

Legislative Update for Chatham County CBA – Sept 2009

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State Issues:

- The 2009 Session of the General Assembly adjourned on August 12th after having enacted 470 laws, with another 108 bills ratified and on the Governor's desk awaiting her signature. She has 30 days to sign or veto them or they will become law on Sept 11th. The NC General Assembly will reconvene on Wednesday, May 12, 2010 at 12:00 noon.

Federal Issues (Reported by the MRF www.MRF.org)

- **US House Bill 1253 – HIPAA loophole fix.** – Forces insurance companies to tell you if they will not cover your medical expenses for injuries received in what they consider “dangerous” activities. (motorcycling is one of them) Passed the full House vote on April 2nd. In the Senate Health committee. **Title:** To require that limitations and restrictions on coverage under group health plans be timely disclosed to group health plan sponsors and timely communicated to participants and beneficiaries under such plans in a form that is easily understandable. **Sponsor:** Rep Burgess, Michael C. [TX-26] (introduced 3/3/2009) Cosponsors (1) Latest Major Action: 4/1/2009 Referred to Senate committee. Status: Received in the Senate and Read twice and referred to the Committee on Health, Education, Labor, and Pensions. House voted: 111-62

- **RIGHT TO REPAIR BILL HR 2057** - a bipartisan bill called the Right to Repair Act of 2009 has just been introduced in the House of Representatives that would, in fact, make it cheaper and easier for millions of consumers to have their cars and motorcycles repaired. Although similar legislation has been introduced in previous Congresses but not voted on, it takes on additional urgency in these tough economic times, especially with the closing of many auto dealerships. Currently some manufactures only make diagnostic tools and software available to their dealerships, severely limiting repair opportunities for consumers. Enter HR 2057, introduced by Edolphus Towns (D-NY), which would require car manufacturers make the tools and diagnostic information needed to repair their vehicles available to independent repair shops on the same basis that they make them available to their dealer-operated shops. Basic consumer choice in vehicle repairs means more fair market competition, which helps keep repairs affordable. Enactment of the Right to Repair Act of 2009 would be a win both for small businesses and consumers at a time when both need a boost. Although HR 2057 does have a greater likelihood of passage this Congress than similar bills have in the past, it still has a long way to go before being signed into law. **Rep. David Price (Western Wake) and Rep. Bob Etheridge (Chatham) are already co-sponsors so the only one who we still needs to co-sponsor this bill is Mikey and Iris' Rep. Brad Miller [(202) 225-3032 www.house.gov/bradmiller/]**

Awareness is our best defense. Please stay involved legislatively

What are the three branches of the US government? - The legislative branch makes laws. The judicial branch interprets the laws; and the executive branch enforces the laws.

How many members are there in the US congress? 435 US House Representatives and 100 US Senators (total = 535)

Who is in charge of the US Senate? The Vice President of the United States is the President of the Senate

Who represents North Carolina at the federal level? North Carolina is represented at the federal level in the U.S. Congress by two U.S. Senators and thirteen U.S. Representatives

How long is each term for a US House Rep? The term for a US House Rep is two years.

How long is each term for a U.S. senator? The term for a US Senator is six years.

Who becomes president if both the president and vice president die? The Speaker of the House becomes the President.

Who nominates judges to serve as Supreme Court justices? The president nominates supreme court judges.

Who has the power to declare war? Only congress can declare war. (The president cannot declare war.)

What kind of government does the United States have? The US is not a true democracy. It is a republic, or sometimes called an indirect democracy. In a true (direct) democracy the "majority (mob) rules" - and the minority loses. A hypothetical example can demonstrate the idea. Pretend that you're a land owner, and that I would like to buy some of your property. You don't want to sell this property because it's been in your family for several generations. In a direct democracy, I could gather a dozen other land owners together, proposing that we divide your land between us. We will allow you to vote on the proposition, because this IS a democracy after all -- and you will lose thirteen to one. That's a direct democracy! In a republic, nothing can outvote your individual rights! They are unalienable. If the land belongs to you it doesn't matter if I have a hundred friends, a thousand friends, or a hundred thousand friends! YOUR PROPERTY IS YOUR PROPERTY! It is the government's fiduciary responsibility to protect your rights. If you are in doubt, read your copy of the Declaration of Independence. Right after "...life, liberty and the pursuit of happiness" it says, "That to secure these rights, governments are instituted among men, deriving their just powers from the consent of the governed".

What is a WHIP? The assistant majority and assistant minority leaders are also called the WHIPs. WHIPs are assistants to the floor leaders who are also elected by their party conferences. The Majority and Minority Whips are responsible for mobilizing votes within their parties on major issues. In the absence of a party floor leader, the whip often serves as acting floor leaders.

Why are there two parts to the legislature? When the Constitution was being drafted, a debate broke out between states with large populations and those with smaller populations. Each had a different opinion about how the states should be represented in the new government. To be fair to each group, a compromise was reached. By dividing Congress into two houses, the House of Representatives would favor states with larger populations, while the Senate would favor those states with smaller populations.

The House or Representatives:

There are a total of 435 members in the US House of Representatives. Each member represents an area of a state, known as a congressional district. The number of representatives is based on the number of districts in a state. Each state is guaranteed one seat. Every ten years, the U.S. Census Bureau counts the population of the states to determine the number of districts in each state. Representatives, elected for two-year terms, must be 25 years old, a citizen for at least seven years, and a resident of the state from which they are elected. The House has special jobs that only it can perform. It can: (1) Enact new tax laws. (2) Decide if a government official should be put on trial before the Senate if s/he commits a crime against the country.

The Senate:

There are a total of 100 members in the Senate. The Constitution states that the vice president has formal control over the Senate and is known as the president of the Senate. In actuality, the vice president is only present for important ceremonies and to cast a tie-breaking vote. Senators, elected for six-year terms, must be 30 years old, a citizen for at least nine years, and a resident of the state from which they are elected. As in the House, the Senate also has special jobs that only it can perform. It can: (1) Approve or deny any treaties the president makes. (2) Approve or deny any people the president recommends for jobs, such as cabinet officers, Supreme Court justices, and ambassadors. (3) Conduct a trial for a government official who commits a crime against the country.