

# ALERTS

## North Carolina Legislative Report - August 31, 2012

August 20 - 31, 2012

### *On the Floor*

The NC General Assembly completed the short legislative session on July 3 and has adjourned sine die until January 30, 2013. The MVA Public Affairs Legislative Report on North Carolina will be distributed bi-weekly while the North Carolina Legislature is not in session.

While session is over, the General Assembly will continue to have various interim committee meetings throughout the year.

### *Committee Highlights*

#### **Legislative Research Commission**

Last week, the Legislative Research Commission met and authorized a series of new studies. We have listed the new studies below, and the LRC handout with more information on each study can be found [here](#).

#### **Authorized Joint Study Committees**

- Pathological Materials
- Contingency Fee Audits
- Career and Technical Education
- Digital Learning Environments in Public Schools
- Authorized Joint Advisory Subcommittee
- Wetland and Stream Mitigation
- Authorized House Study Committees
- Age of Juvenile Justice Offenders
- Referral of Studies to State Agencies
- Resource Extraction and Renewable Energy

## *In The News*

### **Mortgage Relief** (August 29, 2012)

Fewer than 2,000 North Carolina homeowners have seen any relief on their mortgages from Bank of America, Wells Fargo and the three other big banks involved in the blockbuster mortgage servicing settlement announced earlier this year, according to the first progress report issued Wednesday. Data provided by the mortgage monitor also shows that Bank of America appears to be lagging its peers in helping borrowers in its home state.

### **Alcoa** (August 28, 2012)

A regulatory battle over the economic prospects for a portion of central North Carolina and Alcoa Inc.'s desire for billions of dollars in revenues from clean power is adding a new layer. Alcoa said Tuesday it wants to sideline a pending fight over a revoked water quality certification and submit a new request. Failing to get the key regulatory approval has blocked Alcoa from getting federal approval to operate four dams for up to 50 more years.

### **Environmental Issues** (August 28, 2012)

No surprises here, but a leading environmental advocacy group has given low marks to the Republican-led General Assembly for the GOP's second year in power. Environment North Carolina drew up a scorecard measuring 12 contested votes in the senate and 10 in the house. It gave 102 lawmakers failing grades -- an improvement over last year's 106 failing grades. While most of the votes were predictably cast along party lines, the environmentalists did find notable exceptions, including Rep. Chuck McGrady, R-Henderson, earning a score of 92 percent, and Rep. Bill Brisson, D-Cumberland, scoring only 9 percent.

### **Presidential Poll** (August 27, 2012)

A new CNN/Time poll shows little movement in the deadlocked presidential race in North Carolina. Among registered voters President Barack Obama leads Republican rival Mitt Romney 48 percent to 36 percent. But among likely voters it swings the opposite way, with Romney ahead 1 point, 48 to 47 percent. Both results remain within the poll's 3.5 point margin of error, making the race a statistical tie.

### **PAC Endorsement** (August 28, 2012)

The North Carolina Chamber's political action committee has made an unusual move by endorsing a sitting state Supreme Court justice for re-election. The chamber announced Tuesday the PAC's endorsement of Associate Justice Paul Newby, who is being challenged this fall by Court of Appeals Judge Sam Ervin IV. Chamber chief executive Lew Ebert said the PAC usually doesn't endorse candidates for statewide office but is standing up on this race because of what he calls Newby's reputation for impartiality and understanding of economic matters related to cases involving job creators.

**NORTH CAROLINA LEGISLATIVE REPORT - AUGUST 31, 2012**

---

**Charlotte Chamber** (August 27, 2012)

The Charlotte Chamber has gone in with the city and several other boosters to hire a Washington D.C.-based consultant to help score time with U.S. business leaders coming to town for the Democratic National Convention. With a \$50,000 budget, they've tapped Odell, Simms & Lynch, Inc, which previously worked with London to bring in business in conjunction with the Olympics. During DNC week, the firm will set up appointments to speak with Charlotte economic development and business leaders.

**McIntyre Campaign** (August 28, 2012)

U.S. Rep. Mike McIntyre's campaign is trying to get television stations to stop airing a Republican commercial it argues is false and misleading about his voting record. An attorney for the campaign of the Lumberton Democrat wrote to station managers asking them to refuse to continue airing the ad. The lawyer said the commercial is wrong when it contends McIntyre voted for higher taxes on small business, middle-class families and Social Security recipients.

**McCrory Campaign** (August 27, 2012)

Citing North Carolina's weak high school graduation rate, high unemployment and \$2.8 billion debt to the federal government for unemployment benefits, GOP gubernatorial candidate Pat McCrory said Monday the state needs to rebrand for the future. "We need a new vision for North Carolina right now," said McCrory in a speech to about 200 Charlotte Chamber members meeting at UNC Charlotte Center City.

**Dalton Campaign** (August 27, 2012)

Lt. Gov. Walter Dalton wants an education system in North Carolina that turns out rocket scientists. Talking to about two dozen people at a town hall meeting Monday at Cape Fear Community College, the Democratic nominee for governor used the state's early college high school program to tout what he said is one of the most important issues in the race to lead the state: lining up education with what he called "the workforce of the future." Dalton, who answered questions largely about education and jobs, said the first should lead to the second.

