



INTRODUCTION

Legislators were faced with the stark reality of the budget hole that they are looking at as a result of COVID-19 with the revised [consensus revenue forecast](#), which predicted a total net drop in expected collections of \$5 billion for the current budget biennium. Clearly difficult decisions will have to be made and instead of spending more time fighting the Governor on the budget, legislative leaders have moved way from a comprehensive one-year budget and adopted a strategy of “single shot budget bills.” These single-issue budget bills will pull down funds unappropriated last year and from various cash sources to fund state needs for the next fiscal year. Already, both houses have approved bills to fund communications technology for emergency responders and provisions related to the Raise the Age legislation. The Senate has approved another three appropriations bills, and the House has approved six. Still more bills are moving through committees. At the same time, budget writers and legislative leaders are waiting to see if Congress will give the states more flexibility in spending the federal money targeted for COVID-19.

On June 3, the House also approved its operating rules, keeping many of the same provisions it enacted in April in response to the COVID-19 pandemic. Key changes to the rules include a re-opening of the gallery to the public, a general reduction in the voting window from 40 minutes to 30 minutes and removal of the provision allowing a resolution or bill to be placed on the calendar without being referred to a committee and on the same legislative day of its introduction or receipt from the Senate. Under the new rules, members may still file to designate either the Majority or Minority Leader to vote on their behalf but the Leader may further designate that responsibility to another member. The new rules can be terminated by a written objection from the Speaker, Majority Leader or Minority Leader and, after that objection, no vote can be held before 2 p.m. on the next legislative day.

Although the session is in full swing, it is still a strange experience to be in Raleigh with many members not being in the building, very few lobbyists walking around and very few bills moving. Dealing with everyone mainly through the phone and through email is such a change of pace for the legislative world where talking to legislators in person used to be the key to getting things done.



NORTH CAROLINA ELECTRONIC SECURITY ASSOCIATION



THIS LEGISLATIVE REPORT IS A
PUBLICATION OF KOCHANЕК LAW GROUP
AND IS A MEMBER BENEFIT OF NCESA.
ANY USE OR REPRODUCTION OF THIS
REPORT IS LIMITED TO NCESA
AND ITS MEMBERS.

FOR MORE INFORMATION:

Colleen Kochanek
NCESA Legislative Counsel
P.O. Box 1038
Wake Forest, NC 27588
919.809.5600
colleen@kochaneklawgroup.com
www.kochaneklawgroup.com

BILLS OF INTEREST

HOUSE RESOLUTION 1230, Extend State of Emergency Rules/Modifications. This resolution extends and amends House Resolution 1044 regarding the 2019 House permanent rules during emergencies. The changes include:

- decreasing the maximum time required for response to an electronic roll call when the point of quorum is raised, from 40 to 30 minutes, unless the Chair directs otherwise without objection and the 61st vote is recorded;
- decreasing the required time allowed for voting on the question when the electronic voting system is used, from 40 to 30 minutes, unless the Chair directs otherwise without objection;
- removing the changes that closed the gallery to the public and allowed members to be seated in the gallery, and reverting to the original language of Rule 52 set out in House Resolution 16;
- removing the provisions allowing for members to cosponsor an introduced bill or resolution on the day the bill or resolution is first read and referred and while still in possession of the House;
- requiring a written objection to be received by the Principal Clerk on any Monday by 5:00 p.m. (previously, required receipt on one of three identified Mondays in May);
- allowing the designated Leader to appoint another member to cast all votes designated to that Leader (no longer requires the Leader to have an excused absence in order to appoint another member), and removing the requirement that at least three hours have elapsed from the time the bill to be voted on was placed on the calendar;
- providing that no member may vote unless the member is in the Chamber (was, in the Chamber when the question is put);
- removing the provision that allowed a resolution or bill to be placed on the calendar without being referred to a committee and on the same legislative day of its introduction or receipt from the Senate and that prohibited a vote from being taken on such a bill until at least three hours have elapsed from when it was placed on the calendar and the time the question is put;
- removing the provision that a proposed committee substitute did not have to be distributed electronically to committee members on the preceding calendar day in order to be considered by the committee;
- removing the requirement that the first reading and reference to a standing committee of a (1) House bill to be on the legislative day of its introduction; and (2) Senate bill on the legislative day of its receipt on messages from the Senate, and removing the requirement that the Speaker give notice at each subsequent reading whether it is the second or third reading; and
- prohibiting a recorded vote from being held before 2:00 pm on the next legislative day following the day the objection was filed, but allowing this to be jointly waived by the Majority and Minority Leaders by notice in session on the day the objection is filed or the next legislative day before 2:00 pm.

The resolution was adopted by the full House. Effective: June 3, 2020.

BILL UPDATES

HOUSE BILL 594, Temp Open Gyms/Health Clubs/Fitness Ctrs. The provisions of this bill were removed in the Senate Commerce and Insurance Committee and replaced with provisions that would allow exercise and fitness facilities, gyms, health clubs, and fitness centers to open and resume operations notwithstanding any declaration of emergency issued by the Governor or any city or county ordinance related to the public health emergency created by COVID-19. The facilities would be subject to the following requirements:

- the establishment was in existence on March 10, 2020, or had a valid certificate of occupancy and business license issued by that date;
- total indoor capacity is limited to 50% of the authorized fire capacity, excluding employees;
- all employees answer a health questionnaire and have their temperature taken daily prior to working, and any employee showing symptoms or with a fever is not allowed to enter the establishment;
- all employees wear face masks, except when actively leading a group fitness class or when outdoors and socially distanced, and all members and visitors are strongly encouraged to wear face masks;
- contactless check-in is available, including propping open all entry doors when possible, or facilities may review possible HVAC system upgrades to promote improved air filtration, and markings are on the ground to denote proper social distancing of at least 6 feet in the check-in area;
- sanitation spray bottles with disinfectant or disinfectant wipes and hand sanitizer stations are available throughout the establishment;
- employees conduct frequent routine cleanings of high-touch equipment and high-use areas while the establishment is open and conduct a deep clean of the entire establishment after the close of business every day;
- specified markings and social distancing for open space cardiovascular, weight training, and exercise areas and studio and group fitness classes;
- on-premises childcare is limited to 50% of its current allowed occupancy;
- social distancing of at least feet is employed on all open courts and fields;
- all personal hygiene areas and amenity services are closed, except for toilets, lavatories, and lockers where social distancing must be maintained;
- water fountains are limited to filling water bottles only; and
- signage is posted to remind employees, members, and visitors of the social distancing and sanitation requirements in place.

The bill as amended was approved by the Senate Judiciary Committee and will next be considered by Senate Rules Committee.

- Colleen Kochanek
NCESA Legislative Counsel
919.809.5601
colleen@kochaneklawgroup.com
www.kochaneklawgroup.comⁱ

ⁱ THIS LEGISLATIVE REPORT IS A PUBLICATION OF KOCHANЕК LAW GROUP AND IS A MEMBER BENEFIT OF NCESA. ANY USE OR REPRODUCTION OF THIS REPORT IS LIMITED TO NCESA AND ITS MEMBERS.