



# Legislative Update

*Week of June 24, 2019*

Roy Cooper, Governor

Erik A. Hooks, Secretary

Following unsuccessful negotiations with Governor Cooper, lawmakers approved a \$24 billion compromise budget this week. Included in the legislation is a 5% raise over the biennium for all state employees, and additional five days of annual leave, and funding to implement Raise the Age. Additional budget highlights are summarized below. Governor Cooper has vetoed the bill, forcing lawmakers to decide whether to vote to override the Governor's veto.

The North Carolina State Highway Patrol celebrated its 90<sup>th</sup> anniversary this week. Representative Mitchell Setzer, (R- Catawba), an ardent supporter of the Patrol, offered a delightful Representative Statement honoring the agency at Thursday's House session. In addition, Representative Carolyn Logan, (D - Mecklenburg), who was the first African-American female trooper to serve on the Highway Patrol, provided a lovely reflection on her career with the organization.

Also this week, a committee substitute for Senate Bill 579, Prison Reform Act, was heard in Senate Judiciary. The revised bill directs the Legislative Program Evaluation Division to examine and identify alternative organizational and managerial structures for Adult Correction and Juvenile Justice, and to submit its findings and recommendations to the Program Evaluation Division and Justice and Public Safety Oversight Committees by May 1, 2020.

*If you have any questions or comments, please contact Susanna Davis at 919-825-2717 or [susanna.davis@ncdps.gov](mailto:susanna.davis@ncdps.gov).*

## **Highlights of the Compromise Budget (FY 2019-21)**

### ***Department-wide***

- *Compensation Increase for Employees:* Funding for an across-the-board salary increase of 2.5% effective July 1, 2019, and an additional across-the-board salary increase of 2.5% effective July 1, 2020.
- *Special Annual Leave:* Additional five days of annual leave which does not expire. Part-time, permanent employees will receive a pro rata amount of the five days.
- *Compensation Increase – High Need Facility Salary Supplements:* \$15M recurring in each year of the biennium for differentiated salary supplements for employees at prison facilities with staffing difficulties.
- *Compensation Increase – SBI/ALE Law Enforcement Salary Schedule:* \$2M recurring to increase base SBI/ALE law enforcement officer pay to the salary schedule enacted for the State Highway Patrol. The pay plan increases starting officer pay to \$45,100 and provides 6.5% annual salary increases for the first 6 years of employment.

## ***Administration***

- *Addiction Treatment in County Jails*: \$1M non-recurring in FY 2019-20 for grant funds of equal amounts to Forsyth, Moore, New Hanover, and Onslow Counties to expand, maintain, or establish the use of non-opioid, long acting, injectable medication regimens as treatment for alcohol dependence, opioid dependence, or both, as a part of reentry treatment programs in county jails.
- *Emerge Skills4Life & C.A.R.E.*: \$482,050 one-time grant to Emerge Ministries to work with inmates, ex-offenders, addicts, and their families in an effort to reduce recidivism.
- *NC Victims Assistance Network*: \$150,000 one-time grant to NC Victims Assistance Network (NCVAN).
- *NC Troopers' Association*: \$25,000 one-time grant to the NC Troopers' Association for the caisson unit.

## ***Adult Correction***

- *Prison Security Equipment – Stab-Resistant Vests*: \$400,000 non-recurring in FY 2019-20 for additional stab resistant vests and exterior carriers.
- *Prison Security Equipment – Contraband Deterrence*: \$730,937 non-recurring in FY 2019-20 for security netting over prison fence lines to deter and intercept contraband.
- *Prison Security Equipment – Metal Detectors*: \$216,750 non-recurring in FY 2019-20 for additional hand-held metal detectors to reduce contraband in prison facilities.
- *Prison Security Equipment – Key Lock Boxes*: \$675,360 non-recurring in FY 2019-20 for key lock boxes that will be distributed throughout facilities.
- *Prison IT Security Equipment* – \$2.4M non-recurring in FY 2019-20 for IT security equipment upgrades for man down technology and cameras.
- *In-Prison Substance Abuse Services*: \$643,310 in total funding across the biennium to create 32 intermediate inmate substance abuse treatment slots, effective October 1, 2019.
- *Reentry Programs*: \$324,329 and \$835,000 recurring in FY 2019-20 and 2020-21 respectively, to support positions and case management software to support reentry services to help reintegrate offenders back into the community. In FY 2019-20, funding will support two Licensed Clinical Social Workers (LCSWs) and two Reentry Probation Parole Officers (PPOs). FY 2020-21 funding will support two additional LCSWs, two additional PPOS, and three Community Development Specialists.
- *Long-Term Care Facility at Central Prison*: \$3.5M recurring starting in FY 2020-21 to support 35 medical and custody positions to operate a long-term care facility at Central Prison. This 16-bed facility will free up medical beds within Central Prison Medical Health Center and provide appropriate long-term medical care for inmates.

