



**Bulletin #13-03**  
**Friday, Feb. 15, 2013**

## **Senate passes bill to pay down unemployment insurance debt**

The first major piece of legislation to move through both chambers came out this week as the Senate approved a bill to address the state's unemployment insurance debt owed to the federal government. The bill includes several changes that impact counties directly. The current UI reimbursement system for non-profit agencies would be applied to all public agencies, including counties, cities, state agencies, and public authorities. Counties would not be required to pay federal UI taxes, nor be assessed administrative fees for system management costs, but would have to establish a UI account and contribute to the account 1 percent of the quarterly taxable wages paid employees, beginning with the 2013-14 fiscal year. Taxable wages are capped at \$20,900 for 2013 per employee, with the total county contribution of \$209 per employee per year, until the 1 percent balance is met. The first quarterly payment would be made in October 2013, for the July-September 2013 third quarter of taxable wages. Counties will continue to pay benefits claims directly for the 2013 claims year and be required to set aside the 1 percent in taxable wages. Beginning with the 2014 claims benefit payment, claims paid on behalf of former county employees would be debited against the county's UI account. The proposal provides for a transition period, and counties would have until January 2015 to ensure that individual UI accounts contain the required 1 percent taxable wages balance, net of claims paid.



Watch the latest episode of This Week at the General Assembly on the NCACC's [Youtube Channel](#). The show is uploaded each Friday afternoon and features a recap of the week's news from the Legislature as well as interviews with key state lawmakers and Association lobbyists. The program is also broadcast on many PEG channels across the state.

The Senate did not make any changes to the House bill, meaning the legislation now goes to Gov. Pat McCrory.

## **NCACC Steering Committees hear from legislative leaders**

Several NCACC Steering Committees met this week and heard encouraging words from legislative leaders. Rep. Bryan Holloway, one of three chairs of the House Appropriations Committee, attended the Public Education Steering Committee meeting Thursday and said he would support giving counties more of the lottery proceeds that counties are supposed to receive; counties have received less than 25 percent in the 2012-13 fiscal year and in 2011-12. Rep. John Torbett of Gaston County, a former county commissioner, and Rep. Phil Shepard of Onslow County (pictured at right) attended the Wednesday meeting of the Intergovernmental Relations Steering Committee and had a long discussion about the county role in transportation funding. IGR Chair Gary D. Blevins of Wilkes County reiterated to the legislators that counties have no interest in participating in transportation funding and that any additional revenue authority given to counties should be used by counties to address county needs and not state responsibilities. On Friday, the NCACC Environment and Health and Human Services Steering Committees met. HHS members heard an update on the NCFAST initiative. Former Rep. Mitch Gillespie, who is now an Assistant Secretary for the Department of Environment and Natural Resources, addressed the environment committee.



Membership on [NCACC Steering Committees](#) is open to any county commissioner or staff member with an interest or expertise in the subject matter. If you are interested in serving on a committee, please fill out our [online form](#).

## **House again passes Eminent Domain bill**

**H8** (Eminent Domain) passed second and third reading in the House on Wednesday by a 110-8 vote. The bill proposes a constitutional amendment, which would be placed on the ballot during the Nov. 4, 2014, general election, to decide if a unit of government can use eminent domain to take property and give it to another party for economic development. It would also give either side the authority to ask for a trial by jury to determine compensation for land seized through eminent domain. A similar bill passed the House in 2007 and 2011, but stalled in the Senate both times. The bill has been sent to the Senate.

## House bill aims to expand uses of county lottery proceeds

A House bill filed this week would expand the uses of the county share of lottery proceeds to include “digital learning materials.” **H97** (Lottery funds used for digital learning) is sponsored by Rep. Craig Horn (Union) and would temporarily expand the accepted uses of county lottery proceeds through June 20, 2016. The bill defines digital learning needs as “school connectivity, digital textbooks and instructional resources, or digital devices.” The county could also use its lottery funds to provide training for teachers on how to use the digital learning materials. Beginning July 1, 2016, a county could use lottery funds for digital learning needs “only if the State Board of Education determines that the local school administrative unit has demonstrated consistent improvement and growth in student outcomes.” Current lottery statutes specifically prohibit a county from using its share of the lottery proceeds for “school technology needs.” The bill does not address the county share of lottery proceeds. Counties are supposed to receive 40 percent of lottery proceeds for school construction needs, but have not received the full share of lottery revenues since 2011.

