



## NORTH CAROLINA GROUND WATER ASSOCIATION

LEGISLATIVE REPORT

MARCH 22, 2007



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### INTRODUCTION

Things really heated up at the General Assembly last week as the Senate members were required to put in all bill requests to the legislative staff by Tuesday. This means that the legislative staff had to have directions to draft a bill or a bill could not be filed this year. As a result of the Senate filing much of its legislation and the House filing increasing numbers of bills, there were over 530 bills filed last week! If that is not a record, it should be. We have tried to provide a brief summary of the bills of interest to your association; however, you may find that some of the descriptions are more brief than usual as we try to review this immense amount of legislation.

The Joint Appropriations Subcommittees continue to meet to review the spending of state agencies and the budget requests that they have been receiving. The Joint Appropriations Committees are scheduled to continue to meet together for several more weeks and then the House will have approximately three weeks to put together their budget proposal based on the schedule approved by both the House and the Senate.

Representative Thomas Wright, who represents parts of New Hanover County, stepped down last week from his leadership roles both as the Chair of the House Health Committee and as Co-chair of the Capital Subcommittee on Appropriations. Representative Wright is currently under investigation by the State Board of Elections for allegations that he failed to properly report contributions he received. Representative Wright has declared his confidence that he will be exonerated during the investigation and announced that he is only stepping aside temporarily from these leadership positions. The State Board of Elections has announced that it has moved its investigation into a criminal matter which allows them to keep the information gathered from the investigation confidential until the investigation is completed. There are expectations that this is just one investigation of many that will branch off of former Speaker Black's problems.

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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>.

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## BILLS OF INTEREST

HOUSE BILL 611, *Smoking Ordinances/Counties*. This bill is identical to Senate Bill 641, summarized in the March 12<sup>th</sup> Legislative Report. **Introduced by Representative Alexander and referred to the House Local Government II Committee.**

HOUSE BILL 653, *Cap Variable Rate of the Gasoline Excise Tax*, would cap the current variable component of the motor fuel tax rate to keep the price of gasoline from increasing based on the current schedule. **Introduced by Representative Gibson and referred to the House Transportation Committee.**

HOUSE BILL 675, *Study Definition of Child Care*, would authorize the Legislative Research Commission to study the definition of child care including the need to regulate after school programs. **Introduced by Representatives Weiss, Goodwin, and T. Harrell and referred to the House Child, Youth, and Families Committee.**

HOUSE BILL 740, *Water Resources Grant Funds*, would provide \$1.4 million in each of the next two years to allow regional councils of government to develop and implement a water resource management program. **Introduced by Representative Allen and referred to the House Environment and Natural Resources Committee.**

HOUSE BILL 819, *Amend Environmental Laws 2007*, would amend the current statute that requires a construction permit application for a private drinking water well to be accompanied by either a plat or a site plan when a private drinking water well is located on a site where a wastewater system is also located. The bill also would require proof that professional development hours have been completed before a well contractor certification can be renewed by the Well Contractors Certification Commission. **Introduced by Representatives Allen and Gibson and referred to the House Environment and Natural Resources Committee.**

HOUSE BILL 838, *Ban Incandescent Light Bulbs*, would prohibit the sale of incandescent light bulbs in North Carolina. The effective date of the prohibition would not be until January 1, 2016. **Introduced by Representative Harrison and referred to the House Energy and Energy Efficiency Committee.**

HOUSE BILL 853, *Prohibit Corporal Punishment in Schools*, would remove corporal punishment as a permissible discipline method in public schools. The bill would also require local boards of education to adopt policies that prohibit the use of corporal punishment and the threat of corporal punishment. **Introduced by Representative Alexander and referred to the House Children, Youth, and Families Committee.**



HOUSE BILL 859, Extend Nutrient Offset Payment Sunset. This bill is identical to Senate Bill 603, summarized in the March 12<sup>th</sup> Legislative Report. **Introduced by Representatives Gibson and Allen and referred to the House Environment and Natural Resources Committee.**

SENATE BILL 673, Require Dual License Plates on Vehicles, would require the Division of Motor Vehicles to issue dual registration plates for vehicles and would require registered owners to display both registration plates on the vehicle, one in the rear and one in the front. Motorcycles, trailers, semi-trailers, or truck-tractors would be excepted from the requirement. **Introduced by Senator Cowell and referred to the Senate Transportation Committee.**

