



Bulletin #07-23

Thursday, June 28, 2007

FOOD FOR THOUGHT

"Robeson County needs some relief. I don't care which plan to take or how to do it, but we have to do something this year. I'll take any plan that will pass." – State Sen. David Weinstein, speaking to The Robesonian newspaper.

STATE LEADERS CONTINUE PRESSING FOR MEDICAID RELIEF

In the waning hours of the 2005-07 biennium, Senate and House leaders are meeting 'round the clock to craft a workable strategy for county Medicaid relief, an effort to be applauded and commended by all county commissioners. Should you see your legislators out and about this weekend – if they're let out of Raleigh – take a few minutes to thank them for their support of and commitment to county Medicaid relief and ask them to remain stalwart as the state budget negotiations continue.

Thanks also go to Governor Mike Easley and his staff for their work on county Medicaid relief. Speaking during a news conference earlier this week, Gov. Easley told reporters that a Medicaid solution needed to be found and that counties also needed additional sources of revenue.

Speaking of the budget, the House passed on Wednesday a continuing resolution, H2044, to keep state government open and operating after June 30th as it works with the Senate to hammer out budget details. To give the negotiations some breathing room, the CR largely extends current fiscal year state spending and revenue authority through July, including the 1/4 cent sales tax set to expire June 30. Additional moneys are made available for the anticipated increase in public school students--the CR also extends the retired teachers' return to work provision. The Senate approved H2044 on second reading today, with final action perhaps as early as midnight tonight.

SENATE CONSIDERING RETAINAGE BILL

A bill being considered in the Senate – **S1245** (Retainage Payments/Construction Contracts) – attempts to eliminate and/or reduce the amount of money local governments can set aside from the payment schedule on construction contracts. These reserves provide assurance that a construction contract will be satisfactorily completed. The bill would make several changes to current law. Association staff is negotiating with the bill proponents, but its core elements in the most recent version are as follows: (1) no retainage on contracts less than \$300,000; (2) on contracts greater than \$300,000, no more than 5 percent retainage and no retainage after project is 50 percent complete; and (3) total release of retainage within 45 days of the receipt of a certificate of substantial completion, certificate of occupancy, or beneficial occupancy, unless work remains uncompleted. The Association remains opposed to the bill.

ASSOCIATION CONTINUES TO OPPOSE BROADBAND BILL

Several major Internet technology companies, including Google and Intel, have joined the fight against **H1587**. A Google representative sent a letter to House Speaker Joe Hackney earlier this week to express the company's opposition. Intel representatives also sent letters to oppose establishing barriers to public-sector Internet networks. Alcatel-Lucent, which is based in Raleigh, and Tropos Networks are also opposing the bill. These companies say the bill would prevent cities from working with public sector firms to create local Internet networks. H1587 attempts to prevent cities from providing both wired and wireless communication services – i.e., cable TV, telephone, and broadband Internet services – by requiring a special election to be held prior to providing services, and places numerous restrictions on system operations. While counties are not specifically subject to the provisions of H1587, all

projects involving both counties and cities will be impacted. The Association remains opposed to this piece of legislation in concert with the League of Municipalities.

SENATE MODIFIES REGISTER OF DEEDS BILL

The Senate Committee On Pensions & Retirement and Aging on Thursday passed a slightly modified version of [H676](#) (Increase Register of Deeds' Pension). As passed by the House, the bill allows counties to reduce the contribution to the Registers of Deeds' Supplemental Pension Fund from 4.5 percent to 0.9 percent of Register of Deeds' fees, while expanding beneficiary eligibility and increasing pension benefits. The Senate committee upped the percentage to 1.5 percent.

BILLS OF INTEREST

This week the Association is highlighting a lot of bills that did not meet the crossover deadline and are, presumably, ineligible for the remainder of the 2007-08 biennium. However, there is always the possibility that some of these bills will resurface as amendments. Association representatives will remain vigilant in following these issues. Visit www.ncacc.org/legislation/about.html for updates on key legislation, including the bills listed below.

Bill: HB1114 **DID NOT MEET CROSSOVER DEADLINE**
Sponsors: Clary (R110); McLawhorn (D9); Glazier (D45); Moore (R111)
Title: LAW OFFICERS' 25-YEAR RETIREMENT
Status: 03/28/2007 – House Committee On Pensions and Retirement
Comments: This bill amends the special separation allowance benefit to law enforcement officers' which would kick in after the law enforcement officer completes 25 years of creditable service. Although, this bill is good in theory, it would cost county governments a considerable amount.

