



## Legislative Update

June 1, 2007

*Please read and forward to your colleagues and networks!*

### **Senate Approves its Budget Plan; Conference Committee May Begin Work Next Week**

The Senate finalized its version of the budget this week following several days of closed-door meetings and little public debate. There were some significant changes from the House budget as a result of a Senate leadership decision to sunset a 1/4 percent income tax increase for the highest wage earners and a 1/2 percent sales tax increase (both originally passed as "temporary" tax increases in 2001). The sunsetting of these two tax increases will result in a loss of over \$300 million in revenue to the state. Because of this decision, the Senate budget proposal made cuts to several sections of the budget including the HHS and Education Departments, both of which are of interest to Alliance members and include Alliance priorities.

Healthy Carolinians funding remained in the budget at \$1 million in non-recurring funding. Child Nutrition Services funding faced significant cuts and is now funded at \$800,000 in non-recurring funding. (In the House budget, Child Nutrition Services received \$7.5 million in non-recurring funding.) Neither the Statewide Health Promotion funding expansion nor Eat Smart...Move More funding were included in the Senate budget (they were also left out of the House budget).

The budget now moves to a conference committee where items that differ between the House and Senate budgets will be discussed. Because Healthy Carolinian's funding received the same allocation in both budgets, it will likely not be discussed by the conference committee. However, the conference committee must resolve the discrepancies between the two budgets on the Child Nutrition Services funding. It is highly unlikely that Statewide Health Promotion expansion and Eat Smart...Move More funds will be discussed any further as they were not included in either chamber's budget.

The conference committee is expected to begin meeting next week. The Alliance will continue to follow and advocate for these budget items throughout the conference committee process. Because the new fiscal year starts on July 1, there is typically an attempt to complete work on the budget around that time. With many significant differences between the House and Senate budget proposals, the next few weeks will show us how long and hot the summer may be at the General Assembly!

### **Tobacco-related bills that are still active this session:**

**HB 24 -- *Smoking in Government Buildings*** (sponsored by Rep. Jennifer Weiss, D-Wake, and Rep. Rick Glazier, D-Cumberland) has passed the House Health Committee and was passed by the House (107-4) early on in the session. The bill was sent to the Senate where it has been referred to the Committee on Commerce, Small Business and Entrepreneurship. It was heard briefly in this Senate Committee, but not voted upon. We expect to see this bill come up for a final committee vote in the next few weeks. To view this bill, go to:

<http://www.ncga.state.nc.us/Sessions/2007/Bills/House/HTML/H24v3.html>

**SB 1086 -- Tobacco-free Schools** (sponsored by Senator William Purcell, D-Scotland) passed the Senate on April 11. The bill was sent to the House where it has been approved by the House Committee on Children, Youth and Families. It has also been referred to the Education Committee where it is awaiting action. To view this bill, go to: <http://www.ncga.state.nc.us/Sessions/2007/Bills/Senate/HTML/S1086v4.html>

**HB 1294 -- No Smoking/Long Term Care Facilities** (sponsored by Reps. Julia Howard, R-Davie, and Carolyn Justice, R-Pender) passed the House by a vote of 114-1 on Tuesday, May 15. Rep. Laura Wiley (R- Guilford) cast the only no vote. This bill has been sent to the Senate where it has been referred to the Senate Health Care Committee. It is on the Senate calendar to be considered by the Committee on Wednesday, June 6. This bill would prohibit smoking in long-term care facilities. To view this bill, go to: <http://www.ncga.state.nc.us/Sessions/2007/Bills/House/HTML/H1294v3.html>

**SB 862--Smoke-free UNC-AB** (sponsored by Senator William Purcell, D-Scotland) passed the Senate Health Care Committee on Wed, May 16 and the full Senate the following day. The bill passed by a vote of 45-1, with Senator East casting the only no vote. This bill permits the buildings, grounds and facilities of the institutions of the University of North Carolina to be designated smoke-free. This bill moved to the House for consideration. To view a copy of this bill, go to: <http://www.ncga.state.nc.us/Sessions/2007/Bills/Senate/HTML/S862v2.html>

**HB 1785 --Fire Safe Cigarettes** (sponsored by Rep. Verla Insko, D-Orange) is expected to be heard by the House Judiciary 1 Committee in the next few weeks. To view the bill, go to: <http://www.ncga.state.nc.us/Sessions/2007/Bills/House/HTML/H1785v1.html>

### **Bills Repealing Pre-emption and Restoring Local Control:**

As you may recall, HB 259 included a provision to repeal pre-emption and restore local control so that local governments could regulate smoking in worksites and public places. Despite the failure of HB 259, we remain hopeful that a repeal of pre-emption may still be possible this session. We are working with House and Senate leaders and key legislative supporters to determine how to move this issue and when. There are many factors at play making this an unpredictable process (as the legislative process always is). We will keep you informed of developments and let you know when to communicate with your legislators on this issue if an opening presents itself before the end of the legislative session (perhaps in mid-July ?? – but no one is betting at this point).

We wish to thank again all of the tireless advocates who contacted their House members numerous times in support of HB 259. We would not have gotten the secondhand smoke issue as far as it went this session without your help! And, we're not done yet! Please stay tuned!

\*\*\*\*\*

**For additional information about physical activity and nutrition issues,  
secondhand smoke issues or NC's cigarette tax,  
access the Alliance website at [www.ncallianceforhealth.org](http://www.ncallianceforhealth.org)  
for talking points and other resources.**

Call 919-463-8328  
or e-mail [ncalliance@heart.org](mailto:ncalliance@heart.org) for more information