**Dalton Campaign** (August 28, 2012)

Lt. Gov. Walter Dalton spoke to about 75 people Tuesday during a town hall meeting on the campus of Fayetteville Technical Community College. Dalton, a former state senator who became lieutenant governor in 2008, is running against Republican candidate Pat McCrory, a former seven-term mayor of Charlotte. McCrory narrowly lost to Beverly Perdue in a run for governor in 2008.

**GOP Convention** (August 27, 2012)

North Carolina's delegates to the Republican National Convention are getting revved up for the fall election, although convention festivities have been damped by Isaac's approach. New Jersey Gov. Chris Christie spoke Monday at a North Carolina delegation breakfast at the hotel where the Tar Heel delegates are staying in St. Petersburg, Fla. Christie will deliver the convention keynote address Tuesday after Republicans delayed

## NORTH CAROLINA LEGISLATIVE REPORT - AUGUST 31, 2012

---

convention activities by one day because of the weather.

### **RNC Delegation** (August 25, 2012)

North Carolina's delegation to the Republican convention includes some of the state's top GOP leaders, convention rookies and veterans. The delegation's 55 voting members include state House Speaker Thom Tillis of Cornelius and state Senate leader Phil Berger of Rockingham County. The group also includes U.S. Reps. Virginia Foxx and Renee Ellmers and Raleigh's Art Pope, a major financial backer for the party and conservative causes. "We need to make sure we unite behind Mitt Romney and Paul Ryan," said Wayne King of Cleveland County, vice chairman of the state party and delegation chairman.

### **Toll Road** (August 28, 2012)

Environmental groups sued in federal court Tuesday to stop a proposed 22-mile toll road linking Gaston County and west Charlotte from moving ahead, saying environmental reviews were flawed and hid the project's shortcomings. The Catawba Riverkeeper Foundation and Clean Air Carolina filed the lawsuit in Charlotte, according to the Southern Environmental Law Center, which is representing the plaintiffs. They want a judge to rule the state Department of Transportation and Federal Highway Administration broke the law and that the decision of federal regulators to sign off on the Garden Parkway should be tossed out.

### **Named** (August 29, 2012)

Rep. Danny McComas, R-New Hanover, will resign from the N.C. House this week and take over as chairman of the N.C. State Ports Authority Board of Directors, Gov. Beverly Perdue announced Wednesday. McComas decided earlier this year not to run for re-election to the House, where he served for the past 18 years, so his legislative duties were largely finished anyway. His resignation will become effective Sunday. Perdue said in a prepared statement that the ports are critical to the state's economy and that the McComas appointment demonstrates her commitment to the authority's continued success.

### **Named** (August 27, 2012)

Mortgage settlement company Joe Smith named former North Carolina governor James Holshouser and two Triangle-based educators to serve on a five-person oversight board. The panel will oversee business operations of Smith's office, but will not have a hand in administering the particulars of the \$25 billion settlement. Currently practicing law in Pinehurst, Holshouser was governor from 1973 to 1977.

### **Ports Authority** (August 23, 2012)

Tom Bradshaw, a former Raleigh mayor and state transportation secretary, has been named the new executive director of the State Ports Authority. Bradshaw will retain his title as statewide logistics coordinator with oversight of the ports and the N.C. Global TransPark in Kinston, said Ted Vaden, a spokesman for the state Department of Transportation. Bradshaw's salary will remain at \$151,800 a year, Vaden said. Bradshaw took the job as statewide logistics coordinator early this year.

## NORTH CAROLINA LEGISLATIVE REPORT - AUGUST 31, 2012

---

### **Duke Agreements** (August 24, 2012)

Duke Energy agreed to reimburse some of its largest wholesalers if they incurred costs stemming from the utility's merger with Progress Energy, according to documents Duke filed Friday with the state Utilities Commission. The agreements include "hold harmless" provisions with wholesale customers for costs they incurred or could incur because of the merger for up to 5 years, such as legal fees or the severance costs for future employee layoffs. Duke inked deals with several of its biggest North Carolina customers, including smaller retail electricity providers as Blue Ridge Electric Membership Corporation and Piedmont Electric Membership Corporation.

### **Deaths** (August 29, 2012)

Former North Carolina state lawmaker Lura Tally, who was known for her work on behalf of education, the environment and human rights, died Tuesday at the age of 90, her family said. Tally died at a Fayetteville nursing home after years of declining health, her son, Bob Tally, said Wednesday. A memorial service was planned for Thursday afternoon at Hay Street United Methodist Church in Fayetteville. Tally, a Statesville native who grew up in Raleigh, served five terms in the state House and six terms in the Senate before retiring in 1994 and ranks among the state's longest-serving female legislators with 22 years in the General Assembly.

### **Dalton Ads** (August 30, 2012)

Democratic gubernatorial hopeful Walter Dalton has purchased \$2.6 million in television ad time for his campaign during the second week of September, according to media buyers. Republican candidate Pat McCrory started running ads about a month earlier with a \$6.3 million buy. The ads will run through the Nov. 6 election.

