

NCACC 2021-2022 Legislative Goals Package



**North Carolina
Association of
County Commissioners**

NCACC Core Values

The Association recognizes counties' critical partnership with the state of North Carolina and promotes strategies that enhance state and county collaboration, communication and cooperation.

Counties are an integral part of a strong intergovernmental system, along with municipalities, school boards, the state and the federal government. Cooperation and communication between all levels of government are essential in order to provide the best and most efficient services to citizens. Counties are the level of government closest to the people. The Association promotes strengthening of local decision-making to respond to local needs. Counties should be free to organize as appropriate for efficient and effective delivery of services. Flexibility of form, function and finance is critical. A proper balance of service responsibility and revenue generating authority is imperative.

Essential services should be financed through state or federal revenues to ensure statewide availability and consistency. State mandated services should be funded from state revenue sources; federally mandated services should be financed from federal revenue sources. Policy changes affecting counties should be preceded by fair and equitable negotiations. New initiatives should allow adequate lead time for implementation within the county budget schedule. The state should consider the resource limitations of counties when implementing new state and federal programs.

The Association will be proactive in providing information to the NC General Assembly, US Congress, and the public to assist in the passage of sound legislation beneficial to the administration of county government affairs and will oppose legislation injurious thereto.



Priority Goals

1. Seek legislation, funding, and other efforts to expand digital infrastructure/broadband capability to the unserved and under-served areas and residents of the state.
2. Seek additional revenue sources, including a statewide bond referendum and expanded lottery proceeds, and changes to the Needs-Based Public School Capital Fund, to equitably address statewide public school and community college capital challenges. Revisions to the Needs-Based Public School Capital Fund that will allow more equitable access to counties to take advantage of the funds include:
 - Allowing Needs-Based Public School Capital Funds to be used for renovations and improvements in addition to new construction.
 - Reducing or eliminating local match requirements for Tier 1 and Tier 2 counties.
 - Eliminate the five-year prohibition of receiving funds from the Public School Building Capital Fund if a county receives a grant from the Needs-Based Public School Capital Fund by repealing G.S. 115C-546.2(f).
3. Support legislation to allow counties to include specific language on the ballot referendum designating how the proposed quarter-cent local sales tax levy will be spent.
4. Increase state funding and support legislation for behavioral health services and facilities, including dedicated resources for community paramedicine projects; inpatient crisis beds; substance use disorders; specialty courts; individuals with mental health issues in county jails; and single stream funding for area authorities.
5. Oppose efforts to divert to the state, fees or taxes currently allocated to the counties or to erode existing county revenue streams with unfunded mandates.



Agriculture

Guiding Principles

- The Association supports local control over land-use decision-making and its impact on the agricultural community.
- The Association supports state policies providing local options and tools for the preservation of farmland, if they serve the best interest of all counties.
- The Association supports research, education and outreach with various public and private partnerships that result in agricultural development opportunities, sustainable initiatives producing low-cost food and energy that will, in turn, create healthy local economies.
- Agricultural issues related to the environment transcend governmental boundaries and require close coordination of policy and action by federal, state and local governments.
- Powers delegated to the counties for the protection of the public health are important for protecting the land and water resources that are vital for agricultural endeavors.
- The General Assembly should provide funds for any increased county responsibility related to animal control operations and/or facilities.

Legislative Goals

- **AG-1:** Support state funding and staffing for agricultural research, Cooperative Extension services and agriculture-related efforts, including Community Conservation Assistance Program, as well as funding and staffing for equine-agricultural research and other equine-agriculture related efforts, to support the largest economic driver in North Carolina.
- **AG-2:** Support legislation to protect all farming operations from nuisance lawsuits.



Environment

Guiding Principles

- Public policy on environmental protection must recognize that all physical human activities have an impact on the environment, and provide recognition that there must be a balance between those activities and the environment.
- Enhancements to the environment laws of North Carolina should be justified by sound science and information and based on a clear rationale and purpose for regulatory change.
- State agencies responsible for developing administrative rules to implement federal and state policies should involve local governments in the process at the earliest stages of development and should proceed only after thorough analyses of health, environmental and fiscal risks and impacts.
- State agencies issuing permits for activities that affect the environment should give local governments ample opportunity to comment on proposed permits for consistency with local plans and policies.
- If state law delegates responsibility to local governments for implementing, monitoring and enforcing environmental policy, the state should provide optimum flexibility and discretion in setting fees at the local level to carry out these responsibilities.

