

Minutes of the August 27, 2014, Legislative Affairs Committee Meeting

DATE: 27 AUGUST 2014
TIME: 1400
SUBJECT: Quarterly Legislative Affairs Committee Meeting
LOCATION: NC Legislative Office Building, ROOM 300-B
300 N Salisbury Street, Raleigh, NC 27603

COMMITTEE MEMBERS PRESENT:

Hon. Efton Sager
Sen. Ron Rabin
BGen Paul Dordal, USAF Retired
Rep. George Cleveland
Sen. Harry Brown
Asst. Secretary Ilario Pantano, NCDVA

OTHERS IN ATTENDANCE:

MGen Cornell A. Wilson, Jr., USMC Retired
Sebastian Montagne, NCDOT
Emily Johnson
Jackie Keener
Bruce Thompson
Doug Taggart
Kelly Quick
Rachel Beaulieu, NC DPI
Kelly Barretto
Rosalind Galloway, NC DPI
Richard Taylor, Exec. Dir. of 911 Board
Dion Terry, Governor's Office
Lauren Coffey, Governor's Office
Layla Cummings, DENR
Mitch Gillespie
Bob Leeker, DENR
Nadine Cook, Legislative Liaison
Patrick McHugh, Fiscal Research
Mike Yaniero, Jacksonville Police Chief
Eric Elder
Fred Baggett
Darryl Black
Bobby Lumsden
Scott Nystrom, REMI
Jennifer Schultz, National Conference of State Legislatures
Nat Robertson, Fayetteville Mayor
Bob Leker, BOEM

1400: Chairman Harry Brown called the meeting to order and invited those in attendance to introduce themselves.

General Wilson updated the Committee on the status of NCMAC top ten priorities over the past year.

- In-state tuition was passed during the short session of the NCGA, moves to #2 on the priority list, and must be monitored in light of recently passed federal legislation. In-state tuition is tied into the Federal VA's Yellow Ribbon program that has a dollar-for-dollar match. General Wilson stated that Yellow Ribbon program is going away as a federal program in the next federal fiscal year, and states have to fund tuition for those coming off of active duty. The coverage provided by the Yellow Ribbon program was explained. See Budget bill, Page 60, Section 12.1 (handout). Whether language in the State statute needs to be changed to conform to the requirements of federal law is being determined. This will need to be revisited next legislative session.
- BRAC is priority #1: Chairman Brown stated that \$1 million was put into budget last year, and stated the need to determine how much money is needed for BRAC preparation and can be put back into the budget in the upcoming long session of the General Assembly.
- Priority #7 Working Lands Group/encroachment move up to #3 from #7.
- High structures/Wind turbines has moved down one.
- Hofmann Forest - Jerry Walker has been sent a letter by the Governor stating the importance of Hofmann Forest for Marines training ground. The closing is set to take place in the near future.
- Funding for access control points and failing road infrastructure on installations are a particular concern for Fort Bragg. We (NCMAC) are discussing the issue with Department of Transportation and ways to obtain funding. This impacts BRAC seating and remains a priority.
- Integrating veterans, Guards, Reserve, military and their spouses into the workforce is the next priority, and rests with the Economic Development Committee. Ilario Pantano is working with General Wilson to put together a program to connect job seeking veterans with human resource management and CEO's. Video announcements by the Governor in support of hiring of veterans are integral to this plan.
- Leverage federal, state and local funding for the National Guard. The National Guard would like to implement a "hub-and-spoke" system for their armories. A number of armories are failing and we will assist in getting federal funding to assist with this issue.
- State funding for 911 Call Centers – Camp Lejeune and Fort Bragg are facing challenges in resolving this, and this matter remains on the priority list.

Additional:

-Firefighter certification/EMT certification for base personnel. They have federal certification but are required to pay for state certification.

-Youth and child care centers: are they still required to be state certified notwithstanding a federal certification?

These issues will be raised at the upcoming Executive Steering Group Committee meeting and again at the full NC Military Affairs Commission meeting on September 16.

Chairman Brown commented on the progress the Military Affairs Commission has made in the past year and asked that everyone give thought to the present make-up of the Commission since its reorganization, and whether any changes may need to be made to the current make-up. Also to be considered is the amount of money needed to be in next year's budget.

