Military Affairs Comm. Representative Arp suspended rules to accept PCS. Representative Whitmire was recognized to explain the PCS to the committee. After brief discussion, Representative Arp moved "unfavorable as to the original bill, favorable as to the Committee Substitute". The motion passed.

The meeting adjourned at 6:45 pm.



Representative Michael Speciale
Presiding



Hazel Speciale, Committee Clerk



Corrected #1: Day change, time change and room change

**NORTH CAROLINA HOUSE OF REPRESENTATIVES
COMMITTEE MEETING NOTICE
AND
BILL SPONSOR NOTIFICATION
2015-2016 SESSION**

You are hereby notified that the **House Committee on Homeland Security, Military, and Veterans Affairs** will meet as follows:

DAY & DATE: Wednesday, April 15, 2015
TIME: 15 Minutes After Session
LOCATION: 643 LOB
COMMENTS: Representative Michael Speciale will be chairing.

The following bills will be considered:

BILL NO.	SHORT TITLE	SPONSOR
HB 340	Weekend Burials/State Veterans Cemeteries.	Representative Shepard Representative Cleveland Representative Boles Representative Whitmire
HB 595	Military Experience/LEO Cert. Requirements.	Representative Whitmire Representative McNeill Representative Cleveland Representative G. Martin
HB 471	LRC/Homeland Sec. & Legislative Security.	Representative Pittman Representative Speciale Representative Whitmire
HB 558	Reserve & Nat. Guard/Military Affairs Comm.	Representative Whitmire Representative G. Martin Representative Pendleton Representative Pittman



Respectfully,

Representative George G. Cleveland, Co-Chair
Representative Larry G. Pittman, Co-Chair
Representative Michael Speciale, Co-Chair
Representative Chris Whitmire, Co-Chair

I hereby certify this notice was filed by the committee assistant at the following offices at 3:01 PM on Wednesday, August 19, 2015.

____ Principal Clerk
____ Reading Clerk – House Chamber

Hazel Speciale (Committee Assistant)





AGENDA

House Committee on Homeland Security, Military, and Veterans Affairs

Wednesday, April 15, 2015, 15 Minutes after session
Legislative Offices Building, Room 643

I. Welcome & Opening Remarks: Representative Michael Speciale, Presiding Chairman

II. The following bills will be heard:

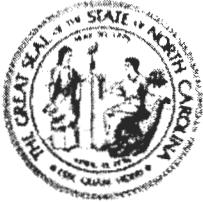
BILL NO.	SHORT TITLE	SPONSOR
HB 340	Weekend Burials/State Veterans Cemeteries.	Representative Shepard Representative Cleveland Representative Boles Representative Whitmire
HB 595	Military Experience/LEO Cert. Requirements.	Representative Whitmire Representative McNeill Representative Cleveland Representative G. Martin
HB 471	LRC/Homeland Sec. & Legislative Security.	Representative Pittman Representative Speciale Representative Whitmire
HB 558	Reserves & Nat. Guard/Military Affairs Comm.	Representative Whitmire Representative G. Martin Representative Pendleton Representative Pittman

III. Closing Remarks

IV. Adjournment

Co-Chairman:
Representative George Cleveland
Representative Larry Pittman
Representative Michael Speciale
Representative Chris Whitmire





HOUSE BILL 340: Weekend Burials/State Veterans Cemeteries

2015-2016 General Assembly

Committee:	House Homeland Security, Military, and Veterans Affairs	Date:	April 7, 2015
Introduced by:	Reps. Shepard, Cleveland, Boles, Whitmire	Prepared by:	Bill Patterson
Analysis of:	First Edition		Committee Counsel

SUMMARY: *House Bill 340 would provide that burial services shall be conducted at all State veterans cemeteries every day of the week that is not a State or federal holiday.*

CURRENT LAW: G.S. 65-44 provides that burial services shall be conducted at the Coastal Carolina State Veterans Cemetery and the Sandhills State Veterans Cemeteries every day of the week that is not a State holiday.

BILL ANALYSIS: House Bill 340 would amend G.S. 65-44 to provide that burial services shall be conducted every day of the week at all State veterans cemeteries. In addition, the bill would not require burial services to be conducted on federal holidays.

EFFECTIVE DATE: This act is effective when it becomes law.

BACKGROUND: State veterans cemeteries were established in North Carolina in response to the shortage of spaces available in the four national veterans cemeteries located in North Carolina,¹ so that veterans could be buried in closer proximity to where their families and friends live.²

Under Article 8A of Chapter 65 of the General States, eligible North Carolina veterans and their legal spouses and dependents are provided free burial plots at State veterans cemeteries.

There are presently three State veterans cemeteries³:

- Coastal Carolina State Veterans Cemetery (Jacksonville)
- Sandhills State Veterans Cemetery (Spring Lake)
- Western Carolina State Veterans Cemetery (Black Mountain)

Each cemetery is staffed with an administrator, an administrative assistant, two maintenance mechanics, and a groundsman.

To cover the costs incurred as a result of weekend burial services required under G.S. 65-44, the Department of Administration was authorized in 2004 to use funds credited to the Veterans Burial Fund for the 2004-2005 fiscal year,⁴ and in 2005 the Department was authorized to cover these costs using funds credited to the Veterans Burial Fund for the 2005-2007 biennium.⁵ According to the Division of Veterans Affairs, however, weekend burial services have not been conducted pursuant to G.S. 65-44 because sufficient funds have not been available to pay the additional staff wages and expenses required to conduct such services on Saturdays and Sundays.

¹ There are four national cemeteries in North Carolina: New Bern, Raleigh, Salisbury and Wilmington National Cemeteries. Only the Salisbury National Cemetery is still accepting interments.

² S.L. 1987-183.

³ A fourth cemetery is under construction in Goldsboro and is expected to be open in late 2015.

⁴ S.L. 2004-124, s. 19.2(b).

⁵ S.L. 2005-276, s. 19.3.





GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2015

H

1

HOUSE BILL 340

Short Title: Weekend Burials/State Veterans Cemeteries. (Public)

Sponsors: Representatives Shepard, Cleveland, Boles, and Whitmire (Primary Sponsors).

For a complete list of Sponsors, refer to the North Carolina General Assembly Web Site.

Referred to: Homeland Security, Military, and Veterans Affairs.

March 25, 2015

1 A BILL TO BE ENTITLED
2 AN ACT PROVIDING FOR WEEKEND BURIALS AT ALL OF THE STATE'S
3 VETERANS CEMETERIES.

4 The General Assembly of North Carolina enacts:

5 SECTION 1. G.S. 65-44 reads as rewritten:

6 "§ 65-44. Days for burial.

7 Notwithstanding any other provision of law, burial services shall be conducted at ~~the~~
8 ~~Coastal Carolina State Veterans Cemetery and the Sandhills State Veterans Cemetery~~ all State
9 veterans cemeteries from Monday through Sunday, except when the day for services falls on a
10 State or federal holiday."

11 SECTION 2. This act is effective when it becomes law.



* H 3 4 0 - V - 1 *



GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2015

H

1

HOUSE BILL 595

Short Title: Military Experience/LEO Cert. Requirements. (Public)

Sponsors: Representatives Whitmire, McNeill, Cleveland, and G. Martin (Primary Sponsors).

For a complete list of Sponsors, refer to the North Carolina General Assembly Web Site.

Referred to: Homeland Security, Military, and Veterans Affairs.

April 9, 2015

A BILL TO BE ENTITLED

AN ACT TO RECOGNIZE EXPERIENCE AS MILITARY POLICE OFFICERS FOR PURPOSES OF LAW ENFORCEMENT CERTIFICATION AND TO INCREASE THE SIZE OF THE NORTH CAROLINA CRIMINAL JUSTICE EDUCATION AND TRAINING STANDARDS COMMISSION.

The General Assembly of North Carolina enacts:

SECTION 1. Chapter 17C of the General Statutes is amended by adding a new section to read:

"§ 17C-10.1. Certification of military service members and veterans with law enforcement training and experience.

(a) Notwithstanding any other provision of law, the Commission shall waive an applicant's completion of the Commission-accredited training course and issue probationary certification to a current or former military police officer provided the Commission, upon evaluating the individual applicant's training and experience pursuant to G.S. 93B-15.1(a), determines that the applicant's combined training and experience is substantially equivalent to or exceeds the minimum expectations for employment as a law enforcement officer and the applicant satisfies all of the following conditions:

(1) Successfully completed a military police training program and been awarded a military police occupational specialty rating.

(2) Performed military police officer duties in any of the branches of military service, active or reserve, or the National Guard for not less than two of the five years preceding the date of the application for certification as a law enforcement officer.

(b) An applicant certified pursuant to subsection (a) of this section must successfully complete the employing agency's in-service firearms training and qualification program prior to employment and shall serve a one-year period of probation. During the one-year period of probation, the applicant must successfully complete the Legal Unit in a Commission-accredited Basic Law Enforcement Training Course and successfully pass the State Comprehensive Examination in its entirety.

(c) The Commission shall issue certification to a former or current military police officer whose combined training and experience is not substantially equivalent to or does not exceed the minimum expectations for employment as a law enforcement officer if the applicant meets all of the following requirements:



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- (1) Successfully completed a formal military basic training program and been awarded a military police occupational specialty rating.
- (2) Engaged in the active practice of military police officer duties in any of the branches of military service, active or reserve, or the National Guard for not less than two of the five years preceding the date of the application for certification as a law enforcement officer.
- (3) Meets the minimum standards for law enforcement officers as set out in 12 NCAC 9B. 0101 and NCAC 9B. 0111.
- (4) Successfully completes the Legal Unit in a Commission-accredited Basic Law Enforcement Training Course and any supplementary high-liability training as deemed necessary by the Commission, not to exceed an additional 180 hours.
- (5) Obtains a passing grade on the State Comprehensive Basic Law Enforcement Training (BLET) Exam.
- (d) Members of the Air/Army National Guard and Military Reserve Components who have performed as a military police officer for not less than 1,040 hours during the five years preceding the date of application shall be deemed to satisfy the requirements of subdivisions (a)(2) and (c)(2) of this section.
- (e) An applicant who, after completing the required training in subsections (a) or (c) of this section, fails to obtain a passing score on not more than two of the units of the comprehensive exam may be retested in the units the applicant failed. An applicant who fails three or more of the units must enroll in and successfully complete a subsequent offering of the Basic Law Enforcement Training Course in its entirety in order to be eligible to be certified.
- (f) An active duty military police officer who obtains certification under this section may retain the certification for the duration of active duty provided the officer continues to serve in a military police capacity and complies with any in-service training requirements as may be required by the Commission. An active duty member who is unable to complete annual in-service requirements due to deployment or overseas assignment shall have 12 months from the time the officer returns to the United States in which to complete any required in-service training. The officer shall retain the certification for a period of one year following separation from active duty.
- (g) As used in this section, the following terms mean:
- (1) Branches of military service. – The United States Armed Forces: Air Force; Army; Marine; Navy; active, reserve, Air/Army National Guard components and the Coast Guard.
- (2) Combined training. – Basic military training, basic military police training, in-service or advanced military police training and any other military training courses that may be applicable to the performance of law enforcement duties.
- (3) Military police. – All law enforcement occupational classifications in the various branches of the Armed Forces, including Military Police Officer, Security Forces Specialist, Master-at-Arms, Maritime Enforcement Specialist, Boarding Officer and Security forces."

SECTION 2. G.S. 17C-3 reads as rewritten:

"§ 17C-3. North Carolina Criminal Justice Education and Training Standards Commission established; members; terms; vacancies.

(a) There is established the North Carolina Criminal Justice Education and Training Standards Commission, hereinafter called "the Commission." The Commission shall be composed of ~~34~~34 members as follows:



- (1) Police Chiefs. – Three police chiefs selected by the North Carolina Association of Chiefs of Police and one police chief appointed by the Governor.
- (2) Police Officers. – Three police officials appointed by the North Carolina Police Executives Association and two criminal justice officers certified by the Commission as selected by the North Carolina Law-Enforcement Officers' Association.
- (3) Departments. – The Attorney General of the State of North Carolina; the Secretary of Public Safety; the Director of the State Bureau of Investigation, the Commander of the State Highway Patrol, and the President of the North Carolina Community Colleges System.
- (3a) Repealed by Session Laws 2001-490, s. 1.2, effective June 30, 2001.
- (4) At-large Groups. – One individual representing and appointed by each of the following organizations: one mayor selected by the League of Municipalities; one law-enforcement training officer selected by the North Carolina Law-Enforcement Training Officers' Association; one criminal justice professional selected by the North Carolina Criminal Justice Association; one sworn law-enforcement officer selected by the North State Law-Enforcement Officers' Association; one member selected by the North Carolina Law-Enforcement Women's Association; and one District Attorney selected by the North Carolina Association of District Attorneys.
- (5) Citizens and Others. – The President of The University of North Carolina; the Dean of the School of Government at the University of North Carolina at Chapel Hill; and two citizens, one of whom shall be selected by the Governor and one of whom shall be selected by the Attorney General. The General Assembly shall appoint four persons, two upon the recommendation of the Speaker of the House of Representatives and two upon the recommendation of the President Pro Tempore of the Senate. Appointments by the General Assembly shall be made in accordance with G.S. 120-122. Appointments by the General Assembly shall be for two-year terms to conclude on June 30th in odd-numbered years.
- (6) ~~Correctional Officers.~~ Adult Correction and Juvenile Justice. – Four correctional officers in management positions employed by the Division of Adult Correction and Juvenile Justice of the Department of Public Safety shall be appointed, two from the Section of Community Corrections ~~of the Division of Adult Correction~~ upon the recommendation of the Speaker of the House of Representatives and two from the Section of Prisons ~~of the Division of Adult Correction~~ upon the recommendation of the President Pro Tempore of the Senate. Appointments by the General Assembly shall be made in accordance with G.S. 120-122. Appointments by the General Assembly shall serve two-year terms to conclude on June 30th in odd-numbered ~~years.~~ years or until the appointee no longer serves in a management position with the Division of Adult Correction, whichever occurs first. The Governor shall appoint one correctional officer employed by the Division of Adult Correction of the Department of Public Safety and assigned to the Office of Staff Development and ~~Training.~~ Training, and one juvenile justice officer employed by the Section of Juvenile Justice. The Governor's appointment appointments shall serve a three-year term terms or until the appointee is no longer assigned to the Office of Staff Development and Training, or is no longer a juvenile justice officer, whichever occurs first.



(b) The members shall be appointed for staggered terms. The initial appointments shall be made prior to September 1, 1983, and the appointees shall hold office until July 1 of the year in which their respective terms expire and until their successors are appointed and qualified as provided hereafter:

For the terms of one year: one member from subdivision (1) of subsection (a) of this section, serving as a police chief; three members from subdivision (2) of subsection (a) of this section, one serving as a police official, and two criminal justice officers; one member from subdivision (4) of subsection (a) of this section, appointed by the North Carolina Law-Enforcement Training Officers' Association; and two members from subdivision (5) of subsection (a) of this section, one appointed by the Governor and one appointed by the Attorney General.

For the terms of two years: one member from subdivision (1) of subsection (a) of this section, serving as a police chief; one member from subdivision (2) of subsection (a) of this section, serving as a police official; and two members from subdivision (4) of subsection (a) of this section, one appointed by the League of Municipalities and one appointed by the North Carolina Association of District Attorneys.

For the terms of three years: two members from subdivision (1) of subsection (a) of this section, one police chief appointed by the North Carolina Association of Chiefs of Police and one police chief appointed by the Governor; one member from subdivision (2) of subsection (a) of this section, serving as a police official; and three members from subdivision (4) of subsection (a) of this section, one appointed by the North Carolina Law-Enforcement Women's Association, one appointed by the North Carolina Criminal Justice Association, and one appointed by the North State Law-Enforcement Officers' Association.

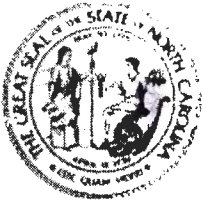
Thereafter, as the term of each member expires, his successor shall be appointed for a term of three years. Notwithstanding the appointments for a term of years, each member shall serve at the will of the appointing authority.

The Attorney General, the President of The University of North Carolina, the Dean of the School of Government at the University of North Carolina at Chapel Hill, the President of the North Carolina Community Colleges System, the Director of the State Bureau of Investigation, the Commander of the State Highway Patrol, and the Secretary of Public Safety shall be continuing members of the Commission during their tenure. These members of the Commission shall serve ex officio and shall perform their duties on the Commission in addition to the other duties of their offices. The ex officio members may elect to serve personally at any or all meetings of the Commission or may designate, in writing, one member of their respective office, department, university or agency to represent and vote for them on the Commission at all meetings the ex officio members are unable to attend.

Vacancies in the Commission occurring for any reason shall be filled, for the unexpired term, by the authority making the original appointment of the person causing the vacancy. A vacancy may be created by removal of a Commission member by majority vote of the Commission for misconduct, incompetence, or neglect of duty. A Commission member may be removed only pursuant to a hearing, after notice, at which the member subject to removal has an opportunity to be heard."

SECTION 3. This act is effective when it becomes law.





HOUSE BILL 471: LRC/Homeland Sec. & Legislative Security

2015-2016 General Assembly

Committee:	Homeland Security, Military, and Veterans Affairs, if favorable, Rules, Calendar, and Operations of the House	Date:	April 14, 2015
Introduced by:	Reps. Pittman, Speciale, Whitmire	Prepared by:	Bill Patterson
Analysis of:	First Edition		Committee Counsel

SUMMARY: *House Bill 471 directs the LRC to study State homeland security issues and security measures at the State legislative complex, and to report its findings and any proposed legislation to the 2016 Regular Session of the 2015 General Assembly.*

BILL ANALYSIS: Section 1 of House bill 471 directs the Legislative Research Commission to study homeland security issues currently affecting North Carolina or anticipated to do so in the future and the resources available to address those issues, and to study the adequacy of current security measures at the North Carolina legislative complex how they compare with security measures taken at other states' legislatures.

Section 2 of the bill requires the Commission to reports its findings, together with any proposed legislation, upon the convening of the 2016 Regular Session of the 2015 General Assembly.

EFFECTIVE DATE: This act is effective when it becomes law.

O. Walker Reagan
Director



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Research Division
(919) 733-2578



GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2015

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HOUSE BILL 471

Short Title: LRC/Homeland Sec. & Legislative Security. (Public)

Sponsors: Representatives Pittman, Speciale, and Whitmire (Primary Sponsors).
For a complete list of Sponsors, refer to the North Carolina General Assembly Web Site.

Referred to: Homeland Security, Military, and Veterans Affairs, if favorable, Rules, Calendar, and Operations of the House.

April 2, 2015

- 1 A BILL TO BE ENTITLED
2 AN ACT DIRECTING THE LEGISLATIVE RESEARCH COMMISSION TO STUDY
3 HOMELAND SECURITY ISSUES IN NORTH CAROLINA AND SECURITY AT THE
4 LEGISLATIVE COMPLEX.
5 The General Assembly of North Carolina enacts:
6 **SECTION 1.** The Legislative Research Commission (LRC) shall study Homeland
7 Security issues affecting North Carolina and shall study security at the North Carolina
8 legislative complex. As part of its study, the LRC shall examine all of the following:
9 (1) Homeland security issues that affect North Carolina or that are anticipated to
10 affect North Carolina in the future.
11 (2) Resources available to address those issues.
12 (3) The adequacy of current security measures at the North Carolina General
13 Assembly.
14 (4) How those security measures compare with those taken at legislatures in
15 other states.
16 **SECTION 2.** The LRC shall report its findings, together with any proposed
17 legislation, to the 2016 Regular Session of the 2015 General Assembly upon its convening.
18 **SECTION 3.** This act is effective when it becomes law.







HOUSE BILL 558: Reserve & Nat. Guard/Military Affairs Comm

2015-2016 General Assembly

Committee:	House Homeland Security, Military, and Veterans Affairs	Date:	April 14, 2015
Introduced by:	Reps. Whitmire, G. Martin, Pendleton, Pittman	Prepared by:	Bill Patterson Committee Counsel
Analysis of:	PCS to First Edition H558-CSTG-9		

SUMMARY: *The Proposed Committee Substitute for House Bill 558 would add two voting members to the North Carolina Military Affairs Commission to be appointed by the Governor. One of the new members would have to be a current or retired member of the North Carolina National Guard and the other one would have to be a current or retired member of one of a reserve component of the United States Armed Forces. The PCS makes technical corrections to the bill.*

CURRENT LAW: The North Carolina Military Affairs Commission is charged with providing "advice, counsel, and recommendations to the Governor, the General Assembly, the Secretary of Commerce, and other State agencies on initiatives, programs, and legislation that will continue and increase the role that North Carolina's military installations, the National Guard, and Reserves play in America's defense strategy and the economic health and vitality of the State." G.S. 127C-1(b).

