

## Tuesday at the NC General Assembly

*By The Associated Press*

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### HEADLINES:

As expected, Perdue vetoes NC savings bill, which takes money from economic development pots

NC Legislature gives final OK to health care law challenge; Perdue likely to ignore bill

Presumption for deadly force OKd in NC Senate bill

NC Senate legislation would direct consultant to recommend how to pay down unemployment debt

NC House member to become top lobbyist for Perdue at Legislature

### THE BRIEF:

**NOT A SURPRISE:** Gov. Beverly Perdue vetoed legislation penned by the new Republican majority at the Legislature for the first time- a bill she says would harm her administration's ability to jump-start job creation in the state. The Democratic incumbent used her veto stamp on a budget-savings bill that attempts to collect nearly \$540 million - at least \$400 million in savings from the current-year budget and almost \$140 million in reserves - for carry-over to close an estimated \$2.4 billion budget gap next fiscal year. Perdue wrote she's already used her powers to find at least \$400 million in spending reductions. She also doesn't like the bill because it would take money from a pair of economic incentive initiatives her office uses to recruit companies. GOP leaders were unhappy with her decision but decided against a veto override. Instead, they're demanding in another bill that she find another \$137.7 million by either cuts or pots of money.

**HEALTH CARE CHALLENGE:** A Republican bill directing North Carolina to challenge the 2010 federal health care overhaul won final legislative approval and is headed to Democratic Gov. Beverly Perdue, who seems to want to avoid another standoff with the new GOP majority. The House voted 69-49 to accept Senate changes to a measure the House approved three weeks ago that seeks to block a provision requiring most people buy health insurance or face a penalty. The measure also directs Attorney General Roy Cooper to defend the challenge or bring an action in court to enforce the challenge if the measure become law. Perdue said last week she wouldn't sign the bill but also may decline to veto the bill, meaning the measure would become law after 10 days on her desk without her signature. Republicans made passing the bill a part of their fall campaign platform.

**CASTLE DOCTRINE:** A Senate judiciary committee agreed to give a stronger legal basis for people who feel threatened for their lives in their home, car or job by someone forcibly breaking in to use deadly force against the intruder. The bill attempts to expand widely what's known as the "castle doctrine," is considered a crime deterrent by supporters who say legally armed citizens should have the right to protect themselves against an unlawful entry. Current law allows the use of deadly force to someone in a home, but the person may have to prove to police

afterward he was faced with a reasonable fear of death or bodily injury. If the bill becomes law, the options people have in protecting themselves would increase in places where they would be immune from criminal or civil liability. The measure now heads to the full Senate for a Wednesday debate.

**UNEMPLOYMENT FUND:** Senate Republicans want state government to hire an outside consultant to find ways to fix problems at the agency that oversees collecting unemployment taxes and disbursing them to jobless residents. A trio of senators introduced a bill that would direct the state Commerce Department to hire a firm that would make recommendations on the state's unemployment insurance system. The state had borrowed nearly \$2.6 billion from the federal government as of last month to help pay benefit checks. The first repayment installment is due Sept. 30. Senate leader Phil Berger, R-Rockingham, didn't rule out requiring businesses to pay more into the Unemployment Insurance Trust Fund to help the state pay down the borrowed amount.

**GIBSON GOING:** Rep. Pryor Gibson, D-Anson, is getting ready to leave the House any join Gov. Beverly Perdue's administration as her chief lobbyists at the General Assembly. Perdue's office announced Gibson would succeed Andy Willis, who will become the state budget director. Willis is replacing Charlie Perusse, who's going to the University of North Carolina system. Gibson is in eighth term and served as co-chairman of the House Finance Committee until recently. Gibson will take his new job on behalf of the governor without a delay that other lawmakers would be required to take if they were going into lobbying for the outside. There's no six-month cooling-off period for someone like Gibson who is going to represent a government agency. Gibson will join Perdue once a successor is named for his House seat.

#### SCORECARD:

##### Introduced in the House:

- H161, to transfer the state employees and teachers health insurance plan to the Department of Insurance. Sponsors: Reps. Nelson Dollar, R-Wake; Hugh Blackwell, R-Burke; and Pat Hurley, R-Randolph.

- H158, to call for a November 2012 statewide referendum to amend the North Carolina Constitution to limit lawmakers from serving four consecutive terms in the House or four consecutive terms in the Senate. Sponsors: Reps. Ric Killian, R-Mecklenburg, and Johnathan Rhyne, R-Lincoln.

- H157, to allow the student member on the University of North Carolina Board of Governors to vote just any other member. Sponsors: Reps. Alma Adams and Marcus Brandon, D-Guilford.

##### Introduced in the Senate:

- S108, to establish a general rule that prevailing defendants in civil cases be awarded attorneys' fees. Sponsor: Sen. David Rouzer, R-Johnston.

- S106, to call for a November 2012 statewide referendum to amend the North Carolina Constitution to make clear marriage between a man and a woman is the only domestic legal union recognized in the state. Sponsors: Sens. Jim Forrester, R-Gaston; Jerry Tillman, R-Randolph, and Dan Soucek, R-Watauga.

- S105, to increase the penalty for second-degree murder. Sponsors: Sens. Ed Jones, D-Halifax; Buck Newton, R-Wilson; and David Rouzer, R-Johnston.

##### In the committees:

- S8, to remove the 100-school cap on charter schools and make operating and oversight changes to charter schools. Recommended for approval, Senate Finance Committee. Next: To the full Senate.

- S27, to place a moratorium on involuntary municipal annexations until July 1, 2012, with some exceptions for annexations that have an effective date of June 30, 2011. Recommended for approval, Senate Finance Committee. Next: To the full Senate.

- S32, to create an assessment on hospital as a way to draw down more federal funds through Medicaid. Recommended for approval, Senate Finance Committee. Next: To the Senate Appropriations Committee.

- S9, to make synthetic marijuana illegal. Recommended for approval, House Health and Human Services Committee. Next: To the Senate Judiciary B Subcommittee.

- H7, to allow community colleges to opt out of the federal direct student loan program. Recommended for approval, House Education Committee. Next: To the full House.

#### AROUND THE STATEHOUSE:

Several dozen representatives of a coalition committed to ensuring the state budget isn't balanced this year on cuts alone gathered outside the Legislative Building for a rally. The Together NC group says revenues must be part of a balanced solution and urged the General Assembly to push for tax reform that would expand the sales tax to cover more services and closing targeted tax breaks for corporations. Raleigh speech therapist Allison Crumpler said that spending cuts for services such as those she provides children would only shift expenses to when the children become adults.

#### OVERHEARD:

"We are concerned, however, that a judge is literally legislating from the bench." - Jordan Shaw, communications director for House Speaker Thom Tillis, R-Mecklenburg, about a memo written by Superior Court Judge Howard Manning to lawmakers that a bill that would get rid of four of end-of-course standardized tests would violate the state constitution. Manning is overseeing a landmark state court decision on education.

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