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Tuesday, July 17, 2007, at the North Carolina General Assembly

- Lawmakers told to wrap up committee work next week, end of session could be near
- Senate gives final approval to Medicaid swap
- Industries, local governments unhappy with landfill bill
- Land trusts warn that open space is shrinking, urge conservation
- Supporters of eminent domain amendment seek action by Senate
- Republicans want more information about lobbyist making loan to Black
- Beverage container deposit bill bottled up in Senate committee
- Sen. Lucas remembered by colleagues

THE BRIEF:

END IS NEAR?: Lawmakers are on the clock at the Legislative Building, especially when it comes to work in their committees. House Speaker Joe Hackney and Senate leader Marc Basnight told colleagues to wrap up their committee work by July 28. Basnight said he hoped the General Assembly could finish its work soon, leaving about three weeks in the 2007 session. Lawmakers still must complete a two-year budget deal, whose hang-ups include Medicaid relief for counties and more restrictions on landfills.

MEDICAID SWAP: On a party-line 31-18 vote, the Senate gave final approval to a plan requiring the state to assume all the counties' Medicaid expenses by July 2009. The plan would take a halfpenny of the sales tax collected by local governments to pay for the state's added expenses. The counties' expenses are expected to exceed \$500 million this year. It's unclear if the House will consider the proposal, since its Democratic leaders have said the plan must be coupled with a proposal to local governments to raise additional tax revenues for school construction, roads and infrastructure.

LANDFILL BILL: With only two weeks left before a moratorium on new landfills expires, lawmakers expressed concern and some confusion with a revamped bill to set tighter rules on building, permitting and inspecting dumps across North Carolina. More than 300 people crowded into a Senate committee hearing on the measure, which won praise from environmental groups but complaints from local governments and the waste industry. Committee head Sen. Charlie Albertson, D-Duplin, said stakeholders remain at odds over a \$2.50 per ton tipping fee and a patchwork of buffer zones around environmentally sensitive

areas, where landfills would be barred.

OPEN SPACE: Open space in North Carolina is disappearing at a shocking rate and needs a concerted protection effort from lawmakers, according to a group that represents land trusts across the state. A report from the Conservation Trust for North Carolina analyzed housing density statistics dating back to 1940, and predicted that about half of the state will be heavily settled by 2030 as farms, forests and other areas are turned into "islands in a sea of suburban development." The group urged legislators to seek a \$1 billion bond referendum for conservation, provide at least \$6 million for farmland preservation, and expand tax incentives for private landowners who volunteer to preserve their property.

EMINENT DOMAIN: Supporters of a constitutional amendment to further restrict land condemnation by governments in North Carolina want the Senate to consider the legislation before this year's legislative session ends. An eminent domain bill has been parked in a Senate committee for several weeks, since the House approved the legislation by a wide margin. The bill would allow North Carolina voters to decide whether to add language to the state constitution, ensuring local and state governments could only condemn private property for a public use - not for private economic development. Senate Republican Leader Phil Berger asked the committee's chairman to either hold hearing or transfer the bill to another committee.

LOBBYIST IDENTITY: Republican lawmakers say the public should know more about a lobbyist who lent \$500,000 to former House Speaker Jim Black in 2000, arguing it will help the state rid itself of the corruption associated with Black, who pleaded guilty to a federal corruption charge. GOP leaders urged anyone who has information on the lobbyist to alert the state elections board. "There is clearly much more to be done to show that legislative Democrats understand the necessity of restore our state's reputation for honest government," Senate Republican Leader Phil Berger. Federal prosecutors have said the unidentified lobbyist gave Black the interest-free loan, which was briefly placed in his campaign account, but Black's attorney said the Mecklenburg County Democrat didn't break the law. State elections officials wouldn't release the lobbyist's name because a state investigation is in a confidential stage.

BOTTLED UP: A bill creating a refundable deposit system for beverage containers as a way to encourage recycling and reduce littering appears to be bottled up in the Senate for the rest of the year. The bill would place a 10-cent deposit on each drink container sold in North Carolina. The money would be collected by retailers, and most of the funds would be sent to the state, which would reimburse collection centers. Bill sponsor Sen. Doug Berger, D-Franklin, said the program would reduce litter by at least 30 percent. But Kevin Dietly, an environmental consultant speaking on behalf of opponents, said the program is a "foolish" method because it would harm established recycling programs and raise drink prices significantly. The Senate Commerce Committee didn't vote on the measure, and its chairman said he didn't expect the idea to reappear before the panel.

LUCAS REMEMBERED: Former colleagues of the late Sen. Jeanne Lucas remembered the Durham County Democrat as a trailblazer committed to improving education. The House and Senate approved a resolution honoring Lucas, a former teacher and school administrator who died in March at the age of 71. The first black woman to serve in the Senate, Lucas was appointed in 1993 and re-elected in each successive election. Her

health had declined in recent years, and breast cancer treatments forced her to miss special sessions in 2003. Speakers said Lucas' laughter and humor were among her endearing qualities.

TUESDAY'S SCORECARD:

In the House:

- H367, to increase penalties for theft of metals including copper and aluminum, and beef up record-keeping requirements for metals recyclers. Voted 107-0 to concur with Senate changes. Next: To Gov. Easley for his signature.

- S758, to allow for limited driving for work, medical care and household needs by a person whose license has been revoked, not including those whose offense involves impaired driving. Approved 97-10 on second reading. Next: Final vote, Wednesday.

- S1218, to require candidates for public office to disclose whether they have been convicted of a felony. Approved 105-2 on second reading, final vote delayed on objection of Rep. Haire, D-Jackson. Next: Final vote, Wednesday.

In the Senate:

- S1068, to distribute more money from the telecommunications and video programming service sales tax to local governments and earmark a portion for grants for broadband connectivity and public access channels. Approved 49-0. Next: To the Senate.

- H1402, to require state departments to consult with lawmakers before starting new welcome center construction but permit work to proceed on visitor center buildings underway in Randolph and Wilkes counties. Approved 48-0. Next: Return to House for concurrence motion.

ON THE AGENDA:

Wednesday: A bill to ban hog lagoons and sprayfields, replacing them with more environmentally friendly methods of managing swine waste, goes before the House Agriculture Committee. The proposal, already unanimously approved by the Senate, includes a cost-sharing program for the first hog farms that convert to a new method. A moratorium on new hog lagoons expires Sept. 1.

OVERHEARD:

"We also have evenings available, if necessary." - House Speaker Joe Hackney, D-Orange, urging committee chairs to meet whenever necessary in order to finish their work by July 28.

By Gary D. Robertson and Margaret Lillard.