Of the 21 voting members of the Commission, 11 are appointed by the Governor, five by the Speaker of the House of Representatives, and five by the President Pro Tempore of the Senate.

Currently, none of the Commission's voting members has to be a current or retired member of the North Carolina National Guard or a current or retired member of a reserve component of the Air Force, Army, Navy or Marines. G.S. 127C-2(b).

BILL ANALYSIS: House Bill 558 would amend G.S. 127C-2 by increasing from 11 to 13 the number of voting members appointed by the Governor, thereby increasing the number of the Commission's voting members to 23.

One of the additional appointees would have to be a current or retired member of the North Carolina National Guard and the other one would have to be a current or retired member of a reserve component of the Air Force, Army, Navy or Marines.

Both of the additional appointees would also have to be residents of North Carolina with a long-term connection to the State who are either involved in a military affairs organization or involved in military issues through civic, commercial, or governmental relationships.

EFFECTIVE DATE: This act is effective when it becomes law.

O. Walker Reagan
Director



Research Division
(919) 733-2578



GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2015

H

D

HOUSE BILL 558
PROPOSED COMMITTEE SUBSTITUTE H558-CSTG-9 [v.2]

4/14/2015 4:34:04 PM

Short Title: Reserve & Nat. Guard/Military Affairs Comm.

(Public)

Sponsors:

Referred to:

April 6, 2015

1 A BILL TO BE ENTITLED
2 AN ACT TO ENSURE REPRESENTATION ON THE NORTH CAROLINA MILITARY
3 AFFAIRS COMMISSION OF THE NORTH CAROLINA NATIONAL GUARD AND A
4 RESERVE COMPONENT OF THE UNITED STATES ARMED FORCES.

5 The General Assembly of North Carolina enacts:

6 SECTION 1. G.S. 127C-2(b)(1) reads as rewritten:

7 "§ 127C-2. Membership.

8 (a) The North Carolina Military Affairs Commission shall consist of ~~24~~23 voting
9 members who are appointed by the Governor, the Speaker of the House of Representatives, and
10 the President Pro Tempore of the Senate, nonvoting members, and nonvoting ex officio
11 members as designated in this section.

12 (b) The voting members of the Commission shall be appointed as follows:

13 (1) ~~Eleven~~Thirteen members appointed by the Governor, consisting of:

14 ...

15 g. One person who is a resident of North Carolina with a long-term
16 connection to the State and who is a current or retired member of the
17 North Carolina National Guard involved in a military affairs
18 organization or involved in military issues through civil, commercial,
19 or governmental relationships.

20 h. One person who is a resident of North Carolina with a long-term
21 connection to the State and who is a current or retired member of a
22 reserve component of the Air Force, Army, Navy, or Marines and
23 who is involved in a military affairs organization or involved in
24 military issues through civic, commercial, or governmental
25 relationships."

26 SECTION 2. This act is effective when it becomes law.



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**NORTH CAROLINA GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES**

HOMELAND SECURITY, MILITARY, AND VETERANS AFFAIRS COMMITTEE REPORT

**Representative George G. Cleveland, Co-Chair
Representative Larry G. Pittman, Co-Chair
Representative Michael Speciale, Co-Chair
Representative Chris Whitmire, Co-Chair**

FAVORABLE

HB 340 Weekend Burials/State Veterans Cemeteries.
Draft Number: None
Serial Referral: None
Recommended Referral: None
Long Title Amended: No
Floor Manager: Shepard

HB 595 Military Experience/LEO Cert. Requirements.
Draft Number: None
Serial Referral: None
Recommended Referral: None
Long Title Amended: No
Floor Manager: Whitmire

FAVORABLE AND RE-REFERRED

HB 471 LRC/Homeland Sec. & Legislative Security.
Draft Number: None
**Serial Referral: RULES, CALENDAR, AND
OPERATIONS OF THE HOUSE**
Recommended Referral: None
Long Title Amended: No
Floor Manager: Speciale

FAVORABLE COM SUB , UNFAVORABLE ORIGINAL BILL

HB 558 Reserves & Nat. Guard/Military Affairs Comm.
Draft Number: H558-PCS30318-TG-9
Serial Referral: None
Recommended Referral: None
Long Title Amended: Yes
Floor Manager: Whitmire

TOTAL REPORTED: 4



* C M R 1 6 8 - V - 2 *



VISITOR REGISTRATION SHEET

Homeland Security, Military and Veteran Affairs

April 15, 2015

Name of Committee

Date

VISITORS: PLEASE SIGN IN BELOW AND RETURN TO COMMITTEE CLERK

NAME

FIRM OR AGENCY AND ADDRESS

Glenn ~~BA~~ Hen

NC Vet Affairs

David Ferrell

VB

Ryan Conbs

DPS

Joe Dugdale

DPS



VISITOR REGISTRATION SHEET

Homeland Security, Military and Veteran Affairs

Name of Committee

April 15, 2015

Date _____

VISITORS: PLEASE SIGN IN BELOW AND RETURN TO COMMITTEE CLERK

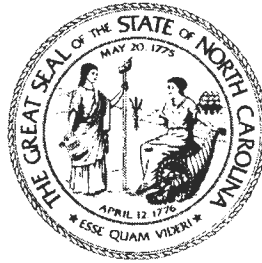
NAME _____

FIRM OR AGENCY AND ADDRESS

Joe Dugdale

DPS





**House Committee on Homeland Security, Military, and Veterans Affairs
Tuesday, April 21, 2015 at 9:01 AM
Room 423 of the Legislative Office Building**

MINUTES

The House Committee on Homeland Security, Military, and Veterans Affairs met at 9:00 AM on April 21, 2015 in Room 423 of the Legislative Office Building. Representatives Adcock, Avila, Cleveland, Floyd, L. Hall, Johnson, Lucas, G. Martin, S. Martin, Meyer, Pendleton, Pierce, Pittman, Reives, Speciale, Szoka, B. Turner, West, and Whitmire attended. Legal Staff attending were Bill Patterson and Jennifer Bedford. Megan Kluttz was the committee clerk. The attending Sergeants at Arms, the Pages, and the Visitors sheets are made part of this record.

Welcome and opening remarks from Representative Speciale, presiding Chairman on behalf of Representative Whitmire.

The following bills were considered:

HB 709 NCNG Tuition Assistance Benefit Amendment (Representative G. Martin)

Representative G. Martin presented the bill (Attachment 1) and summary (Attachment 2). Representative Martin called Lt. Col Robert Carver to speak briefly on the bill and he mentioned that not everyone would have the opportunity to take a full masters course, but this bill would allow them to get that experience. Representative Lucas moved for HB 709 to be reported as favorable with a subsequent referral to Education-Universities. The motion passed.

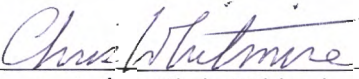
HB 842 Medicaid Waiver Protections / Military Families (Representative G. Martin)

Representative G. Martin presented the bill (Attachment 3) and summary (Attachment 4). He passed out a letter from the Dept. of Defense (attachment 5) in regard to the bill. Representative Adcock made the motion for HB 842 to be reported as favorable with a subsequent referral to Health. The motion passed.

HB 691 Assault on National Guard Member (Representative Whitmire)

Representative Whitmire explained the bill (Attachment 6) and summary (Attachment 7). Representative Pendleton also spoke briefly on the bill. Representative Speciale debated the bill and subsequently after light discussion, Representative Johnson made a motion for HB 691 to be reported as favorable with a subsequent referral to Judiciary III. The motion passed.

No other business was taken up. The meeting adjourned at 9:20 AM.



Representative Chris Whitmire, Chairman
Presiding



Megan Kluttz, Committee Clerk



Corrected #1: Room and Bill numbers have been added.

**NORTH CAROLINA HOUSE OF REPRESENTATIVES
COMMITTEE MEETING NOTICE
AND
BILL SPONSOR NOTIFICATION
2015-2016 SESSION**

You are hereby notified that the **House Committee on Homeland Security, Military, and Veterans Affairs** will meet as follows:

DAY & DATE: Tuesday, April 21, 2015
TIME: 9:00 AM
LOCATION: 423 LOB
COMMENTS: Rep. Whitmire will be chairing.

The following bills will be considered:

BILL NO.	SHORT TITLE	SPONSOR
HB 691	Assault on National Guard Member.	Representative Whitmire Representative Pendleton Representative Robinson Representative G. Martin
HB 709	NCNG Tuition Assistance Benefit Amendment.	Representative G. Martin
HB 842	Medicaid Waiver Protections/Military Families.	Representative Avila Representative Adcock



Respectfully,

Representative George G. Cleveland, Co-Chair
Representative Larry G. Pittman, Co-Chair
Representative Michael Speciale, Co-Chair
Representative Chris Whitmire, Co-Chair

I hereby certify this notice was filed by the committee assistant at the following offices at 12:33 PM on Monday, April 20, 2015.

____ Principal Clerk
____ Reading Clerk – House Chamber

Megan Kluttz (Committee Assistant)





AGENDA

House Committee on Homeland Security, Military, and Veterans Affairs

Tuesday, April 21, 2015, 9:00 AM
Legislative Offices Building, Room 423

I. Welcome & Opening Remarks: Representative Chris Whitmire, Presiding Chairman.

II. The following bills will be heard:

BILL NO	SHORT TITLE	SPONSOR
HB 691	Assault on National Guard Member.	Representative Whitmire Representative Pendleton Representative Robinson
HB 709	NCNG Tuition Assistance Benefit Amendment.	Representative G. Martin
HB 842	Medicaid Waiver Protections/Military Families.	Representative G. Martin Representative Avila Representative Adcock

III. Closing Remarks

IV. Adjournment

Co-Chairman:
Representative George Cleveland
Representative Larry Pittman
Representative Michael Speciale
Representative Chris Whitmire



GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2015

H

1

HOUSE BILL 691

Short Title: Assault on National Guard Member. (Public)

Sponsors: Representatives Whitmire, Pendleton, and Robinson (Primary Sponsors).
For a complete list of Sponsors, refer to the North Carolina General Assembly Web Site.

Referred to: Homeland Security, Military, and Veterans Affairs, if favorable, Judiciary III.

April 14, 2015

1 A BILL TO BE ENTITLED
2 AN ACT TO MAKE IT A FELONY TO ASSAULT A MEMBER OF THE NORTH
3 CAROLINA NATIONAL GUARD WHO IS DISCHARGING OR ATTEMPTING TO
4 DISCHARGE OFFICIAL DUTIES.

5 The General Assembly of North Carolina enacts:

6 SECTION 1. G.S. 14-34.6 reads as rewritten:

7 "§ 14-34.6. Assault or affray on a firefighter, an emergency medical technician, medical
8 responder, a member of the North Carolina National Guard, and emergency
9 department personnel.

10 (a) A person is guilty of a Class I felony if the person commits an assault or affray
11 causing physical injury on any of the following persons who are discharging or attempting to
12 discharge their official duties:

- 13 (1) An emergency medical technician or other emergency health care provider.
14 (2) A medical responder.
15 (3) The following emergency department personnel: physicians, physicians
16 assistants, nurses, and licensed nurse practitioners.
17 (4) Repealed by Session Laws 2011-356, s. 2, effective December 1, 2011, and
18 applicable to offenses committed on or after that date.
19 (5) A firefighter.
20 (6) A member of the North Carolina National Guard.

21 (b) Unless a person's conduct is covered under some other provision of law providing
22 greater punishment, a person is guilty of a Class H felony if the person violates subsection (a)
23 of this section and (i) inflicts serious bodily injury or (ii) uses a deadly weapon other than a
24 firearm.

25 (c) Unless a person's conduct is covered under some other provision of law providing
26 greater punishment, a person is guilty of a Class F felony if the person violates subsection (a) of
27 this section and uses a firearm."

28 SECTION 2. This act becomes effective December 1, 2015, and applies to
29 offenses committed on or after that date.







HOUSE BILL 691: Assault on National Guard Member

2015-2016 General Assembly

Committee:	House Homeland Security, Military, and Veterans Affairs, if favorable, Judiciary III	Date:	April 17, 2015
Introduced by:	Reps. Whitmire, Pendleton, Robinson	Prepared by:	Bill Patterson Committee Counsel
Analysis of:	First Edition		

SUMMARY: *House Bill 691 would make it a felony to commit an assault or affray causing physical injury on a member of the North Carolina National Guard who is discharging or attempting to discharge their official duties.*

CURRENT LAW: G.S. 14-34.6 makes it a felony to commit an assault or affray¹ causing physical injury on any of the following persons when they are discharging or attempting to discharge their official duties:

- emergency medical technicians or other emergency health care providers
- medical responders
- the following emergency department personnel: physicians, physician assistants, nurses, and licensed nurse practitioners
- firefighters

The offense is a Class I felony if it does not inflict serious bodily injury or involve the use of a deadly weapon. It is a Class H felony if it results in serious bodily injury or involves the use of a deadly weapon other than a firearm. It is a Class F felony if it involves the use of a firearm, regardless of the severity of the bodily injury, unless the conduct is covered by some other provision of law providing greater punishment.

BILL ANALYSIS: House Bill 691 would add members of the North Carolina National Guard to the categories of persons against whom an assault or affray meeting the statutory criteria would constitute a felony.

EFFECTIVE DATE: This act becomes effective December 1, 2015, and applies to offenses committed on or after that date.

¹ "An affray is defined at common law as a fight between two or more persons in a public place so as to cause terror to the public." *In re May*, 357 N.C. 423, 426, 584 S.E.2d 271, 274 (2003).

O. Walker Reagan
Director



Research Division
(919) 733-2578



GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2015

H

1

HOUSE BILL 709

Short Title: NCNG Tuition Assistance Benefit Amendment. (Public)

Sponsors: Representative G. Martin (Primary Sponsor).
For a complete list of Sponsors, refer to the North Carolina General Assembly Web Site.

Referred to: Homeland Security, Military, and Veterans Affairs, if favorable, Education - Universities.

April 15, 2015

1 A BILL TO BE ENTITLED
2 AN ACT TO ALLOW MEMBERS OF THE NORTH CAROLINA NATIONAL GUARD
3 WHO ARE ENROLLED IN A PROGRAM GRANTING A GRADUATE CERTIFICATE
4 TO BE ELIGIBLE FOR THE NORTH CAROLINA NATIONAL GUARD TUITION
5 ASSISTANCE BENEFIT.

6 The General Assembly of North Carolina enacts:

7 **SECTION 1.** G.S. 116-209.54(b) reads as rewritten:

8 "**§ 116-209.54. Eligibility.**

9 ...
10 (b) This tuition assistance benefit shall be applicable to students in the following
11 categories:

- 12 (1) Students seeking to achieve completion of their secondary school education
13 at a community college or technical institute.
14 (2) Students seeking trade or vocational training or education.
15 (3) Students seeking to achieve a two-year associate degree.
16 (4) Students seeking to achieve a four-year baccalaureate degree.
17 (5) Students seeking to achieve a graduate degree.
18 (6) Students enrolled in a program granting a graduate certificate.

19 **SECTION 2.** This act is effective when it becomes law.







HOUSE BILL 709: NCNG Tuition Assistance Benefit Amendment

2015-2016 General Assembly

Committee:	House Homeland Security, Military, and Veterans Affairs, if favorable, Education - Universities	Date:	April 17, 2015
Introduced by:	Rep. G. Martin	Prepared by:	Bill Patterson
Analysis of:	First Edition		Committee Counsel

SUMMARY: *House Bill 709 would extend eligibility for North Carolina National Guard tuition assistance to eligible North Carolina National Guard members enrolled in a program granting graduate certificates.*

CURRENT LAW: Tuition assistance is available under the North Carolina National Guard Tuition Assistance Act of 1975 to eligible¹ active members of the North Carolina National Guard who are enrolled in any in-State business or trade school, in-State private educational institution, or State educational institution, and are seeking:

- completion of their secondary school education at a community college or technical institute;
- trade or vocational training or education; or
- two-year associate, four-year baccalaureate, or graduate degrees.

G.S. 116-209.54(b).

BILL ANALYSIS: House Bill 709 would amend G.S. 116-209.54(b) to extend eligibility for tuition assistance to eligible members of the North Carolina National Guard who are enrolled in a program granting a graduate certificate.

EFFECTIVE DATE: This act is effective when it becomes law.

¹ To be eligible to receive this tuition assistance, the person must have a minimum obligation of two years remaining as a member of the North Carolina National Guard from the end of the academic period for which tuition assistance is provided, or must commit himself or herself to extended membership for at least two years from the end of that academic period. G.S. 116-209.54(a).

O. Walker Reagan
Director



Research Division
(919) 733-2578

* H 7 0 9 - S M T G - 4 4 E 1 - V 2 *



GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2015

H

1

HOUSE BILL 842

Short Title: Medicaid Waiver Protections/Military Families. (Public)

Sponsors: Representatives G. Martin, Avila, and Adcock (Primary Sponsors).
For a complete list of Sponsors, refer to the North Carolina General Assembly Web Site.

Referred to: Homeland Security, Military, and Veterans Affairs, if favorable, Health.

April 15, 2015

1 A BILL TO BE ENTITLED
2 AN ACT TO PROTECT ACCESS TO MEDICAID WAIVERS BY DEPENDENTS OF
3 MEMBERS OF THE ARMED FORCES.

4 The General Assembly of North Carolina enacts:

5 **SECTION 1.** The Department of Health and Human Services shall ensure that the
6 eligibility criteria for Medicaid home- and community-based waivers allow the dependent of a
7 member of the Armed Forces to maintain the dependent's waiver status upon the transfer of the
8 service member to an assignment outside of North Carolina, so long as the service member
9 maintains the State of North Carolina as the legal residence to which the service member
10 intends to return following completion of military service. Consequently, a dependent who is
11 on the waiting list for a waiver slot would maintain the dependent's position on the waiting list.
12 A dependent who was receiving waiver services prior to the service member's transfer, upon
13 the dependent's return to North Carolina, would be reinstated to the dependent's waiver slot, if
14 the slot remains available, or would receive a priority position on the waiting list for the next
15 available waiver slot. This section shall not be construed to authorize the provision of waiver
16 services outside of North Carolina.

17 **SECTION 2.** The Department of Health and Human Services shall submit any
18 Medicaid State Plan amendments or waiver amendments necessary to accomplish the
19 requirements in Section 1 of this act.

20 **SECTION 3.** This act is effective when it becomes law.







HOUSE BILL 842: Medicaid Waiver Protections/Military Families

2015-2016 General Assembly

Committee: House Homeland Security, Military, and
Veterans Affairs, if favorable, Health

Date: April 20, 2015

Introduced by: Reps. G. Martin, Avila, Adcock

Prepared by: Bill Patterson,
Committee Counsel, and
Jennifer Hillman, Staff
Attorney

Analysis of: First Edition

SUMMARY: *House Bill 842 would require the Department of Health and Human Services (DHHS) to ensure that the eligibility criteria for Medicaid home- and community-based waivers allow a dependent of a member of the Armed Forces to maintain the dependent's waiver status upon transfer of the service member to an assignment outside of North Carolina, so long as the member maintains North Carolina as the legal residence to which the member intends to return upon completion of military service.*

CURRENT LAW: In accordance with federal law, North Carolina residents meeting Medicaid eligibility criteria are eligible for Medicaid state plan services. As permitted under federal law, individuals requiring an institutional level of care may be eligible for additional home and community-based services through a Medicaid waiver program. North Carolina operates three home and community-based waiver programs serving individuals with developmental disabilities, disabled adults, and medically fragile children. Due to waiver funding restrictions, there are a limited number of slots for individuals to be served through a waiver program, and a waiting list of individuals who have requested a slot is maintained.

BILL ANALYSIS:

Section 1 of the bill would require the Department of Health and Human Services (DHHS) to ensure that a dependent of a member of the Armed Forces maintain his or her position on the waiting list for a waiver slot when the service member is transferred to an assignment outside of North Carolina, as long as the service member intends to return to North Carolina upon completion of the military service. If a dependent of a service member was receiving waiver services prior to the transfer out of North Carolina, then upon return to North Carolina, the dependent shall be reinstated to his or her slot, if it remains available, or receive a priority position on the waiting list for the next available slot.

