



NORTH CAROLINA BURGLAR AND FIRE ALARM ASSOCIATION

LEGISLATIVE REPORT

MARCH 6, 2009

THIS LEGISLATIVE REPORT IS A MEMBER BENEFIT OF NCBFAA AND USE AND REPRODUCTION OF THIS REPORT IS LIMITED TO NCBFAA AND ITS MEMBERS.



INTRODUCTION

The news about the revenue for the state keeps getting worse. Budget writers are anticipating a \$3 billion deficit for the next budget year and \$3.6 billion for the following year. The legislative staff has also been holding presentations regarding various issues like corrections, state infrastructure, schools, and transportation that provide sobering information about the funding needs for the state. Governor Purdie has already announced that she will be making 9 to 11% cuts in most agency budgets, except for education, and that she will be cutting popular programs that she favors in order to balance the budget. She has also indicated that she will look beyond the recommendations made by agencies to find additional funds. The Governor will be making her state of the state address on Monday, March 9th to a joint session of the House and Senate. The Governor is expected to forecast some of her budget ideas; however, we do not expect the Governor's proposed budget to be released until the following week.

Over 900 bills have been filed and committees are now meeting in earnest to begin working on legislation assigned to their committees. The House has expanded its practice of referring bills to more than one committee and has even referred some bills to three and four committees. The Senate typically refers bills to one committee, unless the bill has financial implications and must be sent to the Finance or Appropriations Committees. Although sessions are short and uneventful, the work right now is taking place in the hallways and in the committees to change, improve, or stop legislation that has been filed.

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 271, Waive CDL Skills Test/Military Personnel, would allow the Division of Motor Vehicles to waive the commercial motor vehicles skills test if the applicant meets the qualifications for issuance and has previously taken a skills test for the vehicle size and class to be operated or if the applicant has operated the vehicle class and size for a relevant two-year period prior to application while in the active or reserve military. **Introduced by Representatives Braxton, Underhill, McLawhorn and Wainwright and referred to the House Transportation Committee.**

HOUSE BILL 298, Tax Deduction for S Corporations, would allow S Corporations to deduct \$25,000 from their income before calculating the portion of their income subject to state taxes. **Introduced by Representative Holloway and referred to the House Commerce, Small Business, and Entrepreneurship Committee.**

HOUSE BILL 344, Employers Must Use Federal E-Verify Program, would require all local governments and local government contractors to use the federal work authorization program to verify work authorization for all new employees and would include various provisions regarding the employment of illegal aliens. **Introduced by Representative Neumann and referred to the House Commerce, Small Business, and Entrepreneurship Committee.**

HOUSE BILL 351, Party Change During Early Voting, would allow a voter to change his or her party affiliation during the one-stop voting period before any partisan primary. **Introduced by Representative Allred and referred to the House Election Law and Campaign Finance Reform Committee.**

HOUSE BILL 355, Increase State Fire Protection Grant Funds, would provide \$5 million in each of the next two years to the State Fire Protection Grant Fund for additional compensation to local fire districts and cities for providing local fire protection to state-owned buildings. **Introduced by Representative Insko and referred to the House Appropriations Committee.**

HOUSE BILL 393, Modify Rule-Making Process, would modify the rule making process by providing that a permanent rule approved by the Rules Review Commission does not become effective until the legislature has a chance to file a bill to disapprove the rule. Currently, a permanent rule approved by the Commission becomes effective on the first day of the month following the month in which the rule is approved, unless the Commission receives written objections to the rule or the agency that adopted the rule specifies at later date. **Introduced by Representatives Allred and Owens and referred to the House Environment and Natural Resources Committee.**



HOUSE BILL 413, *Limit Legislators to Four Consecutive Terms*, would allow a referendum by the voters to amend the North Carolina Constitution to limit members of the North Carolina House of Representatives and the North Carolina Senate to no more than four consecutive terms (8 years). **Introduced by Representative Rhyme and referred to the House Rules Committee.**

HOUSE BILL 418, *Drivers License Changes/Older Drivers*, would change the current drivers license renewal periods as follows: persons 18 to 64 years of age, 8 years; persons 65 to 74 years of age, 5 years; and persons 75 or more years of age, 3 years. Persons 85 years of age or older would be required to take a road test in order to renew their drivers license. **Introduced by Representative Killian and referred to the House Aging Committee.**

SENATE BILL 277, *Strengthen Child Labor Violation Penalties*, is identical to House Bill 23, summarized in the February 9, 2009 legislative report. **Introduced by Senator Doug Berger and referred to the Senate Judiciary II Committee.**

SENATE BILL 292, *Citizens Commission on Compensation*, would establish the Citizen's Commission to adopt salary schedules for elected state officials in the legislative, judicial, and executive branches of government. The Commission would: (1) study the relationship of compensation to the duties of the elected state officers; (2) examine the compensation paid to similar officials, in and outside of North Carolina; and (3) consider any other appropriate information. **Introduced by Senator Clodfelter and referred to the Senate Appropriations Committee.**

SENATE BILL 303, *Oversight of Licensing Boards*, is identical to House Bill 221, summarized in the February 24, 2009 legislative report. **Introduced by Senator Nesbitt and referred to the Senate Judiciary I Committee.**

SENATE BILL 337, *NC Illegal Immigration Reform Act*, would enact the North Carolina Illegal Immigration Reform Act, which would include provisions regarding: unlawfully transferring or concealing an alien; requiring public contractors and private employers to use the federal work authorization program; the Immigration Assistance Registration Act; verifying eligibility for public benefits; facilitating enforcement of federal immigration laws in North Carolina; tax changes; the presumption against the pretrial release of illegal aliens; identity theft; and prohibiting illegal aliens from public post-secondary education. **Introduced by Senator Allran and referred to the Senate State and Local Government Committee.**

SENATE BILL 338, *Union Fire Fees*, would authorize Union County to increase the maximum fee amounts that may be imposed for providing fire protection services for owners of all real property and owners of all manufactured and mobile homes. **Introduced by Senator Goodall and referred to the Senate Finance Committee.**



SENATE BILL 365, Child Health Insurance Tax Credit, would allow an income tax credit in an amount equal to the premium costs that an individual paid during the tax year on qualified health coverage for a dependent who was claimed as a personal exemption deduction. **Introduced by Senator Phil Berger and referred to the Senate Finance Committee.**

SENATE BILL 398, Security and Immigration Compliance, would enact the North Carolina Security and Immigration Compliance Act, which would require public employers and local government contractors and subcontractors to register and participate in the federal work authorization program to verify work authorization information on all new employees. **Introduced by Senator Clary and referred to the Senate Commerce Committee.**

SENATE BILL 417, National Popular Vote Interstate Compact, would establish North Carolina as a member of the National Popular Vote Interstate Compact in which member states have agreed to elect the President by national popular vote. **Introduced by Senator Clodfelter and referred to the Senate Judiciary I Committee.**

SENATE BILL 423, Waive CDL Test Requirement for Military Personnel, is identical to House Bill 271, summarized above in this legislative report. **Introduced by Senator Brown and referred to the Senate Commerce Committee.**

— Colleen Kochanek
NCBFAA Legislative Counsel
Smith Moore Leatherwood LLP
colleen.kochanek@smithmoorelaw.com
www.smithmoorelaw.com