

2011 General Assembly Session Updates

DATE: April 15, 2011

2011 LEGISLATIVE SESSION MEMO #11

On Monday, the House and Senate returned to Raleigh. When they adjourned Monday night there was no mention of budget meetings for the week. The House met for almost three hours to debate several bills, but the major issue was SB 8 No Cap on Number of Charter Schools the bill passed along party lines and was sent back to the Senate for Concurrence. The Senate did not concur and appointed conferees to resolve the differences between the original Senate bill and the House bill. It makes many changes to the Charter School law and though it does raise the cap that is the simplest section in the bill.

On Tuesday, House Education met to hear the bill listed below.

On Tuesday, House Insurance met to hear the Health Benefit Exchange bill, but they did not vote on the bill, too many questions.

On Tuesday, after House Session, the House Appropriations Subcommittees all met to release their budget proposals. The House Education committee met for over an hour to lay out the cuts and they are major. Public schools are proposed to be cut 8.8 percent, community colleges are cut 10 percent and universities are cut 15.5 percent. It was rumored the House and Senate had parted ways so the House could finish their budget, but in the Education Subcommittee, Chairman Hilton said the House and Senate worked together to agree on this budget proposal and there would be few changes needed in the final State budget. The largest new cut to public schools was when the House cut \$258 million in funding for almost 9,000 teacher assistants in 2nd and 3rd grade leaving only funding for Kindergarten and 1st grade teacher assistants. Staff mentioned the fact that 3,800 of all teacher assistants were also driving the buses to safely transport our children to and from school, another problem with this cut.

On Tuesday, House Health Appropriations Subcommittee met and handed out the budget and a document on POSSIBLE special provisions. One troubling section limited State funding for school nurses to 50 percent (cutting over \$11 million). The budget funding document used many of the Governor's recommendations and a spreadsheet will be shared early next week. The child and family support team pilot remains cut in the Social Service Section, but the school nurse initiative the Governor cut was eliminated from the House health budget proposal/draft.

The following link will take you to the Health committee and if you click on either date you will access the budget and special provisions.

<http://www.ncleg.net/gascripts/DocumentSites/browseDocSite.asp?nID=108&sFolderName=\2011%20Long%20Session>.

House Transportation Appropriations Subcommittee met on Tuesday afternoon and proposed cutting over \$8 million from the Driver Education Program in schools and requiring \$75.00 per pupil to cover the loss of the State funds. This program has been under attack for many years, but the proposal was a bit of a surprise and looks like a tax or

at the very least an unfunded mandate on parents or districts that provide Driver Training for students. Efforts are underway to try and recover the funds to fully fund this program eliminate the \$75.00 per pupil fee.

On Wednesday morning the House Appropriations Education subcommittee met again to discuss public schools and then again at 4:00 to finish public schools and work on community colleges and universities. The chairs advised members they would not vote this week unlike previous years, and take amendments, next Wednesday.

The following is a link to the House budget documents released in committee by date this week.

<http://www.ncleg.net/gascripts/DocumentSites/browseDocSite.asp?nID=101&sFolderName=\2011%20Session>.

In another surprise the Senate met in Appropriations on Wednesday morning and took a House Bill that had crossed over to the Senate, and gutted it to add new language in the bill (SB 383 listed below). This bill deals with Unemployment Insurance Benefits and the Continuing Resolution (funding) of the State. The CR, as it is called, funds the State and avoids a shutdown of State Government through July 1, 2012. However, the CR only funds the State at 87 percent, initiating an across the board 13 percent cut to all state agencies and funding programs. The Senate immediately added the bill to their calendar and passed it on second reading Wednesday and third reading on Thursday and sent it to the House who concurred in the Senate changes. The bill now heads to the Governor.

On Wednesday, Senate Education met to hear several bills listed below.

On Wednesday afternoon, the House Health Appropriations Subcommittee met again to review the ACTUAL House Special Provisions Proposal. There were more than 99 pages. The School Nurse provision does not impact the use of State funds, but dictates a State funding formula for school nurses for the school districts, and sets out their duties and responsibilities. The exact language is available at the link above on the 4/13/2011 date and can be found on page 25.

On Thursday, House Appropriations Education Subcommittee met to take more questions.

The Governor vetoed two more bills this week, SB 265 the State Health Plan legislation and a community college bill allowing them to opt out of a federal loan program. The House and Senate leadership have stressed the concern for the problems and the State Health Plan and that the veto could shut the plan down. The problems between legislation passing the House and Senate and getting the Governor to agree continue. The Senate voted to override the Governor's veto on the Health Plan bill and sent it to the House to see if they could get enough voted to override the veto. The House will need four Democrats to vote with all the Republicans to override the veto.

