



Bulletin #05-25

Thursday, July 14, 2005

SUBCOMMITTEE RECOMMENDS ELIMINATING EMERGENCY 9-1-1 FEE

A subcommittee of the House Public Utilities Committee voted unanimously this week to recommend that the full committee act favorably on [H1638](#), legislation to eliminate the surcharge on telephone providers (phone companies). The tax was authorized by the "Public Safety Telephone Act," and is collected by telephone service subscribers. Revenues are deposited in local Emergency Telephone System Funds and are used for purposes specified in the 1989 act.

Association representatives expressed strong opposition to the proposal at the subcommittee meeting, as did representatives of local Emergency 9-1-1 operations. Despite this opposition, the subcommittee members yielded to pleas expressed by telephone company representatives to shift the burden to property owners. The subcommittee was chaired by Rep. Nelson Cole (Rockingham) and included Rep. Lorene Coates (Rowan), Rep. Bruce Goforth (Buncombe) and Rep. John Sauls (Lee).

The bill would provide for a "special use tax," though the bill is silent on who would be subject to the tax other than property owners. Patrice Roesler, speaking for the Association, noted the inequity of shifting the burden from telephone subscribers to property owners and told the subcommittee of the impracticability of the "special use tax" approach. She emphasized the degree to which the world has changed since enactment of the Public Safety Telephone Act in 1989 and the importance and expectation that now apply to emergency 911 services. In 2001, the General Assembly enacted [G.S. 143-517](#) that requires each county to "ensure that emergency medical services are provided to its citizens."

The bill now goes to the full Public Utilities Committee, chaired by Rep. Drew Saunders (Mecklenburg), who co-sponsored the bill with Rep. Harold Brubaker (Randolph). **We urge county officials to contact members of the House and express opposition to H1638.**

CONTRACTORS' INVENTORY BILL TO APPEAR?

While the budget-writing legislators work to resolve the budget differences between the House and Senate, and committee activity slows, the rumor mill shifts into high gear. Association representatives were told this week to anticipate discussion of [S508](#), legislation to "exempt from property tax the increase in value of real property held for sale by a builder, to the extent the increase attributable to subdivision or improvements by the builder." **S508**, sponsored by Sen. Walter Dalton (Rutherford) and others, was referred to the Senate Finance Committee when introduced in March.

The possibility also exists that the provisions of this bill will be incorporated into the budget conference report, thus making it almost impossible to remove from the budget.

The Association remains opposed to S508. We urge county officials to express this opposition to all legislators.

BILLS OF INTEREST

GENERAL GOVERNMENT

Updates

H635 “To require at least one public comment period per month at a regular meeting of a local board of education, county board of commissioners, or municipal governing board.” Rep. Earl Jones (Guilford). ([Bulletin #08](#), March 18, 2005; [Bulletin #17](#), May 19, 2005; [Bulletin #19](#), June 2, 2005; [Bulletin #23](#), July 1, 2005). This bill was presented to the governor after being approved by both the House and Senate. The governor did not sign the bill; nor did he veto the bill. As a result, it has become law, enacted as [SL 2005-170](#), and is **effective immediately**.

PLANNING, LAND USE AND DEVELOPMENT

Updates

H1469 “Granting public utilities immediate access to certain public rights-of-way.” Rep. Drew Saunders (Mecklenburg). ([Bulletin #14](#), April 28, 2005; [Bulletin #19](#), June 2, 2005). This bill, already approved by the House, was favorably reported in the Senate on July 5. It was approved on second reading July 12 and on third reading July 13.

TAXATION AND FINANCE

Updates

H1117 “To make changes to state and local government finance laws.” Rep. Deborah Ross (Wake). ([Bulletin #12](#), April 14, 2005). This bill, already approved by the House, was favorably reported in the Senate on July 7. It was approved on second and third reading July 12.

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