- *Nursing Positions*: \$645,240 recurring in FY 2020-21 to fund eight Registered Nurse positions to address the medical staffing needs of inmates.
- *Prison Pharmacy Services*: \$2.5 annually in additional funding to address the rising costs of prescription drugs.
- *Pamlico Education Services*: \$424,283 and \$27,931 in FY 2019-20 and FY 2020-21 respectively for Pamlico Correctional Institution to reimburse Pamlico Community College for educational services that were interrupted due to a fire.
- *Alcoholism & Chemical Dependency Program - Black Mountain Modular Classrooms*: \$1M in FY 2019-20 to construct modular classroom space at Black Mountain Correctional Center.
- *Correction Enterprises*: \$388,877 and \$248,451 for non-General Fund capital improvements to Lanesboro Sewing Plant and Scotland Food Packaging Plant respectively.

### ***Juvenile Justice***

- *Raise the Age – Administrative Support*: \$1.6M net appropriation in FY 2019-20, and just under \$1.9M recurring in FY 2020-21, to support increased staffing and workload requirements associated with the implementation of "Raise the Age," including five staff training positions, two statistician positions, three information technology positions, and two human resources positions. These positions have a starting date of October 1, 2019.
- *Raise the Age – Facility Administration*: \$540,000 in FY 2019-20, and \$500,000 in FY 2020-21 to support one facility management position and six field support specialist positions to support operations at the Juvenile Detention Centers, Youth Development Centers, and other Division of Juvenile Justice facilities throughout the State.
- *Raise the Age – Juvenile Detention Center Capacity*: \$11.2M in recurring funding throughout the biennium to increase bed capacity at Juvenile Detention Centers. These facilities provide temporary secure custody for juveniles deemed to require it as they move through the juvenile justice system. This funding will support operations at Juvenile Detention Centers across the State, including both those owned and operated by the State and those owned and operated on a contract basis by certain counties.
- *Raise the Age – Transportation*: \$2.5M in funding across the biennium to support the new transportation requirements by adding 15 new transportation positions and the purchase of 29 vans. The Juvenile Justice Reinvestment Act requires DJJ to provide transportation to and from secure custody for all juveniles in the system which have been often provided by law enforcement. Newly established positions have a starting date of October 1, 2019.
- *Raise the Age – CA Dillon Operations*: \$1.9M in FY 2019-20, and \$2.3M in FY 2020-21, to support 38 positions and operating expenses for the CA Dillon Youth Development Center campus in Butner. This facility is currently under renovation and, when reopened, will serve as both a Youth Development Center and a Juvenile Detention Center, as needed. This funding provided will allow the facility to open as early as November 1, 2019.