Bill: HB1583 **DID NOT MEET CROSSOVER DEADLINE**
Sponsors: Coates (D77); Goforth (D115); Brown, L. (R73); Blue (D33)
Title: RESTORE CONTRACT RIGHTS TO STATE/LOCAL
Status: 04/19/2007 – House Committee On Judiciary II
Comments: This bill allows public employees to contract with collective bargaining associations.

Bill: HB1584 **DID NOT MEET CROSSOVER DEADLINE**
Sponsors: Blue (D33)
Title: PUBLIC SAFETY EMPLOYER/EMPLOYEE COOP. ACT
Status: 04/19/2007 – House Committee On Ways and Means
Comments: This bill gives authority for public employees to join labor organizations.

Bill: HB1663 **DID NOT MEET CROSSOVER DEADLINE**
Sponsors: Luebke (D30); Weiss (D35)
Title: CONFIDENTIALITY AGREEMENTS VOID
Status: 05/24/2007 – Reported by House committee
Comments: This bill attempted to exempt elected officials from being part of confidentiality agreements involving economic developments proposals. While the House version did not meet the crossover deadline, there is speculation that the bill could be resurrected in the Senate as an amendment to another bill.

Bill: HB1939 **DID NOT MEET CROSSOVER DEADLINE**
Sponsors: Harrell, J. (D90)
Title: SEPARATION ALLOWANCE/FIREFIGHTERS & EMS
Status: 05/07/2007 – House Committee On Pensions and Retirement
Comments: This bill provides special separation allowances for career firefighter and career rescue squad workers.

Bill: HB1947 **DID NOT MEET CROSSOVER DEADLINE**
Sponsors: Harrell, J. (D90).
Title: CAREER FIRE AND RESCUE 25-YEAR RETIREMENT
Status: 05/07/2007 – House Committee On Pensions and Retirement
Comments: This bill allows career firefighters and career rescue squad workers to retire with unreduced benefits after completing twenty-five years of service.

Bill: SB980 **DID NOT MEET CROSSOVER DEADLINE**
Sponsors: Boseman (D9)
Title: LAW ENFORCEMENT OFFICER DISCIPLINE
Status: 03/20/2007 – Senate Committee On Rules and Operations of the Senate
Comments: Identical to H980 - This bill in essence would eliminate the authority of municipal law enforcement officials to make independent personnel decisions regarding disciplinary actions. It is the belief if that an extension of this legislation would certainly follow if passed to include county law enforcement officials.

Bill: SB1396 **DID NOT MEET CROSSOVER DEADLINE**
Sponsors: East (R30)

Title: DEPUTY SHERIFF EMPLOYMENT PROTECTION
Status: 03/26/2007 – Senate Committee On Rules and Operations of the Senate
Comments: This bill would require judiciary reviews before firing of sheriff deputies.

Bill: **SB1396** **DID NOT MEET CROSSOVER DEADLINE**
Sponsors: Hartsell (R36)
Title: SEPARATION ALLOWANCE/FIREFIGHTERS & EMS
Status: 03/26/2007 – Senate Committee On Pensions & Retirement and Aging
Comments: This bill establishes special separation allowances for career firefighter and career rescue squad workers.

Bill: **SB1444** **DID NOT MEET CROSSOVER DEADLINE**
Sponsors: Snow (D50)
Title: LAW OFFICERS' 25-YEAR RETIREMENT
Status: 03/26/2007 – Senate Committee On Pensions & Retirement and Aging
Comments: This bill amends the special separation allowance benefit to law enforcement officer's which would kick in after the law enforcement officer complete 25 years of creditable service. Although this bill is good in theory, it would cost county governments a considerable amount..

Bill: **SB1543** **DID NOT MEET CROSSOVER DEADLINE**
Sponsors: Shaw (D21)
Title: COLLECTIVE BARGAINING FOR GOVERNMENT WORKERS
Status: 03/28/2007 – Senate Committee On Rules and Operations of the Senate
History: 03/28/2007—S Referred To Senate Committee On Rules and Operations of the Senate.
Comments: This bill gives the authority to public employees to join labor organizations.

– NCACC Legislative Team