



NORTH CAROLINA BURGLAR AND FIRE ALARM ASSOCIATION

Weekly Legislative Report
March 04, 2005

INTRODUCTION

The session has picked up the pace after being officially organized and seems serious about moving ahead with business. Committee meetings are being held in full force and on Wednesday of this week, the House held 18 separate committee meetings. Most of those committee meetings were held to review the Governor's budget with individual subcommittee's such as Education, Health and Human Services, and Justice and Public Safety meeting. The subcommittees reviewed their section of the budget by hearing from the state agencies affected and hearing their requests for differences from what the Governor has proposed.

Another issue that has been taking a lot of time is changing voting procedures and rules. A dozen bills have been filed in both the House and Senate to address some of the voting problems that occurred during the last election with the Commissioner of Agriculture and the Secretary of Public Instruction. The House has set up a special committee to address election issues and the Senate is running all of the election and voting bills through the Judiciary I Committee.

Although the Senate bill filing deadline is fast approaching in three weeks, the House deadlines are spread out over longer periods of time with the last bills being filed at the end of April. This extension of the filing deadlines will allow the staff to work on the bills but will also allow constituents to bring more ideas before the Legislature.

The House and Senate adjourned on Thursday and will reconvene next Monday evening.

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>.

GOVERNORS BUDGET PROPOSAL

As we reported last week, the Governor released his two year budget proposal. The budget information released by the Governor only includes changes to the current state budget. Each two-year period the budget is modified by either adding money to programs or subtracting it from programs; however, the budget does not include the entire list of spending for the state. We have included below several items of interest to your membership regarding the Governor's budget proposal; however, keep in mind that this is only a proposal by the Governor and that both the Senate and the House will be working on their own versions of the budget in the next several months.

Small Business Technology Development Center. The Governor's proposal would provide \$900,000 to the small business technology development center. The Center functions as a business and technology extension service providing business counseling, management, education, applied research, publications and resource materials for small to medium sized businesses.

Apprenticeship Program. The Governor's budget would provide funding for 12 apprenticeship program positions in the Department of Labor.

BILLS OF INTEREST

SENATE BILL 291, Amend Taxation of Construction Machinery, would exempt light construction equipment from state and local sales tax and cap the privilege tax for each article at \$300. Light construction equipment would be defined as self-propelled equipment that has an engine of up to 160 net horsepower and is not designed primarily for transportation. **Introduced by Senator Hoyle and referred to the Senate Finance Committee.**

SENATE BILL 302, Transit Drug Testing, would require public transit operators and other employers of persons who operate commercial motor vehicles that are required to be tested to report to the Division of Motor Vehicles any failed drug and alcohol test. Those persons who fail a drug or alcohol test would be disqualified from operating a commercial motor vehicle until successful completion of treatment. The bill includes a procedure to challenge the disqualification by requesting a hearing before the Division of Motor Vehicles. **Introduced by Senator Jenkins and referred to the Senate Judiciary I Committee.**

SENATE BILL 319, Workers' Compensation Self-Insurance Security, would modify the workers' compensation laws in North Carolina to establish the North Carolina Self-Insurance Security System to allow employers who are self-insured for workers' compensation to join together. **Introduced by Senator Clodfelter and referred to the Senate Judiciary I Committee.**

SENATE BILL 324, Revise Business Corporation Act, would make a variety of revisions to the business corporation act including changes regarding shareholders, directors and officers, bylaws, mergers, dissolution and records and reports. **Introduced by Senator Clodfelter and referred to the Senate Judiciary I Committee.**

SENATE BILL 364, Small Business Health Insurance Credit, would provide a tax credit for small businesses who provide at least 50% of the premiums for health insurance coverage for their employees. A small business is defined as a taxpayer that employs no more than 15 employees. The credit would be equal to \$700 per eligible employee for individual coverage and \$1300 for family coverage. The credit could not exceed the taxpayers costs in providing the health benefits. **Introduced by Senator Dalton and referred to the Senate Finance Committee.**

HOUSE BILL 397, Apprenticeship Program Tax Credits, would provide a tax credit for employers who participate in the apprenticeship program offered by the Department of Labor. Eligible employers would receive a credit of 15% of the wages paid to registered apprentices during the taxable year. **Introduced by Representatives Howard, Sherrill and Justice and referred to the House Finance Committee.**

HOUSE BILL 399, Unified Government, would allow counties that have no incorporated municipalities to exercise the functions that a city would normally undertake. The residents of the county would vote in a referendum called by the board of commissioners on whether the county should be given the powers, duties, rights, and obligations of a city. **Introduced by Representative Owen and referred to the House Local Government Committee.**

— Colleen Kochanek
NCB&FAA Legislative Counsel
Holt York McDarris & High, LLP
ckochanek@hymh.com
www.hymh.com