Legislative Goals

- **ENV-1:** Support additional state funding to assist local governments in all recycling, with special attention to managing electronics recycling and scrap tire disposal
- **ENV-2:** Seek legislation to restore county authority over solid waste management and oppose any further shift of authority away from local governments.
- **ENV-3:** Support legislation to help improve water quality in the state, including a comprehensive approach to aquatic weed control, increased funding and resources for state agencies to develop health advisory levels and standards for existing and emerging contaminants.
- **ENV-4:** Support increased funding for all agencies that support water and wastewater expansion, as well as capital projects, with consideration to local regulations and secondary impacts to protect receiving waterways.
- **ENV-5:** Seek legislation to provide additional resources for preventative storm damage maintenance to clear debris to help prevent flood damage in low-lying areas.
- **ENV-6:** Support increased funding at the state level for the Parks and Recreation Trust Fund.
- **ENV-7:** Seek legislation that will allow the North Carolina Sedimentation Control Commission an option to delegate portions of its authority under the Sedimentation and Pollution Control Act to local County programs for all private, State and Federal projects, at the request of the county.



General Government

Guiding Principles

- The Association recognizes the importance of the State-County partnership and its unique role in providing services to all citizens.
- The State should seek input from counties while developing rules and regulations that impact counties, particularly concerning property rights.
- Local general purpose governments are the building blocks for solving regional problems; regional approaches should be based on the need to strengthen and support local governments.
- Intergovernmental agreements should be used where appropriate to attain efficient performance, as determined by local elected officials.
- Encourage public-private partnerships when in the best interest of the citizens.
- Reserve federal action for those areas where state and local governments are not adequate and where continuing national involvement is necessary, e.g. national defense, provided resources are made available by the national government.
- All local government institutions should be engaged in developing and coordinating services to meet the needs of citizens. Counties will strive to maintain and enhance these partnerships.

Legislative Goals

- **GG-1:** Seek legislation, funding, and other efforts to expand digital infrastructure/broadband capability to the unserved and under-served areas and residents of the state.
- **GG-2:** Support increased state funding for existing and new transportation construction and maintenance needs, and support legislation to ensure that the Strategic Transportation Investments (STI) funding formula recognizes that one size does not fit all and that projects in both rural and urban areas are prioritized and funded.
- **GG-3:** Support increased State funding for public libraries.
- **GG-4:** Support legislation to grow North Carolina's statewide economy through state investments, including public infrastructure funding, competitive incentives, and coordinated efforts with county economic development services.
- **GG-5:** Support legislation to remove inequities and inconsistencies in the current state economic tier system.
- **GG-6:** Seek legislation allowing public bodies to provide meeting notices by electronic means in addition to allowing notice through a newspaper with general circulation within the county.
- **GG-7:** Support food supply chain initiatives and funding for North Carolina food banks as well as other equipment, supplies, and other nonrecurring expenses to reduce food insecurity.
- **GG-8:** Support legislation providing equitable distribution of resources to all North Carolina counties to respond to public health and natural emergencies, and to allow each county flexibility in determining the best use for such resources.
- **GG-9:** Support legislation allowing counties flexibility in holding remote board meetings, allowing contemporaneous, virtual public hearings, in order to expeditiously conduct county business during emergencies.



Health and Human Services

Guiding Principles

- The Association supports county, regional and state collaboration to improve agency automation and simplify programs, to streamline administration and to improve client interaction.
- The Association opposes earmarking of block grant funds, and supports increased funding for mandated services, provided the increases do not require additional county expenditures.
- As partners with the state in funding and delivering services, counties must be actively engaged in setting health and human services policy and program requirements.
- Health and human services programs should encourage responsible behavior and should be targeted to those citizens least able to care for themselves.
- Health and human services programs should encourage equitable opportunity for health, social, and economic prosperity. Programs should provide intergenerational success and address long term social impacts on health to help individuals thrive.
- The State should take the lead in financing, implementing, maintaining, and supporting statewide automated systems; automation efforts undertaken by the State should connect and integrate with county automation initiatives.
- Members of county human service agency boards should be appointed by the boards of county commissioners.

