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Bulletin #11-08

March 18, 2011

## TWEET OF THE WEEK

"From [@wfaejulie](#) ---> NC could be trading trees for billboards under a new proposal now being considered by #ncga" – [@CBJgreennews](#), the Charlotte Business Journal's Susan Stabley, commenting on a story by WFAE (Charlotte) reporter Julie Rose on [S183](#), which would override community regulations regarding the location and appearance of billboards. The Association opposes the bill for reasons detailed in [Legislative Bulletin #11-07](#).



## HOUSE COMMITTEE COVERS COUNTY CONCERN IN CHARTER BILL

The House Education Committee addressed one county concern when it debated and eventually passed [S8](#) (No Cap on Charter Schools) on Tuesday. The committee added a section to clarify what happens when a charter school that has received either state or local funds to "purchase real property" is dissolved or its charter is not renewed. The revised bill now says that "county funds used to purchase real property shall be remitted back to the county, after all liens on the property are satisfied."

Counties currently do not have the authority to expend funds on charter school capital needs, but the bill would grant that authority to counties. Counties have not asked for this additional authority. There is still concern about the limited amount of funding to build public schools. Over the past 2 years counties have lost 200+ million in ADM funding and have seen significant reductions in the lottery funds allotted for school construction. Allowing counties the ability to pay capital expenses for charter schools, including school bus transportation expenses, could spread our limited resources even further.

## ASSOCIATION TALKS BUDGET WITH LEGISLATIVE LEADERS

House and Senate Appropriations chairs made time in their hectic schedules this week to meet with Association staff about broad county budget issues. We are grateful that these leaders remain steadfast that the state's budget problems would not be shifted to counties in a wholesale fashion. Rep. Mitch Gillespie (McDowell), one of the House Appropriations chairs, noted that he had already told his county that a shift in state responsibilities to counties would translate into an increase in his property taxes, which were already high enough.

Executive Director David F. Thompson pledged a continued partnership between counties and the state, and emphasized that any state budget cuts to counties be in discretionary areas and be accompanied by clear language to that effect. Intergovernmental Relations Director Rebecca Troutman reviewed with the legislative members what steps counties have already taken to curtail local spending, what state cuts counties have already absorbed, and what gubernatorial budget provisions both harm and help counties. Broad areas of legislative concern included the fate of county lottery dollars for school construction, state misdemeanants being shifted to county jails, and greater mental health funding responsibilities being directed to counties.

House and Senate Appropriations subcommittees continued their review of possible budget cuts, with the Health and Human Services Subcommittee on Appropriations tentatively approving all of the governor's proposed cuts. Several subcommittee

members spoke in opposition to some of the county funding cuts included in the governor's budget – these items were flagged for further consideration. Subcommittee chairs did emphasize that the governor's cuts only represented \$218 million of the total \$591 million in cuts needed. The Education Subcommittee took another tack in tackling its spending target, reviewing with members the governor's proposals along with other options such as increasing the student:teacher ratio, reducing the number of teachers' assistants, and funding one LEA per county.

## SENATE COMMITTEE APPROVES COUNTY-BACKED 911 LEGISLATION

A bill that would protect the identity of citizens who use the 911 service to report criminal activity was approved by the Senate Judiciary II Committee on Thursday. **S98** (911 Call Transcripts) received a favorable report from the committee after representatives from Durham County and the Association addressed the committee and explained the public safety concerns that gave rise to this legislation. The bill provides that, in order to protect the identity of a complaining witness, the contents of a 911 call may be released pursuant to public records laws in the form of a written transcript or altered voice reproduction. The bill does not alter the fact that the contents of 911 calls are a public record. The Press Association spoke against the bill, citing concerns about further eroding the public's right to have access to public information. After discussion concluded, the bill passed with unanimous support. S98 will next be calendared to be heard on the Senate floor. The bill would achieve an Association legislative goal to "Promote utilization of 911 centers by protecting confidentiality."

## REGULATORY REFORM COMMITTEE SEEKING PUBLIC INPUT

The Joint Committee on Regulatory Reform announced the remaining dates in a statewide listening tour to receive feedback from the public on burdensome state rules and regulations. The committee, chaired by Sens. Harry Brown (Jones) and David Rouzer (Johnston) and Reps. Marilyn Avila (Wake) and Pat McElraft (Carteret), is tasked with scrutinizing state regulations on the private sector and targeting outdated rules and regulations that should be eliminated. It is comprised of nine senators and nine representatives, appointed by Senate President Pro Tempore Phil Berger (Rockingham) and House Speaker Thom Tillis (Mecklenburg).

Below is a schedule of the remaining meetings, which are open to the public. Each meeting runs from 1 – 3 p.m., and attendees can sign up to speak beginning at 12:30 p.m.

**Monday, March 21** – Central Piedmont Community College (West Campus), Harris Conference Center, Charlotte

**Monday, March 28** – Guilford Technical Community College (Jamestown Campus), Koury Hospitality Careers Center Auditorium

**Monday, April 4** – Pitt Community College, Goess Building, Rooms 137-139, Winterville

**Friday, April 15** – Blue Ridge Community College, Thomas Auditorium, Flat Rock

**Thursday, April 21** – Legislative Building Auditorium (3rd Floor), Raleigh

A Web site for the committee has been launched at [www.ncleg.net/regreform](http://www.ncleg.net/regreform). The Web site includes a form to submit public input, as well as an e-mail address for those that cannot attend meetings but would still like to send comments (or for those who do attend and want to submit additional comments or materials). The public e-mail address is [regreform@ncleg.net](mailto:regreform@ncleg.net). Written comments may also be mailed to Regulatory Reform Comments, 16 W. Jones St., Room 2007, Raleigh, NC 27601.

