Legislative Bulletin

100 Counties
One State

House moves quickly to expand use of lottery funds to include technology needs

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 House on Thursday approved **H97** (Lottery Funds Used for Digital Learning) by a bi-partisan 109-3 vote. This bill would enable a county to temporarily spend lottery proceeds on digital learning needs, a cause championed by Gov. Pat McCrory during his Feb. 18 State of the State address, beginning July 1, 2013, through June 20, 2016. Bill sponsor Rep. Craig Horn (Union) amended the bill Thursday to clarify that the board of county commissioners has the authority to determine if the funds will be spent on technology needs and not the Board of Education.

During its initial hearing in the House Education Committee, Rep. Becky Carney, former Mecklenburg County Commissioner and co-chair of the General Assembly's County Caucus, asked for clarification of the county position on using existing lottery funding for school technology. NCACC Intergovernmental Relations Director Rebecca Troutman reported that counties had previously adopted a legislative goal seeking such optional use but that the goal was not included in the 2013-14 legislative agenda due to concerns over the amount of lottery proceeds being appropriated for school construction needs. Troutman noted that the current fiscal year appropriation was only $100 million, approximately $70 million less than what counties would have received had the General Assembly appropriated the full 40 percent for school construction needs. She further noted that most of the $100 million was committed to paying existing debt service, and that there would not be much available for technology needs unless counties are given the full 40 percent of net lottery proceeds included in the original lottery legislation.

"This bill gives the county commissioners flexibility to use their construction money from the lottery to purchase digital teaching materials," said Rep. Craig Horn, the bill co-sponsor. The bill defines digital learning needs as "school connectivity, digital textbooks and instructional resources, or digital devices." A county could also use its lottery funds to provide training for teachers on how to use the digital learning materials. Beginning July 1, 2016, the board of commissioners could choose to 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." Counties have received less than the statutory allotment of lottery proceeds each of the last three fiscal years. Allowing the county share of lottery proceeds to be used for technology needs increases the importance of counties receiving the full 40 percent share of lottery proceeds.

Bills filed to restrict county zoning

Bills that would restrict local governments' ability to adopt zoning and subdivision development and aesthetic regulations concerning building design elements for one- and two-family dwellings have been filed in the House and Senate. **H150** (Zoning/Design & Aesthetic Controls) and **S139** (Zoning/Design & Aesthetic Controls) would effectively end the ability of counties and cities to adopt design standards for residential houses, with some exceptions. The prohibition would not apply to areas designated as local historic districts, areas listed on the National Registry of Historic Places or in areas designated as local, state, or national historic landmarks, or regulations that are directly and substantially related to applicable safety codes under the North Carolina State Building Code or regulations that are required for participation in the National Flood Insurance Program. In addition, a county or city could only adopt the standards in a zoning district, special use district, conditional use district, or conditional district if consented to by all of the owners of all of the property to which they can be applied.

Rucho reviews tax reform plan with NCACC Tax & Finance Steering Committee

Sen. Robert Rucho, a former Mecklenburg County Commissioner who is the co-chair of the Senate Finance Committee, discussed plans to revise the state's tax structure with members of the NCACC Tax & Finance Steering Committee at its meeting Wednesday. Sen. Rucho (pictured at left) has been the principal architect in developing the state Senate's plan to modernize North Carolina's tax system. He has been floating such ideas as expanding the sales tax base to include more services while eliminating personal and corporate income taxes to enhance the state's economic competitiveness. Steering Committee chair Joe Bryan, the chairman of the Wake County Board of Commissioners, discussed with Sen. Rucho the NCACC's adopted legislative goal to "Protect county revenues in tax reform consideration."

The NCACC steering committees meet quarterly to gather and consider information on emerging county-related issues. The seven steering committees are: Agriculture; Environment; Health and Human Services; Intergovernmental Relations; Justice and Public Safety; Public Education; and Taxation and Finance. Steering committees provide the greatest opportunity for individual county commissioners to get more involved within the association. Membership on the steering committees is open to all county commissioners as well as county staff who might have a particular interest or expertise. If you are interested in joining an NCACC steering committee, please fill out the **on-line application**.

Grassroots update: Walk the Hall Wednesdays

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. For more information, 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.

Bills of Interest

Bill: H162
Sponsors: Floyd (D43); Glazier (D44); Lucas, M. (D42); Szoka (R45)
Title: LENGTHEN REPLACEMENT CYCLE FOR SCHOOL BUSES
Comments: This bill would change the State Board of Education's policies on providing replacement school buses to Local Education Agencies. Currently, the state takes into consideration several factors when considering whether to replace a bus, including age of the bus (20 year maximum), miles driven (200,000 maximum) and other special factors. The bill would instead change the policy so that buses will be replaced by the state only when they have reached 250,000 miles driven. A similar bill was filed last session that would have extended the mileage requirement to 300,000 miles, but was not heard.

- Johanna Reese, Government Relations Director
- David F. Thompson, Executive Director
-

facebook   twitter FOLLOW US   You Tube

If you are having problems viewing this e-mail, please visit our Web site to view **this bulletin**.