

If you are having problems viewing this e-mail, please visit our Web site to view [this bulletin](#).



Bulletin #11-13

Thursday, April 21, 2011

HUMAN SERVICES REORGANIZATION TAKES STEP FORWARD IN SENATE

The Senate approved [S433](#) (Local Human Services Administration) in its second reading on Wednesday, but the chamber adjourned on Thursday before it took up the third and final reading. The bill enjoyed bi-partisan support Wednesday when it passed by a 38-11 vote. Sen. Fletcher Hartsell (Cabarrus), the bill sponsor, spoke eloquently on the need for additional local authority to organize local services. He noted the success that both Mecklenburg and Wake have experienced in their 15-plus years of practice, and said that smaller counties could also realize efficiencies if the consolidated model of human services delivery works for their communities.

Sen. Richard Stevens (Wake), a former Wake County manager, spoke to the improvements in services afforded to Wake County clients under the consolidated model, and cautioned his fellow senators that those opposed to expanded local authority are making the same arguments and perceived threats that he heard when he sought to include Wake County under 153A-77. None of their concerns have come to be realized, Stevens said, and Wake County has been able to respond more appropriately to the holistic needs of its clients.

PRESS ASSOCIATION FIGHTING ELECTRONIC NOTICE BILL

[H472](#), sponsored by Reps. Chuck McGrady (Henderson) and Bill Owens (Pasquotank), two former county commissioners, as well as House Majority Leader Paul Stam (Wake) and Rep. Darren Jackson (Wake), would authorize any county or municipality at its option to publish required public notices on the local government's website instead of purchasing expensive ads in local newspapers. NCACC surveyed its county membership and found that statewide, counties would save more than \$2 million annually by choosing the electronic publication option. The N.C. Press Association is mounting a widespread campaign to keep the county taxpayer dollars flowing to their members. Please contact your members who serve on the House Government Committee, which has scheduled H472 for its first hearing on April 28, and let them know you support this NCACC Legislative Goal.

House Government Committee members

Rep. Alma Adams	(919) 733-5902	Alma.Adams@ncleg.net
Rep. Martha Alexander	(919) 733-5807	Martha.Alexander@ncleg.net
Rep. Jeffery Barnhart	(919) 715-2009	Jeff.Barnhart@ncleg.net
Rep. James Boles	(919) 733-5903	jamie.boles@ncleg.net
Rep. Alice Bordsen	(919) 733-5820	Alice.Bordsen@ncleg.net
Rep. Glen Bradley	(919) 733-5860	Glen.Bradley@ncleg.net
Rep. Marcus Brandon	(919) 733-5825	Marcus.Brandon@ncleg.net
Rep. Larry Brown	(919) 733-5607	Larry.Brown@ncleg.net
Rep. Rayne Brown	(919) 715-0873	Rayne.Brown@ncleg.net
Rep. Justin Burr	(919) 733-5908	justin.burr@ncleg.net

Rep. George Cleveland	(919) 715-6707	George.Cleveland@ncleg.net
Rep. Jeff Collins	(919) 733-5802	Jeff.Collins@ncleg.net
Rep. Tricia Cotham	(919) 715-0706	Tricia.Coatham@ncleg.net
Rep. Beverly Earle	(919) 715-2530	Beverly.Earle@ncleg.net
Rep. John Faircloth	(919) 733-5877	John.Faircloth@ncleg.net
Rep. Susan Fisher	(919) 715-2013	Susan.Fisher@ncleg.net
Rep. Elmer Floyd	(919) 733-5959	elmer.floyd@ncleg.net
Rep. Dale Folwell	(919) 733-5787	Dale.Folwell@ncleg.net
Rep. Phillip Frye	(919) 733-5661	Phillip.Frye@ncleg.net
Rep. Rosa Gill	(919) 733-5880	rosa.gill@ncleg.net
Rep. Ken Goodman	(919) 733-5823	Ken.Goodman@ncleg.net
Rep. W. David Guice	(919) 715-4466	david.guice@ncleg.net
Rep. Mike Hager	(919) 733-5749	Mike.Hager@ncleg.net
Rep. Pat Hurley	(919) 733-5865	Pat.Hurley@ncleg.net
Rep. Dan Ingle	(919) 733-5905	dan.ingle@ncleg.net
Rep. Bert Jones	(919) 733-5779	Bert.Jones@ncleg.net
Rep. Carolyn Justice	(919) 715-9664	Carolyn.Justice@ncleg.net
Rep. Patsy Keever	(919) 733-5746	Patsy.Keever@ncleg.net
Rep. J. H. Langdon	(919) 733-5849	James.Langdon@ncleg.net
Rep. Paul Luebke	(919) 733-7663	Paul.Luebke@ncleg.net
Rep. William McGee	(919) 733-5747	william.mcgee@ncleg.net
Rep. Grey Mills	(919) 733-5741	grey.mills@ncleg.net
Rep. Annie Mobley	(919) 733-5780	Annie.Mobley@ncleg.net
Rep. Tim Moffitt	(919) 715-3012	Tim.Moffitt@ncleg.net
Rep. Rodney Moore	(919) 733-5606	Rodney.Moore@ncleg.net
Rep. Diane Parfitt	(919) 733-9892	diane.parfitt@ncleg.net
Rep. Earline Parmon	(919) 733-5829	earline.parmon@ncleg.net
Rep. Mitchell Setzer	(919) 733-4948	Mitchell.Setzer@ncleg.net
Rep. Harry Warren	(919) 733-5784	Harry.Warren@ncleg.net

HOUSE BUDGET BEGINNING TO TAKE SHAPE

The House is a little behind on its original budget schedule, but the pieces of the puzzle are starting to come together, and leaders in both chambers continue to eye an early June adoption for the state budget. The Association encourages county officials to contact their House members as soon as possible and reaffirm the importance of the county lottery funds for school construction needs. The fate of lottery funds is still up in the air, as is the fate of the share of the corporate income tax devoted to counties for school construction needs (commonly known as the ADM Fund).