- *Raise the Age – Educational/Vocational Positions:* \$375,000 in FY 2019-20 and \$500,000 in FY 2020-21 to support four new school counselor positions to provide re-entry and placement services, career planning, vocational training, and other services for juveniles who are preparing to exit secure custody. These positions have a starting date of October 1, 2019.
- *Raise the Age – Level II Contracts:* \$6.5M recurring and \$350,000 non-recurring in FY 2019-20, and \$11.1M recurring in FY 2020-21, to support increased funding for contracts for Level II community-based and residential programs for juveniles who have been adjudicated delinquent. Funding also supports the creation of one contract management position with a starting date of December 1, 2019.
- *Raise the Age – Juvenile Crime Prevention Councils (JCPCs):* \$4.2M recurring in FY 2019-20, and \$6.6M recurring in FY 2020-21, to provide additional funding to be allocated to the county-level JCPCs. These statutorily defined councils identify and recommend programs that serve Level I delinquent juveniles, diverted juveniles, and at-risk juveniles. These programs currently receive \$22.4 million annually, distributed across the counties by formula.
- *Raise the Age – JCPC Administrative Support:* \$250,000 recurring and \$80,000 non-recurring in FY 2019-20, and \$400,000 recurring in FY 2020-21, to support the creation of five positions in the Community Programs section to provide administrative support, technical assistance, and to monitor programmatic quality and fiscal accountability for JCPC programs. Positions have a starting date of November 1, 2019.
- *Raise the Age – Juvenile Court Counselors:* \$5M total in FY 2019-20, and \$8.7M recurring in FY 2020-21, to fund 97 new Juvenile Court Counselor positions. Phased in over the course of the first fiscal year, these positions are the primary point of contact for all juveniles and their families as they move through the juvenile justice system and will be effective beginning November 1, 2019.
- *Raise the Age – Juvenile Detention Beds:* \$2M in FY 2019-20 to renovate and convert a facility in Moore County into a juvenile detention center to meet the projected juvenile justice bed needs associated with Raise the Age.
- *Raise the Age Renovations:* \$1.7M in FY 2019-20 to renovate and convert the Perquimans Youth Development Center into a juvenile detention center in order to meet the number of projected beds needed as a result of Raise the Age implementation.
- *Stonewall Jackson YDC:* \$677,000 in FY 2019-20 for non-General Fund capital improvements to classrooms and the kennels.

### ***Emergency Management***

- *Asset Tracking and Management:* \$100,000 non-recurring to expand an existing contract for asset tracking and management equipment and software to include UNC.
- *Emergency Management Positions:* \$147,188 total appropriation in FY 2019-20, and \$503,125 recurring in FY 2020-21, to fund additional positions which will support management of

federal grants and other Division operations (three FTEs in FY 2019-20 and seven FTEs in FY 2020-21). Positions added in the first fiscal year will have a starting date of January 1, 2020.

- *NC 2-1-1*: \$250,000 recurring, for both FY 2019-20 and FY 2020-21, to fund the United Way of North Carolina to support operations of the NC 2-1-1 program. This program operates a hotline that connects emergency/disaster survivors with needed resources, including Federal Emergency Management Agency (FEMA) grant programs, State-operated support programs, and other forms of aid.
- *State Search and Rescue*: \$2M net appropriation throughout the biennium to support the State Search and Rescue program.
- *Disaster Recovery – State Search and Rescue*: \$1M non-recurring in FY 2019-20 to support the State Search and Rescue program.
- *Disaster Recovery – Local Government Assistance*: \$9M non-recurring allocation to the NC Office of Recovery and Resiliency (NCORR) to assist financially-distressed local governments with staff support. Additionally, these funds provide one-time emergency fund grants and loans to local governments in disaster areas that need immediate cash flow assistance.
- *Disaster Recovery – State Acquisition and Relocation Fund (SARF)*: \$8M in FY 2019-20 to NCORR for the SARF program, which provides funding to storm survivors for gap funding related to buyouts to move families out of floodplains.
- *Disaster Recovery – State Disaster Resiliency Fund*: \$5M in FY 2019-20 to NCORR for mitigation buyouts, relocations, buyout assistance to local governments, and infrastructure repairs. This program will serve homeowners and communities that would otherwise be eligible for federal Community Development Block Grant - Disaster Recovery (CDBG-DR) funding but are outside of the federally designated "most impacted, most distressed" counties.
- *Disaster Recovery – Volunteer Organizations Active in Disasters*: \$1M in FY 2019-20 to the Division of Emergency Management (NCEM) for a grant program to support voluntary organizations that provide disaster recovery services.
- *Disaster Recovery – Flood Insurance Pilot Program*: \$2M non-recurring to NCEM for a pilot program to provide flood insurance to low-to-moderate income families in flood prone areas for 2 years.
- *Disaster Recovery – River Gauges*: \$2M in FY 2019-20 to NCEM for purchase and installation of river gauges to improve flood mapping and real-time flooding information.

