



Representative McLawhorn's News from Raleigh

March 15, 2007

Work in Raleigh continues to pick up speed as more bills are introduced and considered by the committees. Legislators on the House and Senate Appropriations Committees also continue their discussions about the budget and are considering spending recommendations by Governor Easley, individual lawmakers and advocacy groups. We're also going through the various state programs to determine what can be eliminated or made more efficient.

Members of the House and Senate have introduced over 1,200 pieces of legislation during the first month and a half the 2007 session, which started on January 24 – and there's no sign of the pace slowing down anytime soon. At the end of last week, the General Assembly's staff had received 2,169 requests from members to draft specific legislation, which is up over 46 percent compared to the same point in the 2005 long session. Legislators have until March 28th to introduce local bills and May 9th to introduce bills related to the budget.

On Thursday, members of the House and Senate held a special joint session at East Carolina University in Greenville to celebrate and honor the school's establishment, achievements and contributions throughout its 100 years of existence. Thursday, March 8th is the 100th anniversary of the ratification of a law establishing the East Carolina Teachers Training School, which has grown from its first class of 123 teaching students to become an emerging, national research university with an enrollment today of close to 25,000 students.

New House Rules Approved – Greater Debate, Openness and Transparency

After weeks of discussion and over an hour of debate on Tuesday, House members approved a new set of rules (House Resolution 423) that will ensure greater debate on various issues and more openness and transparency in the way business is done in the House. The rules, which passed by an 83-34 vote, will govern the House during the next two years. These new, stronger rules will allow us to accomplish our legislative goals.

With passage of these permanent rules, the House will no longer allow "special provisions," which have been slipped into the budget in the past with little or no debate. There will be no same day consideration of legislation without a vote of the House, which will allow ample time to study a bill before a vote occurs. There will be greater consultation and discussions with the Minority Leader. And, the House will not allow so-called "blank bills" that do not contain substantive provisions when introduced, but are filled in later during a session. To view the permanent rules of the House, go to:

<http://www.ncleg.net/gascripts/BillLookUp/BillLookUp.pl?Session=2007&BillID=h423>

Smoking Ban in State Buildings Advances to the Senate

The House overwhelmingly approved legislation (House Bill 24) on Wednesday that seeks to ban smoking in all state government buildings. The bill, which is aimed at protecting the health of state workers, school children and other visitors from second-hand smoke, was approved by a vote of 107-4. The bill now moves to the Senate, which if approved and signed into law by the governor, the smoking restrictions would start January 1.

Lawmakers have previously banned smoking in the Legislative Building and its offices and in prisons.

Update: NC's Death Penalty

The State's Department of Correction has filed a lawsuit, which asks the courts to strip the North Carolina Medical Board of its power to discipline physicians who participate in executions. The board adopted a new policy in January, which said that taking part in an execution would violate a doctor's ethical code of conduct and could result in a suspension of his or her license. This new policy has, in essence, halted North Carolina's death penalty, and thus far, has put five executions on hold. The Department of Correction filed this lawsuit in hopes of resolving the impasse in time to carry out the scheduled execution of Allen Richard Holman at 2 a.m. on Friday.

On Tuesday, state officials argued that executions aren't medical procedures, and therefore don't fall under the medical board's jurisdiction so scheduled executions could resume. State law requires a doctor be present at an execution to ensure that the condemned inmate doesn't suffer. But last year, a federal judge allowed an execution to go forward only after the state said a doctor would monitor the inmate to ensure he didn't feel pain as officials injected him with a combination of three deadly chemicals.

A Wake County judge last month halted several planned executions, ruling that the medical board's policy conflicted with the state law. State officials would need to adopt a new protocol to get around the policy, the judge said. The Council of State, which is made up of the Governor, Lt. Governor, Attorney General and other statewide elected officials, subsequently adopted a new protocol that actually increased the role of physicians in executions. Previously, a nurse or emergency medical technician monitored the inmate's body function, but the new rules called for a doctor to handle those duties and to halt any execution if it appeared the prisoner was suffering.

Challenges to lethal injection, namely, whether it violates the U.S. Constitution's ban on cruel and unusual punishment, have effectively placed executions on hold in 11 states. The question of doctor participation has figured in some of those disputes. In order to resolve these issues in North Carolina, the courts and/or the General Assembly will need to act.

North Carolina Still Tops in Business

For the second year in a row, North Carolina has ranked as the top state in the Southeast for attracting new industrial plants. The state also ranked third nationally, up two spots from last year, according to Site Selection magazine's annual Governor's Cup ranking. The magazine's tracking of new corporate plant locations, released in its March edition, listed two North Carolina regions as leading the nation in their category. The Mooresville/Statesville area was named the top rural region. Meanwhile, the Greensboro/High Point area ranked top in attracting industrial plants among areas with populations ranging from 200,000 to 1 million. "North Carolina leads the region and nation in plant expansions and attracting new business," Gov. Mike Easley said. "This ranking is further proof that new and expanding companies are finding there is no better place to live, work and raise a family."