Section 2 of the bill would require DHHS to submit any Medicaid State Plan amendments or waiver amendments necessary to implement the act.

EFFECTIVE DATE: This bill would become effective when it becomes law.

O. Walker Reagan
Director



Research Division
(919) 733-2578

* H 8 4 2 - S M T R - 3 E 1 - V 1 *



**NORTH CAROLINA GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES**

HOMELAND SECURITY, MILITARY, AND VETERANS AFFAIRS COMMITTEE REPORT

**Representative George G. Cleveland, Co-Chair
Representative Larry G. Pittman, Co-Chair
Representative Michael Speciale, Co-Chair
Representative Chris Whitmire, Co-Chair**

FAVORABLE AND RE-REFERRED

HB 691	Assault on National Guard Member. Draft Number: None Serial Referral: JUDICIARY III Recommended Referral: None Long Title Amended: No Floor Manager: Whitmire
HB 709	NCNG Tuition Assistance Benefit Amendment. Draft Number: None Serial Referral: EDUCATION - UNIVERSITIES Recommended Referral: None Long Title Amended: No Floor Manager: G. Martin
HB 842	Medicaid Waiver Protections/Military Families. Draft Number: None Serial Referral: HEALTH Recommended Referral: None Long Title Amended: No Floor Manager: G. Martin

TOTAL REPORTED: 3



* C M R 1 8 2 - V - 1 *





DoD-State Liaison Office

**OFFICE OF THE DEPUTY ASSISTANT SECRETARY OF DEFENSE
(MILITARY COMMUNITY AND FAMILY POLICY)**

4000 DEFENSE PENTAGON
WASHINGTON, D.C. 20301-4000

**Letter of Support to
North Carolina House Homeland Security, Military, and Veterans
Affairs Committee
HB 842, Medicaid Waiver Protections for Military Families**

by Kevin Bruch

April 20, 2015

Honorable Chairman Whitmire and members of the House Homeland Security, Military and Veterans Affairs Committee, thank you for this opportunity to provide support for the policy language represented in House Bill 842 sponsored by Representative Grier Martin. This language will allow Service Members to retain their earned priority for receiving Medicaid Home and Community Based Services Waivers. We think this will greatly help military families with special needs dependents who are North Carolina residents when they return from military service back to their home state.

My name is Kevin Bruch, retired Air Force Chief Master Sergeant and now the Department of Defense (DoD) South Atlantic Region Liaison for four states, working for the Deputy Assistant Secretary of Defense for Military Community and Family Policy.

We have found that individual state Medicaid eligibility requirements, and lengthy waiting lists, hinder military families from obtaining supplemental support services for their children with special needs. This is especially true when they are transitioning out of the military with potentially uncertain medical coverage and gaps in services.

The Department of Defense established the TRICARE ECHO program to provide \$36,000 of additional coverage for active duty sponsored family members with condition-specific needs; however, they lose ECHO support upon separation/retirement from the military.

States can assist separating Service members and their families by recognizing that the mobile military lifestyle hinders reasonable participation in state Medicaid options and waiver programs. States can allow active duty Service members to use their state of legal residence (i.e. where they pay taxes, vote, register their vehicles, hold a driver's license, etc.) to register their special needs family members for a Medicaid waiver.

- Enrollment for waivers in their resident state would allow the family members to progress along with other state citizens until they become eligible to receive benefits.

- Eligibility status is retained as long as the member maintains the state as his/her legal resident and returns to the state after military separation. The member either receives credit for time on the list or begins receiving benefits when they return home.

The policy as represented in HB 842 would help those families by enabling them to earn the same priorities afforded to every state resident, requiring them to apply for services. We would also expect the Service member to maintain current contact information while out of state on military orders.

We believe this initiative is fiscal neutral in that the eligible family member would only receive those services for which they would be otherwise eligible had they remained in the state.

Since our introduction and advocacy of this issue in the states in 2014, the states of Washington, Alaska, Illinois, South Carolina, and Florida have begun providing this opportunity to our military families. Another 10 states have legislation pending in this session.

In conclusion, we are not asking to create a special group of people in this effort. We are asking the state to maintain the benefits extended to all qualified residents, but enable those residents in the military to maintain their earned eligibility status in North Carolina until they can return home to use it. The Department requests that you allow these families to apply for benefits in the same manner as any other resident of the state, without priority processing, without special benefits, and without any special treatment to convey a perceived privilege.

We thank Representatives Martin, Avila and Adcock for sponsoring this initiative. Thank you for taking up this issue in the House of Representatives and for your consideration.

If there are any questions I can be reached at:

Kevin Bruch
South Atlantic Region Liaison (GA, NC, SC, VA)
571-309-8443
Mark.k.bruch.civ@mail.mil

Committee Sergeants at Arms

NAME OF COMMITTEE Homeland Security , Military and Vet. Affairs

DATE: 4-21-2015 Room: 423

House Sgt-At Arms:

1. Name: Bill Bass
2. Name: Mark Cone
3. Name: Rey Cooke
4. Name: Dean Marashbourne
5. Name: _____

Senate Sgt-At Arms:

1. Name: _____
2. Name: _____
3. Name: _____
4. Name: _____
5. Name: _____



Tuesday, April 21

HOMELAND
SECURITY,
MILITARY AND
VETERANS AFFAIRS

Room

423

Time

9:00 am

Name

County

Sponsor

Pira Apputhurai

Mecklenburg

William Brawley



VISITOR REGISTRATION SHEET

Homeland Security, Military, and Veterans' Affairs

4-21-15

Name of Committee

Date _____

VISITORS: PLEASE SIGN IN BELOW AND RETURN TO COMMITTEE CLERK

NAME _____

FIRM OR AGENCY AND ADDRESS

Tom West

NCICH 530 Blount Street, Raleigh

Rhian Merwald

williams mullen

Chip Sullivan

Nelson Mullins



VISITOR REGISTRATION SHEET

Homeland Security, Military, and Veterans' Affairs

4-21-15

Name of Committee

Date

VISITORS: PLEASE SIGN IN BELOW AND RETURN TO COMMITTEE CLERK

NAME

FIRM OR AGENCY AND ADDRESS

JEFFREY SMITH	NCD VA
Trent Womble	DHHS
David Collins	SEANC
Susan Vick	Duke Energy
Allison Waller	Cardinal
Deb Goda	DMA
Johal Schmitt	ARC/ASNC/MARC



House Committee on Homeland Security, Military, and Veterans Affairs
Thursday, June 11, 2015 at 15 Minutes After Session
Room 421 of the Legislative Office Building

MINUTES

The House Committee on Homeland Security, Military, and Veterans Affairs met at 10:45 am on June 11, 2015 in Room 421 of the Legislative Office Building. Representatives Avila, Floyd, Horn, R. Johnson, Pittman, Reives, Speciale, Szoka, and Whitmire attended.

Representative Larry G. Pittman, Chair, Presided.


There were no Pages for the committee this meeting.

Lt. Col. Robert Carver, NCNG Government Affairs and LTC Kenny Cook, NCNG Engineering Office, made a presentation on the North Carolina National Guard's Installation Strategic Action Plan (ISAP). Also in attendance were Tom Bowlin, Director of Government Affairs, and LTC Rodney Newton, NCNG Engineering Office.

Presentation Attached.

Questions were asked by the members present.

The meeting adjourned at 11:25 am.



Rep. Larry G. Pittman
Presiding



Tammy Pittman, Committee Clerk



**NORTH CAROLINA HOUSE OF REPRESENTATIVES
COMMITTEE MEETING NOTICE
AND
BILL SPONSOR NOTIFICATION
2015-2016 SESSION**

You are hereby notified that the **House Committee on Homeland Security, Military, and Veterans Affairs** will meet as follows:

DAY & DATE: Thursday, June 11, 2015
TIME: 15 Minutes After Session
LOCATION: 421 LOB
COMMENTS: Rep. Pittman will be presiding.

Lt. Col Robert N. Carver will make a presentation on the North Carolina National Guard's Installation Strategic Action Plan (ISAP). Also in attendance will be Tom Bowlin Director of Government Affairs, LTC Rodney Newton and LTC Kenny Cook both from the NCNG Engineering Office

Respectfully,

Representative George G. Cleveland, Co-Chair
Representative Larry G. Pittman, Co-Chair
Representative Michael Speciale, Co-Chair
Representative Chris Whitmire, Co-Chair

I hereby certify this notice was filed by the committee assistant at the following offices at 4:10 PM on Tuesday, June 09, 2015.

____ Principal Clerk
____ Reading Clerk – House Chamber

Tammy Pittman (Committee Assistant)



**HOUSE COMMITTEE ON HOMELAND SECURITY, MILITARY, AND VETERANS
AFFAIRS**

**THURSDAY, June 11, 2015, 15 minutes after session
421 LEGISLATIVE OFFICE BUILDING**

AGENDA

Welcome and Opening Remarks: Representative Larry G. Pittman, Presiding
Chairman

Introductions:

Presentation:

Lt. Col Robert Carver will make a presentation on the North Carolina National
Guard's Installation Strategic Action Plan (ISAP).

Also in attendance Tom Bowlin Director of Government Affairs, LTC Rodney
Newton and LTC Kenny Cook both from the NCNG Engineering Office.

Questions

Adjournment

Co-Chairman

Representative George G. Cleveland, Co-Chair

Representative Larry G. Pittman, Co-Chair

Representative Michael Speciale, Co-Chair

Representative Chris Whitmire, Co-Chair





UNCLASSIFIED//FOUO



North Carolina National Guard Installation Strategic Action Plan

**LTC Kenny Cook
Construction Facilities Management Office**



CFMO Legislative Information Request

UNCLASSIFIED//FOUO





UNCLASSIFIED//FOUO

NCNG: Defining the Problem



- Our current Readiness Centers are inefficient and outdated
- Our Readiness Centers do not meet our Space and Training requirements. (1.9M sq footage deficit)
- Demographics current and projected affect our recruiting of new Soldiers and the current Soldier's travel to training and emergency events.
- Facility space deficits can affect future Force Structure decisions.
- Current facility locations and conditions are inadequate for shared use with potential partner agencies and expansion. (Average size of property is 4.5 acres)



CFMO Legislative Information Request

UNCLASSIFIED//FOUO





UNCLASSIFIED//FOUO

National Study Findings



- **Failing (14)** (= (Immediate Issues) Facility cannot operate as intended. It is in a “degraded” state of operation, requires significant repairs to make fully operational. Typically, there are safety hazards and the facility has significant or accelerated deterioration.
- **Poor (60)** = (Deferred maintenance for up to 1yr) Facility has intermittent operational capability. Critical repairs are needed. Typically, there are safety hazards and the facility has significant or accelerated deterioration.
- **Fair (14)** (Deferred maintenance for up to 2-5 yrs) Known defects will cause failure of major components or systems within the facility. Repairs are needed to prevent further or accelerated deterioration of the facility.
- **Good (3)** = (Deferred maintenance for up to 6-10 yrs) Common and routine maintenance is all that is required. Improvements are minor mechanical, fair wear and tear, and aesthetic.



CFMO Legislative Information Request

UNCLASSIFIED//FOUO





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Current Situation



Typical Armory design, size, and age



National Guard unit equipment and personnel requirements much smaller than current requirements



CFMO Legislative Information Request

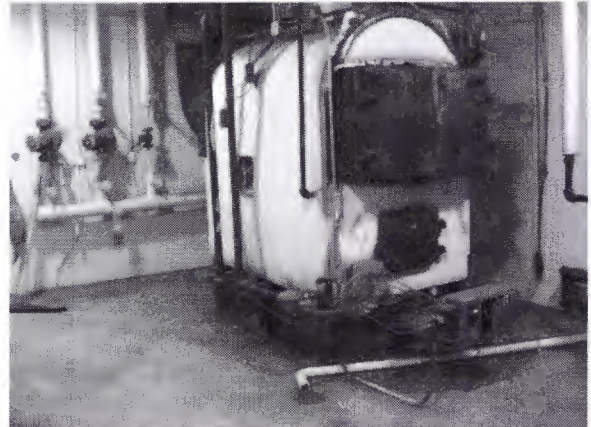
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Current Situation



CFMO Legislative Information Request

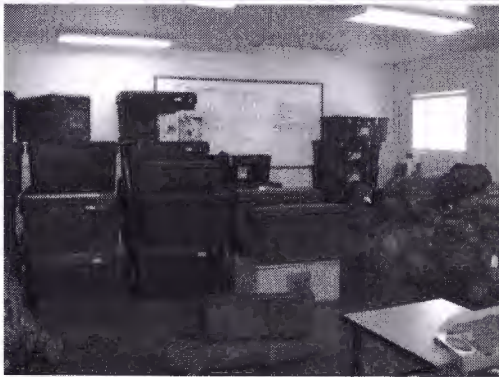
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UNCLASSIFIED//FOUO

Current Situation



CFMO Legislative Information Request

UNCLASSIFIED//FOUO





UNCLASSIFIED//FOUO

The way ahead...



- **Develop Long-Range Capital Plan (Hub and Spoke concept)**
- **Preliminary Engineering Report (PER) for the Regional Readiness Centers under contract, scheduled completion late 2015**
- **“Spoke” engineering evaluation and requirements programming currently underway**
- **Spoke Facility Upgrades - State awarded NCNG \$8.2M for 25 Capital Improvement projects at 17 Readiness Center Sites (\$21M Federal Match)**
- **Continued exploration of Public-Public; Public-Private Partnerships and leasing to avoid lengthy Military Construction process with limited funding availability**



CFMO Legislative Information Request

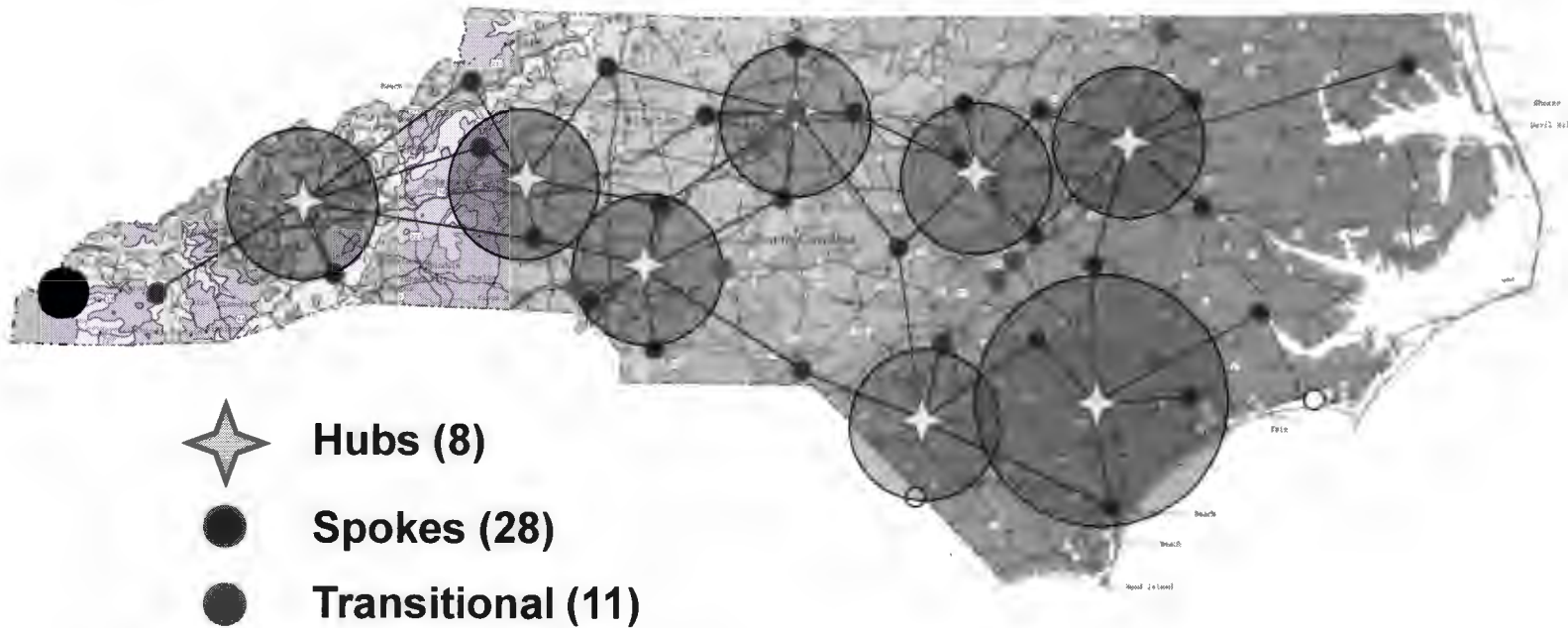
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CFMO
FACILITIES

**Total (47)**





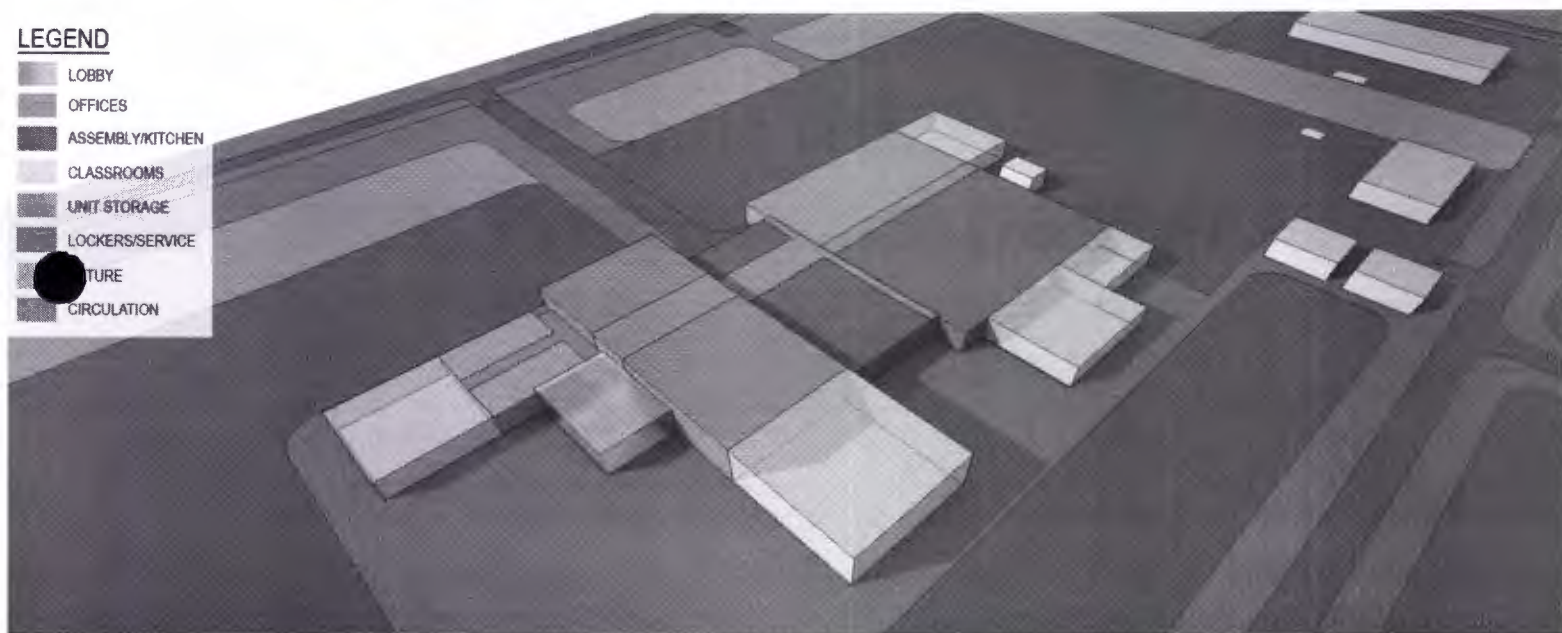
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Preliminary Engineer Report (PER) HUB Prototypical Design



LEGEND

- LOBBY
- OFFICES
- ASSEMBLY/KITCHEN
- CLASSROOMS
- UNIT STORAGE
- LOCKERS/SERVICE
- ENTRANCE
- CIRCULATION



CFMO Legislative Information Request

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Preliminary Engineer Report (PER) HUB Conceptual Design



CFMO Legislative Information Request

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Preliminary Engineer Report (PER) HUB Prototypical Site Layout