Chairman Brown asked for input regarding the tall structure bill needed and whether it needs to be revisited to ensure that training capabilities on bases are sufficiently protected by the language in the bill. Darryl Black added that the maps would show where controls are needed on base relative to height. Paul Friday will report at the upcoming full Commission meeting.

MGen Wilson discussed relocation of Red Cockaded Woodpeckers on Camp Lejeune to a State park, which is being looked at by the Department of Interior and other State agencies. JLUS is being conducted at Seymour Johnson/Dare Bombing Range which will be looked at by Department of Commerce.

Legislative researcher Kelly Quick briefed on the provisions in Senate Bill 614 requiring maintenance of accurate maps by State Construction Office instead of the Building Code Council and to be maintained as public records, mapping of tall structures around bases (tall building (excess of 200 feet) permits to be administered by the State construction office instead of the Building Code Council, a closed session may be held during public meetings, minutes must be kept, records confidentiality of BRAC-related documents until disposition by the federal government after the BRAC process, BRAC-related meeting requirements, the state maps' availability to the public. Language was added to the Military Affairs Commission Statute to allow the MAC and Department of Commerce to share BRAC-related documents and discussions with other public bodies and third parties and can require said third party to maintain the confidentiality until public disclosure is allowed and/or required. General Dordal provided an overview of the work that the Matrix team will be conducting and informed that the kick-off meeting with Matrix will take place next week. The confidentiality requirement extends to government entities such as Military Affairs Commission but not to non-profits working with either entity.

Paul Friday was not available to discuss tall structure legislation and mapping efforts. He is expected to update the Full Commission at the upcoming meeting in September, including a briefing on the maps. Chairman Brown briefly discussed the importance of protection of bases and location of wind energy structures. Darryl Black noted that the maps will designate restricted locations and will be beneficial to potential wind energy investors in knowing the restrictions in advance. Bruce Thompson discussed the determination of "no hazard" by the FAA on the federal level. The DoD must sign off on the determination. Mitch Gillespie added that we are in conversation with several new wind companies at present. There is a reduction in wind space of about 75% on the northern end. Mr. Bob Leker discussed offshore wind maps. BOEM refined the existing three areas that were released in call for information and nomination: the northern area, Kitty Hawk, was reduced significantly and potential wind areas moved further off shore. The other two areas, Wilmington East and Wilmington West, were reduced by much smaller amounts but some reduction to account for turns into the port. There are two other areas that will likely not be touched due to view shed issues.

Doug Taggart of Department of Public Instruction (DPI) and Troops to Teachers program briefed the Committee on the Military Student Identifier bill that passed in the General Assembly. Mr. Taggart stated that a field identifying a military-connected student had been added to the database program Power School that reports student information. The reporting is optional for 2014-2015, but will be a mandatory collection as of next school year. General Wilson advised that the Army had just conducted a nationwide study of school performance, with condemning results.

Sen. Ron Rabin briefed on the Selection of Adjutant General bill. Selectee should be within 2 years of federal recognition as a flag officer and should have same level of strategic thinking as one with war college background. They should have 12 months of previous command level experience with troops, and must have served 2 of the 5 previous years with the National Guard.

Sec. Ilario Pantano briefed the Committee on veterans' affairs and the whistleblower hotline created for those with issues with receiving care at VA medical facilities. We are putting state service officers in VA medical centers for "one-stop shop" services. The goal is to be in all 17 VA locations in the next two years. A resource guide is in the works to complement the call center and the website using the latest customer service technology.

Gen. Wilson advised that the Commanders' Council will give a brief at the next full Commission meeting.

Gen. Wilson addressed Hofmann Forest and the pending sale to Jerry Walker. The Governor has sent a letter seeking his support in preserving military training areas. We will continue to monitor the sale of the property until sold and then approach its owners.

Darryl Black pointed out that the goal of crafting legislation and doing fiscal research in anticipation of upcoming full Commission meeting and next session of the General Assembly should be kept in mind. Sen. Rabin will send out an email reminding of some of the requirements to General Wilson and Secretary Pantano.