## CHECK US OUT ON YOUTUBE, TWITTER AND FACEBOOK

The Association has several ways members can receive up-to-date legislative information. The NCACC's Twitter feed has roughly 450 followers. Sign up to follow us at [twitter.com/ncacc](https://twitter.com/ncacc). You can also view our latest Twitter posts on the NCACC Web site ([www.ncacc.org](http://www.ncacc.org)). If you are on Facebook, search for "NCACC" and click on the "Like" button to receive our updates. The Association posts breaking news on both the Twitter and Facebook pages. The Association is also creating weekly legislative video reports for the NCACC's YouTube Channel ([www.youtube.com/ncacc1908](http://www.youtube.com/ncacc1908)). "This Week at the General Assembly" will be posted each Friday afternoon and will feature interviews with legislators and NCACC staff, reports on legislation impacting counties and updates on county legislative priorities.

## BILLS OF INTEREST

The Association maintains a section on its Web site to track bills of interest to county officials. Visit [www.ncacc.org/legislation/about.html](http://www.ncacc.org/legislation/about.html) for updates on these and other bills we are tracking. Bills added this week include:

Bill	Title	Committee
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<a href="#">H343</a>	Support Law Enforcement/Safe Neighborhoods	Intergovernmental Relations/Justice and Public Safety
<a href="#">H348</a>	Offenders/No Access To Personnel Records.-AB	Intergovernmental Relations/Justice and Public Safety
<a href="#">H350</a>	Clarify Property Tax For Conservation Land	Agriculture/Tax and Finance
<a href="#">H351</a>	Restore Confidence In Government	Intergovernmental Relations
<a href="#">H352</a>	Delay Kannapolis Annexation	Local bills of interest
<a href="#">H354</a>	No Sunset For Swcd Animal Waste Inspections	Environment
<a href="#">H355</a>	Simplify Taxation Of Certain HOA Property	Tax and Finance
<a href="#">H356</a>	Psychological Counseling For Jurors	Justice and Public Safety
<a href="#">H358</a>	Apex/Cary Annexation Into Chatham Restricted	Local bills of interest
<a href="#">H359</a>	City/County Beer And Wine License Taxes	Intergovernmental Relations
<a href="#">H361</a>	Currituck Electronic Notice	Local bills of interest
<a href="#">H366</a>	Special Election Dates	Intergovernmental Relations
<a href="#">H367</a>	Roanoke Rapids Deannexation	Local bills of interest
<a href="#">H369</a>	Roanoke Rapids Local Option Sales Tax	Local bills of interest
<a href="#">H376</a>	Retirement Technical Corrections.-AB	Tax and Finance
<a href="#">H382</a>	Juvenile Code Revisions.-AB	Justice and Public Safety/Health and Human Services
<a href="#">H387</a>	Access Confidential Info/Child Abuse/Neglect.-AB	Health and Human Services
<a href="#">H388</a>	APA: Disapprove Reclaimed Water Rules	Environment
<a href="#">H406</a>	Voluntary Agriculture Districts	Agriculture
<a href="#">S344</a>	Government Transparency Act Of 2011	Intergovernmental Relations
<a href="#">S350</a>	Fire And Rescue Separation Allowances	Tax and Finance
<a href="#">S352</a>	Restore Confidence In Government	Intergovernmental Relations
<a href="#">S360</a>	Change Hours Of Sale For Alcoholic Beverages	Intergovernmental Relations
<a href="#">S362</a>	Reallocate Lottery Funds	Public Education
<a href="#">S380</a>	ETJ/Clarify Definition Of Bona Fide Farm	Agriculture

**Bill:** [H92](#)

**Sponsors:** Howard (R79); Starnes (R87); Brawley (R103); Jordan (R93)

**Title:** REPEAL LAND TRANSFER TAX

**Related:** 2011: [S226](#)

**Status:** 03/16/2011 – Reported by Senate committee

**Scheduled:** 03/21/2011 – Senate Calendar, 7:00 P.M., Senate Chamber

**Position:** Oppose

**Priority:** High

**Category:** Priority Goal

**Comments:** This bill would repeal the land transfer tax option that was granted to counties as part of the Medicaid relief swap of 2007. It has passed the House and is scheduled to be heard on the Senate floor on Monday, March 21.

**Bill:** [H320](#)

**Sponsors:** McGee (R75); Ross (D38); McComas (R19); Carney (D102)

**Title:** CONTINUE P3 STUDY

**Related:** 2011: [S278](#)

**Status:** 03/14/2011 – House Committee On Rules, Calendar, and Operations of the House

**Comments:** This bill would establish a 16-member Legislative Study Commission on Public-Private Partnerships. The NCACC would be among several groups that would be consulted by the commission during its deliberations. The Commission would be charged with studying "issues related to Public-Private Partnerships (PPPs), including examination of the appropriate authority for State, regional, and local government units to engage in PPPs for public capital projects through a regulatory framework. As part of its study, the Commission may study infrastructure banks and any other relevant issues it deems appropriate." The commission would report its recommendations prior to the 2012 Short Session.