UNCLASSIFIED//FOUO



CFMO Legislative Information Request

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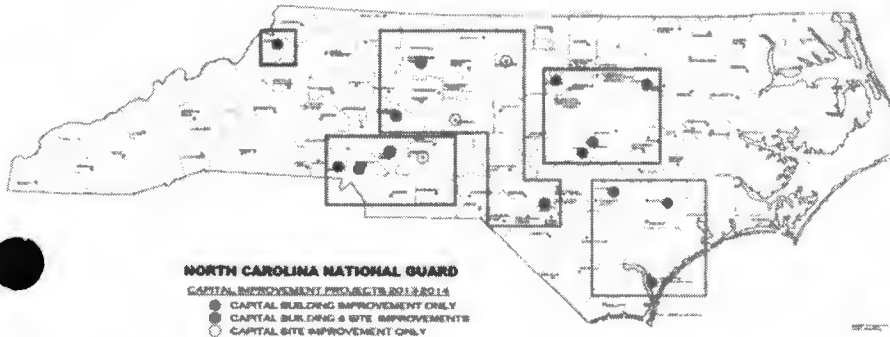


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Initial Spoke Facility Upgrades



REGION	LOCATION	MANAGEMENT
WEST	BOONE	WILLIAMS / BULLISTER
SOUTHWEST	ALBEMARLE, BELMONT, CHARLOTTE, CONCORD	BULLISTER / CALDWELL
CENTRAL	ASHBORO, BURLINGTON, PARKTON, SALISBURY, WRESTON-SALEM	BURGOLA / HAROLD
SOUTHEAST	BEAULVILLE, CLINTON, WILMINGTON	WILLIAMS / BURGOLA
NORTHEAST	BENSON, DURHAM, DURHAM, NASHVILLE	BRYANT / SANDERS



Project	SD/DD 50% Review Meeting	CD 90% Review Meeting
North East Region		
Durham Building	2/25/14 8:30 AM	5/6/14 8:30 AM
Benson Building & Site	2/27/14 8:30 AM	5/8/14 8:30 AM
Nashville Building & Site	3/25/14 8:30 AM	6/3/14 8:30 AM
West Region		
Boone Building	2/25/14 1:00 PM	5/6/14 1:00 PM
South East Region		
Wilmington Building & Site	3/4/14 8:30 AM	5/13/14 8:30 AM
Clinton Building & Site	3/13/14 8:30 AM	5/22/14 8:30 AM
Beaulville Building	3/13/14 1:00 PM	5/22/14 1:00 PM
Central Region		
Salisbury Building & Site	3/6/14 8:30 AM	5/15/14 8:30 AM
Ashboro Site	3/6/14 1:00 PM	5/15/14 1:00 PM
Parkton Building & Site	3/18/14 8:30 AM	5/27/14 8:30 AM
Winston-Salem Building & Site	3/20/14 8:30 AM	5/29/14 8:30 AM
Burlington Site	3/20/14 1:00 PM	5/29/14 1:00 PM
South West Region		
Charlotte Building	3/11/14 8:30 AM	5/20/14 8:30 AM
Belmont Building	3/11/14 1:00 PM	5/20/14 1:00 PM
Concord Building & Site	3/28/14 8:30 AM	6/5/14 8:30 AM
Albemarle Site	3/28/14 1:00 PM	6/5/14 1:00 PM

NCNG has 25 separate projects at 17 locations
 24 Designs Completed; 10 Construction Projects contracted/obligated
 Contracted/Obligated State Portion - \$3.671M
 Contracted/Obligated Federal Portion - \$8.784M
 Total Contracted/Obligated Amount - \$12.455M

CFMO Legislative Information Request

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What we need



- **Identification of potential:**
 - Land
 - Existing infrastructure that could be reutilized
 - Partnership possibilities and opportunities (public or private)



CFMO Legislative Information Request

UNCLASSIFIED//FOUO



Committee Sergeants at Arms

NAME OF COMMITTEE Homeland Security, Military And Veterans Affairs

DATE: 6-11-2015

Room: 421

House Sgt-At Arms:

1. Name: Bill Bass

2. Name: John Brandon

3. Name: Mark Cone

4. Name: _____

5. Name: _____

Senate Sgt-At Arms:

1. Name: _____

2. Name: _____

3. Name: _____

4. Name: _____

5. Name: _____



VISITOR REGISTRATION SHEET

Homeland Security, Military, and Veterans Affairs

Name of Committee

6/11/15

Date _____

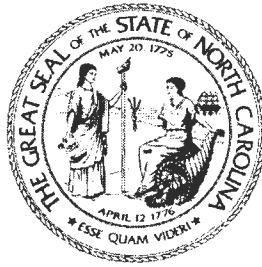
VISITORS: PLEASE SIGN IN BELOW AND RETURN TO COMMITTEE CLERK

NAME

FIRM OR AGENCY AND ADDRESS

[illegible]





**House Committee on Homeland Security, Military, and Veterans Affairs
Thursday, June 25, 2015 at 11:01 AM
Room 421 of the Legislative Office Building**

MINUTES

The House Committee on Homeland Security, Military, and Veterans Affairs met at 11:01 AM on June 25, 2015 in Room 421 of the Legislative Office Building. Representatives Adcock, Avila, Bell, Blust, Cleveland, Floyd, Horn, Johnson, Lucas, G. Martin, S. Martin, Meyer, Pendleton, Pierce, Pittman, Reives, Shepard, Speciale, Szoka, B. Turner and Whitmire attended. Legal Staff attending were Bill Patterson and Jennifer Bedford. Megan Kluttz was the committee clerk. The attending Sergeants at Arms, the Pages, and the Visitors sheets are made part of this record.

Welcome and opening remarks from Representative Whitmire, presiding Chairman.

The following bill was considered:

SB 545 Workforce Enrichment / Veterans (Senator Rabin)

Representative Cleveland explained the bill (Attachment 1) and summary (Attachment 2). After light discussion Representative G. Martin made a motion for SB 545 to be reported as favorable.

No other business was taken up. The meeting adjourned at 11:13 AM.

Handwritten signature of Chris Whitmire in cursive.

Representative Chris Whitmire, Chairman
Presiding

Handwritten signature of Megan Kluttz in cursive.

Megan Kluttz, Committee Clerk



Corrected #1: Time change.

**NORTH CAROLINA HOUSE OF REPRESENTATIVES
COMMITTEE MEETING NOTICE
AND
BILL SPONSOR NOTIFICATION
2015-2016 SESSION**

You are hereby notified that the **House Committee on Homeland Security, Military, and Veterans Affairs** will meet as follows:

DAY & DATE: Thursday, June 25, 2015
TIME: 11:00 AM
LOCATION: 421 LOB
COMMENTS: Rep. Whitmire will be chairing.

The following bills will be considered:

BILL NO.	SHORT TITLE	SPONSOR
SB 545	Workforce Enrichment/Veterans.	Senator Rabin Senator Sanderson Senator J. Jackson

Respectfully,

Representative George G. Cleveland, Co-Chair
Representative Larry G. Pittman, Co-Chair
Representative Michael Speciale, Co-Chair
Representative Chris Whitmire, Co-Chair

I hereby certify this notice was filed by the committee assistant at the following offices at 2:56 PM on Wednesday, June 24, 2015.

____ Principal Clerk
____ Reading Clerk – House Chamber

Megan Kluttz (Committee Assistant)





AGENDA

House Committee on Homeland Security, Military, and Veterans Affairs

Thursday, June 25, 2015, 11:00 AM
Legislative Offices Building, Room 421

I. Welcome & Opening Remarks: Representative Chris Whitmire, Presiding Chairman.

II. The following bill will be heard:

BILL NO.	SHORT TITLE	SPONSOR
SB 545	Workforce Enrichment/Veterans.	Senator Rabin Senator Sanderson Senator J. Jackson

III. Closing Remarks

IV. Adjournment

Co-Chairman:
Representative George Cleveland
Representative Larry Pittman
Representative Michael Speciale
Representative Chris Whitmire



GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 2015

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SENATE BILL 545

Short Title: Workforce Enrichment/Veterans. (Public)

Sponsors: Senators Rabin, Sanderson, J. Jackson (Primary Sponsors); Cook, D. Davis, Krawiec, Lowe, Pate, and Waddell.

Referred to: Rules and Operations of the Senate.

March 30, 2015

A BILL TO BE ENTITLED

AN ACT TO ENRICH THE STATE'S WORKFORCE BY REQUIRING OCCUPATIONAL LICENSING BOARDS TO LICENSE MILITARY-TRAINED VETERANS WHO PASS A PROFICIENCY EXAMINATION OFFERED BY THE OCCUPATIONAL LICENSING BOARD FOR VETERANS.

The General Assembly of North Carolina enacts:

SECTION 1. G.S. 93B-15.1 reads as rewritten:

"§ 93B-15.1. Licensure for individuals with military training and experience; proficiency examination; licensure by endorsement for military spouses; temporary license.

(a) ~~Notwithstanding~~ Except as provided by subsection (a2) of this section, and notwithstanding any other provision of law, an occupational licensing board, as defined in G.S. 93B-1, shall issue a license, certification, or registration to a military-trained applicant to allow the applicant to lawfully practice the applicant's occupation in this State if, upon application to an occupational licensing board, the applicant satisfies the following conditions:

(1) Has been awarded a military occupational specialty and has done all of the following at a level that is substantially equivalent to or exceeds the requirements for licensure, certification, or registration of the occupational licensing board from which the applicant is seeking licensure, certification, or registration in this State: completed a military program of training, completed testing or equivalent training and experience, and performed in the occupational specialty.

(2) Has engaged in the active practice of the occupation for which the person is seeking a license, certification, or permit from the occupational licensing board in this State for at least two of the five years preceding the date of the application under this section.

(3) Has not committed any act in any jurisdiction that would have constituted grounds for refusal, suspension, or revocation of a license to practice that occupation in this State at the time the act was committed.

(4) Pays any fees required by the occupational licensing board for which the applicant is seeking licensure, certification, or registration in this State.

(a1) No later than 30 days following receipt of an application, an occupational licensing board shall notify an applicant when the applicant's military training or experience does not satisfy the requirements for licensure, certification, or registration and shall specify the criteria



or requirements that the board determined that the applicant failed to meet and the basis for that determination.

(a2) An occupational licensing board, as defined in G.S. 93B-1, shall issue a license, certification, or registration to a military-trained applicant to allow the applicant to lawfully practice the applicant's occupation in this State if the military-trained applicant, upon application to the occupational licensing board:

(1) Presents official, notarized documentation, such as a U.S. Department of Defense Form 214 (DD-214), or similar substantiation, attesting to the applicant's military occupational specialty certification and experience in an occupational field within the board's purview; and

(2) Passes a proficiency examination offered by the board to military-trained applicants in lieu of satisfying the conditions set forth in subsection (a) of this section; however, if an applicant fails the proficiency examination, then the applicant may be required by the board to satisfy those conditions.

In any case where a proficiency examination is not offered routinely by an occupational licensing board, the board shall design a fair proficiency examination for military-trained applicants to obtain licensure, certification, or registration under this section. If a proficiency examination is offered routinely by an occupational licensing board, that examination shall satisfy the requirements of this section.

(b) Notwithstanding any other provision of law, an occupational licensing board, as defined in G.S. 93B-1, shall issue a license, certification, or registration to a military spouse to allow the military spouse to lawfully practice the military spouse's occupation in this State if, upon application to an occupational licensing board, the military spouse satisfies the following conditions:

(1) Holds a current license, certification, or registration from another jurisdiction, and that jurisdiction's requirements for licensure, certification, or registration are substantially equivalent to or exceed the requirements for licensure, certification, or registration of the occupational licensing board for which the applicant is seeking licensure, certification, or registration in this State.

(2) Can demonstrate competency in the occupation through methods as determined by the Board, such as having completed continuing education units or having had recent experience for at least two of the five years preceding the date of the application under this section.

(3) Has not committed any act in any jurisdiction that would have constituted grounds for refusal, suspension, or revocation of a license to practice that occupation in this State at the time the act was committed.

(4) Is in good standing and has not been disciplined by the agency that had jurisdiction to issue the license, certification, or permit.

(5) Pays any fees required by the occupational licensing board for which the applicant is seeking licensure, certification, or registration in this State.

(c) All relevant experience of a military service member in the discharge of official duties or, for a military spouse, all relevant experience, including full-time and part-time experience, regardless of whether in a paid or volunteer capacity, shall be credited in the calculation of years of practice in an occupation as required under subsection (a) or (b) of this section.

(c1) Each occupational licensing board shall publish a document that lists the specific criteria or requirements for licensure, registration, or certification by the board, with a description of the criteria or requirements that are satisfied by military training or experience as provided in this section, and any necessary documentation needed for obtaining the credit or satisfying the requirement. The information required by this subsection shall be published on

1 the occupational licensing board's Web site and the Web site of the North Carolina Division of
2 Veterans Affairs.

3 (d) A nonresident licensed, certified, or registered under this section shall be entitled to
4 the same rights and subject to the same obligations as required of a resident licensed, certified,
5 or registered by an occupational licensing board in this State.

6 (e) Nothing in this section shall be construed to apply to the practice of law as regulated
7 under Chapter 84 of the General Statutes.

8 (f) An occupational licensing board may issue a temporary practice permit to a
9 military-trained applicant or military spouse licensed, certified, or registered in another
10 jurisdiction while the military-trained applicant or military spouse is satisfying the
11 requirements for licensure under subsection (a) or (b) of this section if that jurisdiction has
12 licensure, certification, or registration standards substantially equivalent to the standards for
13 licensure, certification, or registration of an occupational licensing board in this State. The
14 military-trained applicant or military spouse may practice under the temporary permit until a
15 license, certification, or registration is granted or until a notice to deny a license, certification,
16 or registration is issued in accordance with rules adopted by the occupational licensing board.

17 (g) An occupational licensing board may adopt rules necessary to implement this
18 section.

19 (h) Nothing in this section shall be construed to prohibit a military-trained applicant or
20 military spouse from proceeding under the existing licensure, certification, or registration
21 requirements established by an occupational licensing board in this State.

22 (i) For the purposes of this section, the State Board of Education shall be considered an
23 occupational licensing board when issuing teacher licenses under G.S. 115C-296.

24 (j) For the purposes of this section, the North Carolina Medical Board shall not be
25 considered an occupational licensing board."

26 **SECTION 2.** This act is effective when it becomes law.





SENATE BILL 545: Workforce Enrichment/Veterans

2015-2016 General Assembly

Committee:	House Homeland Security, Military, and Veterans Affairs	Date:	June 24, 2015
Introduced by:	Sens. Rabin, Sanderson, J. Jackson	Prepared by:	Bill Patterson
Analysis of:	First Edition		Committee Counsel

SUMMARY: *Senate Bill 545 would require an occupational licensing board issue a license to a military-trained applicant if:*

- *The applicant demonstrates military occupational specialty certification and experience in the licensed occupational field.*
- *The applicant passes a proficiency examination offered by the licensing board to military-trained applicants.*

CURRENT LAW: For purposes of Chapter 93B, "occupational licensing board" is defined to include any board established for the primary purpose of regulating the entry of persons into a particular profession and the conduct of persons within the profession that is authorized to issue licenses. However, "occupational licensing board" does not include State agencies, staffed by full time State employees, which as a part of their regular functions may issue licenses. G.S. 93B-1.

In July 2012, S.L. 2012-196 (House Bill 799) enacted G.S. 93B-15.1 requiring occupational licensing boards to issue occupational licenses to military-trained applicants and military spouses if:

- The military-trained applicant was awarded a military occupational specialty; completed a military program of training and testing or equivalent training and experience as determined by the board; performed in that specialty at a level substantially equivalent to or exceeding the requirements for licensure; and engaged in the active practice of the occupation for at least 2 of the 5 years preceding the date of the application.
- The military spouse applicant must hold a current license from another jurisdiction that has requirements for licensure substantially equivalent to or exceeding the requirements for licensure; demonstrate competency in the occupation through methods as determined by the occupational licensing board; and be in good standing and not be disciplined by the agency that had jurisdiction to issue the license.

Both military-trained applicants and spouses must pay any fees required by the occupational licensing board and have not committed any act in any jurisdiction that would have constituted grounds for refusal, suspension, or revocation of a license, if the act occurred in the State. All relevant experience in the discharge of official duties for the military-trained applicant and all relevant experience including part time, full time, paid and volunteer experience for the military spouse will be credited in the calculation of required years of practice.

The practice of law and the occupations licensed by the NC Medical Board are exempted from the requirements of G.S. 93B-15.1 by subsections (e) and (j). Subsection (i) provides that the State Board of Education is considered an occupational licensing board when issuing teacher licenses under G.S. 115C-296.

O. Walker Reagan
Director



Research Division
(919) 733-2578



Senate Bill 545

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BILL ANALYSIS: Senate Bill 545 would add a new method for military-trained applicants to receive an occupational license in the State: military occupational specialty certification plus proficiency examination.

The proficiency examination for military-trained applicants is the same examination given routinely by an occupational licensing board. If a proficiency examination is not routinely offered, the occupational licensing board must offer a fair proficiency examination for military-trained applicants.

EFFECTIVE DATE: Senate Bill 545 would be effective when it becomes law.

BACKGROUND: The Program Evaluation Division (PED) examined the State's various independent occupational licensing boards and issued Report Number 2014-15: Occupational Licensing Agencies Should Not be Centralized, but Stronger Oversight is Needed.

The Report discusses 3 groups of licensing boards:

- 55 occupational licensing agencies (OLAs) with occupational licensing boards as defined by G.S. 93B-1.
- 151 licensed occupations that are administered and regulated by 12 state-level agencies outside of the scope of G.S. 93B-1.
- 6 State agency-housed occupational licensing boards (NC Alarm Systems Licensing Board, NC Board of Employee Assistance Professionals, NC Home Inspector Licensure Board, NC Manufactured Housing Board, NC Department of Public Safety Private Protective Services Board, NC Code Officials Qualification Board).

G.S. 93B-15.1 only applies to occupational licensing boards as defined in G.S. 93B-1. The following table lists the 55 OLAs from the PED Report that are known to meet the statutory definition:

NC Acupuncture Licensing Board	The Midwifery Joint Committee
NC Appraisal Board	NC Board of Nursing
NC Board of Architecture	NC Board of Examiners for Nursing Home Administrators
NC Board of Athletic Trainers Examiners	NC Board of Occupational Therapy
NC Auctioneer Licensing Board	NC Board of Opticians
NC Board of Barber Examiners	NC State Board of Examiners in Optometry
NC Cemetery Commission	Cape Fear River Navigation and Pilotage Commission
NC Board of CPA Examiners	Morehead City Navigation and Pilotage Commission
NC Board of Chiropractic Examiners	Board of Examiners of Fee-Based Practicing Pastoral Counselors
NC Board of Cosmetic Art Examiners	NC Board of Pharmacy
NC State Board of Dental Examiners	NC Board of Physical Therapy Examiners
NC Board of Dietetics / Nutrition	NC Board of Plumbing, Heating, and Fire Sprinkler Contractors
NC State Board of Examiners of Electrical Contractors	NC Board of Podiatry Examiners
NC Board of Electrolysis Examiners	NC Board of Licensed Professional Counselors
NC Board of Examiners for Engineers and Surveyors	NC Psychology Board
NC Board of Environmental Health Specialist Examiners	NC Real Estate Commission
NC Board of Registration for Foresters	NC Board of Recreational Therapy Licensure
NC Board of Funeral Service	NC State Board of Refrigeration Examiners
NC Licensing Board for General Contractors	NC Respiratory Care Board
NC Board for Licensing of Geologists	NC Social Work Certification and Licensure Board
NC State Hearing Aid Dealers and Fitters Board	NC Board for Licensing of Soil Scientists
NC Interpreter and Transliterator Licensing Board	NC Board of Examiners for Speech and Language Pathologists and Audiologists
NC Irrigation Contractor's Licensing Board	NC Substance Abuse Professional Practice Board
NC Board of Landscape Architects	NC Veterinary Medical Board
NC Landscape Contractor's Registration Board	NC Onsite Wastewater Contractor Inspector
NC Board of Law Examiners	
NC Locksmith Licensing Board	
NC Marriage and Family Therapy Licensure Board	



Senate Bill 545

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NC Board of Massage and Bodywork Therapy NC Medical Board	Certification Board
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Greg Roney, counsel to Senate Judiciary I Committee, substantially contributed to this summary.