SENATE BILL 679, Consolidate Environmental Regulation Commissions. This bill is actually a blank bill that has a very extensive title which defines the terms that the bill will have in the future. The title provides that the bill would abolish the existing Environmental Management Commission and replace it with a new full-time Commission modeled on the Utilities Commission to improve efficiency, communication, and coordination within state government. The following agencies' powers would be consolidated into the new Commission: the Coastal Resources Commission; the existing Environmental Management Commission; the Marine Fisheries Commission; the Mining Commission; the Radiation Protection Commission; the Sedimentation Control Commission; the Soil and Water Conservation Commission; the Water Pollution Control System Operators Certification Commission; the Water Treatment Facility Operators Board of Certification; and the Well Contractors Certification Commission. In addition, the authority to create rules for solid waste management, the Drinking Water Act, and wastewater systems would be transferred to the new Commission from the Commission for Health Services. **Introduced by Senator Hoyle and referred to the Senate Commerce, Small Business, and Entrepreneurship Committee.**

SENATE BILL 693, Attorneys' Fees Provisions/Business Contract, would clarify the law to provide that reciprocal attorneys' fees provisions in business contracts are valid and enforceable under state law. **Introduced by Senator Clodfelter and referred to the Senate Judiciary I Committee.**

SENATE BILL 694, Standards for Code-Enforcement Officials, would require the North Carolina Code Official Qualification Board to issue standard certificates in one or more of five specialized inspection areas to each qualified code enforcement official. The certificates would be issued for different levels of proficiency. The performance level that an individual has qualified for may limit the official's jurisdiction based on their performance level and the Board would also be allowed to demote certificates to a lower level based on performance. **Introduced by Senator Clodfelter and referred to the Senate Commerce, Small Business, and Entrepreneurship Committee.**

SENATE BILL 699, Labor/Mandatory Lunch Break, would amend the labor laws of North Carolina to provide for mandatory lunch breaks for employees which would allow each employee to take at least one work break during the workday or shift for a meal. **Introduced by Senator Clodfelter and referred to the Senate Commerce, Small Business, and Entrepreneurship Committee.**



SENATE BILL 723, Infrastructure Inventory Funds, would provide \$1.5 million in each of the next two years for existing and planned infrastructure improvements to promote economic development, community development, and efficient infrastructure investments in regions across the state. **Introduced by Senator Clodfelter and referred to the Senate Appropriations Committee.**

SENATE BILL 767, Term Limits for Constitutional Officers, would allow a referendum to amend the North Carolina Constitution to limit the terms of the Speaker of the House of Representatives and the President Pro Tempore of the Senate to two consecutive General Assemblies. **Introduced by Senator Berger of Rockingham and referred to the Senate Select Committee on Government and Election Reform.**

SENATE BILL 778, Adjust Individual Income Tax Brackets, would repeal the temporary upper income tax rate provisions and adjust individual income tax brackets. **Introduced by Senator Goodall and referred to the Senate Finance Committee.**

SENATE BILL 787, Farmville/Greene County Water Funds, would provide \$3 million to find an alternative water supply for Farmville and Greene counties. **Introduced by Senator Kerr and referred to the Senate Appropriations Committee.**

SENATE BILL 812, Safety Restraint Systems on School Buses, would require seat belts to be installed and used on new school buses operated by public or private schools in North Carolina. The bill would also encourage local boards of education to evaluate the cost and safety benefits of installing seat belts on buses that are currently operated by the school system. **Introduced by Senator Forrester and referred to the Senate Health Care Committee.**

SENATE BILL 844, Amend Environmental Laws 2007. This bill is identical to House Bill 819, summarized above in this Legislative Report. **Introduced by Senator Albertson and referred to the Senate Agriculture/Environment/Natural Resources Committee.**

SENATE BILL 850, School Bus Safety, would charge a person with a Class I felony if they pass a stopped school bus and strike and cause any injury to a person. Currently, the law requires that the person cause serious bodily injury to the person struck. In addition, the statute regarding school buses is changed to remove the requirement that the words “school bus” be in lettering at least 8 inches high. **Introduced by Senator Hartsell and referred to the Senate Judiciary II Committee.**

SENATE BILL 865, Water Resources Grant Funds. This bill is identical to House Bill 740, summarized above in this Legislative Report. **Introduced by Senator Snow and referred to the Senate Appropriations Committee.**



SENATE BILL 868, Misbranding of Bottled Spring Water, would require that water offered for sale as a beverage that is represented as spring water is misbranded unless it meets the strict definition of natural spring water. Natural spring water is defined as water that is derived from an underground land formation from which the water freely flows without the use of a borehole and without the aid of mechanical means and that is collected at the spring's natural orifice in the earth's surface. Those who misbrand and bottle, sell, or deliver the water are subject to injunction and punishable by civil penalties up to \$2,000 and conviction of a Class 2 misdemeanor. **Introduced by Senator Apodaca and referred to the Senate Commerce, Small Business, and Entrepreneurship Committee.**

SENATE BILL 874, Prohibit Corporal Punishment in Schools. This bill is identical to House Bill 853, summarized above in this Legislative Report. **Introduced by Senator Cowell and referred to the Senate Education/Higher Education Committee.**

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