

North Carolina Sheriffs' Association

Serving the Sheriffs and Citizens of North Carolina since 1922



Weekly Legislative Report

July 09, 2010

According to House and Senate leaders, the General Assembly is on schedule to adjourn this year's session during the early morning hours on Saturday. The General Assembly has been working diligently all week, including several very late nights, to get all of the business transacted (that needs to be transacted) so that the session can end this week.

Because some of the pending bills are required to be voted on separate days, those bills will be voted on Friday and we expect that the General Assembly will reconvene shortly after midnight on Friday night so that a final vote on those bills can be held early on Saturday. It is likely that all of the votes will be held and the General Assembly can adjourn well before 1:00 a.m. on Saturday morning.

This Weekly Legislative Report includes updates on actions taken by the General Assembly this week, and it will also discuss actions expected to be taken throughout the day and night on Friday and early Saturday morning. This will be the last Weekly Legislative Report of the session.

We will prepare a Final Legislative Report that discusses all of the bills enacted during this year's legislative session, and that final report will be distributed as soon as it is completed. In addition, the North Carolina Sheriffs' Association, in conjunction with the Governor's Highway Safety Program, the Attorney General's office and the North Carolina Justice Academy will once again this year be offering Legislative Updates across the state this fall. Within the next couple of weeks, we will publish the schedule for the 2010 Legislative Updates that will be offered across the state. These classes will be open to personnel of North Carolina sheriffs' offices and all other state and local law enforcement agencies in North Carolina. Locations have been selected for these training classes that should be within a two-hour drive from every law enforcement officer in the state. The classes will be scheduled to begin mid-morning and adjourn mid-afternoon so that officers can attend without having to spend the night.

The 2010 Legislative Update training classes are designed as "train-the-trainer". We will be providing power point presentations and handouts in paper and electronic format so that persons who attend this training can go back their agency and deliver the training to other personnel in their law enforcement agency.

When the 2010 Session of the North Carolina General Assembly adjourns tonight or early Saturday morning, the General Assembly will not reconvene until late January, 2011.

BILLS OF INTEREST

HOUSE BILL 2083, Heath Oversight Study K2, was introduced on Tuesday and would require the Joint Legislative Health Care Oversight Committee to study the regulation of synthetic marijuana, also known as “K2”, “Spice,” or “JWH-018.” The Committee would be required to report its findings, together with any recommended legislation, to the 2011 General Assembly. At this time, it is unclear whether or not this legislative bill will be enacted into law before the General Assembly adjourns, or whether it might be incorporated into another bill. **Introduced by Representative Insko, and referred to the House Committee on Rules, Calendar, and Operations of the House.**

BILL STATUS

HOUSE BILL 80, Ban Electronic Sweepstakes, has been ratified and will be sent to Governor Beverly Perdue for her signature.

HOUSE BILL 726, Clarify Expunctions, has been ratified by the General Assembly and will be sent to Governor Beverly Perdue for her signature.

HOUSE BILL 859, Amend Concealed Weapon & Handgun Permit Laws, has been approved by the Senate and returned to the House for further consideration.

HOUSE BILL 1115, Allow Electronic Parole Notification, is expected to be approved by the General Assembly prior to adjournment.

HOUSE BILL 1260, Conform State Law/Firearm Disentitlement, has been approved by the General Assembly and will be sent to Governor Beverly Perdue for her signature.

HOUSE BILL 1403, Collect DNA Sample on Arrest, is expected to be approved by the General Assembly prior to adjournment. **This bill is supported by the North Carolina Sheriffs' Association.**

HOUSE BILL 1670, 2010 Speaker's Appointments Bill, is expected to be approved by the General Assembly prior to adjournment. As currently drafted, it includes the appointment of Sheriff Dewey Jones of Person County to the Domestic Violence Commission and the reappointment of Steve Hunt of Catawba County to the North Carolina Sheriffs' Education and Training Standards Commission.

HOUSE BILL 1691, Use of 911 Funds, is expected to be approved by the General Assembly before adjournment.