**NORTH CAROLINA GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES**

HOMELAND SECURITY, MILITARY, AND VETERANS AFFAIRS COMMITTEE REPORT

Representative George G. Cleveland, Co-Chair

Representative Larry G. Pittman, Co-Chair

Representative Michael Speciale, Co-Chair

Representative Chris Whitmire, Co-Chair

FAVORABLE

SB 545

Workforce Enrichment/Veterans.

Draft Number: None

Serial Referral: None

Recommended Referral: None

Long Title Amended: No

Floor Manager: Cleveland

TOTAL REPORTED: 1



* C M R 4 7 6 - V - 1 *



Committee Sergeants at Arms

NAME OF COMMITTEE Homeland Security, Military and Vet. Affairs

DATE: 6-25-2015 Room: 421

House Sgt-At Arms:

1. Name: Bill Bass
2. Name: Mark Cone
3. Name: David Leighton
4. Name: _____
5. Name: _____

Senate Sgt-At Arms:

1. Name: _____
2. Name: _____
3. Name: _____
4. Name: _____
5. Name: _____



Thursday, June 25

HOMELAND SECURITY,
MILITARY &
VETERAN'S AFFAIRS

Room

421

Time

11:00 am

Name

County

Sponsor

Brooklyn Breedlove

Rutherford

Mike Hager

Davis Jones

Guilford

Jon Hardister

Chris Norris

Rowan

Harry Warren

Matt Nesbit

Forsyth

Debra Conrad

Ashlyn Pratt

Forsyth

Debra Conrad

Rob Zerniak IV

Beaufort

Paul Tine



VISITOR REGISTRATION SHEET

Homeland Security, Military, and Veteran's Affairs

6-25-15

Name of Committee

Date

VISITORS: PLEASE SIGN IN BELOW AND RETURN TO COMMITTEE CLERK

NAME

FIRM OR AGENCY AND ADDRESS

LT Col Robert Carver	NC National Guard
Susan Vile	Duke Energy
Jeff Smith	NCDVA
ILARIO PANTANO	NCDVA
Mike Causey	Veteran
Chip Killian	Nelson Mullins
Antony	NAIKS
Lexi Morgan Arthur	NCRMA
JERRY SCHILL	NCFEA
Carr McComb	TSS
Steve Ogden	Senate Pro Tem Staff



VISITOR REGISTRATION SHEET

Homeland Security, Military, and Veteran's Affairs

6-25-15

Name of Committee

Date _____

VISITORS: PLEASE SIGN IN BELOW AND RETURN TO COMMITTEE CLERK

NAME _____

FIRM OR AGENCY AND ADDRESS

Natalie Hobson

NCHFA

Py B

Mr

Perry Hall

School ? Home

Matt Grass

NCPK

Kay Castillo

NASW-NC



House Committee on Homeland Security, Military and Veteran Affairs
Wednesday, July 15, 2015 at 1:00 pm
Room 421

MINUTES

The House Committee on Homeland Security, Military and Veteran Affairs met at 1:05 pm on July 15, 2015 in Room 421. Rep. George Cleveland, Rep. Larry Pittman, Rep. Chris Whitmire, Rep. Grier Martin, Rep. Garland Pierce, Rep. Gale Adcock, Rep. Dean Arp, Rep. Marilyn Avila, Rep. John Blust, Rep. Elmer Floyd, Rep. Ralph Johnson, Rep. Marvin Lucas, Rep. Graig Meyer, Rep. Chris Millis, Rep. Gary Pendleton, Rep. Jacqueline Schaffer, Rep. Phil Shepard, Rep. John Szoka, and Rep. Brian Turner attended.

Rep. Michael Speciale presided. The Chair welcomed the committee members and recognized the staff and sergeants-at-arms, Young Bae, Bill Morris and Jim Moran.

Legal Staff in attendance was Bill Patterson and Trina Griffin.

The following bills were considered:

SB 22 Historic Artifact Mgt. and Patriotism Act. Senator Soucek was recognized to explain the bill to the committee. After a brief discussion, Representative Shepard made a motion for a favorable report for the bill. The motion carried and the bill received a favorable report.

The meeting adjourned at 1:37 pm.



Representative Michael Speciale
Presiding



Hazel Speciale, Committee Clerk



Corrected #2: Day Change and Time Change

**NORTH CAROLINA HOUSE OF REPRESENTATIVES
COMMITTEE MEETING NOTICE
AND
BILL SPONSOR NOTIFICATION
2015-2016 SESSION**

You are hereby notified that the **House Committee on Homeland Security, Military, and Veterans Affairs** will meet as follows:

DAY & DATE: Wednesday, July 15, 2015
TIME: 1:00 PM
LOCATION: 421 LOB
COMMENTS: Rep. Speciale will be chairing.

The following bills will be considered:

BILL NO.	SHORT TITLE	SPONSOR
SB 22	Historic Artifact Mgt. and Patriotism Act.	Senator Soucek Senator Tucker Senator J. Davis

Respectfully,

Representative George G. Cleveland, Co-Chair
Representative Larry G. Pittman, Co-Chair
Representative Michael Speciale, Co-Chair
Representative Chris Whitmire, Co-Chair

I hereby certify this notice was filed by the committee assistant at the following offices at 3:02 PM on Wednesday, August 19, 2015.

____ Principal Clerk
____ Reading Clerk – House Chamber

Hazel Speciale (Committee Assistant)





AGENDA

House Committee on Homeland Security, Military, and Veterans Affairs

Wednesday, July 15, 2015, 1:00PM
Legislative Offices Building, Room 421

I. Welcome & Opening Remarks: Representative Michael Speciale, Presiding Chairman

II. The following bills will be heard:

BILL NO.	SHORT TITLE	SPONSOR
SB 22	Historic Artifact Mgt. and Patriotism Act.	Senator Soucek Senator Tucker Senator J. Davis

III. Closing Remarks

IV. Adjournment

Co-Chairman:
Representative George Cleveland
Representative Larry Pittman
Representative Michael Speciale
Representative Chris Whitmire





SENATE BILL 22: Historic Artifact Mgt. and Patriotism Act

2015-2016 General Assembly

Committee:	House Homeland Security, Military, and Veterans Affairs	Date:	July 15, 2015
Introduced by:	Sens. Soucek, Tucker, J. Davis	Prepared by:	Trina Griffin
Analysis of:	Third Edition		Staff Attorney

SUMMARY: Senate Bill 22 would do the following:

- *Establish laws for the handling, display, storage and retirement of both the United States and the North Carolina flags by State agencies and other political subdivisions of the State.*
- *Require the Division of Veterans Affairs to establish a flag retirement program.*
- *Provide for the protection of certain monuments on public property by prohibiting their permanent removal and limiting the circumstances under which they may be relocated.*
- *Require the Secretary of the State to transfer the historical editions of the State Constitution and certain other documents to the Department of Cultural Resources.*
- *Require the Department of Cultural Resources in 2016 to arrange programs and public displays of the North Carolina and United States Constitutions and their amendments and related documents.*

HANDLING OF THE UNITED STATES AND NORTH CAROLINA FLAGS

CURRENT LAW: Chapter 144 of the General Statutes identifies the characteristics of the official North Carolina flag and sets out the requirements as to when the flag should be displayed in and on public buildings. It also provides that the preferred method for retiring a State flag no longer fit for display is by fire.

Federal guidelines related to the treatment of the United States flag are contained in Chapter 1, Title 4 of the United States Code, which is commonly referred to as the Flag Code (Code). The Code includes instruction and rules on topics such as the pledge of allegiance, display and use of the flag by civilians, time and occasions for display, position and manner of display, and how to show respect for the flag. The Code also grants to the President the authority to modify the rules governing the flag. The Code is designed for the use of civilian groups or organizations, which are not necessarily required to conform to regulations promulgated by one or more executive departments of the federal government. The Code does not prescribe any penalties for non-compliance, nor does it include enforcement provisions; rather, the Code functions as a guide to be voluntarily followed by civilians and civilian groups.

Like North Carolina law, the federal Code provides that when a flag is no longer a fitting emblem for display, it should be destroyed in a dignified way, preferably by burning. Organizations including the American Legion, the Veterans of Foreign Wars, the Boy Scouts of America, and the Girl Scouts of the USA conduct flag retirement ceremonies.



BILL ANALYSIS:

Handling of Flags

Section 2(a) would require State agencies and other political subdivisions of the State to handle, display and store North Carolina and United States flags in accordance with the United States Flag Code.

Retirement of Flags

Section 2(b) would do two things. First, it would permit State agencies and other political subdivisions of the State to deliver North Carolina and United States flags to the Division of Veterans Affairs when ready for retirement. The Division would be responsible for accepting and arranging for the flags' respectful disposal.

Second, it would require the Division to establish a flag retirement program in which citizens could, at no cost, send in or drop off flags at certain locations.¹ The Division would have to advertise the program and on or before December 31, 2016, and annually thereafter, report the number of flags it receives to the Joint Legislative Committee on Governmental Operations.

PROTECTION OF MONUMENTS

CURRENT LAW: Before a memorial or work of art may become property of the State, it must be approved by the North Carolina Historical Commission. The Historical Commission consists of 11 members appointed by the Governor. No existing memorial or work of art owned by the State may be removed, relocated, or altered in any way without approval of the North Carolina Historical Commission. Local governments may, by ordinance, designate historic landmarks within their jurisdiction. To be so designated, the local preservation commission must determine that the landmark is of special significance in terms of its historical, prehistorical, architectural, or cultural importance.

BILL ANALYSIS: **Section 3** would create a subset of monuments and memorials located on State property or on local government property referred to as "objects of remembrance" and would prohibit their permanent removal and limit their relocation.

Object of Remembrance Defined. – The limitations would apply to an "object of remembrance," defined as a monument, memorial, plaque, statue, marker, or display of a permanent character that commemorates an event, person, or military service that is part of North Carolina's history.

Permanent Removal Prohibited. – The State or a political subdivision of the State would be prohibited from permanently removing an object of remembrance located on public property. There are two main exceptions: (1) when the object poses a threat to public safety because of an unsafe or dangerous condition, and (2) if an object is privately owned and is the subject of a private legal agreement governing its removal or relocation.

Relocation Limited. – An object of remembrance may only be relocated, either temporarily or permanently, under the following circumstances:

- When necessary to take measures required to preserve the object.
- When necessary for the construction, renovation, or reconfiguration of buildings, open spaces, parking, or transportation projects.

If the relocation is temporary, it must be returned to its original location within 90 days of the completion of the project that required its temporary relocation.

¹ Locations include the Division's Raleigh office and its Veterans Homes and Cemeteries. The Homes are located in Fayetteville, Salisbury, Kinston, and Black Mountain. The Cemeteries are located in Jacksonville, Spring Lake, and Black Mountain with one under construction in Goldsboro.

If the relocation is permanent, it must be relocated to a site of similar prominence, honor, visibility, availability, and access that are within the boundaries of the jurisdiction from which it was relocated.

An object of remembrance may not be relocated to a museum, cemetery, or mausoleum unless it was originally placed at such a location.

TRANSFER OF HISTORIC DOCUMENTS

CURRENT LAW: It is the duty of the Secretary of the State to receive, enroll, and preserve the State Constitution and all amendments.

BILL ANALYSIS:

Transfer of Documents

Sections 4(b) would require the Secretary of State to transfer to the Department of Cultural Resources, by December 1, 2015, all previously adopted editions of the State Constitution and amendments thereto and ratified amendments to the U.S. Constitution. This section would further provide that the Department of Cultural Resources may request on-site access to review documents within the possession of the Secretary of State to determine their historical significance. If the Department identifies documents that are no longer legally necessary to remain in the possession of the Secretary, the Secretary must transfer the documents to the Department for preservation and safekeeping in the State Archives. The Secretary would receive copies of all documents transferred.

Section 4(a) modifies the duties of the Secretary of State to reflect the changes under this bill. Specifically, the Secretary would continue to receive, enroll, and preserve the currently adopted edition of the State Constitution and all of its amendments but would transfer previous editions and amendments to those editions to the Department of Cultural Resources.

2016 Displays and Programs

Section 4(c) would require the Department, in 2016, to arrange programs and public displays of the North Carolina and United States Constitutions and their amendments and related documents to commemorate the 240th anniversaries of the signing of the Declaration of Independence and the ratification of North Carolina's first Constitution. The Department would be authorized to participate in certain fundraising methods.



GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2015

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SENATE BILL 22
Commerce Committee Substitute Adopted 4/21/15
Third Edition Engrossed 4/22/15

Short Title: Historic Artifact Mgt. and Patriotism Act.

(Public)

Sponsors:

Referred to:

February 4, 2015

A BILL TO BE ENTITLED

AN ACT TO ENSURE RESPECTFUL TREATMENT OF THE AMERICAN FLAG AND THE NORTH CAROLINA FLAG BY STATE AGENCIES AND OTHER POLITICAL SUBDIVISIONS OF THE STATE; TO ESTABLISH THE DIVISION OF VETERANS AFFAIRS AS THE CLEARINGHOUSE FOR THE DISPOSAL OF WORN, TATTERED, AND DAMAGED FLAGS; TO PROVIDE FOR THE PROTECTION OF MONUMENTS AND MEMORIALS COMMEMORATING EVENTS, PERSONS, AND MILITARY SERVICE IN NORTH CAROLINA HISTORY; AND TO TRANSFER CUSTODY OF CERTAIN HISTORIC DOCUMENTS IN THE POSSESSION OF THE OFFICE OF THE SECRETARY OF STATE TO THE DEPARTMENT OF CULTURAL RESOURCES AND TO FACILITATE PUBLIC OPPORTUNITY TO VIEW THESE DOCUMENTS.

The General Assembly of North Carolina enacts:

SECTION 1. This act shall be known as the Cultural History Artifact Management and Patriotism Act of 2015.

SECTION 2.(a) G.S. 144-5 reads as rewritten:

"§ 144-5. Flags to conform to law-law; display and handling of a flag of the United States of America or the State of North Carolina by State institutions and other political subdivisions of the State.

(a) No State flag shall be is allowed in or over any building here mentioned unless such the flag conforms to the description of the State flag contained in this chapter. Chapter.

(b) A flag of the United States of America or the State of North Carolina that is displayed by a State institution or a political subdivision of the State on the premises of a building of a State institution or a political subdivision of the State shall be handled, displayed, stored, and respectfully disposed of in accordance with the federal Flag Code, 4 U.S.C. §§ 1-10."

SECTION 2.(b) G.S. 144-9 reads as rewritten:

"§ 144-9. Retirement of State flag-a flag of the United States of America or the State of North Carolina.

(a) A State institution or a political subdivision of the State in possession of a flag of the United States of America or the State of North Carolina that is no longer a fitting emblem for display because it is worn, tattered, or otherwise damaged shall make arrangements for its respectful disposal and may deliver the flag to the Division of Veterans Affairs in the Department of Administration for disposal. The Division shall accept a flag delivered to it and shall make arrangements for its respectful disposal.



* S 2 2 - V - 3 *

(b) The Division of Veterans Affairs shall accept, at no charge, a worn, tattered, or otherwise damaged flag of the United States of America or the State of North Carolina from a citizen of the State and shall make arrangements for its respectful disposal. The Division shall establish a flag retirement program to encourage citizens to send in or drop off such flags at the Division's office in Raleigh and at any Veterans Home or Veterans Cemetery in the State and may establish other locations for flag drop-off as it deems appropriate. The Division shall advertise the flag retirement program on its Web site and by printed posters placed at all flag drop-off locations. On or before December 31, 2016, and annually thereafter, the Division shall report the number of flags received under the program to the Joint Legislative Committee on Governmental Operations.

(c) An official flag of the State that is no longer a fitting emblem for display because it is worn, tattered, or otherwise damaged may be respectfully retired by fire."

SECTION 2.(c) Subsection (b) of this section becomes effective December 1, 2015. The remainder of this section is effective when it becomes law.

SECTION 3.(a) The caption of Article 1 of Chapter 100 of the General Statutes reads as rewritten:

"Article 1.

"Approval and Protection of Monuments, Memorials, Works of Art, etc."

SECTION 3.(b) G.S. 100-2 reads as rewritten:

"§ 100-2. Approval of memorials before acceptance by State; ~~regulation of existing memorials, etc.;~~ "work of art" defined; ~~highway markers defined.~~

~~No memorial~~ A monument, memorial, or work of art ~~shall hereafter may not~~ become the property of the State by purchase, gift or otherwise, unless ~~such memorial~~ the monument, memorial, or work of ~~art-art~~, or a design of the same, together with the proposed location of the same, ~~shall first have been~~ is submitted to and approved by the North Carolina Historical Commission; ~~nor shall any memorial~~ Commission. A monument, memorial, or work of art, until so submitted and approved, ~~may not~~ be contracted for, placed in or ~~upon-upon~~, or allowed to extend over any property belonging to the State. ~~No existing memorial or work of art owned by the State shall be removed, relocated, or altered in any way without approval of the North Carolina Historical Commission.~~ The term "work of art" as used in this section ~~shall include~~ Article includes any painting, portrait, mural decoration, stained glass, statue, bas-relief, sculpture, ~~monument~~, tablet, fountain, or other article or structure of a permanent character intended for decoration or commemoration. ~~This section, however, shall not apply to markers set up by the Board of Transportation in cooperation with the Department of Environment and Natural Resources and the Department of Cultural Resources as provided by Chapter 197 of the Public Laws of 1935."~~

SECTION 3.(c) Article 1 of Chapter 100 of the General Statutes is amended by adding a new section to read:

"§ 100-2.1. Protection of monuments, memorials, and works of art.

(a) Approval Required. – Except as otherwise provided in subsection (b) of this section, a monument, memorial, or work of art owned by the State may not be removed, relocated, or altered in any way without the approval of the North Carolina Historical Commission.

(b) Limitations on Removal. – An object of remembrance located on public property may not be permanently removed and may only be relocated, whether temporarily or permanently, under the circumstances listed in this subsection and subject to the limitations in this subsection. An object of remembrance that is temporarily relocated shall be returned to its original location within 90 days of completion of the project that required its temporary removal. An object of remembrance that is permanently relocated shall be relocated to a site of similar prominence, honor, visibility, availability, and access that are within the boundaries of the jurisdiction from which it was relocated. An object of remembrance may not be relocated to a museum, cemetery, or mausoleum unless it was originally placed at such a location. As used

in this section, the term "object of remembrance" means a monument, memorial, plaque, statue, marker, or display of a permanent character that commemorates an event, a person, or military service that is part of North Carolina's history. The circumstances under which an object of remembrance may be relocated are either of the following:

- (1) When appropriate measures are required by the State or a political subdivision of the State to preserve the object.
 - (2) When necessary for construction, renovation, or reconfiguration of buildings, open spaces, parking, or transportation projects.
- (c) Exceptions. – This section does not apply to the following:
- (1) Highway markers set up by the Board of Transportation in cooperation with the Department of Environment and Natural Resources and the Department of Cultural Resources as provided by Chapter 197 of the Public Laws of 1935.
 - (2) An object of remembrance owned by a private party that is located on public property and that is the subject of a legal agreement between the private party and the State or a political subdivision of the State governing the removal or relocation of the object.
 - (3) An object of remembrance for which a building inspector or similar official has determined poses a threat to public safety because of an unsafe or dangerous condition."

SECTION 3.(d) G.S. 160A-400.13 reads as rewritten:

"§ 160A-400.13. ~~Certain changes not prohibited.~~Protection of certain landmarks; permissible changes.

(a) Objects of Remembrance. – G.S. 100-2.1 supersedes this Part with regard to the removal or relocation of a historic landmark designated under this Part that meets the definition of an "object of remembrance" as defined in G.S. 100-2.1.

(b) Other Historic Landmarks. – Nothing in this Part shall be construed to prevent the ordinary maintenance or repair of any exterior architectural feature in a historic district or of a landmark which does not involve a change in design, material or appearance thereof, nor to prevent the construction, reconstruction, alteration, restoration, moving or demolition of any such feature which the building inspector or similar official shall certify is required by the public safety because of an unsafe or dangerous condition. Nothing in this Part shall be construed to prevent a property owner from making any use of his property that is not prohibited by other law. Nothing in this Part shall be construed to prevent a) the maintenance, or b) in the event of an emergency the immediate restoration, of any existing above-ground utility structure without approval by the preservation commission."

SECTION 3.(e) This section is effective when it becomes law.