The House and Senate met, off and on, all afternoon on Thursday as they worked on their strategy to deal with issues related to bills and the Governor's veto of bills.

The next issue is the HB 383 dealing with unemployment insurance benefits and a continuing resolution. The Governor will likely veto this bill and the beat goes on.....

The House and Senate are scheduled for 8:00 AM Sessions on Saturday, April 16, 2011.

The following is a link to the old handouts provided at the Education Appropriations Subcommittee:

<http://www.ncleg.net/gascripts/documentsites/browsedocsite.asp?nid=127>

State Budget Status. The House Appropriations subcommittees met to release the preliminary budget proposals and the special provisions and the cuts are deep. The continuing loss of State funds will result in job cuts in the public sector with total numbers unknown. It is unlikely the Governor will sign a budget like the House has prepared and the Senate is probably not going to make major improvements or at least make it good enough for her to sign, so the jockeying for position and power continues.

To view entire Bill, click on Bill number and follow directions:

House Education

[HB 766 Testing in Public Schools](#) **Favorable Report.**

Insurance

[HB 115 Health Benefit Exchange](#) **No Vote Taken.**

House Rules

[HB 595 Reorganization/Legislative Oversight Comns.](#) **Favorable Report**

House Floor

[HB 383 Extend UI Benefits/Continuing Resolution](#) **Concurred** in Senate committee substitute and sent to the Governor.

[HB 394 Flex. Work for All State Employees](#) **Passed** second and third reading and sent to the Senate.

[HB 595 Reorganization/Legislative Oversight Comns.](#) **Passed** second and third reading and sent to the Senate.

[HB 647 Joint Task force on Diabetes Prevention and Awareness](#) **Passed** second and third reading and sent to the Senate

[HB 766 Testing in Public Schools](#) **Passed** second and third reading and sent to the Senate

[SB 8 No Cap on Number of Charter Schools](#) **Passed** third reading, after a limited debate, by a vote of 68-51.

Senate Appropriations

[HB 383 Extend UI Benefits/Continuing Resolution](#) **Favorable Report** to Proposed committee substitute (Changed Title to that listed).

Senate Education

[SB 466 Modify Teacher Career Status Law](#) **Favorable Report.**

[SB 479 Testing in the Public Schools](#) **Favorable Report** and sent to Appropriations.

[SB 498 Modify Law Re: Corporal Punishment](#) **Favorable Report.**

Senate Floor

[SB 8](#) No Cap on Number of Charter Schools **Failed to Concur** in House PCS and Conferees appointed.

[SB 49](#) Increase Fine for Speeding/School Zones **Failed to Concur** and Conferees were appointed by Senate and House.

[SB 187](#) Outlaw Red Light Camera System **Passed** third reading.

[SB 265](#) State Health Plan/Appropriations and Transfer **Governor's Veto Senate Override** and sent to the House.

[SB 394](#) Clarify Process/Reportable Offenses in Schools **Passed** second and third reading and sent to the House.

[SB 433](#) Local Human Services Administration Calendared 4/19/2011

[HB 383](#) Extend UI Benefits/Continuing Resolution **Passed** second and third reading and sent to the House.

Bills Introduced:

House Bills

[HB 861](#) (Michaux) Local Option Tax Menu

[HB 866](#) (Insko) Transition Residential Schools to DPI

Senate Bills

[SB 558](#) (McKissick) Healthy Families & Workplaces/Paid Sick Days

[SB 576](#) (Hartsell) Changes to Fees for Teacher Certification

[SB 583](#) (Apodaca) Law Enforcement on Interstate Highways

[SB 585](#) (Brunstetter) State Health Plan/Study Pretax Contribution

[SB 604](#) (East) NC Illegal Immigrant Enforcement Act

[SB 610](#) (Rouzer) Constitutional Convention/Balanced Budget

Major Bill Deadlines: House Resolution 1 Rules

<http://www.ncga.state.nc.us/Sessions/2011/Bills/House/PDF/H19v3.pdf>

Major Bill Deadlines: Senate Resolution 1 Permanent Rules

<http://www.ncleg.net/Sessions/2011/Bills/Senate/PDF/S1v3.pdf>

Crossover Deadline for House and Senate Bills: Thursday, May 12, 2011.

What's Up Next Week

HB 466 Spend 65% of Funds in the Classroom.

HB 736 Amend Law Re: School Discipline.

HB 769 High School to Work Partnership.

HB 792 Gfeller-Waller Concussion Awareness Act.

HB 829 Streamline Education Planning Responsibility