

North Carolina Sheriffs' Association

Serving the Sheriffs and Citizens of North Carolina since 1922

Weekly Legislative Report



June 20, 2008

The Senate finished its version of the state budget bill this week with lightening speed and held a final vote early on Thursday. By Thursday afternoon, House and Senate Conferees were already meeting to begin the process of reconciling the differences between the House version of the budget bill and the Senate version of the budget bill. The various Appropriations Subcommittees have been directed to complete their work by Monday afternoon. Some of them will meet again on Friday and others are scheduled to meet on Monday.

As the process began on Thursday afternoon, it was notable that subcommittee meetings were open to the public, and in some cases the door was even propped open so that there would be no question that the meeting was open to the public. In the Justice and Public Safety Subcommittee meeting, after the committee members concluded their discussion, they gave those lobbyists in attendance the opportunity to speak about any budget provisions of concern. The degree of openness is refreshing, and we can only hope that it continues throughout the budget process.

While the House and Senate are in agreement on much of the budget, some of their areas of disagreement could be difficult to resolve. The Associated Press quoted one Senator as saying “we’re under no obligation to do anything”, indicating that the Senators may go home if they can’t reach an agreement reasonably quickly with the House on the budget. Since the budget bill only adjusts the second year of a two-year state budget, state government would continue to operate even if no agreement is reached before the new fiscal year begins on July 1st.

If the General Assembly adjourns without a budget, that would mean no pay raises for teachers and state employees and the end to several state programs whose funding will expire June 30th unless it is extended. With all 50 Senators and all 120 House members up for election in November, an early adjournment without a budget would likely result in a lot of drama later this summer and this fall.

The House and Senate both adjourned on Thursday to reconvene on Monday evening.

BILL STATUS

HOUSE BILL 946, Vandalism Damages more than \$5,000/Felony, was approved by the House and Senate and sent to Governor Easley for his signature.

HOUSE BILL 1230, Non-profit ABC Law Changes, previously contained language on a totally different subject. That language was deleted and the bill was amended in committee to expand the types of alcoholic beverages for which a permit may be issued for a non-profit organization for a single fund-raising event to include mixed beverages.

HOUSE BILL 2093, ATV Use in Various Municipalities, was amended to add the Town of Manteo to the bill.

HOUSE BILL 2163, Study Pitt Co. Sheriff/Access Drug Database, as originally introduced would have authorized the Sheriff of Pitt County to have access to the Department of Health and Human Services controlled substances database. This bill was amended in committee this week to create a study committee to evaluate this issue in the interim between the 2008 and 2009 sessions of the General Assembly.

HOUSE BILL 2189, Domestic Violence Victim Assistance, was signed into law by Governor Easley.

HOUSE BILL 2417, Crimes of Torture and Enforced Disappearance, was approved by the House Judiciary I Committee and referred to the House Appropriations Committee.

HOUSE BILL 2436, Modify Appropriations Act of 2007, is the bill making changes to the State Budget this year. One special provision in the budget bill will create the Criminal Justice Data Integration Program in Wake County by May 1, 2009. The purpose of this program will be to integrate and provide up-to-date criminal information via a secure connection in a centralized location for use by state and local government. This program will have an Advisory Committee to include various criminal justice professionals from Wake County, including Sheriff Donnie Harrison of Wake County.

The House version of this bill funded \$1 million for the Illegal Immigration Project of the North Carolina Sheriffs' Association to assist Sheriffs with immigration training and technical advice. The Senate version of this budget bill reduced that amount to \$500,000. We are working with House and Senate leadership in an effort to get the full amount funding in the final budget bill.

The House and Senate both direct the Department of Crime Control and Public Safety to study relocation of the State Highway Patrol's Garner Road Training Complex. The Senate version also specifies that the study must examine suitable locations all across the State outside of Raleigh for the relocation of the complex.

The Administrative Office of the Courts would be directed, in consultation with the Department of Justice, the UNC School of Government and the North Carolina Community College System, to study methods for reducing the duplication and overlap in the training provided to judges, prosecutors, clerks of superior court, magistrates, law enforcement officers and others receiving training from the North Carolina Justice Academy, the UNC-CH School of Government, the Conference of District Attorneys, the Conference of Clerks of Superior Court, or the Community Colleges System. A report on this study to the General Assembly must be filed by March 1, 2009.

HOUSE BILL 2492, Amend Release of Juvenile Escape Information, passed the House and has been sent to the Senate for further consideration.

HOUSE BILL 2666, Allow Hospital Police to Extend Jurisdiction, was amended at the request of the North Carolina Sheriffs' Association to delete the provisions expanding company police jurisdiction. The bill as amended authorizes the Ashe County Hospital company police to direct traffic only on the portion of an adjacent street beside the hospital and its helipad when helicopters are arriving or departing with hospital patients. This bill, as amended, was approved by the House Local Government I Committee and re-referred to the House Judiciary III Committee.

HOUSE BILL 2707, Moore County School Resource Officers, was reported without prejudice by the House Local Government II Committee and was re-referred to the House Judiciary III Committee. This bill is opposed by the North Carolina Sheriffs' Association because it expands the territorial jurisdiction of a company police agency.

SENATE BILL 1271, Firefighter/EMS/Law Enforcement Officers Payroll Deductions, would require local governments to payroll deduct dues for certain associations in North Carolina. This bill was considered and voted upon in the House Local Government II Committee this week. The majority of the Committee voted to oppose approving this bill. This bill is opposed by the North Carolina Sheriffs' Association, North Carolina Association of Chiefs of Police, North Carolina Coalition of Metro Chiefs of Police, North Carolina League of Municipalities, North Carolina Association of County Commissioners, North Carolina Retail Merchants Association, Employers Coalition of North Carolina and numerous additional business groups.

SENATE BILL 1358, Street Gang/Prevention and Intervention, passed the House and has been sent to the Senate for consideration of the House changes. An amendment to this bill would require the Governor's Crime Commission to identify cities and towns that do not have full-time parks and recreation staff and provide targeted outreach and information to public and private agencies and non-profit organizations in those areas concerning eligibility for funds.

SENATE BILL 1651, Anatomical Gifts, was passed by the Senate, received in the House and referred to the House Judiciary I Committee.

SENATE BILL 1955, Limited Release from Prison for Deportation, was passed by the Senate, received in the House and referred to the House Judiciary II Committee.

If you would like a copy of any of the legislation introduced or considered by this year's General Assembly, copies are available on the General Assembly's World Wide Web site: www.ncleg.net.

You may also 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).

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