SECTION 4.(a) G.S. 147-36 reads as rewritten:

"§ 147-36. Duties of Secretary of State.

It is the duty of the Secretary of State:

- (1) To perform such duties as may then be devolved upon the Secretary by resolution of the two houses of the General Assembly or either of ~~them;~~them.
- (2) To attend the Governor, whenever required by the Governor, for the purpose of receiving documents ~~which that~~ have passed the great ~~seal;~~seal.
- (3) To receive and keep all conveyances and mortgages belonging to the ~~State;~~State.
- (4) To distribute annually the statutes and the legislative ~~journals;~~journals.
- (5) To distribute the acts of Congress received at the Secretary's office in the manner prescribed for the statutes of the ~~State;~~State.

- (6) To keep a receipt book, in which the Secretary shall take from every person to whom a grant shall be delivered, a receipt for the same; but may ~~inclose~~ enclose grants by mail in a registered letter at the expense of the grantee, unless otherwise directed, first entering the same upon the receipt ~~book; book.~~
- (7) To issue charters and all necessary certificates for the incorporation, domestication, suspension, reinstatement, cancellation and dissolution of corporations as may be required by the corporation laws of the State and maintain a record ~~thereof; of the charters and necessary certificates issued.~~
- (8) To issue certificates of registration of trademarks, labels and designs as may be required by law and maintain a record ~~thereof; of those certificates of registration.~~
- (9) To maintain a Division of Publications to compile data on the State's several governmental agencies and for legislative ~~reference; reference.~~
- (10) To receive, enroll and safely preserve the current edition of the State Constitution of the State and all amendments thereto to that edition and to transfer previous editions of the State Constitution and amendments to those editions to the Department of Cultural Resources for preservation and safekeeping in the State Archives.
- (11) To serve as a member of such boards and commissions as the Constitution and laws of the State may ~~designate; designate.~~
- (12) To administer the Securities Law of the State, regulating the issuance and sale of securities, as is now or may be ~~directed; directed.~~
- (13) To receive and keep all oaths of public officials required by law to be filed in the Secretary's office, and as Secretary of State, ~~is fully empowered to administer official oaths to any public official of whom an oath is required; required.~~
- (14) To receive and maintain a journal of all appointments made to any State board, agency, commission, council or authority ~~which that~~ is filed in the office of the Secretary of State; State.
- (15) To regulate the solicitation of contributions pursuant to Chapter 131F of the General ~~Statutes; and Statutes.~~
- (16) To apply for and accept grants from the federal government and its agencies and from any foundation, corporation, association, or individual in order to effectuate the purposes of the Nonprofit Corporation Act, Chapter 55A of the General Statutes, and to further aid in the operation and development of nonprofit corporations. The Secretary shall comply with the terms, conditions, and limitations of grants applied for and accepted and shall expend grant funds pursuant to Chapter 143C of the General Statutes, The State Budget Act."

SECTION 4.(b) The Secretary of State shall transfer to the Department of Cultural Resources all previously adopted editions of the State Constitution and amendments to the State Constitution, other than the current edition and amendments to that edition, and ratified amendments to the United States Constitution. The Secretary of State shall, at the request of the Secretary of the Department of Cultural Resources, provide timely, on-site access to the Department staff for study and review of all other documents to determine their historical significance. If, during these periodic reviews, the Department identifies historical documents that are no longer legally necessary to remain in the possession of the Secretary of State, the Secretary shall make arrangements to transfer these historical documents to the Department in a timely fashion for preservation and safekeeping in the State Archives. The Department of

1 Cultural Resources shall provide the Secretary with duplicate copies of all documents
2 transferred from the Secretary to the Department.

3 **SECTION 4.(c)** In 2016, the Department of Cultural Resources shall arrange for
4 public displays of, and programs related to, the United States Constitution and amendments and
5 related historical materials to commemorate the 240th anniversary of the signing of the
6 Declaration of Independence. In 2016, the Department also shall arrange for public displays of,
7 and programs related to, the State Constitutions and amendments, to coincide with the 240th
8 anniversary of the ratification of North Carolina's first Constitution by the Fifth Provincial
9 Congress. The Department also may consider taking all or part of the displays on a tour of the
10 State. The Department is authorized to accept non-State funds including donations, fund-raising
11 sponsorships, and funding from other sources to defray the costs of these exhibits.

12 **SECTION 4.(d)** Subsections (a) and (b) of this section become effective December
13 1, 2015. The remainder of this section is effective when it becomes law.

14 **SECTION 5.** Except as otherwise provided, this act is effective when it becomes
15 law.



**NORTH CAROLINA GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES**

HOMELAND SECURITY, MILITARY, AND VETERANS AFFAIRS COMMITTEE REPORT

Representative George G. Cleveland, Co-Chair

Representative Larry G. Pittman, Co-Chair

Representative Michael Speciale, Co-Chair

Representative Chris Whitmire, Co-Chair

FAVORABLE

SB 22 (CS#1)

Historic Artifact Mgt. and Patriotism Act.

Draft Number: None

Serial Referral: None

Recommended Referral: None

Long Title Amended: No

Floor Manager: Pendleton

TOTAL REPORTED: 1



* C M R 5 0 7 - V - 1 *



Wednesday, July 15

HOMELAND
SECURITY MILITARY
AND VETERAN'S
AFFAIRS

Room

421

Time

1:00 pm

Name

County

Sponsor

Elliott Enslen

Onslow

Phil Shepard

Jamie Estroff

Wake

Nelson Dollar

Caroline Ferner

Guilford

Pricey Harrison

Jack Denton

Mecklenburg

William Brawley



Committee Sergeants at Arms

NAME OF COMMITTEE House Comm. on Homeland Security, Military, and VA

DATE: 07/15/15 Room: 421

House Sgt-At Arms:

1. Name: Young Bae

2. Name: Bill Morris

3. Name: Jim Moran

4. Name: _____

5. Name: _____

Senate Sgt-At Arms:

1. Name: _____

2. Name: _____

3. Name: _____

4. Name: _____

5. Name: _____



VISITOR REGISTRATION SHEET

House Comm. on Homeland Security, Military, and VA

Name of Committee

07/15/15.

Date _____

VISITORS: PLEASE SIGN IN BELOW AND RETURN TO COMMITTEE CLERK

NAME _____

FIRM OR AGENCY AND ADDRESS

I LARIO PANTANO

DIR. NC VETS AFFAIRS

Angella Dunston

NC Secretary of State

JERRY SCHILL

NCF A

Andrew Bailey

N/C General Assembly

Ernest Robinson

NCRMA

Meredith Preloh

Lowe's



VISITOR REGISTRATION SHEET

House Comm. on Homeland Security, Military, and VA

07/15/15

Name of Committee

Date

VISITORS: PLEASE SIGN IN BELOW AND RETURN TO COMMITTEE CLERK

NAME

FIRM OR AGENCY AND ADDRESS

Martha Jenkins	DCR
Ramona Gantos	NCDOR
Drew Moretz	VA/ GA
Jonathan Kappeler	UNC GA
W Col Robert Carver	NE NG
Benj Huff	School 7201
Kim Fink	District 3 GOP - CCTA Craven Cty
RAYNOR JAMES	Dist 3 GOP & CCTA Craven County
HAL JAMES	DIST 3 GOP & CCTA Craven County
MARY GRISWOLD	Dist. 3 GOP & CCTA Craven County
BOB GRISWOLD	DIST 3 GOP & CCTA E CRAVEN COUNTY





**HOUSE COMMITTEE
ON HOMELAND SECURITY,
MILITARY AND VETERANS AFFAIRS**

**REP. GEORGE G. CLEVELAND, Chair
REP. LARRY G. PITTMAN, Chair
REP. MICHAEL SPECIALE, Chair
REP. CHRIS WHITMIRE, Chair**

**2015-2016 Session
Year 2016
Book 1**

**Pamela Ahlin, Committee Assistant
Megan Kluttz, Committee Assistant
Tammy Pittman, Committee Assistant
Hazel Speciale, Committee Assistant**



HOMELAND SECURITY, MILITARY AND VETERANS AFFAIRS

2016 Session

MEMBER		ASSISTANT	PHONE	OFFICE	SEAT
CLEVELAND, George	Chairman	Pamela Ahlin	715-6707	417A	18
PITTMAN, Larry	Chairman	Tammy Pittman	715-2009	1010	63
SPECIALE, Michael	Chairman	Hazel Speciale	733-5853	1008	52
WHITMIRE, Chris	Chairman	Megan Kluttz	715-4466	537	100
HALL, Larry	Vice-Chair	Theresa Wright-Bryant	733-5872	506	69
MARTIN, Grier	Vice-Chair	Sylvia Hammons	733-5773	1023	96
PIERCE, Garland	Vice-Chair	Janice Fenner	733-5803	1204	57
ADCOCK, Gale		Seth Morris	733-5602	1211	119
ARP, Dean		Wendy Miller	715-3007	531	66
AVILA, Marilyn		Susan Lewis	733-5530	2217	50
BELL, John		Susan Horne	715-3017	419B	27
BLUST, John		Gennie Thurlow	733-5781	2208	49
FLOYD, Elmer		Dorothy McLean	733-5959	1325	83
HORN, Craig		Pattie Fleming	733-2406	419A	32
HOWARD, Julia		Cody Honeycutt	733-5904	302	1
LUCAS, Marvin		Thelma Utley	733-5775	509	22
MARTIN, Susan		R. Lynn Taylor	715-3023	526	43
MEYER, Graig		Daphne Quinn	715-3019	1111	117
MILLIS, Chris		Vivian Sherrell	715-9664	609	87
PENDLETON, Gary		Kathy Peters	733-5860	610	97
REIVES, Robert		Veronica Green	733-0057	1323	104
SGRO, Chris		Mildred Alston	733-5902	1317	116
SHEPARD, Phil		Pamela Pate	715-9644	530	53
STONE, Scott		Sharon Sullivan	733-5886	2213	65
SZOKA, John		Beverly Slagle	733-9892	2223	73
TURNER, Brian		Andy Miller	715-3012	1209	120
WEST, Roger		Linda C. Johnson	733-5859	1229	8

Committee Clerks

Pamela Ahlin	715-6707	417A
Tammy Pittman	715-2009	1010
Hazel Speciale	733-5853	1008
Megan Kluttz	715-4466	537

Committee Staff

Bill Patterson, Committee Council	733-2578	545
Lewis King, Speakers Office	715-2684	2307A
Jennifer Bedford, Committee Council	733-2578	200 LOB



HOUSE COMMITTEE ON HOMELAND SECURITY, MILITARY & VETERAN AFFAIRS
2015-2016 SESSION



Rep. Cleveland
Chairman



Rep. Pittman
Chairman



Rep. Speciale
Chairman



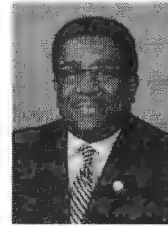
Rep. Whitmire
Chairman



Rep. L. Hall
Vice Chair



Rep. G. Martin
Vice Chair



Rep. Pierce
Vice Chair



Rep. Adcock



Rep. Arp



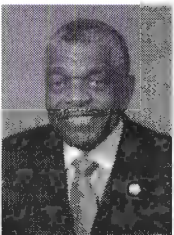
Rep. Avila



Rep. J. Bell



Rep. Blust



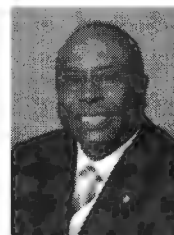
Rep. Floyd



Rep. Horn



Rep. Howard



Rep. Lucas



Rep. S. Martin



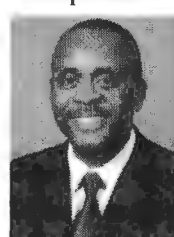
Rep. Meyer



Rep. Millis



Rep. Pendleton



Rep. Reives



Rep. Sgro



Rep. Shepard



Rep. Stone



Rep. Szoka



Rep. Turner



Rep. West



ATTENDANCE

House Homeland Security, Military and Veterans Affairs 2016

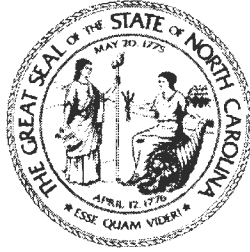
(Name of Committee)

DATES	5-5-2016	6-22-2016																		
Rep. George Cleveland, Chairman	X	X																		
Rep. Larry G. Pittman, Chairman	X	X																		
Rep. Michael Speciale, Chairman	X	X																		
Rep. Chris Whitmire, Chairman	E	X																		
Rep. Larry Hall, Vice-Chairman		X																		
Rep. Grier Martin, Vice-Chairman	E	X																		
Rep. Garland Pierce, Vice-Chairman	X	X																		
Rep. Gale Adcock	X	X																		
Rep. Dean Arp	X	X																		
Rep. Marilyn Avila	E	X																		
Rep. John Bell	X																			
Rep. John Blust		X																		
Rep. Elmer Floyd	X	X																		
Rep. D. Craig Horn	X																			
Rep. Julia Howard																				
Rep.. Marvin Lucas	X	X																		
Rep. Susan Martin	X	X																		
Rep. Graig Meyer	X																			
Rep. Chris Millis	X	X																		
Rep. Gary Pendleton	X	X																		
Rep. Robert Reives	X																			
Rep. Chris Sgro	X	X																		
Rep. Phil Shepard	X	X																		
Rep. Scott Stone		X																		
Rep. John Szoka	X	X																		
Rep. Brian Turner	X	X																		
Rep. Roger West																				



Bill Patterson, Staff	X	X														
Jennifer Bedford, Staff	X	X														
Pamela Ahlin, Clerk	X															
Megan Kluttz		X														
X= present																
E= excused																





**House Committee on Homeland Security, Military, and Veterans Affairs
Thursday, May 5, 2016 at 10 AM
Room 421 LOB**

MINUTES

The House Committee on Homeland Security, Military, and Veterans Affairs met at 10 AM on Thursday, May 5, 2016 in Room 421 LOB. Representatives Adcock, Arp, Bell, Cleveland, Floyd, Horn, Lucas, S. Martin, Meyer, Millis, Pendleton, Pierce, Pittman, Reives, Sgro, Shepard, Speciale, Szoka, and Turner attended. Representatives Avila, G. Martin, and Whitmire had an excused absence. Staff members were Bill Patterson and Jennifer Bedford. Attached to the Minutes are the Staff for the Sergeant at Arms (Attachment #1), the Pages for the meeting (Attachment #2), and the attendance sheets for the public visitors (Attachment #3).

Rep. George G. Cleveland presided.

Senate Bill 105 version 2 was on the agenda (Attachment #4). Rep. Arp moved adoption of the Proposed Committee Substitute (Attachment #5). The PCS being approved, the discussion went forward. Bill Patterson provided a Bill Summary (Attachment #6). Rep. Speciale introduced an amendment to remove Section 2 of the PCS (Attachment #7). In a voice vote, the amendment passed. There was an extended discussion of the PCS with the adopted amendment. Rep. J. Bell asked for the bill to be displaced. Rep. Cleveland agreed with the request, and the bill was displaced. There was no vote taken on the bill.

With no further business, the meeting was adjourned by the Chair at 10:35 AM.

A handwritten signature in blue ink that reads "George G. Cleveland".

Rep. George G. Cleveland
Presiding

A handwritten signature in blue ink that reads "Pamela Ahlin".

Pamela Ahlin, Committee Clerk



**NORTH CAROLINA HOUSE OF REPRESENTATIVES
COMMITTEE MEETING NOTICE
AND
BILL SPONSOR NOTIFICATION
2015-2016 SESSION**

You are hereby notified that the **House Committee on Homeland Security, Military, and Veterans Affairs** will meet as follows:

DAY & DATE: Thursday, May 5, 2016
TIME: 10:00 AM
LOCATION: 421 LOB
COMMENTS: Rep. George G. Cleveland will chair the committee.

The following bills will be considered:

BILL NO.	SHORT TITLE	SPONSOR
SB 105	Include No. Veterans Employed/Annual Report.	Senator Brown Senator Meredith

Respectfully,

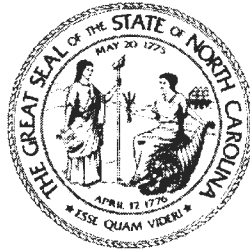
Representative George G. Cleveland, Co-Chair
Representative Larry G. Pittman, Co-Chair
Representative Michael Speciale, Co-Chair
Representative Chris Whitmire, Co-Chair

I hereby certify this notice was filed by the committee assistant at the following offices at 8:26 AM on Wednesday, May 04, 2016.

____ Principal Clerk
____ Reading Clerk – House Chamber

Pamela Ahlin (Committee Assistant)





**House Committee on Homeland Security, Military, and Veterans Affairs
Thursday, May 5, 2016, at 10AM
421 LOB**

AGENDA

Welcome and Opening Remarks

Introduction of Pages

BILLS:

BILL NO.	SHORT TITLE	SPONSOR
SB105	Include No. Veterans Employed/Annual Report.	Brown, Meredith

Adjournment



Committee Sergeants at Arms

NAME OF COMMITTEE Homeland Security , Military and Veterans Affairs

DATE: 05-05-2016 Room: 421

House Sgt-At Arms:

1. Name: Bill Bass
2. Name: Jonas Cherry
3. Name: Mark Cone
4. Name: Randy Wall
5. Name: _____

Senate Sgt-At Arms:

1. Name: _____
2. Name: _____
3. Name: _____
4. Name: _____
5. Name: _____



HOUSE PAGES
(Homeland Security, Military, and Veterans Affairs)

Week of May 2-5, 2016

Name:	County:	Sponsor:
MADISON GALLOWAY	RUTHERFORD	MIKE HAGER
HENRY WILKERSON	WAKE	SUSI HAMILTON
KENDAL MOORE	CUMBERLAND	MARVIN LUCAS

Tyler Gentry

Union

Dean Arp



VISITOR REGISTRATION SHEET

Homeland Security, Military and Veterans Affairs

May 5, 2016

Name of Committee

Date

VISITORS: PLEASE SIGN IN BELOW AND RETURN TO COMMITTEE CLERK

NAME

FIRM OR AGENCY AND ADDRESS

Demetrius Pulley	At 3 f
H/R PELL	NC Veterans Business Assoc.
Mark M. Haupt	NC Veterans Business Assoc.
Ralph Markwood	Academy Securities
George Copeland	NC Vet. Bus. Assoc.
Chris Broughton	McGuire Woods
Katy Kingsbury	BP
Ken Zimo	NWOC
Cammy Huf	MVA
Connie Wilson	ECNO
Lexi Arthur	NCBMA
Seri Graham	NC Veterans Council



VISITOR REGISTRATION SHEET

Homeland Security, Military and Veterans Affairs

May 5, 2016

Name of Committee

Date

VISITORS: PLEASE SIGN IN BELOW AND RETURN TO COMMITTEE CLERK

NAME

FIRM OR AGENCY AND ADDRESS

Sylvia Hammond	Rep. Grier Martin LA
Brandon Chambliss	Rep. Grier Martin Intern
Matt Coulter	AL Cap Corp
LTC Troy Holowitz	NC DMVA
Margaret Duke	NC DMVA
Wendy Kelly	Focus Carolina
Stephen Kouben	CCS
Elizabeth Robinson	NCRMA
Gwen Kir	Duke E.
Preston Howard	NCAIA
Butch Gunnells	NC Bev



VISITOR REGISTRATION SHEET

Homeland Security, Military and Veterans Affairs

May 5, 2016

Name of Committee

Date

VISITORS: PLEASE SIGN IN BELOW AND RETURN TO COMMITTEE CLERK

NAME

FIRM OR AGENCY AND ADDRESS

DeAnne Mangum

Senate

Opelia Bone

House LA office

Anne Arp

citizen

TIM GENTRY

Citizen

Lynn Gentry

citizen

Grace Gentry

citizen

Sammy Roberson

TRC

Erin J. Jones

TRC

J. R.

MU C

Julie A. White

MC MNC

Whitney Christensen

Ward & Smith, PA



Year	Number of people in the labor force (millions)
1990	110
1995	120
2000	118
2005	125
2010	135

May 5, 2016

Date _____

VISITORS: PLEASE SIGN IN BELOW AND RETURN TO COMMITTEE CLERK

FIRM OR AGENCY AND ADDRESS[illegible]



GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2015

S

2

SENATE BILL 105

Workforce and Economic Development Committee Substitute Adopted 3/25/15

Short Title: Include No. Veterans Employed/Annual Report.

