



NORTH CAROLINA BURGLAR AND FIRE ALARM ASSOCIATION

LEGISLATIVE REPORT

FEBRUARY 27, 2007

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INTRODUCTION

The Governor gave his State of the State Address to the General Assembly on Monday evening, February 19, 2007 and then quickly released his budget proposal at the end of the week. The Governor's budget eliminates the state income tax for 600,000 of the lowest paid workers in North Carolina and would cut in half the state income tax for another 630,000 workers. Governor Easley wanted to focus his budget on helping the working poor in North Carolina and also tied that theme into education, where he will focus most of his priorities for his last budget proposal.

Although the Governor released his budget last week, we will not do an exhaustive review of the Governor's budget. We have found that both the House and the Senate will make substantial changes to the Governor's proposal and once the House releases their proposal in the next several months, we will provide an in-depth analysis. Once the House has approved their budget, it will then go to the Senate where they will review the House budget and its priorities and will again make changes. This week and next week the legislative staff will review the Governor's budget proposal with legislators so they know what the Governor's priorities are and can formulate their own response or their own answers to the challenges facing the state. It will be interesting to watch how the House handles the budget in light of the new leadership positions given to members under Speaker Joe Hackney.

Last week, committees started to meet primarily to organize their committees and establish goals and operating procedures. We expect bills to start moving through both the House and the Senate this week as committees meet to discuss and debate bills and send them to the floors of their respective chambers.

If you would like a copy of any of the legislation introduced or considered by this year's General Assembly, you may receive one copy of as many bills as you are interested in, free of charge, by calling the General Assembly's Printed Bills office at 919/733-5648. They will need to know if it is a House bill or Senate bill and the bill number. (For example, Senate Bill 8). Copies are also available on the General Assembly's World Wide Web site: <http://www.ncleg.net>.



BILLS OF INTEREST

HOUSE BILL 259, Prohibit Smoking in Public Places, would prohibit smoking in public places and places of employment in North Carolina. The bill would provide the following exceptions: (1) a private residence, except if it is used for child or adult care services; (2) a retail tobacco shop; (3) a tobacco manufacturing or processing facility; (4) a designated smoking room in a lodging establishment; (5) a private club; (6) an age-restricted alcohol sales establishment; and (7) a facility conducting research on smoking. The Commission on Health Services would adopt rules to be enforced by local health departments. **Introduced by Representative Holliman and referred to the House Judiciary I Committee.**

HOUSE BILL 260, Automatic Sprinklers/Residential Buildings, would disapprove the administrative rules governing automatic sprinkler systems that were adopted by the North Carolina Building Code Council and approved by the Rules Review Commission on October 19, 2006. The North Carolina Building Code Council would be directed to adopt rules or amend the state building code to require automatic sprinkler systems in residential buildings of more than two stories and containing more than 16 dwelling units. **Introduced by Representatives Goforth, Brubaker, J. Harrell, and Yongue and referred to the House Insurance Committee.**

HOUSE BILL 262, Modify Tax on Property Coverage Contract, would provide technical changes to the distribution of tax proceeds to volunteer fire departments and volunteer fire department grant programs to allow more departments to qualify for grants and to modify the distribution of tax proceeds to the Local Fireman's Relief Fund. **Introduced by Representative Wainwright and referred to the House Finance Committee.**

HOUSE BILL 284, Garnish Wages to Satisfy Judgments, would allow the garnishment of wages as an additional means to enforce a judgment subject to a cap that would be placed on the amount of wages that could be garnished. Currently, the law only allows wage garnishment for taxes and child support purposes. The garnishment provisions apply to earnings by local and state government employees and the law also includes a provision to prevent retaliation against an employee based on their wages being garnished. **Introduced by Representatives Moore, Daughtridge, McGee, and Tillis and referred to the House Judiciary II Committee.**

HOUSE BILL 301, Fire Protection Funds for UNC-Pembroke, would provide funding to ensure adequate fire protection services at the University of North Carolina at Pembroke. **Introduced by Representatives Sutton, Yongue, and Pierce and referred to the House Appropriations Committee.**



HOUSE BILL 308, State Contracts/Illegal Immigrants, would prohibit state and local government contracts with any contractor who knowingly employs or contracts with an illegal immigrant. Contractors would be required to verify the legal status of each individual they employ through the Basic Pilot Employment Verification Program. Contracts would contain a provision stating that the contractors will not knowingly employ illegal immigrants. Knowingly submitting a false certification would be a Class I felony and would prohibit the contractor from submitting a bid with the state for one year. **Introduced by Representative Cleveland and referred to the House Judiciary II Committee.**

HOUSE BILL 309, Verify Government Employee Legal Status, would require verification of the legal status of contracted state employees and employees of local governments. All employees would be required to verify their authorization to work with the Basic Pilot Program offered through the Department of Homeland Security. **Introduced by Representative Cleveland and referred to the House Judiciary II Committee.**

HOUSE BILL 331, New Fire Truck for Boone/Funds, would provide funding to allow the Town of Boone to purchase a new fire truck to protect Appalachian State University. **Introduced by Representative Tarleton and referred to the House Appropriations Committee.**

SENATE BILL 211, Electronic Signatures/Public Agencies, would clarify current law to allow public agencies to use and accept electronic signatures. **Introduced by Senator Cowell and referred to the Senate Judiciary I Committee.**

SENATE BILL 215, Litter Reduction Act of 2007, would reduce roadside and other littering and encourage recycling by requiring a deposit on beverage containers. Redemption centers would be required to accept returned beverage containers and refund the deposits. The bill would provide that every beverage container offered for sale in North Carolina would have a refund value of ten cents (10¢) and that purchasers would pay a deposit equal to the refund value at the time of purchase. **Introduced by Senator Berger of Franklin and referred to the Senate Commerce, Small Business, and Entrepreneurship Committee.**

SENATE BILL 244, Modernize Corporate Income Tax Filing, would require corporations to file a combined income tax report for corporations that are part of an affiliated group engaged in a unitary business. The law also would make a variety of changes regarding the filing of these reports and the apportioning of income of multi-state corporations in North Carolina. **Introduced by Senator Hoyle and referred to the Senate Finance Committee.**



SENATE BILL 293, Deceptive Advertising of Business Location, would prohibit businesses that supply services or products from misrepresenting the geographical locations of their businesses in telephone directories, directory assistance databases, and in print advertisements. There would be no violation if there was a conspicuous notice in the listing or advertisement identifying the municipality and the state where the business is located. **Introduced by Senator Boseman and referred to the Senate Judiciary I Committee.**

SENATE BILL 310, Continue Child Support to 21 Years/College Study, would require child support payments to continue until the age of 21 for children who are attending college full-time unless the child is not attending school or is not making satisfactory progress towards graduation. After the age of 18, the payments could be made directly to the child or towards college expenses. **Introduced by Senator Kerr and referred to the Senate Judiciary I Committee.**

SENATE BILL 320, Statewide Certification of HUBs, would allow the Secretary of Administration to develop a statewide program for historically underutilized businesses doing business with state departments, agencies, and institutions. **Introduced by Senator Dorsett and referred to the Senate Commerce, Small Business, and Entrepreneurship Committee.**

SENATE BILL 333, Extend Age Cutoff/Child Support, would extend the age at which child support is terminated from the age of 18 to the age of 21. The bill is different than Senate Bill 310 in that the extension to age 21 is not tied into college or continued education. **Introduced by Senator Dannelly and referred to the Senate Judiciary II Committee.**

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