HOUSE BILL 1696, Watauga/Sunday Bow Hunting Exemption, was defeated in the Senate State and Local Government Committee.

HOUSE BILL 1714, Suspension and Revocation of Fishing Licenses, has been approved by the General Assembly and will be sent to Governor Beverly Perdue for her signature.

HOUSE BILL 1717, Modernization of the State ABC System, is expected to be approved by the General Assembly prior to adjournment.

HOUSE BILL 1729, Motor Vehicles Law Changes, is expected to be approved by the General Assembly before adjournment.

HOUSE BILL 1762, Domestic Violence Training for Judges, has been approved by the General Assembly and will be sent to Governor Beverly Perdue for her signature.

HOUSE BILL 1812, DV Cases/Review Criminal Record, is expected to be approved by the General Assembly prior to adjournment.

HOUSE BILL 1824, Coyote Controls, has been approved by the General Assembly and will be sent to Governor Beverly Perdue for her signature.

HOUSE BILL 1841, Moore County School Board Police, has been approved by the General Assembly and enacted into law.

HOUSE BILL 1893, W-S/Ashe Fox Trapping/Greene Hunting, is expected to be enacted into law prior to adjournment.

HOUSE BILL 1973, Various Economic Incentives, is expected to be approved by the General Assembly before adjournment. This is the bill that includes an increase in the cost of court to fund the personnel and equipment and supplies necessary for the SBI to process the DNA samples that will be required of persons arrested for serious felonies pursuant to House Bill 1403.

HOUSE BILL 2066, Special Retirement Allowances, is expected to be approved by the General Assembly prior to adjournment.

SENATE BILL 372, Clarification of Nuisance Abatement Laws, was rejected by the House Judiciary III Committee and is not expected to be enacted into law during this session.

SENATE BILL 430, Wilmington Civil Service/Amendments, has been approved by the General Assembly and will be sent to Governor Beverly Perdue for her signature.

SENATE BILL 655, Increase Drivers License Restoration Fee, has been approved by the General Assembly and will be sent to Governor Beverly Perdue for her signature.

SENATE BILL 675, Prohibit Medicaid Fraud/Kickbacks, has been approved by the General Assembly and will be sent to Governor Beverly Perdue for her signature.

SENATE BILL 900, Studies Act of 2010, is expected to be approved by the General Assembly prior to adjournment. It authorizes numerous studies to be conducted between now and the beginning of

the 2011 session of the General Assembly. A listing of the relevant studies that will be authorized by this bill will be included in the NCSA Final Legislative Report.

SENATE BILL 1136, Regulate Towing From Private Lots, has been approved by the General Assembly and will be sent to Governor Beverly Perdue for her signature.

SENATE BILL 1212, Local Government Other Post-Employment Benefits, has been approved by the General Assembly and will be sent to Governor Beverly Perdue for her signature.

SENATE BILL 1214, Highway Patrol Motor Carrier Fines/Local Fees, is expected to be enacted before the General Assembly adjourns.

SENATE BILL 1242, Clarifying Changes to the General Statutes, is expected to be approved by the General Assembly prior to adjournment. It contains a clarifying amendment to the General Statutes to authorize the North Carolina Sheriffs' Education and Training Standards Commission to retain the minimum age of twenty-one for certification and allows the North Carolina Criminal Justice Education and Training Standards Commission to maintain the minimum age of twenty for certification. Earlier this year a technicality was discovered in the General Statutes and a question was raised about whether or not a minimum age for certification could be higher than 18 years of age. This clarifying change to the General Statutes will address that issue and make it clear that both commissions can maintain their minimum age for certification that is higher than 18 years of age.

It also contains an amendment to G.S. 162-62 that requires the staff in county jails to submit an electronic query to Immigration and Customs Enforcement when the jail staff is unable to determine whether or not a prisoner is a legal resident or citizen of the United States. This technical change in the statutes will enable the jail personnel to use the most current technology available and it will repeal the requirement that an annual report be filed by the sheriffs with the Governor's Crime Commission.

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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