(Public)

Sponsors:

Referred to:

February 23, 2015

A BILL TO BE ENTITLED

AN ACT TO REQUIRE THAT INFORMATION ABOUT THE NUMBER OF VETERANS
EMPLOYED BY A CORPORATION OR A LIMITED LIABILITY COMPANY BE
INCLUDED IN ANNUAL REPORTS SUBMITTED BY THOSE CORPORATIONS.

The General Assembly of North Carolina enacts:

SECTION 1. G.S. 55-16-22 reads as rewritten:

"§ 55-16-22. Annual report.

...

(a3) The annual report required by this section shall be in a form jointly prescribed by
the Secretary of Revenue and the Secretary of State. The Secretary of Revenue shall provide
the form needed to file an annual report. The Secretary of State shall prescribe the form needed
to file an annual report electronically and shall provide this form by electronic means. The
annual report shall set forth all of the following:

- (1) The name of the corporation and the state or country under whose law it is incorporated.
- (2) The street address, and the mailing address if different from the street address, of the registered office, the county in which its registered office is located, and the name of its registered agent at that office in this State, and a statement of any change of such registered office or registered agent, or both.
- (3) The address and telephone number of its principal office.
- (4) The names, titles, and business addresses of its principal officers.
- (4a) Repealed by Session Laws 1997-475, s. 6.1, effective January 1, 1998.
- (5) A brief description of the nature of its business.
- (6) The number of full-time equivalent employees employed by the corporation in this State during the period covered by the report who are veterans.

If the information contained in the most recently filed annual report has not changed, a
certification to that effect may be made instead of setting forth the information required by
subdivisions (2) through (5) of this subsection.

...

(i) The following definitions apply in this section:

- (1) The number of full-time equivalent employees. – A number equal to the total number of hours worked during a particular year by employees of the employer who are veterans, divided by 52, and then divided again by 40.
- (2) Qualifying service. – Any of the following:



- a. Any length of active full-time service other than active duty for training prior to September 8, 1980.
 - b. At least 24 months of active full-time service other than active duty for training since September 8, 1980.
 - c. 90 consecutive days of active full-time service during a period of war as defined in Title 38, United States Code.
 - d. Any active full-time service or training that resulted in death or disability to the service member.
- (3) Veteran. – A person with qualifying service in the Armed Forces of the United States, including the Army, Navy, Air Force, Marine Corps, Coast Guard, or as a commissioned officer of the Public Health Service, the Environmental Science Services Administration, or the National Oceanic and Atmospheric Administration and who was discharged under conditions other than dishonorable or has achieved veteran status and continues serving."

SECTION 2. G.S. 57D-2-24(a) reads as rewritten:

"§ 57D-2-24. Annual report for Secretary of State.

(a) Excluding professional limited liability companies governed by G.S. 57D-2-02, each LLC and each foreign LLC authorized to transact business in this State must deliver to the Secretary of State for filing annual reports on a form prescribed by, and in the manner required by, the Secretary of State and as otherwise provided in subsection (b) of this section. Each annual report must specify the year for which the report applies and provide the information required by this subsection. The information must be current as of the date the limited liability company completes the report. If the information in the limited liability company's most recent annual report has not changed, the limited liability company may certify in its annual report that the information has not changed in lieu of restating the information.

The following information must be included in each annual report:

- (1) The name of the limited liability company and, in the case of a foreign LLC, any different name that the foreign LLC is authorized under Article 3 of Chapter 55D of the General Statutes to use to transact business in this State, as provided in the foreign LLC's certificate of authority.
- (2) In the case of a foreign LLC, the name of the jurisdiction under whose law the foreign LLC is organized.
- (3) The street address, and the mailing address if different from the street address, of the limited liability company's registered office in the State, the county in which the registered office is located, the name of its registered agent at that office, and a statement of any change of the registered office or registered agent.
- (4) The address and telephone number of its principal office.
- (5) The names, titles, and business addresses of the limited liability company's principal company officials.
- (6) A brief description of the nature of its business.
- (7) The number of full-time equivalent employees employed by the limited liability company in this State during the period covered by the report who are veterans.

...

(e) The following definitions apply in this section:

- (1) The number of full-time equivalent employees. – A number equal to the total number of hours worked during a particular year by employees of the employer who are veterans, divided by 52, and then divided again by 40.
- (2) Qualifying service. – Any of the following:

- 1 a. Any length of active full-time service other than active duty for
2 training prior to September 8, 1980.
3 b. At least 24 months of active full-time service other than active duty
4 for training since September 8, 1980.
5 c. 90 consecutive days of active full-time service during a period of war
6 as defined in Title 38, United States Code.
7 d. Any active full-time service or training that resulted in death or
8 disability to the service member.
9 (3) Veteran. – A person with qualifying service in the Armed Forces of the
10 United States, including the Army, Navy, Air Force, Marine Corps, Coast
11 Guard, or as a commissioned officer of the Public Health Service, the
12 Environmental Science Services Administration, or the National Oceanic
13 and Atmospheric Administration and who was discharged under conditions
14 other than dishonorable or has achieved veteran status and continues
15 serving."

16 **SECTION 3.** Part 5 of Article 1 of Chapter 55 of the General Statutes is amended
17 by adding a new section to read:

18 **"§ 55-1-51. Publication of information about the employment of military veterans by**
19 **North Carolina employers.**

20 Using the information reported pursuant to G.S. 55-16-22(a3)(6) and G.S. 57D-2-24(a)(7),
21 the Secretary of State shall compile summary information about the number of veterans
22 employed in this State by corporations and limited liability companies and shall annually
23 publish that information on its Web site no later than October 1 of each year."

24 **SECTION 4.** The Department of Labor, the Department of Insurance, the
25 Employment Security Commission, the Department of Commerce, and the Industrial
26 Commission shall, to the extent feasible, assist the Secretary of State in notifying the public of
27 the requirements of G.S. 55-16-22(a3)(6) and G.S. 57D-2-24(a)(7).

28 **SECTION 5.** This act becomes effective January 1, 2016, and applies to annual
29 reports submitted on or after that date.



GENERAL ASSEMBLY OF NORTH CARO
SESSION 2015

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D

SENATE BILL 105

Workforce and Economic Development Committee Substitute Adopted 3/25/15

PROPOSED HOUSE COMMITTEE SUBSTITUTE S105-CSTG-56 [v.4]

05/04/2016 03:28:00 PM

Short Title: Report No. Veterans Employed/Hired.

(Public)

Sponsors:

Referred to:

February 23, 2015

A BILL TO BE ENTITLED

AN ACT TO REQUIRE THE SECRETARY OF REVENUE TO COMPILE INFORMATION ABOUT THE NUMBER OF VETERANS EMPLOYED IN NORTH CAROLINA ANNUALLY AND PROVIDE THIS INFORMATION TO THE DEPARTMENT OF MILITARY AND VETERANS AFFAIRS, TO REQUIRE EMPLOYERS TO INDICATE THE VETERAN STATUS OF NEW HIRES IN REPORTS TO THE STATE DIRECTORY OF NEW HIRES, AND TO PERMIT THE DEPARTMENT OF MILITARY AND VETERANS AFFAIRS TO ACCESS THE STATE DIRECTORY OF NEW HIRES FOR THE PURPOSE OF DETERMINING THE NUMBER OF VETERANS HIRED IN NORTH CAROLINA.

The General Assembly of North Carolina enacts:

SECTION 1. Article 9 of Chapter 105 of the General Statutes is amended by adding a new section to read:

"§ G.S. 105-254.1. Identification of veterans on income tax form D-400.

(a) The Secretary shall provide appropriate space and instructions on the individual income tax form D-400 for an individual to identify whether or not the individual is a veteran.

(b) Using the information reported pursuant to this section, the Secretary shall compile summary information on an aggregate basis about the number of veterans employed in this State and shall annually provide that information to the Department of Military and Veterans Affairs no later than October 1 of each year. Information specific to individual employers or employees shall remain confidential in accordance with G.S. 105-259.

(c) As used in this section the term "veteran" shall mean a person as defined in G.S. 143B-1281."

SECTION 2. G.S. 110-129.2 reads as rewritten:

"§ 110-129.2. State Directory of New Hires established; employers required to report; civil penalties for noncompliance; definitions.

...

(c) Report Contents. – Each report required by this section shall contain the name, address, social security number of the newly hired employee, whether the newly hired employee is a veteran, the date services for remuneration were first performed by the newly hired employee, and the name and address of the employer and the employer's identifying number assigned under section 6109 of the Internal Revenue Code of 1986 and the employer's State employer identification number. Reports shall be made on the W-4 form or, at the option of the employer, an equivalent form, and may be transmitted magnetically, electronically, or by first-class mail.

...



* S 1 0 5 - C S T G - 5 6 *

1 (g) Other Uses of Directory Information. – The following agencies may access information
2 entered into the Directory from employer reports for the purposes stated:

3 ...

4 (4) The Department of Military and Veterans Affairs for the purpose of
5 determining the number of veterans hired in North Carolina.

6 ...

7 (j) Definitions. – As used in this section, unless the context clearly requires otherwise, the
8 term:

9 ...

10 (6) "Veteran" means a person as defined in G.S. 143B-1281."

11 **SECTION 3.** The Department of Revenue shall update individual income tax form
12 D-400 to comply with Section 1 of this act by no later than January 1, 2017.

13 **SECTION 4.** The Department of Health and Human Services shall update the North
14 Carolina New Hire Form to comply with Section 2 of this act by no later than January 1, 2017.

15 **SECTION 5.** This act becomes effective October 1, 2016.



SENATE BILL 105: Report No. Veterans Employed/Hired.

2016-2017 General Assembly

Committee:	House Homeland Security, Military, and Veterans Affairs	Date:	May 4, 2016
Introduced by:	Sens. Brown, Meredith	Prepared by:	Bill Patterson
Analysis of:	PCS to Second Edition S105-CSTG-56		Staff Attorney

SUMMARY: *Senate Bill 105 would require the Secretary of Revenue to compile information on the number of veterans employed in North Carolina using information provided by veterans on their income tax returns, and to provide that information to the Department of Military and Veterans Affairs. The PCS would also require employers to indicate the veteran status of new hires reported to the State New Hire Directory, and would permit the Department of Military and Veterans Affairs to access that data for the purpose of determining the number of veterans hired in North Carolina. The PCS rewrites the second edition of the bill in its entirety.*

CURRENT LAW AND BILL ANALYSIS:

Section 1 of the PCS for Senate Bill 105 would require the Secretary of Revenue to revise the individual income tax form D-400 to provide space and instructions for stating whether or not the filing individual is a veteran, and would require the Secretary to use the information so provided to compile summary information on an aggregate basis annually about the number of veterans employed in North Carolina, and provide this information to the Department of Military and Veterans Affairs by no later than October 1 of each year.

Section 2 would require employers who report new hires to the State Directory of New Hires to indicate whether or not a new hire is a veteran, and would permit the Department of Military and Veterans Affairs to access the Directory for the purpose of determining the number of veterans hired in North Carolina.

Sections 1 and 2 would define "veteran" by statutory cross-reference as "a person who served on active duty (other than for training) in any component of the Armed Forces of the United States for a period of 180 days or more, unless released earlier because of service-connected disability, and who was discharged or released from the Armed Forces of the United States under honorable conditions."¹

Section 3 would direct the Department of Revenue to update the individual income tax form D-400 to comply with Section 1 of this act by no later than January 1, 2017.

Section 4 would require the Department of Health and Human Services to update the North Carolina New Hire Form to comply with Section 2 of this act by no later January 1, 2017.

EFFECTIVE DATE: This act becomes effective October 1, 2016.

Jennifer Mundi, staff to House Commerce and Job Development, substantially contributed to this summary.

¹ G.S. 143B-1281.

Karen Cochrane-
Brown
Director



Legislative Analysis
Division
919-733-2578





NORTH CAROLINA GENERAL ASSEMBLY
AMENDMENT
Senate Bill 105

AMENDMENT NO. _____
(to be filled in by
Principal Clerk)

S105-ATG-98 [v.1]

Page 1 of 1

Amends Title [YES]
S105-CSTG-56

Date Thursday May 5, 2016

Representative Speciale

1 moves to amend the bill on page 1, lines 5-10, by rewriting the lines to read:

2
3 "MILITARY AND VETERANS AFFAIRS." and

4
5 on page 1, line 24 through page 2, line 15, by rewriting the lines to read:

6
7 "SECTION 2. The Department of Revenue shall update individual income tax form
8 D-400 to comply with Section 1 of this act by no later than January 1, 2017.

9 SECTION 3. This act becomes effective October 1, 2016." and

10
11 by rewriting the Short Title to read:

12
13 "Report No. Veterans Employed."
14

SIGNED

Amendment Sponsor

SIGNED

Committee Chair if Senate Committee Amendment

ADOPTED

FAILED



TABLED







**House Committee on Homeland Security, Military, and Veterans Affairs
Wednesday, June 22, 2016 at 10:00 AM
Room 423 of the Legislative Office Building**

MINUTES

The House Committee on Homeland Security, Military, and Veterans Affairs met at 10:00 AM on June 22, 2016 in Room 423 of the Legislative Office Building. Representatives Adcock, Arp, Avila, Blust, Cleveland, Floyd, L. Hall, Lucas, G. Martin, S. Martin, Millis, Pendleton, Pierce, Pittman, Sgro, Shepard, Speciale, Stone, Szoka, B. Turner, and Whitmire attended. Legal Staff attending were Bill Patterson and Jennifer Bedford. Megan Kluttz was the committee clerk. The attending Sergeants at Arms, the Pages, and the Visitors sheets are made part of this record.

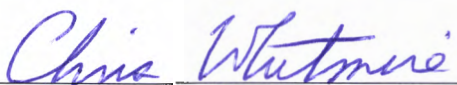
Welcome and opening remarks from Representative Whitmire, presiding Chairman.

The following bill was considered:

SB 105 Include Number Veterans Employed/ Annual Report (Senators Brown & Meredith)

The Proposed Committee Substitute (PCS) for SB 105 was presented in committee by Representative Cleveland. There was a thorough discussion by many members of the committee and an example of an employment form was passed out by Representative Pendleton (attachment 1). Representative G. Martin asked for clarification as to what constituted a veteran and Representative Whitmire asked him to consult with staff. Bill Patterson drafted an amendment for Representative G. Martin to present on the House floor. Those who spoke on behalf of State Agencies or from the public are Lacy Pate (Dept. of Military & Veteran's Affairs) and Mark Hought (NC Veteran's Business Association). Representative Cleveland made final remarks for SB 105 and Representative Shepard made the motion for a favorable report to the PCS; unfavorable to the original.

No other business was taken up. The meeting adjourned at 10:31 AM.



Representative Chris Whitmire, Chairman
Presiding



Megan Kluttz, Committee Clerk



Corrected #1: Time Change

**NORTH CAROLINA HOUSE OF REPRESENTATIVES
COMMITTEE MEETING NOTICE
AND
BILL SPONSOR NOTIFICATION
2015-2016 SESSION**

You are hereby notified that the **House Committee on Homeland Security, Military, and Veterans Affairs** will meet as follows:

DAY & DATE: Wednesday, June 22, 2016
TIME: 10:00 AM
LOCATION: 423 LOB
COMMENTS: Representative Whitmire presiding.

The following bills will be considered:

BILL NO.	SHORT TITLE	SPONSOR
SB 105	Include No. Veterans Employed/Annual Report.	Senator Brown Senator Meredith

Respectfully,

Representative George G. Cleveland, Co-Chair
Representative Larry G. Pittman, Co-Chair
Representative Michael Speciale, Co-Chair
Representative Chris Whitmire, Co-Chair

I hereby certify this notice was filed by the committee assistant at the following offices at 1:42 PM on Tuesday, June 21, 2016.

____ Principal Clerk
____ Reading Clerk – House Chamber

Megan Kluttz (Committee Assistant)





AGENDA

House Committee on Homeland Security, Military, and Veterans Affairs

Wednesday, June 22, 2016 10:00 AM
Legislative Offices Building, Room 423

I. Welcome & Opening Remarks: Representative Chris Whitmire, Presiding Chairman

II. The following bills will be heard:

BILL NO.	SHORT TITLE	SPONSOR
SB 105	Include No. Veterans Employed/Annual Report.	Senator Brown Senator Meredith

III. Closing Remarks

IV. Adjournment

Co-Chairman:
Representative George Cleveland
Representative Larry Pittman
Representative Michael Speciale
Representative Chris Whitmire



ATTACHMENT # 1

Committee Sergeants at Arms

NAME OF COMMITTEE House Comm on Homeland Sec, Military & VA

DATE: June 22 2016

Room: 423

House Sgt-At Arms:

1. Name: Dean Marshbourne

2. Name: Rey Cooke

3. Name: Terry McCraw

4. Name: Randy Wall

5. Name: _____

Senate Sgt-At Arms:

1. Name: _____

2. Name: _____

3. Name: _____

4. Name: _____

5. Name: _____



HOUSE PAGES (HOMELAND SECURITY, MILITARY, & VETERANS AFFAIRS)

Week of June 20-23, 2016

Name:	County:	Sponsor:
WILLIAM MISSERT	IREDELL	REP. JOHN FRALEY
ALLIE WHITMIRE	TRANSYLVANIA	REP. CHRIS WHITMIRE

Rep Grier Martin → Chandler Lilly (Shadowing)



VISITOR REGISTRATION SHEET

House Comm on Homeland Sec, Military and Vet Affairs

June 22 2016

Name of Committee

Date

VISITORS: PLEASE SIGN IN BELOW AND RETURN TO COMMITTEE CLERK

NAME

FIRM OR AGENCY AND ADDRESS

Chris Broughton	MWC
Nelson Freeman	DOR
MARK M. Haupt	NC VETERANS BUS. ASSOC 8311 BRIER CREEK PKWY 105-404 2765
Ralph Markwood	academy securities
Steve Mange	NCRLA
Kathy Kingsbury	JP
Dennis Holbrook	NC Board of Nursing
Penny Kuffin	School of Gov.
Amy McConkey	NC Beverage
Allen Hardison	CRSWMA
Maryann Duce	DMVA
Lexi Arthur	NCRMA



VISITOR REGISTRATION SHEET

House Comm on Homeland Sec, Military and Vet Affairs

June 22 2016

Name of Committee

Date

VISITORS: PLEASE SIGN IN BELOW AND RETURN TO COMMITTEE CLERK

NAME

FIRM OR AGENCY AND ADDRESS

DANIEL JORDAN	NCHFA
LACY PITTE	DMVA
Denni Burko	NWC
HAL PELL	NC Vet Business Assoc.
Jeri Graham	NC Veterans Council
Leon M Killian	Nelson Mullins
Phoebe Landon	mvc



VISITOR REGISTRATION SHEET

House Comm on Homeland Sec, Military and Vet Affairs

June 22 2016

Name of Committee

Date

VISITORS: PLEASE SIGN IN BELOW AND RETURN TO COMMITTEE CLERK

NAME

FIRM OR AGENCY AND ADDRESS

Elizabeth Robinson

NCRMA

Elizabeth Grovenstein

OSBM

John Perletti

Speaker

AL

MWC

JOEL MARIANO

GPM & ASSOC

SEAN

SEAN



GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2015

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2

SENATE BILL 105
Workforce and Economic Development Committee Substitute Adopted 3/25/15

Short Title: Include No. Veterans Employed/Annual Report. (Public)

Sponsors:

Referred to:

February 23, 2015

A BILL TO BE ENTITLED
AN ACT TO REQUIRE THAT INFORMATION ABOUT THE NUMBER OF VETERANS
EMPLOYED BY A CORPORATION OR A LIMITED LIABILITY COMPANY BE
INCLUDED IN ANNUAL REPORTS SUBMITTED BY THOSE CORPORATIONS.

The General Assembly of North Carolina enacts:

SECTION 1. G.S. 55-16-22 reads as rewritten:
"§ 55-16-22. Annual report.

...
(a3) The annual report required by this section shall be in a form jointly prescribed by
the Secretary of Revenue and the Secretary of State. The Secretary of Revenue shall provide
the form needed to file an annual report. The Secretary of State shall prescribe the form needed
to file an annual report electronically and shall provide this form by electronic means. The
annual report shall set forth all of the following:

- (1) The name of the corporation and the state or country under whose law it is incorporated.
- (2) The street address, and the mailing address if different from the street address, of the registered office, the county in which its registered office is located, and the name of its registered agent at that office in this State, and a statement of any change of such registered office or registered agent, or both.
- (3) The address and telephone number of its principal office.
- (4) The names, titles, and business addresses of its principal officers.
- (4a) Repealed by Session Laws 1997-475, s. 6.1, effective January 1, 1998.
- (5) A brief description of the nature of its business.
- (6) The number of full-time equivalent employees employed by the corporation in this State during the period covered by the report who are veterans.