Legislative Goals

- **HHS-1:** Support legislation and state resources for social service reform efforts as identified by the Social Services Working Group to improve outcomes for individuals, families, and children, as well as increase state funding for social services programs, and to continue the NCACC's opposition to mandated regionalization, including revisions to the annual written agreement process under G.S. 108A-74.
- **HHS-2:** Support continued state funding of Medicaid and support efforts to close coverage gaps.
- **HHS-3:** Support legislation for hold harmless provisions and staggered payment plans to control/cap the liability to counties under the Medicaid and NCHC overpayment recoupment plan, which holds counties financially responsible for the erroneous issuance of Medicaid benefits and Medicaid claim payments resulting when the county DSS takes any action that requires payment of Medicaid claims for an ineligible individual.
- **HHS-4:** Seek additional funding and preserve block grant allocations to increase access to high quality childcare, early childhood education, child welfare services, adult protective services and guardianship, including:
 - Women's and Children's Health Services Block Grant funding to local health departments for critical services like maternal health, child health and women's health services to address unfavorable infant mortality rates;
 - Home & Community Care Block Grant; Senior Center General Purpose Funds; Social Services and Human Services Block Grants; TANF; and
 - emergency childcare funding to ensure the safety and stability of our childcare system.



Health and Human Services, continued

Legislative Goals

- **HHS-5:** Support adequate funding and policy initiatives to support local health departments and public health services.
- **HHS-6:** Seek legislation to clarify and simplify the reaccreditation process for local health departments by aligning statutory and administrative code requirements; setting reaccreditation at five-year intervals; and making the process a contracted service between the N.C. Institute of Public Health and the governing body for the local health department.
- **HHS-7:** Increase state funding and support legislation for behavioral health services and facilities, including dedicated resources for community paramedicine projects; inpatient crisis beds; substance use disorders; specialty courts; individuals with mental health issues in county jails; and single stream funding for area authorities.
- **HHS-8:** Support legislation to improve processes and regulations to increase child support collections.
- **HHS-9:** Support legislation to ensure ROAP (Rural Operating Assistance Program) funding is restored for fiscal year 2021.



Justice and Public Safety

Guiding Principles

- The statewide judicial system and public safety services, including effective ancillary services and programs, should be adequately funded and staffed in order to provide an efficient environment for judicial and public safety processes, to instill public confidence and to protect our communities.
- Adjudication should be swift, in order to minimize overcrowding in county jails.
- Bonds should be reasonable, and effective pre-trial screening and population management efforts should be encouraged.
- Offenders should be held accountable to society and required to pay a proportionate share of the debt resulting from their offenses, including debt to counties, either through fees based on ability to pay and/or through community service.
- Effective prevention programs, alternatives to incarcerations and other related services should be supported in an effort to help reduce recidivism rates and lower county jail costs.

Legislative Goals

- **JPS-1:** Support efforts to provide greater flexibility to local governments in expenditure of 911 surcharge funds and ensure adequate funding for next-gen technology.
- **JPS-2:** Support increased state funding for NC courts, including funding for specialty courts and pretrial release programs.
- **JPS-3:** Seek legislation to increase the amount paid to county jails by the state to the full cost reimbursement for housing sentenced inmates.
- **JPS-4:** Support legislation and state funding to provide early intervention services through the Juvenile Crime Prevention Councils, and support increased state funding for the prevention, intervention and treatment of adolescent substance use disorders, gang involvement and domestic violence; and requires the Department of Public Safety to evaluate and update the amount of local matches for JCPC funding.



Public Education

Guiding Principles

- The Association supports efforts to clarify State and county responsibility through legislation that recognizes the following:
 - a. the impact of changing technologies on basic educational needs and the job market of the future;
 - b. the impact of any changes on the facility needs of local school systems;
 - c. the need for county commissioners to have the authority to make sure funds appropriated for school facility needs are used accordingly;
 - d. the challenges faced by counties in balancing changes in school populations with insufficient county revenues.
- Taxing authority for local public education should be vested exclusively with boards of county commissioners.
- The State should define and support an adequate sound basic education in all local school systems and should appropriate adequate operating revenue to fully fund its education initiatives.
- Effective classroom technologies and innovations provide greater choice, improve education, and should be available to all public schools and community colleges.
- North Carolina's community colleges are critical components of the state's integrated efforts to prepare youth and adults for constructive participation in a constantly changing economy.

