

# North Carolina Sheriffs' Association

Serving the Sheriffs and Citizens of North Carolina since 1922

Weekly Legislative Report



May 22, 2009

---

After last week's mad dash to the "crossover" deadline, the activity at the General Assembly this week has been at a much more moderate pace. Most legislators took the day off last Monday since no bills were scheduled for consideration by the House or Senate during their brief Monday night session and there were only a small number of committee meetings held on Tuesday, Wednesday and Thursday.

Most of the focus in the House has been on efforts to develop their proposed version of the state budget bill. There have been a lot of behind closed doors meetings and the news media reports that the House proposes to not raise any taxes and to drastically cut the budget in all areas.

In honor of Memorial Day on Monday, there are no bills scheduled for consideration by the House or the Senate and committee meetings will resume next Tuesday.

The House and Senate adjourned on Thursday to reconvene on Tuesday.

---

## HOUSE BUDGET --- POTENTIAL CUTS

The House Appropriations Subcommittees are considering various potential cuts to the State Budget to address the current revenue shortfall. It is too early to determine exactly which budget reductions will be included in the House version of the proposed budget bill, but the following items have been identified as possible cuts:

1. Shift certain telecommunication service charges from the Department of Justice to law enforcement agencies that access the DCI System (\$459,599);
2. Eliminate the SBI Fingerprint Card Program (\$15,696);
3. Close the SBI Piedmont Triad Regional Crime Lab (\$1,168,623);
4. Increase court costs by \$10.00 to fund the operation of the Sheriffs' Standards Division, Criminal Justice Standards Division and North Carolina Justice Academy (\$5,000,000);
5. Eliminate the Criminal Justice Partnership Program (\$9,410,863);
6. Eliminate the \$18 per day payment to counties for misdemeanants serving their jail time in the county jail (\$10,000,000);

7. Eliminate the Jail and Detention Section of the Division of Facility Services of the Department of Health and Human Services (\$368,000);
8. Close the Cleveland County Prison Unit (\$524,946).

---

### **BILLS OF INTEREST**

SENATE BILL 1027, Zoning Change/Property Owner Notice, as originally introduced this bill would have required the Board of County Commissioners to serve notices upon adjacent property owners by certified mail and if the certified mail was not accepted, the notice must be served by the Sheriff. This bill was amended in the Senate State and Local Government Committee to remove the requirement that the notice be served by the Sheriff. As amended, the bill passed the Senate and has been referred to the House Committee on Ways and Means. **Introduced by Senator Rand, and referred to the House Committee on Ways and Means/Broadband Connectivity.**

---

### **BILL STATUS**

HOUSE BILL 2, Prohibit Smoking in Certain Public Places, was signed into law by Governor Perdue on Tuesday and will become effective January 2, 2010. This legislation prohibits smoking in all enclosed areas of restaurants and bars, except: (1) a designed smoking guest room in a lodging establishment; (2) a cigar bar; and (3) a private club. A person who continues to smoke in a nonsmoking area after being given oral or written notice to stop smoking by the person in charge of the premises is guilty of an infraction and may be punished by a fine of not more than \$50, and is not required to pay court costs.

HOUSE BILL 186, Local Government Objections to ABC Stores, has been approved by the General Assembly and will be sent to Governor Perdue for her signature.

HOUSE BILL 201, Add Division of LESS to CCPS, was approved on Wednesday by the Senate Finance Committee and is scheduled for consideration by the full Senate on Tuesday, May 26<sup>th</sup>.

HOUSE BILL 1272, Technical/Clarifying Changes/Juvenile Code, was approved by the House and Senate and will be sent to Governor Perdue for her signature.

HOUSE BILL 1595, Malt Beverage Special Permit, was approved by the House Alcoholic Beverage Control Committee and referred to the House Finance 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](http://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).

---

Eddie Caldwell  
Executive Vice President and General Counsel  
North Carolina Sheriffs' Association

[www.ncsheriffs.org](http://www.ncsheriffs.org)