



North Carolina Spirits Association

Legislative Report
August 18, 2023

Power Struggle in North Carolina: Legislative Bill Seeks to Limit Governor's Authority

The North Carolina General Assembly is aiming to further limit the powers of the state's office of Governor. Senate Bill 512, is on track to become law and would shift the governor's authority to appoint individuals to various government oversight boards and commissions to the leaders of the legislature. This move has sparked debates and legal considerations about the constitutionality of the bill. The changes would primarily affect the next governor, as the current Democratic governor will leave office in 2025. Former governors and candidates from both major parties oppose this shift of power away from the executive branch to the legislative branch. The bill has passed the House and Senate along party lines, with Republicans supporting it and Democrats opposing it. It covers several changes, including altering appointments to the Department of Transportation board, reducing the governor's appointments to the North Carolina Railroad Board of Directors, and shifting power from the governor to other Council of State members. The bill also affects the N.C. Utilities Commission and various environmental boards. Additionally, changes to state university boards of trustees and the UNC Health system are outlined in the bill. The fate of the bill rests with the Governor, who may sign, veto, or let it become law without his signature. Republicans have enough votes to overturn a potential veto. The constitutional validity of the bill may lead to legal challenges and court proceedings.

Duke Energy Unveils Multi-Pronged Plan for Cleaner Energy Future Amidst Debate on Fossil Fuel Transition

Duke Energy has submitted plans to address increasing electricity demand and reduce fossil fuel usage for climate change mitigation. The company aims to phase out coal plants and replace them with new gas-fired power plants, small nuclear reactors, and renewable energy sources. The plan adheres to the state's energy reform law and includes initiatives such as building gas-fired power plants by 2031, constructing small nuclear plants at specific sites, closing all remaining coal-fired plants by 2035, expanding renewable energy capacities, and increasing hydroelectric dam capacity. This plan is driven by the need to replace coal, meet growing energy demand, and ensure reliability during peak periods. However, some critics, including environmental advocates, argue that the plan relies excessively on gas plants, whereas more cost-effective and cleaner options like wind, solar, and battery storage should be prioritized. The plan will undergo public hearings for further assessment and feedback.

North Carolina State Board of Elections Recognizes No Labels Party as Official Political Entity

The State Board of Elections in North Carolina voted to officially recognize the No Labels Party as a legitimate political party in the state. Four members of the board voted in favor of this recognition, while one member opposed it. This decision allows voters to register as members of various parties, including No Labels, Democratic, Green, Libertarian, and Republican, or as unaffiliated.

The No Labels Party is a 501(c)(4) "social welfare" group, similar to traditional political action committees. They sought recognition as a political party in order to have their candidates included on statewide ballots. The party's chairperson, Dennis Blair, expressed satisfaction with the decision and commended the Board of Elections for prioritizing voters' voices over partisan politics.

The No Labels Party had previously gained ballot access in other states like Alaska, Colorado, and Oregon. In North Carolina, the Board of Elections received over 14,000 valid signatures from registered voters supporting the party's recognition, surpassing the required 13,865 signatures for political party petitions. Additionally, 200 signatures from three different districts were obtained as required by the state. The State Board is now updating voter data to include No Labels registrants and is modifying voter registration forms to include the No Labels Party as an option.

This Week at the General Assembly

North Carolina state lawmakers were back in Raleigh this week, engaging in a busy day of meetings and voting on Wednesday. The day started early in the morning and lasted well into the night. The focus was on passing bills that Democratic Governor Roy Cooper had previously vetoed.

Lawmakers addressed various important policy changes during the session. One notable bill, Senate Bill 678, aims to facilitate the construction of more nuclear power plants in the state by redefining "clean energy" to include nuclear power in addition to renewable sources like solar and wind. This move has raised concerns from environmental groups regarding nuclear waste and its alignment with carbon reduction goals.

Another bill, House Bill 422, targets deceptive and predatory real estate deals, seeking to protect vulnerable individuals from unfair agreements that could lead to long-term financial harm. The Senate passed this bill without opposition.

A comprehensive election law bill, Senate Bill 747, underwent changes and passed the House. The changes in the bill, including the elimination of the grace period for mail-in ballots and the implementation of signature-matching software, have been criticized by Democrats.

A proposal to regulate the sale of CBD and Kratom products was discussed but did not advance to a vote. This proposal aimed to restrict the sale of these products, which are derived from hemp and a tree related to coffee, respectively.

Overall, the legislators' return to work saw a flurry of activity addressing a range of contentious issues from energy policy and real estate practices to election laws and power distribution within the state.

The legislature is not scheduled to hold voting sessions next week, and it is unclear when the House and Senate will return for voting sessions. The senior budget chairs will continue to meet to attempt to reach an agreement on the state budget bill; but the legislature may not return for formal voting sessions until September.

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