### ***Law Enforcement***

- *SBI Lease Expenses*: \$211,206 recurring funding for the SBI's existing leased office space expenses.

- *SBI Behavioral Threat Assessment (BETA) Positions*: \$1.5M total net appropriation for eight sworn SBI agents who will work to identify potential threats to schools and houses of worship. These positions are effective on January 1, 2020.
- *SBI Human Trafficking Positions*: \$1.5M net appropriation across the biennium to fund eight additional sworn law enforcement positions, effective January 1, 2020, to support the SBI's human trafficking investigations and activities.
- *ALE Administrative Positions*: \$640,914 recurring over the biennium to provide ALE with eight additional positions for administrative support.
- *ALE Office Space*: \$300,000 recurring for ALE to lease additional office space.
- *ALE Sworn Positions*: \$233,040 recurring to ALE for additional sworn law enforcement positions.
- *State Highway Patrol Troop B Renovation*: \$2.15M in FY 2019-20 to renovate facilities used by Troop B Headquarters in Elizabethtown.

#### ***NC National Guard***

- *Tarheel ChalleNGe Positions*: \$945,010 net appropriation over the biennium for the National Guard Tarheel ChalleNGe Academies to support 31 new positions. This program provides educational and skill-building programming for at-risk 16-18-year-olds who have dropped out of high school. Positions are needed to bring the State into compliance with federal staffing regulations.
- *Tarheel ChalleNGe Multipurpose Building*: \$230,000 non-recurring for the National Guard Tarheel ChalleNGe Academy's Salemburg campus for the renovation of a multipurpose building.
- *Personal Protective Equipment*: \$1.6M non-recurring in FY 2019-20 to provide for the purchase of personal protective equipment for the NC National Guard's Reaction Force (NGRF) unit.
- *Hazardous Materials Fee Transfer to Special Fund*: Transfers the receipts from the Hazardous Materials fee and associated requirements to the newly created Hazardous Materials Facility Fund.
- *High-Frequency Radios and Tracking Equipment*: \$450,000 non-recurring in FY 2019-20 for the purchase of high-frequency radios and live-tracking devices.
- *National Guard Capital Projects*: \$2M in FY 2019-20 to match federal funds to be used for the renovation, expansion, construction, and demolition of facilities.

**Other Provisions**

- *Samarcand Cafeteria:* \$445,895 and \$247,011 respectively in net appropriations across the biennium providing for 4 administrative and operational support positions due to expansion of academy operation in FY 2019-20 and 6 positions in FY 2020-21. Also provides funding for the necessary equipment to operate the cafeteria.
- *Samarcand Live Fire Training Facility:* \$1.5M in FY 2019-20 to construct a live fire training facility at the Samarcand Training Academy.
- *VIPER Long-Term Service and Software Contract:* \$1.5M recurring in each fiscal year over the biennium to support VIPER’s Network’s Service Upgrade Assurance (SUA) contract, which provides software upgrades and maintenance support.
- *VIPER Tower Hardware Upgrades:* \$9M non-recurring in FY 2019-20 for the Voice Interoperability Plan for Emergency Responders (VIPER) Network for continued base station upgrades begun in the 2018 budget.

