



Bulletin #04-04

Thursday, May 27, 2004

BUDGET I, FIRST BLOOD

The House version of amendments to the state's 2004-2005 Budget is expected to be presented late this week or early next week. The House Budget begins a process expected to conclude as the fiscal year ends at the end of June. The Senate will present its version in the middle of the month, and differences will be resolved by conferees appointed from the two chambers. Key elements of the House Budget will be highlighted in next week's Legislative Bulletin.

BILLS OF INTEREST

CORRECTIONS AND LAW ENFORCEMENT

Introductions

S1190 "To make the offense of simple assault or affray on a law enforcement officer, firefighter, emergency medical technician, medical responder, emergency department nurse, or emergency department physician a felony offense rather than a misdemeanor offense and to increase the penalty for an assault that inflicts serious bodily injury or assault with a deadly weapon on emergency personnel." Sen. R.C. Soles (Columbus), Rep. Dewey Hill (Columbus). Each of these identical bills would make it a Class I felony to assault a law enforcement officer while the officer is discharging official duties. It would increase from a misdemeanor to a Class I felony assault on a firefighter or emergency responder and to a Class H felony if the person inflicts serious bodily injury or uses a deadly weapon. **S1190** was referred to the Senate Judiciary Committee #1. **H1554** was referred to the House Rules Committee.

HUMAN RESOURCES

Introductions

S1271 "To phase out the county share of the nonfederal share of Medicaid costs over a five-year period and to provide immediate relief for Tier One counties." Sen. Robert Holloman (Hertford), Rep. Howard Hunter (Hertford). Each of these bills would reduce Tier One counties' share of Medicaid costs by 6 percent in 2005-2006, by an additional 3 percent in 2008-2009 and by 3 percent each year thereafter. For all other counties, the decrease would be 3 percent per year through FY 2008-2009. As of July 1, 2009, the state would pay the entire nonfederal share. **S1271** was referred to the Senate Appropriations Committee. **H1643** was referred to the House Appropriations Committee.

S1290 “To appropriate funds to the trust fund for mental health, developmental disabilities, and substance abuse services and bridge funding needs to onetime expenditures by area and county programs to build community capacity.” Sen. Martin Nesbitt (Buncombe). This bill would appropriate \$30 million to maintain client services during the mental health reform process and to increase access to prevention and treatment services in the community. The bill was referred to the Senate Appropriations Committee.

S1291 “To appropriate funds to the Department of Health and Human Services for equalizing state funding among area and county programs.” Sen. Martin Nesbitt (Buncombe). This bill would appropriate \$10 million to equalize state funding among area and county mental health, developmental disabilities and substance abuse programs. The bill was referred to the Senate Appropriations Committee.

PERSONNEL Introductions

H1624 “To increase the contributory death benefit for retired members of the Teachers’ and State Employees’ Retirement System, the Local Governmental Employees’ Retirement System, the Legislative Retirement System, and the Consolidated Judicial Retirement System.” Rep. Larry Bell (Sampson). This bill would increase from \$6,000 to \$9,000 the lump sum death benefit for retirees whose deaths occur after July 1, 2004. The bill was referred to the House Committee on Pensions and Retirement.

S1312 “To authorize participation in 457 plans by local governmental employees.” Sen. Katie Dorsett (Guilford). This bill would enable employees of counties and other local governments to participate in any 457 plan adopted by the state, with the consent of the Board of Trustees of the North Carolina Public Employee Deferred Compensation Plan and with the consent of the governing board of the governmental unit where the employee is employed. The bill was referred to the Senate Committee on State, Local Government and Veterans’ Affairs.

S1313 “To authorize the Legislative Research Commission to study the limitation on
H1658 post retirement earnings by retirees and to appropriate funds to implement that study.” Sen. Katie Dorsett (Guilford), Rep. Maggie Jeffus (Guilford). Each of these identical bills would appropriate \$20,000 to conduct the study described in the title.

TAXATION AND FINANCE Updates

H1465 “To allow farmland owned by a family business to keep its present-use value tax status when leased for farm use.” Rep. Harold Brubaker (Randolph). ([Bulletin #04-03](#), May 20, 2004). This bill was favorably reported in the House May 20. It was approved on second and third reading May 25.

James B. Blackburn, III, General Counsel
C. Ronald Aycock, Executive Director