If the information contained in the most recently filed annual report has not changed, a certification to that effect may be made instead of setting forth the information required by subdivisions (2) through (5) of this subsection.

- ...
(i) The following definitions apply in this section:
- (1) The number of full-time equivalent employees. – A number equal to the total number of hours worked during a particular year by employees of the employer who are veterans, divided by 52, and then divided again by 40.
 - (2) Qualifying service. – Any of the following:



- a. Any length of active full-time service other than active duty for training prior to September 8, 1980.
 - b. At least 24 months of active full-time service other than active duty for training since September 8, 1980.
 - c. 90 consecutive days of active full-time service during a period of war as defined in Title 38, United States Code.
 - d. Any active full-time service or training that resulted in death or disability to the service member.
- (3) Veteran. – A person with qualifying service in the Armed Forces of the United States, including the Army, Navy, Air Force, Marine Corps, Coast Guard, or as a commissioned officer of the Public Health Service, the Environmental Science Services Administration, or the National Oceanic and Atmospheric Administration and who was discharged under conditions other than dishonorable or has achieved veteran status and continues serving."

SECTION 2. G.S. 57D-2-24(a) reads as rewritten:

"§ 57D-2-24. Annual report for Secretary of State.

(a) Excluding professional limited liability companies governed by G.S. 57D-2-02, each LLC and each foreign LLC authorized to transact business in this State must deliver to the Secretary of State for filing annual reports on a form prescribed by, and in the manner required by, the Secretary of State and as otherwise provided in subsection (b) of this section. Each annual report must specify the year for which the report applies and provide the information required by this subsection. The information must be current as of the date the limited liability company completes the report. If the information in the limited liability company's most recent annual report has not changed, the limited liability company may certify in its annual report that the information has not changed in lieu of restating the information.

The following information must be included in each annual report:

- (1) The name of the limited liability company and, in the case of a foreign LLC, any different name that the foreign LLC is authorized under Article 3 of Chapter 55D of the General Statutes to use to transact business in this State, as provided in the foreign LLC's certificate of authority.
- (2) In the case of a foreign LLC, the name of the jurisdiction under whose law the foreign LLC is organized.
- (3) The street address, and the mailing address if different from the street address, of the limited liability company's registered office in the State, the county in which the registered office is located, the name of its registered agent at that office, and a statement of any change of the registered office or registered agent.
- (4) The address and telephone number of its principal office.
- (5) The names, titles, and business addresses of the limited liability company's principal company officials.
- (6) A brief description of the nature of its business.
- (7) The number of full-time equivalent employees employed by the limited liability company in this State during the period covered by the report who are veterans.

...

(e) The following definitions apply in this section:

- (1) The number of full-time equivalent employees. – A number equal to the total number of hours worked during a particular year by employees of the employer who are veterans, divided by 52, and then divided again by 40.
- (2) Qualifying service. – Any of the following:

- 1 a. Any length of active full-time service other than active duty for
2 training prior to September 8, 1980.
3 b. At least 24 months of active full-time service other than active duty
4 for training since September 8, 1980.
5 c. 90 consecutive days of active full-time service during a period of war
6 as defined in Title 38, United States Code.
7 d. Any active full-time service or training that resulted in death or
8 disability to the service member.
9 (3) Veteran. – A person with qualifying service in the Armed Forces of the
10 United States, including the Army, Navy, Air Force, Marine Corps, Coast
11 Guard, or as a commissioned officer of the Public Health Service, the
12 Environmental Science Services Administration, or the National Oceanic
13 and Atmospheric Administration and who was discharged under conditions
14 other than dishonorable or has achieved veteran status and continues
15 serving."

16 **SECTION 3.** Part 5 of Article 1 of Chapter 55 of the General Statutes is amended
17 by adding a new section to read:

18 **"§ 55-1-51. Publication of information about the employment of military veterans by**
19 **North Carolina employers.**

20 Using the information reported pursuant to G.S. 55-16-22(a3)(6) and G.S. 57D-2-24(a)(7),
21 the Secretary of State shall compile summary information about the number of veterans
22 employed in this State by corporations and limited liability companies and shall annually
23 publish that information on its Web site no later than October 1 of each year."

24 **SECTION 4.** The Department of Labor, the Department of Insurance, the
25 Employment Security Commission, the Department of Commerce, and the Industrial
26 Commission shall, to the extent feasible, assist the Secretary of State in notifying the public of
27 the requirements of G.S. 55-16-22(a3)(6) and G.S. 57D-2-24(a)(7).

28 **SECTION 5.** This act becomes effective January 1, 2016, and applies to annual
29 reports submitted on or after that date.



GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2015

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SENATE BILL 105

Workforce and Economic Development Committee Substitute Adopted 3/25/15
PROPOSED HOUSE COMMITTEE SUBSTITUTE S105-CSTG-56 [v.11]

06/20/2016 10:10:26 AM

Short Title: Report No. Veterans Filing Tax Returns.

(Public)

Sponsors:

Referred to:

February 23, 2015

A BILL TO BE ENTITLED

AN ACT TO REQUIRE THE SECRETARY OF REVENUE TO COMPILE INFORMATION
ABOUT THE NUMBER OF VETERANS FILING TAX RETURNS IN NORTH
CAROLINA ANNUALLY AND PROVIDE THIS INFORMATION TO THE
DEPARTMENT OF MILITARY AND VETERANS AFFAIRS.

Whereas, over 770,000 veterans reside across all of North Carolina's one hundred
counties; and

Whereas, North Carolina proudly has one of the largest veteran populations in the
country; and

Whereas, the number of veterans across our State underscores the importance and
impact of the State's current military base populations to our State and how veterans and their
families continue to reside in the State after the conclusion of their military service to further
contribute to the State's workforce and economy; Now, therefore,
The General Assembly of North Carolina enacts:

SECTION 1. Article 9 of Chapter 105 of the General Statutes is amended by adding a
new section to read:

"§ G.S. 105-254.1. Identification of veterans on income tax form D-400.

(a) The Secretary shall provide appropriate space and instructions on the individual
income tax form D-400 for an individual to voluntarily indicate whether or not the filing
individual is a veteran and, on a joint return, whether or not the individual's spouse is a veteran.

(b) Using the information reported pursuant to this section, the Secretary shall compile
summary information on an aggregate basis about the number of veterans filing tax returns in this
State and shall annually provide that information to the Department of Military and Veterans
Affairs no later than January 15 of each year. Information specific to individual employers or
employees shall remain confidential in accordance with G.S. 105-259.

(c) As used in this section the term "veteran" shall mean a person as defined in
G.S. 143B-1281."

SECTION 2. The Department of Revenue shall update individual income tax form
D-400 to comply with Section 1 of this act for taxable years beginning on or after January 1, 2017.
The Department of Revenue may include in the instructions for the individual income tax form
D-400 an explanation that veteran status is being requested to assist the State in documenting the
importance and impact of the State's military population in our communities and on our State and
local economies, and that information specific to individual filers will remain confidential in
accordance with G.S. 105-259.

SECTION 3. This act is effective when it becomes law.





GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2015

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SENATE BILL 105

Workforce and Economic Development Committee Substitute Adopted 3/25/15
PROPOSED HOUSE COMMITTEE SUBSTITUTE S105-CSTG-56 [v.4]

05/04/2016 03:28:00 PM

Short Title: Report No. Veterans Employed/Hired.

(Public)

Sponsors:

Referred to:

February 23, 2015

1 A BILL TO BE ENTITLED
2 AN ACT TO REQUIRE THE SECRETARY OF REVENUE TO COMPILE INFORMATION
3 ABOUT THE NUMBER OF VETERANS EMPLOYED IN NORTH CAROLINA
4 ANNUALLY AND PROVIDE THIS INFORMATION TO THE DEPARTMENT OF
5 MILITARY AND VETERANS AFFAIRS, TO REQUIRE EMPLOYERS TO INDICATE
6 THE VETERAN STATUS OF NEW HIRES IN REPORTS TO THE STATE DIRECTORY
7 OF NEW HIRES, AND TO PERMIT THE DEPARTMENT OF MILITARY AND
8 VETERANS AFFAIRS TO ACCESS THE STATE DIRECTORY OF NEW HIRES FOR
9 THE PURPOSE OF DETERMINING THE NUMBER OF VETERANS HIRED IN NORTH
10 CAROLINA.

11 The General Assembly of North Carolina enacts:

12 SECTION 1. Article 9 of Chapter 105 of the General Statutes is amended by adding a
13 new section to read:

14 **"§ G.S. 105-254.1. Identification of veterans on income tax form D-400.**

15 (a) The Secretary shall provide appropriate space and instructions on the individual
16 income tax form D-400 for an individual to identify whether or not the individual is a veteran.

17 (b) Using the information reported pursuant to this section, the Secretary shall compile
18 summary information on an aggregate basis about the number of veterans employed in this State
19 and shall annually provide that information to the Department of Military and Veterans Affairs no
20 later than October 1 of each year. Information specific to individual employers or employees shall
21 remain confidential in accordance with G.S. 105-259.

22 (c) As used in this section the term "veteran" shall mean a person as defined in
23 G.S. 143B-1281."

24 SECTION 2. G.S. 110-129.2 reads as rewritten:

25 **"§ 110-129.2. State Directory of New Hires established; employers required to report; civil**
26 **penalties for noncompliance; definitions.**

27 ...

28 (c) Report Contents. – Each report required by this section shall contain the name, address,
29 social security number of the newly hired employee, whether the newly hired employee is a
30 veteran, the date services for remuneration were first performed by the newly hired employee, and
31 the name and address of the employer and the employer's identifying number assigned under
32 section 6109 of the Internal Revenue Code of 1986 and the employer's State employer
33 identification number. Reports shall be made on the W-4 form or, at the option of the employer, an
34 equivalent form, and may be transmitted magnetically, electronically, or by first-class mail.

35 ...



1 (g) Other Uses of Directory Information. – The following agencies may access information
2 entered into the Directory from employer reports for the purposes stated:

3 ...

4 (4) The Department of Military and Veterans Affairs for the purpose of
5 determining the number of veterans hired in North Carolina.

6 ...
7 (j) Definitions. – As used in this section, unless the context clearly requires otherwise, the
8 term:

9 ...

10 (6) "Veteran" means a person as defined in G.S. 143B-1281."

11 **SECTION 3.** The Department of Revenue shall update individual income tax form
12 D-400 to comply with Section 1 of this act by no later than January 1, 2017.

13 **SECTION 4.** The Department of Health and Human Services shall update the North
14 Carolina New Hire Form to comply with Section 2 of this act by no later than January 1, 2017.

15 **SECTION 5.** This act becomes effective October 1, 2016.



ATTACHMENT # 5

SENATE BILL 105: Report No. Veterans Filing Tax Returns.

2016-2017 General Assembly

Committee:	House Homeland Security, Military, and Veterans Affairs	Date:	June 21, 2016
Introduced by:	Sens. Brown, Meredith	Prepared by:	Bill Patterson
Analysis of:	PCS to Second Edition S105-CSTG-56		Committee Co-Counsel

SUMMARY: *The PCS for Senate Bill 105 would require the Secretary of Revenue to compile information on the number of veterans filing tax returns in North Carolina based on voluntary disclosure of veteran status by filers on their income tax returns. The PCS would also require the Secretary of Revenue to provide this information annually to the Department of Military and Veterans Affairs.*

CURRENT LAW AND BILL ANALYSIS:

Section 1 of the PCS for Senate Bill 105 would enact a new G.S. 105-254.1 requiring the Secretary of Revenue to:

1. Provide space and instructions on the individual income tax form D-400 for stating whether or not the person filing the return is a veteran, or on a joint return, whether that person's spouse is a veteran;¹
2. Use the information disclosed on filed returns to compile summary information on an aggregate basis annually about the number of veterans filing tax returns in North Carolina; and
3. Provide this information to the Department of Military and Veterans Affairs by no later than January 15 of each year.

Section 2 would direct the Department of Revenue to update the individual income tax form D-400 to comply with Section 1 of this act by no later than January 1, 2017.

EFFECTIVE DATE: This act is effective when it becomes law.

¹ By cross-reference to G.S. 143B-1281, the PCS defines "veteran" as "a person who served on active duty (other than for training) in any component of the Armed Forces of the United States for a period of 180 days or more, unless released earlier because of service-connected disability, and who was discharged or released from the Armed Forces of the United States under honorable conditions."

Karen Cochrane-Brown
Director



Legislative Analysis
Division
919-733-2578



GENERAL ASSEMBLY OF NORTH CAROLINA

Session 2015

Legislative Fiscal Note

BILL NUMBER: Senate Bill 105 (Second Edition)

SHORT TITLE: Include No. Veterans Employed/Annual Report.

SPONSOR(S):

FISCAL IMPACT					
	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> No Estimate Available		
State Impact	FY 2016-17	FY 2017-18	FY 2018-19	FY 2019-20	FY 2020-21
General Fund Revenues:	\$0.0	\$0.0	\$0.0	\$0.0	\$0.0
General Fund Expenditures:	\$250,000.0	\$0.0	\$0.0	\$0.0	\$0.0
State Positions:	0.0	0.0	0.0	0.0	0.0
NET STATE IMPACT	(\$250,000)	\$0.0	\$0.0	\$0.0	\$0.0
PRINCIPAL DEPARTMENT(S) & PROGRAM(S) AFFECTED: Secretary of State, Department of Revenue					
EFFECTIVE DATE: January 1, 2016					
TECHNICAL CONSIDERATIONS: None					

BILL SUMMARY:

This bill amends current statute to require that annual reports filed by business corporations and limited liability companies (LLCs) include the number of full-time equivalent employees employed in North Carolina during the reporting period who are veterans. Business corporations and LLCs that are authorized to conduct business in the State are required to file annual reports with the Secretary of Revenue in paper form or file directly to the Secretary of State in electronic form.

The bill also requires the Secretary of State to compile this information from the annual reports and publish on the Secretary of State's website the number of veterans employed in the State by business corporations and LLCs annually by October 1. This bill also directs the Department of Labor, Department of Insurance, Employment Security Commission, Department of Commerce, and the Industrial Commission to assist the Secretary of State in notifying the public of the new requirements.

ASSUMPTIONS AND METHODOLOGY:

The additional reporting requirements and updates to the electronic filing system can be handled by the Secretary of State's office within existing staffing and resource levels. The Department of Revenue is able to update the annual report forms for business corporations and LLCs internally with no additional funding.

The Secretary of State would require one-time funding for implementation of this bill to notify the business community of the new requirements in order to ensure proper compliance with the law. A total of \$250,000 would be needed to do the following:

- \$202,500 for direct mailings to communicate to business corporations and LLCs the additional reporting requirements and definitions. The direct mailings are expected to cost \$0.45 per unit and would be sent to approximately 450,000 companies currently registered to do business in North Carolina.
- \$47,500 for the select placement of notifications in business and trade newsletters and publications to reach the extended business community, including potential owners of new business corporations and LLCs.

SOURCES OF DATA: Secretary of State, Department of Revenue

TECHNICAL CONSIDERATIONS: None

FISCAL RESEARCH DIVISION: (919) 733-4910

PREPARED BY: Cara Bridges

APPROVED BY:

Mark Trogdon, Director
Fiscal Research Division

DATE: June 21, 2016



Signed Copy Located in the NCGA Principal Clerk's Offices

ATTACHMENT # 6

revised 09/08/2011

APPLICATION FOR EMPLOYMENT				STATE OF NORTH CAROLINA		Date of Application	
Last 4 digits of Social Security No.		Last Name		First Name		Middle Name	
Address (Street number and name)				City		County	
State		Zip Code		Phone (Home or where you can be reached)		Business Phone	
Availability Do you now work for the State of NC? <input type="checkbox"/> YES <input type="checkbox"/> NO		Are you a layoff candidate with the State of N.C. eligible for RIF priority reemployment consideration as described by GS 126: <input type="checkbox"/> YES <input type="checkbox"/> NO Notification Date: _____ Are you related by blood or marriage to any person now working for the State <input type="checkbox"/> YES <input type="checkbox"/> NO If yes, give name, relationship to you and the agency where employed.				If subject to Military Selective Service registration, certify compliance by initialing dotted line	
Military Service Have you served honorably in the Armed Forces of the United States on active duty for reasons other than training? <input type="checkbox"/> YES <input type="checkbox"/> NO Do you wish to declare a service-connected disability? <input type="checkbox"/> YES <input type="checkbox"/> NO At the time of this application, are you the surviving spouse or dependent of a deceased veteran who died from service-related reasons? <input type="checkbox"/> YES <input type="checkbox"/> NO Do you wish to declare eligibility for veterans preference as the spouse of a disabled veteran? <input type="checkbox"/> YES <input type="checkbox"/> NO Give dates of your (or spouse's) qualifying active military service: Entered: _____ Separated: _____ Branch: _____ Rank: _____							
AGENCY USE ONLY: ELIGIBILITY FOR VETERAN'S PREFERENCE: <input type="checkbox"/> YES <input type="checkbox"/> NO							
CHECK the types of work you will accept: <input type="checkbox"/> 1. Permanent full-time <input type="checkbox"/> 2. Permanent part-time <input type="checkbox"/> 3. Temporary full-time <input type="checkbox"/> 4. Temporary part-time <input type="checkbox"/> 5. Any of the preceding <input type="checkbox"/> 6. Work involving Travel <input type="checkbox"/> 7. Shift or Split Shift Work If you are not available for work now, enter the earliest date you could begin work (mo/day/yr.) _____ Will you accept work anywhere in N.C.? <input type="checkbox"/> YES <input type="checkbox"/> NO (If no, list below the counties in which you would be willing to work.) 1. _____ 2. _____ 3. _____ 4. _____ 5. _____							
Job Applied For Enter below the specific title and vacancy number of the job for which you are applying. Job Title: _____ Vacancy Number: _____							
Referral Source Please indicate your referral source: _____ If you were referred by the Employment Security Commission (Job Service) please indicate which local office: _____							
Education Circle highest grade completed: 1 2 3 4 5 6 7 8 9 10 11 12 GED College 1 2 3 4 Graduate School 1 2 3 4 Under S/Q Hrs., list the hours of credit received and if they were semester (S) or quarter (Q) hours.							
Schools	Name and Location	Dates Attended (mo/yr) From: To:	Grad? YES <input type="checkbox"/> NO <input type="checkbox"/>	S/Q Hrs.	Major/Minor Course Work	Type of Degree Received	
High School							
College(s) University (s)			YES <input type="checkbox"/> NO <input type="checkbox"/>				
Graduate or Professional			YES <input type="checkbox"/> NO <input type="checkbox"/>				
Other educational, vocational school, internships, etc.			YES <input type="checkbox"/> NO <input type="checkbox"/>				
Special training programs and seminars you have completed in the last five years (list): _____ _____ _____							
If the job(s) applied for calls for specific courses, indicate those courses taken and credits received: _____ _____ _____							
Current professional status: (List fields of work for which you have been registered) Registration: _____ State: _____ No. _____ Registration: _____ State: _____ No. _____							
Membership in professional, honorary, or technical societies (list): _____ _____				DO NOT COMPLETE THIS BLOCK DEGREES AND PROFESSIONAL CREDENTIALS <input type="checkbox"/> Have been verified <input type="checkbox"/> Will be verified within 90 days (G.S. 126-30) Person Responsible: _____			



NORTH CAROLINA GENERAL ASSEMBLY HOUSE OF REPRESENTATIVES

HOMELAND SECURITY, MILITARY, AND VETERANS AFFAIRS COMMITTEE REPORT

Representative George G. Cleveland, Co-Chair

Representative Larry G. Pittman, Co-Chair

Representative Michael Speciale, Co-Chair

Representative Chris Whitmire, Co-Chair

FAVORABLE HOUSE COM SUB, UNFAVORABLE SENATE COM SUB

SB 105 (CS#1)

Include No. Veterans Employed/Annual Report.

Draft Number: S105-PCS45535-TG-56

Serial Referral: None

Recommended Referral: None

Long Title Amended: Yes

Floor Manager: Cleveland

TOTAL REPORTED: 1



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