**DPS Bills with Action this Week**

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

<b>Division(s) Impacted</b>	<b>Sponsor(s)</b>	<b>Bill #</b>	<b>Short Title</b>	<b>Action</b>
Admin	McNeill and Boles	H 99	<a href="#">Transfer ALE</a>	6/24/2019 House Conf Com Appointed
AC	Horn, Farmer-Butterfield, Lucas, and R. Turner	H 106	<a href="#">Inmate Health Care &amp; 340B Program</a>	6/28/2019 Placed on Senate Calendar for 7/01/2019
AC	Horn and Lucas	H 108	<a href="#">PED/Safekeeper Health Care Cost Recov. Pract.</a>	6/27/2019 Senate Placed On Cal For 07/01/2019
ACJJ	Shepard, McNeill, C. Smith, and Cleveland	H 138	<a href="#">Damage Jail &amp; Prison Fire Sprinkler/Penalty</a>	6/28/2019 Placed on Senate Calendar for 7/01/2019
Law Enforcement; ACJJ; NCNG	Moore, Hastings, C. Smith, and Barnes	H 224	<a href="#">Assault w/ Firearm on LEO/Increase Punishment</a>	6/27/2019 Senate Ordered Enrolled

Law Enforcement	Jones, Bell, Moore, and Hastings	H 283	<a href="#">Conner's Law</a>	6/27/2019 Senate Re-ref Com On Rules and Operations of the Senate
ABC	Bell, Boles, Goodman, and Lewis	H 389	<a href="#">ABC/Univ Athletic Facility</a>	Signed by Gov. 6/26/2019
JJ	Stevens, Barnes, Hanig, and C. Smith	H 415	<a href="#">Photos of Juveniles/Show-Ups</a>	Signed by Gov. 6/26/2019
AC	Rogers, Brody, Hardister, and John	H 463	<a href="#">Education/Job Readiness in Prisons &amp; Jails</a>	6/26/2019 Senate Ref To Com On Rules and Operations of the Senate
ABC	McGrady, Boles, Fisher, and Hardister	H 536	<a href="#">ABC Omnibus Regulatory Reform</a>	6/27/2019 House Re-ref Com On Rules, Calendar, and Operations of the House
PPSB	McNeill, Hardister, and Faircloth	H 630	<a href="#">Private Protective Services Changes</a>	6/28/2019 House Cal Pursuant Rule 36(b)
SHP	McNeill, Faircloth, Floyd, and C. Smith	H 747	<a href="#">NC Missing Person Information Sharing</a>	6/27/2019 House Ordered Enrolled
EM	Horn	H 917	<a href="#">Emergency Declaration/Clarify Rd Closure</a>	Pres. To Gov. 6/28/2019
SBI/ALE	Warren, Hardister, Saine, and Hunter	H 929	<a href="#">Gaming Commission</a>	6/26/2019 House Re-ref Com On Rules, Calendar, and Operations of the House
Department-Wide	Johnson, Lambeth, Saine, and McGrady	H 966	<a href="#">2019 Appropriations Act</a>	Vetoed 06/28/2019



ABC	Wells	S 11	<a href="#">ABC Regulation and Reform</a>	6/26/2019 Signed by Gov. 6/26/2019
Law Enforcement	Britt and McInnis	S 29	<a href="#">Move Over Law/Increase Penalties/Amber Lights</a>	6/28/2019 House Cal Pursuant Rule 36(b)
SHP	J. Jackson, J. Davis, and Britt	S 105	<a href="#">Federal Motor Carrier Safety/PRISM</a>	6/25/2019 House Re-ref Com On Rules, Calendar, and Operations of the House
Law Enforcement	D. Davis	S 148	<a href="#">Public Records/Release of LEO Recordings</a>	6/26/2019 Signed by Gov. 6/26/2019
EM	Waddell and Bishop	S 191	<a href="#">Out-of-State Law Enforcement/2020 Rep Convtn.</a>	6/27/2019 Senate Ordered Enrolled
JJ	D. Davis, Daniel, and Sanderson	S 413	<a href="#">Raise the Age Modifications.</a>	6/24/2019 House Re-ref to the Com on Judiciary, if favorable, Rules, Calendar, and Operations of the House
NCNG	Britt and Daniel	S 420	<a href="#">NC Servicemembers Civil Relief Act</a>	6/27/2019 House Re-ref Com On Rules, Calendar, and Operations of the House
ACJJ	Steinburg, McKissick, and Sanderson	S 579	<a href="#">Prison Reform Act of 2019</a>	6/28/2019 Placed on Senate Calendar for 7/01/2019