### **Gubernatorial Poll** (August 30, 2012)

Republican Pat McCrory has a wide lead over Democrat Walter Dalton among unaffiliated voters in the race for governor, according to a new Civitas Poll. The poll found McCrory leading Dalton 46-29 percent. Ten percent support Libertarian Barbara Howe, the poll found. More than half the unaffiliated voters surveyed either had no opinion of Dalton or had never heard of him. Twenty-two percent had no opinion of McCrory, and 9 percent had never heard of him. Forty-five percent of unaffiliated voters had a favorable view of McCrory, while 24 percent had an unfavorable view. Dalton was 23 percent favorable and 20 percent unfavorable.

## *Committee Meetings*

### **Wed, August 22, 2012**

- Surplus Property Subcommittee of HSC on State Owned Assets 1228/1327 LB
  - 10:00 AM

## NORTH CAROLINA LEGISLATIVE REPORT - AUGUST 31, 2012

---

### Thu, August 23, 2012

- Joint Legislative Research Commission 1228/1327 LB
  - 10:00 AM
- Underground Utilities Working Group 415 LOB
  - 2:00 PM

### Mon, August 27, 2012

- Program Evaluation Division 544 LOB
  - 9:00 AM
- Child Fatality Task Force 1027/1128 LB
  - 10:00 AM

### Wed, August 29, 2012

- Justice Warren Legislature Committee 1027/1128 LB
  - 10:00 AM

### Wed, September 05, 2012

- Perinatal Health Committee of Child Fatality Task Force 1027/1128 LB
  - 10:00 AM
- Blue Ribbon Commission 544 LOB
  - 10:00 AM

### Fri, September 07, 2012

- Joint Legislative Transportation Oversight Committee 1228/1327 LB
  - 9:00 AM

### Mon, September 10, 2012

- Intentional Death Committee of Child Fatality Task Force 1027/1128 LB
  - 10:00 AM
- Joint Mental Health Subcommittee 544 LOB
  - 1:00 PM

### Tue, September 11, 2012

## NORTH CAROLINA LEGISLATIVE REPORT - AUGUST 31, 2012

---

- Leg Oversight Comm on Health and Human Services 643 LOB
  - 10:00 AM

### Wed, September 12, 2012

- Blue Ribbon Commission - Sub-Com on Housing 415 LOB
  - 10:00 AM
- Blue Ribbon Commission Sub-Com on Adult Care Transitions 544 LOB
  - 10:00 AM

### Thu, September 13, 2012

- Information Technology, Jt Leg Oversight Comm. 1027/1128 LB
  - 10:00 AM

### Sat, September 15, 2012

- Unintentional Death Committee of Child Fatality Task Force 1027/1128 LB
  - 10:00 AM

### Mon, September 17, 2012

- Unintentional Death Committee of Child Fatality Task Force 1027/1128 LB
  - 10:00 AM

### Mon, September 24, 2012

- Child Fatality Task Force 1027/1128 LB
  - 10:00 AM

### Mon, October 08, 2012

- Intentional Death Committee of Child Fatality Task Force 1027/1128 LB
  - 10:00 AM
- Joint Mental Health Subcommittee 544 LOB
  - 1:00 PM

### Tue, October 09, 2012

- Leg Oversight Comm on Health and Human Services 643 LOB
  - 10:00 AM

## NORTH CAROLINA LEGISLATIVE REPORT - AUGUST 31, 2012

---

### Wed, October 10, 2012

- Perinatal Health Committee of Child Fatality Task Force Contact: Elizabeth Hudgins 919-707-5626  
1027/1128 LB
  - 10:00 AM
- Blue Ribbon Commission - Sub-Com on Housing 415 LOB
  - 10:00 AM
- Blue Ribbon Commission Sub-Com on Adult Care Transitions 544 LOB
  - 10:00 AM

### Mon, October 15, 2012

- Unintentional Death Committee of Child Fatality Task Force 1027/1128 LB
  - 10:00 AM

### Tue, October 16, 2012

- Legacy Costs from the State Health Plan, Pensions and ESC, House Select Committee on 605 LOB
  - 12:00 PM

### Mon, October 22, 2012

- Child Fatality Task Force 1027/1128 LB
  - 10:00 AM

### Wed, November 07, 2012

- House Redistricting 643 LOB
  - 1:00 PM

### Tue, November 13, 2012

- Leg Oversight Comm on Health and Human Services 643 LOB
  - 10:00 AM
- Legacy Costs from the State Health Plan, Pensions and ESC, House Select Committee on 605 LOB
  - 12:00 PM

### Wed, November 14, 2012

- Perinatal Health Committee of Child Fatality Task Force 1027/1128 LB
  - 10:00 AM



## NORTH CAROLINA LEGISLATIVE REPORT - AUGUST 31, 2012

---

- Blue Ribbon Commission - Sub-Com on Housing 415 LOB
  - 10:00 AM
- Blue Ribbon Commission Sub-Com on Adult Care Transitions 544 LOB
  - 10:00 AM

### Mon, November 19, 2012

- Unintentional Death Committee of Child Fatality Task Force 1027/1128 LB
  - 11:00 AM