Sen. Rabin discussed SB 761 (Credit for Military Training). This bill will need more consistent oversight to ensure that the workforce is being directly enriched by the bill. This is a bill that was started for licensure of military and their spouses in a fairly routine way. We built on that bill making necessary updates to current legislation. Not later than 30 days after receipt, the licensing bureau has to accept or reject an application. If they deny it, they are required to cite the reason for deficiencies. All occupational licensing boards have to list specific criteria or requirements, and have to reach out to installations and training facilities to let them know what the criteria are. Also, UNC and NCCC must jointly establish the criteria. It would shorten the time a student would have to be in school if given full credit for what they earned, and result in lower cost to taxpayers.

Maj. Bobby Lumsden discussed Military Appreciation Day. The Bankers Association and National Guard planned last May's event. The possibility of consolidating it with a Veterans' Appreciation Day and the National Guard Appreciation day into one event is being discussed. A workgroup will begin in early November with input from all installations to discuss new approaches to the day of appreciation to highlight the capabilities of the NC military. Static displays over parades are the preference. Darryl Black

mentioned a military omnibus bill to think about from a legislative standpoint and wants to know by the next session if this is something that is desired by all.

Maj. Lumsden also briefed on the NC National Guard agenda items and provided those in attendance with a handout showing the support from legislature. Additional funding was committed for the Tarheel Challenge facility and program, which has been culminating over several years. Also funding for infrastructure improvements has been committed. Out of 93 Army National Guard and 2 Air National Guard locations, 14 are failing and 63 are poor, for a total of 83% of facilities having intermittent operational capability or inability to operate as intended. The State is providing as much funding as it can, but conversion to a smaller footprint but bigger facilities will allow the budget to go further. Narrowing down to 47 facilities is being considered. NCNG Association initiative succeeded in increasing pension benefit by \$4 monthly. At the federal level, preventing the elimination of attack aviation is an issue. January 1, 2019, all C-130's will be grounded because they will not meet FAA flight requirements. We are working with the federal government on the improvements to the aircraft that will allow them to fly. Rep. Cleveland requested specific information relative to distinctions between Tricare Standard and Tricare Prime.

Research analyst Jen Schultz of the National Conference of State Legislatures briefed on state approaches to enhance quality of life for military, veterans, and their spouses, the Task Force on Military and Veterans' Affairs, and legislation adopted by other states. Ms. Schultz covered education, employment, taxation, health, mental health, housing and transportation.

Mike Yaniero briefed the Committee on 911 Centers following a Board meeting last Friday. Camp Lejeune and Jacksonville have their own respective PSAP's. Camp Lejeune presently serves as back up to the City of Jacksonville. Equipment and system upgrades are needed and funding has been requested of the 911 Board along with funding for infrastructure improvement. Fort Bragg does not want to integrate their 911 center with City of Fayetteville and would like a separate PSAP designation and have funding being collected from fees and returned to Fort Bragg. Wayne County has its own PSAP. The Board's policy is the issue, not the statute, per Sen. Brown. Sen. Brown recommends meeting with the 911 Board to rewrite the policy to address this issue. Further, there is federal legislation that changes everything if enacted. Funding is not based on population, a policy that can be changed. General Wilson provided a good start for a revised statute. Let's put together a Committee with both groups keeping in mind the federal aspect pending in this year's NDAA.

Jackie Keener presented on the economic modeling process and provided background on the participation in fiscal research that resulted in the economic analysis report determining the total impact of the military on North Carolina. Patrick McHugh briefed on the analysis, which leverages Department of Defense data. A copy of the report was handed out. Scott Nystrom referenced the previous analysis that was done, stating that the current model yielded different results because the effect of supply chain and out-of-state procurement were included. Sen. Rabin suggested that a follow-on report may need to be considered as several factors were not captured. There was discussion about the bases doing their own annual impact fact sheets, and the possibility of the information already having been compiled by each installation. Sen. Rabin suggested that we could request a command briefing from the installation commander.

Darryl Black briefed on the Joint Military Caucus. This group works with the General Assembly. Sen. Brown commented that moving legislation through the Caucus moves things along more quickly. Mr. Black asked about whether the Caucus needs to be revamped, its relationship with the NC MAC and invited input. Sen. Brown asked for the input of Rep. Cleveland and Sen. Rabin.

After inviting questions and comments, Senator Brown adjourned the meeting at 1611.

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