



Bulletin #06-10

Thursday, July 13, 2006

### ONE MORE WEEK BEFORE ADJOURNMENT

House Speaker Jim Black announced this week the General Assembly's goal to complete its 2006 session next week. Speaker Black, responding to an inquiry during Tuesday's session, told the members of the House that it would be necessary to return next week to complete the Legislature's business.

### AUTO PROPERTY TAX REFORM THREATENED

Legislation approved in 2005 to improve collection of property taxes would be repealed by a bill that emerged from the House Rules Committee this week. A rewritten version of legislation originally related to falsifying highway inspection reports was approved by the Rules Committee Tuesday despite objections raised by Association representatives. The rewritten bill, [S600](#), would repeal legislation creating a "combined motor vehicle registration renewal and property tax collection system." The new system is not scheduled to go into effect until 2009. The proposal to repeal the 2005 legislation was presented by Representative Nelson Cole (Rockingham). After being reported on the House floor, it was re-referred to the House Finance Committee.

### ISSUES SETTLED

A number of contentious issues with which the General Assembly has struggled over the course of the 2005 and 2006 legislative sessions were resolved this week as the General Assembly neared adjournment.

- [H2047](#), **The Video Service Competition Act**, was given final legislative approval when the House voted Tuesday to concur with Senate changes to the House Bill. As finally approved, the bill retains financial compensation to counties and cities for revenues previously available from local franchise taxes as well as for PEG or governmental access channels.
- [H1094](#), **Wastewater System Approvals/Small Counties**, was given final legislative approval and has been sent to the Governor for signature. Legislation introduced last year, [H900](#) and [S902](#), would have forced counties to accept judgments by professional soil scientists on the quality of newly constructed septic tanks and to approve permits based on those judgments. These bills were introduced in response to delays in processing permit applications, but the bills failed to include protection from liability for the county approving permit applications based on judgments made by private contractors. [H1094](#) resolves the issue by creating a pilot project in Cherokee County to allow permitting of newly constructed septic tanks based on inspections by private soil scientists with the approval of the Board of County Commissioners.
- **Ethics, Lobbying and Campaign Finance Reform**. A series of bills that would strengthen North Carolina laws relating to ethics of public officials, tighten and clarify lobbying reform legislation approved in 2005 and strengthen campaign finance laws neared approval this week. On Wednesday, the House Judiciary Committee No. 1 voted to recommend that the House agree to Senate changes to House bills specifying permitted uses of campaign funds ([H1845](#)) and training for campaign treasurers ([H1847](#)). The Senate Wednesday approved its version of a House bill ([H1846](#)) dealing with campaign contribution limits and reporting. The Senate Judiciary Committee No. 1 favorably reported a revised version of [H1843](#), a bill to revise ethics standards applied to legislators.
- [S951](#), **Public-Private Solid Waste Collection**, was approved by the House Commerce Committee Wednesday. As rewritten, the bill requires cities and counties to give notice when they intend to change contractors for solid waste collection services. The original bill would have required compensation to any "displaced" private collection company in an amount equal to gross receipts for 18 months of services. As rewritten following negotiations between local government representatives and representatives of solid waste haulers, local governments would have to notify contract haulers prior to the first meeting at which a change is

to be discussed. Formal action to displace the private company could not occur until at least six months from the initial notice, and the new entity chosen to deliver the services could not actually provide the services until 15 months from the initial notice. Alternatively, the local government could compensate the displaced hauling company in the amount of the company's gross receipts for the six months prior to the initial notice. Following action by the House, the bill must be returned to the Senate for approval of the compromise proposal.

### **SENATE COMMITTEE APPROVES LANDFILL MORATORIUM**

The Senate Committee on Agriculture and the Environment this week approved legislation to impose a moratorium on consideration or issuance of permits to construct landfills in North Carolina from now through Jan. 1, 2008. The Senate Committee Substitute for [H1093](#) also directs the Environmental Review Commission to study issues related to solid waste and to report in 2007. The ERC would be authorized to establish a subcommittee to include non-legislative members to undertake the study. The bill also creates a series of exceptions to the moratorium:

- An amendment, modification or other change to a permit for a landfill issued on or before June 1, 2006.
- A permit for a horizontal or vertical expansion of a landfill permitted on or before June 1, 2006.
- A permit to construct a new landfill within the facility boundary identified in the facility plan of a landfill permitted on or before June 1, 2006.
- A permit to operate a new landfill if a permit to construct the new landfill was issued on or before June 1, 2006.
- A permit for a sanitary landfill used only to dispose of waste generated by a coal-fired generating unit that is owned or operated by an investor-owned utility.
- A permit for a sanitary landfill determined to be necessary by the Secretary of Environment and Natural Resources in order to respond to an imminent hazard to public health or a natural disaster.

The moratorium is designed to prevent construction of four "mega" landfills, designed to import waste from outside the state.

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