JUSTICE REINVESTMENT ACT ASSIGNED TO HOUSE APPROPRIATIONS

H642 (Justice Reinvestment Act) received a favorable report from House Judiciary B Committee and is now in the House Appropriations Committee. The bill's sponsors are Reps. David Guice (Transylvania), John Faircloth (Guilford), Alice Bordsen (Alamance) and Earline Parmon (Forsyth). Of particular concern to counties are provisions in the bill that implicate offenders serving time in county jails. Rep. Guice has been open to working with NCACC and recognizes that counties have significant concerns about the current proposed shift of most misdemeanants to county jails. NCACC staff is working with Rep. Guice to find a solution that will work for counties.

EMAIL LIST BILL PASSES

The Senate concurred with House changes to a bill that applies statewide a local law passed in 2010 that states that copies of subscriber email lists maintained by local governments are not required to be provided to someone requesting a copy. **S182** (Statewide E-mail Subscription Lists) was originally a local act that added Carteret County and the City of Greenville to those jurisdictions already covered. The House changed the bill to make it statewide, and the Senate concurred with the House changes on April 20. The bill has been sent to Governor Perdue for her signature. The new law allows a local government to make the lists available for public inspection in either printed or electronic format – or both, if the government chooses – but does not require the government to provide the list to anyone making the request. The NCACC adopted a goal to “seek legislation to protect the privacy of email notification and distribution lists of citizens who have requested electronic communication with their local governments” because many citizens signed up for these notification lists thinking their personal contact information would be

protected.

OMNIBUS BILL ADDRESSES THREE COUNTY PRIORITIES

First-term Sen. Jim Davis, a former Macon County commissioner, has another first to add. He is the sponsor of the first “Omnibus” county bill, [S572](#). Omnibus bills are commonly deployed to address under umbrella legislation differing issues dealing with a single area of interest. S572 would realize three of the Association’s goals as adopted by the county membership. It would establish a “Records Preservation Modernization Commission” to explore digitized options for records archives. It would establish June 1 as the application deadline for all property tax exclusions and exemptions, modeled after the application deadline for the elderly homestead, circuit breaker, and disabled veterans exclusions. Finally, S572 would require large retail vendors (those collecting at least \$20,000 per month in sales tax receipts) to site the retail sale for delivered goods based on the zip+4 addressing scheme. Sole reliance on the 7-digit zip code, regardless of having a full street address, means some counties do not get credit for a sale made and delivered to their residents.

‘A’ FOR EFFORT

Rep. Mickey Michaux (Durham, primary sponsor) and Reps. Earline Parmon and Larry Hall (co-sponsors) are to be commended for offering up legislation that would realize one of the Association’s priority goals – a menu of revenue options. It has been long-standing Association policy that any revenue source available to one county should be available to all. [H861](#) would allow any and all counties to consider levying a 1 percent prepared meals tax, an occupancy tax up to 6 percent, a 1 percent tax on conveyances, and an impact fee based on development costs. The additional taxing authority would be subject to a vote of the people. H861 has been assigned to the House Rules Committee; normally the Finance Committee would have jurisdiction over taxes and fees.

BILLS OF INTEREST

The Association maintains a section on its website to track bills of interest to county officials. Visit www.ncacc.org/legislation/about.html for updates on these and other bills we are tracking.

Bill: [H242](#)

Sponsors: Stone (R51); Gillespie (R85)

Title: NAT'L GAS EXPLORATION/BONDS

Status: 04/19/2011 – House Committee On Finance

Position: Support

Category: Legislative Goal

Comments: This bill would accomplish the NCACC’s legislative goal to establish a study commission to examine hydraulic fracturing method of drilling for natural gas. The Department of Environment and Natural Resources is instructed to hold two public hearings on hydraulic fracturing and to study the possible societal, economic and community impacts of allowing hydraulic fracturing.

Bill: [S8](#)

Sponsor: Stevens, R. (R17)

Title: NO CAP ON NUMBER OF CHARTER SCHOOLS

Status: 04/14/2011 – Conference committee in House

Comments: The bill opens up charter schools to receive capital funding from counties, including lottery funds, and authorizes counties to make direct appropriations to charter schools for capital needs. The bill authorizes the use of property tax revenues for charter school capital needs under G.S. 153A-149(c). Counties have not requested this authorization and are concerned that allowing charter schools to ask for capital funds would impact already dwindling revenues available for public school facilities. Counties have lost more than \$250 million in lottery and corporate income tax revenues for the current biennium, and among the ideas being discussed to balance the state budget for 2011-13 are eliminating permanently the corporate income tax set-aside for school construction and reducing the county share of lottery proceeds from its statutory 40 percent. The bill has been approved by the both the House and Senate, but the Senate did not concur to House changes and a conference committee has been appointed to work out the differences.

– David F. Thompson, Executive Director

– Kevin Leonard, Director of Government Relations

