



It's the MountainTrue Raleigh Report! In this edition – the Governor's budget misses a huge opportunity, a House GOP leader gets rebuked for legislative shenanigans and Chuck McGrady has some hot new wheels.

The snow has mostly melted in Raleigh, and the General Assembly's work is heating up. Legislators held a joint session to hear from Mark Martin - the new chief justice of the NC Supreme Court, NOT the NASCAR driver. But the big news last week was the release of Governor McCrory's budget for 2015-2017.

Governor's Budget

The release of the governor's proposed two-year budget is just the starting point in the prolonged and often-contentious budget process, which is expected to take all session. While the Governor's budget is often a starting point for legislative budget writers, it's essentially a list of suggestions from the executive branch.

With more than \$21 billion in the state's budget – more than \$45 billion if you include federal funds, like Medicaid – we could write about the budget for weeks – and will be in coming Raleigh reports.

But for now, let's take a look at one issue of particular importance to anyone concerned with keeping North Carolina clean and beautiful - Land conservation.

All in all, the most we can say about the Governor's budget when it comes to open space conservation is that it could have been much worse. While his budget includes modest increases in open space funding, we think Gov. McCrory missed a huge opportunity by passing on a signature investment to mark this year's 100th Anniversary of State Parks system, as many hoped he would.

Imagine if the Governor had announced an investment of, say, \$1 million for every decade the Park system has been in existence. Ten million dollars is budget dust in a \$21 billion budget, but it would have gone a long way to addressing some of the system's needs and given the Governor something positive to say about his environmental record, which has been mixed at best, to date.

Instead, the Governor's budget included a puzzling transfer all state parks, historic sites, museums, aquariums, and the zoo from the Department of Environment & Natural Resources to the relatively small Department of Cultural Resources. This proposal does nothing to actually improve our parks and historic sites, but it does have many in the environmental community scratching their heads about how to respond.

On one hand, DENR continues to be unpopular with the GOP-controlled legislature, so moving the state's parks and other resources to another, more popular part of state government might make increasing funding for them easier in the legislature.

On the other hand, taking them out of DENR would leave the Department with only a regulatory role – and make it that much easier for the legislature to attack and starve with budget cuts.

Another consideration: the Governor does not require the legislature's approval to move agencies around, so if the legislature does reject the idea, the Governor might just do it any way.

All of which makes forming a legislative strategy around this proposal a difficult one for conservation advocates. And the Governor's budget a disappointment for those who thought he might do something notable and positive for the Parks system.

We're interested in what you think about the Governor's proposal. Send us a [tweet](#) or comment on our [Facebook page](#).

House GOP Leadership Rebuke

As the General Assembly has picked up steam, the legislative shenanigans have also started. Last week's master of mischief was Rep. Mike Hager (R-Rutherford), the House GOP Majority Leader. Last Monday night, he slipped an amendment into S14, the coal ash funding bill, to remove a 2012 requirement that the Environmental Management Commission (EMC) adopt rules to control air pollution from fracking. Hager told his colleagues on the floor that the change was technical, and legislators of both parties voted for it.

By session last Tuesday, many legislators realized they had been duped – that the amendment was both substantive and controversial. On the floor, a motion by Rep. Rick Glazier, a Cumberland County Democrat, to reconsider the amendment was approved with bipartisan support. Then, on reconsideration, Hager's amendment failed, 41 – 77, an unusual reversal in the GOP-controlled House, especially since Hager is a member of the House leadership. Alas, the issue is not dead: a similar amendment resurfaced today in committee.

Legislators vs. McCrory

The simmering battle between the legislative and executive branches over commission appointments flared up again last week - in court. A three-judge panel heard arguments in Governor McCrory's challenge to the constitutionality of the Coal Ash Management Commission (CAMC). The Governor has argued that the CAMC violates separation of powers in the state constitution because six of its nine commissioners were appointed by the legislature. Environmental advocates are watching this case both for the fate of the CAMC, and its implications for a similar challenge brought by the Southern Environmental Law Center to the NC Mining and Energy Commission.

Update on S14

As we discussed in the last issue, Senator Chuck McGrady amended S14 (Acad. Standards/Rules Review/Coal Ash/Funds) to extend the deadline for the submission of emergency action plans for high and intermediate hazard dams and removes the requirement that plans be written by an engineer. The bill also fixes a technical problem in funding provisions for the 2014 Coal Ash Management Act. The bill passed the Senate on February 4 and moved to the House, where it was changed. It passed the House on March 3 and will now go to a conference committee.

McGrady on Wheels

Speaking of our buddy Chuck, last week he was sporting a new ride in the halls of the General Assembly – a scooter. McGrady fell a couple of weeks ago and hurt his foot. So he was using the scooter to get around. All of us at MountainTrue hope he is feeling better soon. We also wish him a very happy belated birthday, which he celebrated last week.

