



Bulletin #05-01

Thursday, Jan. 27, 2005

GENERAL ASSEMBLY CONVENES SMOOTHLY

With none of the gridlock or byzantine negotiations that characterized the opening of the 2003 legislative session, the General Assembly convened on Wednesday, Jan. 26, and began the 2005 “long” session. With some fanfare but little controversy, both the House and Senate chose leaders to deal with yet another budget shortfall and a variety of other issues both complex and controversial.

The Senate elected Sen. Marc Basnight (Dare County) to his seventh two-year term as president pro tempore. Sen. Charlie Dannelly (Mecklenburg) was named deputy president pro tempore. As expected, the House elected Rep. Jim Black (Mecklenburg) as speaker. Rep. Richard Morgan (Moore) was chosen speaker pro tempore in a variation of the co-speaker power sharing arrangement that existed during the 2003 session. The new arrangement, with additional authority granted the speaker pro tem, allows the House to benefit from the experience and knowledge that exists in both the Democratic and Republican delegations.

ASSOCIATION FOCUS – POWER FOR THREE

At our [Legislative Goals Conference](#) in High Point on Jan. 13-14, the Association membership adopted the recommendation of the Legislative Goals Committee and the Board of Directors to concentrate on three major initiatives – or “Priority Goals” – during the legislative session that began this week.

- **Medicaid Relief**

“Seek legislation to implement a six-year phase out of county participation in the costs of Medicaid; and, for the first year, cap county costs at the fiscal year 2004-2005 level and provide relief by targeting supplemental financial assistance to any county in which more that X percent of the population is eligible for Medicaid.”

North Carolina and New York are the only two states to require counties to participate in all aspects of the Medicaid program. In 2004-05, the county share of Medicaid is expected to be around \$440 million.

- **Revenue Options**

“Seek legislation to allow all counties to enact any or all of several revenue options from among those that have already been authorized for any other county.”

Currently, several counties have revenue options that are not available to all counties. These include: prepared meals taxes, occupancy taxes, land transfer taxes and impact taxes. The

Association believes that any revenue options made available to one county should be made available to all 100 counties.

▪ **School Construction Bonds**

“Support legislation to provide for a statewide referendum on a bond issue to meet school construction needs caused by increased enrollment and mandated reduction in class size.”

North Carolina is one of the fastest-growing states in the nation. The influx of school-age children is placing demands on many counties to build new schools. In addition, recently enacted legislation to reduce class size in the lower grades is also forcing many counties to provide more classroom space.

EARLY BILLS DEAL WITH COUNTY ISSUES

Several bills filed on the first day of the session, for introduction Thursday, concern Association goals and issues of interest to counties.

- Sen. Charlie Albertson (Duplin) filed [S6](#), to ban video poker except where permitted on Indian Reservations. **(At our Legislative Goals Conference in High Point on Jan. 13, the Association membership voted to “support legislation to ban video poker.”)**
- Rep. Bill Owens (Pasquotank) filed [H3](#), to authorize a “local option education lottery.”
- Rep. Paul Miller (Durham) filed [H4](#), to abolish North Carolina’s runoff or “second primary.” **(At our Legislative Goals Conference, Association members voted to “support legislation to eliminate the second primary.”)**

Details of these and other bills will be provided in next week’s Legislative Bulletin.

SENATE RULES SET BILL DEADLINES

The Senate Rules, adopted on the first day of the session, set [deadlines](#) for introduction of Senate bills and for receipt of House bills. Local bills must be requested (of the Bill Drafting Office) by March 2 and filed for introduction by March 9 to be eligible for consideration during the 2005 session. Public bills (not involving Finance or Appropriations) must be requested by March 16 and filed for introduction by March 23 to be eligible. The Senate “crossover deadline,” by which time House bills must have arrived in the Senate to be eligible for consideration this year, is May 19.

LOBBYING - YOURS AND OURS

We urge interested county officials to create and maintain contact with legislators and to keep members of the General Assembly informed as to the effects and consequences of choices made in the Legislature. Please call, write, fax, e-mail or otherwise communicate with us on any legislative issues. We need to be kept up to date on what bills and issues are of the most interest or concern to county officials throughout the state. The Association sends five legislative agents to the Legislature. Ron Aycock, Jim Blackburn, Patrice Roesler, Paul Meyer and Rebecca Troutman are at the General Assembly on a daily basis. Please call on us or other members of the Association staff if you have questions or need an update on legislative matters relating to county government. In addition, our five registered lobbyists and other members of our staff are available to visit with county officials, legislators and others throughout the state to discuss legislative issues as the session progresses.

LEGISLATIVE BULLETIN, ELECTRONIC OPTION

The North Carolina Association of County Commissioners publishes this Legislative Bulletin during sessions of the North Carolina General Assembly in order to inform county officials, legislators and other interested citizens and organizations about legislative matters affecting county government. During the 2005 session, the Association will publish a Legislative Bulletin on Thursday of each week. In this way, we hope to assure its availability to you so that you have up-to-date information for use in discussion over weekends when legislators are home.

If you signed up for electronic delivery of the Legislative Bulletin, you will begin receiving it via e-mail. The e-mail version will be sent out on Thursdays. If you would like to receive the bulletin via e-mail, please send an e-mail to todd.mcgee@ncacc.org with the e-mail address to which you wish it sent. Back issues of the Legislative Bulletin are archived on our Web site at www.ncacc.org/legisbulletins.htm.

BILL REPORTING

Both Bill Updates and Bill Introductions will be reported according to subject matter, to facilitate reference for those with specific interests. Bills will be reported in one of the following categories:

- Corrections
- Environmental Protection
- General Government
- Human Resources
- Personnel
- Planning, Development and Land Use
- Public Education
- Taxation and Finance

Within each category will be reports of action on bills previously reported (including changes in unreported bills that make them relevant) and reports of bills newly introduced. As in the past, an update report will include reference to previous Legislative Bulletins in which the bill was discussed.

RETAIN BULLETINS

As in the past, we urge you to retain a copy of each weekly Association Legislative Bulletin as we will refer to previous bulletins in updates of actions on bills from week to week. The “hard copy” bulletins are provided on hole-punched paper suitable for retention in a standard three-ring binder. **As noted above, bulletins are archived on our Web site.**

ADDITIONAL INFORMATION RESOURCES

This bulletin is intended to identify all bills of potential significance to county government and to summarize, in a brief manner, each bill’s main features. For a more detailed summary of any bill, or any amendment or committee substitute to a bill, you should refer to the **Daily Bulletin** published by the Legislative Reporting Service of the Institute of Government, University of North Carolina at Chapel Hill. This document should be available through the office of the county manager or other chief county administrative officials.

You may obtain a copy of any bill or obtain information on the current status and legislative history of any bill by contacting the Association office. See the letterhead for address, phone and fax numbers. Our Internet address is www.ncacc.org. If you prefer, you may obtain a copy of any bill by visiting the Legislative Building, or by sending a self-addressed stamped envelope to Printed Bills, State Legislative Building, Raleigh, NC 27611. You may also call the printed bills office directly to obtain a copy of any bill: (919) 733-5648. Identify the bill being requested by house of origin and number (example: **SB33**).

You may contact the Legislature directly to obtain information about the status of any bill by calling the bill library in the Legislative Building at (919) 733-7779, or by visiting the desk, located in the Legislative Library in the Legislative Building. The General Assembly’s Internet address is www.ncga.state.nc.us.

While the Association does not advocate on behalf of local legislation, we are aware of the importance of these bills and can provide information of the status of local bills on an informal basis. Do not hesitate to ask our staff to do so.

James B. Blackburn, III, General Counsel
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