## Local bills address school calendar issue

Two local bills would advance a statewide county goal to restore school calendar control to local school boards. **H93**, sponsored by Rep. George Graham, a former Lenoir County Commissioner, and Rep. John Bell, would exclude Craven County schools from mandated start and closing dates. **H98**, sponsored by Rep. J.H. Langdon, a former Johnston County Commissioner, and Rep. Leo Daughtry, would do likewise for Johnston County schools. Counties wishing to take advantage of these local vehicles should contact their representative and ask that their school board be added to either of these local bills. The possibility of a statewide bill to address this county legislative goal appears problematic at best.

## Slow and steady pace – so far

Through the first 10 full days of the legislative session, 202 bills were filed – 93 in the Senate and 109 in the House. That represents a slight increase from 2011, but is nowhere near the hectic activity prior to 2011. The chart below shows the number of bills filed in the House and Senate in the first 10 days of the previous five long sessions:

Session	House bills	Senate bills
2013	109	93
2011	88	64
2009	164	172
2007	148	120
2005	220	126

## Grassroots update: Walk the Hall Wednesdays, Meeting in a Box

The NCACC is inviting county commissioners to Raleigh this year to walk the halls with the NCACC advocacy team during the 2013 legislative session. NCACC staff will guide you through the halls of the General Assembly where you will meet with legislators, attend committee meetings and be a part of the advocacy team for a day! If you are interested in joining the NCACC advocacy team in Raleigh for a Wednesday at the General Assembly, please complete [this form](#). And please remember to bring comfortable shoes.

The NCACC will mail its Meeting in a Box to all counties next week. The box will contain copies of the NCACC Legislative Goals booklet, white papers on several county legislative goals and information on other legislative issues. Counties are asked to conduct meetings with their local delegation to educate them on the county legislative priorities. Counties will be asked to report on what they learned in their meetings with legislators during the NCACC’s [April District Meetings](#). For more information on either of these initiatives, please contact Grassroots Coordinator [Alissa Willett](#) at (919) 715-7654.

## House, Senate set local bill deadlines

The House and Senate have established their bill deadlines for the 2013 Long Session. For the House, local bills must be submitted to bill drafting by 4 p.m. on Wednesday, March 20 and filed in the House by Wednesday, April 3. For the Senate, local bills must be submitted to bill drafting by 4 p.m. on Tuesday, March 5, and filed in the Senate no later than

Wednesday, March 13 by 3 p.m. County officials interested in pursuing local legislation are urged to act quickly to ensure that their requests are eligible for the long session.

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## Bills of Interest

**Bill:** [H95](#)

**Sponsor:** Torbett (R108)

**Title:** IMMUNITY/PUBLIC SAFETY DISPATCHERS

**Comments:** This bill would provide 911 or public safety telecommunicators or dispatchers at a primary or secondary public safety answering point (PSAP) the same immunities as conferred on a sworn law enforcement officer for the performance of any lawful and prescribed actions associated with their assigned job duties. It also limits to two years the amount of time for someone to file a civil claim against a 911 or public safety telecommunicator or dispatcher at a primary or secondary PSAP because of something related to their action or inaction.

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**Bill:** [S76](#)

**Sponsors:** Newton (R11); Rucho (R39); Brock (R34)

**Title:** DOMESTIC ENERGY JOBS ACT

**Comments:** This bill would prohibit local governments from instituting any taxes on fracking operations by adding a new G.S. 105-187.80 that reads: "A city or county may not impose a franchise, privilege, license, income, or excise tax on the severing, production, treating, processing, ownership, sale, storage, purchase, marketing, or transportation on any energy minerals produced in the State, or upon the business of severing, producing, treating, processing, owning, selling, buying, storing, marketing, or transporting such energy minerals, or upon the ownership, operation, or maintenance of plants, facilities, machinery, pipelines, and gathering lines related to the severing, production, treating, processing, ownership, storage, sale, purchase, marketing, or transportation of energy minerals. This section does not preclude the taxation of the property in accordance with Article 11 of this Chapter." A committee amendment offered by Sen. Robert Rucho, a former Mecklenburg County Commissioner, clarified that the prohibition on local taxes did not extend to property taxes. The bill passed out of Senate Finance and will next go to Senate Commerce.

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**Bill:** [S85](#)

**Sponsor:** Clodfelter (D37)

**Title:** ORDINANCE FIRST READING VOTE

**Comments:** This bill would require that public hearings for county budgets, bond hearings or any other required purpose must be held at least seven days before the board of commissioners votes on the issue.

- Johanna Reese, Government Relations Director

- David F. Thompson, Executive Director



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