Legislative Goals

- **PE-1:** Seek additional revenue sources, including a statewide bond referendum and expanded lottery proceeds, and changes to the Needs-Based Public School Capital Fund, to equitably address statewide public school and community college capital challenges. Revisions to the Needs-Based Public School Capital Fund that will allow more equitable access to counties to take advantage of the funds include:
 - Allowing Needs-Based Public School Capital Funds to be used for renovations and improvements in addition to new construction.
 - Reducing or eliminating local match requirements for Tier 1 and Tier 2 counties.
 - Eliminate the five-year prohibition of receiving funds from the Public School Building Capital Fund if a county receives a grant from the Needs-Based Public School Capital Fund by repealing G.S. 115C-546.2(f).
- **PE-2:** Support legislation providing for funding to help counties implement school security measures.
- **PE-3:** Support legislation that promotes career and college readiness by increasing funding for apprenticeship & internship programs, workforce development programs, and funding to allow youth to obtain an associate degree from a community college or trade certificate at no additional cost to the student.
- **PE-4:** Support legislation providing flexibility to align K-12 and community college calendars.
- **PE-5:** Support legislation to provide exceptions to the K-3 class size mandate including but not limited to lack of school facility space and availability of qualified teachers.



Public Education, continued

Legislative Goals

- **PE-6:** Seek legislation to repeal the statutory authority under N.C.G.S. 115C-431(c) that allows a local school board to file suit against a county board of commissioners over appropriations to the local board of education's capital outlay fund.
- **PE-7:** Support legislation to create a blue-ribbon panel of experts to study, develop and implement critical mediation programs to help NC students recover from the education slide resulting from the COVID related transition to virtual learning.



Tax and Finance

Guiding Principles

- The county revenue base should be broad and balanced, with authority to raise revenues from various sources, rather than being overly reliant on any single revenue source or overly burdensome on any one group of taxpayers.
- The Association opposes the redistribution of existing revenues; distribution of new tax sources should assess local needs, local funding efforts, and local funding capability.
- Any restructuring of county responsibilities should include restructuring of local revenue sources to meet those responsibilities.
- Counties should have the authority to generate optional revenues to meet public service needs, while being responsive to economic change.
- If statewide policy objectives result in reductions in local tax bases, the state legislature should reimburse county and municipal losses from State sources.
- Existing local revenue base exemptions and exclusions should be evaluated to see whether they have achieved the intended tax policy objectives. New or extended exemptions and exclusions should include a “sunset” date in their authorizing legislation.
- The Association opposes unfunded mandates and shifts of state responsibilities to counties.

Legislative Goals

- **TF-1:** Support efforts to preserve and expand the existing local revenue base of counties and authorize local option revenue sources already given to any other jurisdiction to all counties.
- **TF-2:** Support legislation to allow counties to include specific language on the ballot referendum designating how the proposed quarter-cent local sales tax levy will be spent.
- **TF-3:** Oppose efforts to divert to the state, fees or taxes currently allocated to the counties or to erode existing county revenue streams with unfunded mandates.
- **TF-4:** Support the introduction and enactment of a state low-income housing tax credit to assist with the construction of housing affordable to people of all income levels.



Federal Goals

- **FG-1:** Support direct and flexible funding as needed by counties of all sizes to mitigate the ongoing Impact of COVID-19 Pandemic.
- **FG-2:** Support efforts to promote food system resiliency, such as ways to strengthen North Carolina's Food System and increase access to affordable, healthy food options.
- **FG-3:** Support increased funding for disaster preparation, assistance and mitigation as well as legislation that expedites and expands county use of federal disaster assistance funds.
- **FG-4:** Support federal reclassification of 911 telecommunicators as first responders.
- **FG-5:** Support funding for behavioral health programs and services to address the opioid and substance abuse epidemic and support flexibility for counties to use funds for prevention and recovery.
- **FG-6:** Support funding and legislation to expand high-speed broadband access.
- **FG-7:** Support measures to reduce the number of people with mental illness in county jails such as those identified in NACo's "Stepping Up Initiative."
- **FG-8:** Support funds for health, human and economic services programs including Temporary Assistance for Needy Families, Food and Nutrition Services and federal block grants.
- **FG-9:** Support increased funding and flexibility in services for older Americans.
- **FG-10:** Support additional funding for Payment In Lieu of Taxes (PILT), agricultural, conservation, workforce, economic development, and Infrastructure programs that help counties meet public needs.
- **FG-11:** Support strong regulations and enforcement along with funding assistance or reimbursement to state and local governments when a federal agency, such as the EPA, regulates emerging contaminants and other discharges into drinking water sources.
- **FG-12:** Oppose unfunded mandates and changes in eligibility for federal programs that shift costs to counties.