



Ballet Dancer Says Licensing Board Blocks Her Treatment p. 7

ENERGY CROOKS!

New Site Puts Spotlight on Big Solar

BY NCCC STAFF

A new online video at ncenergycrooks.com exposes how big corporations, out-of-state radicals, lobbyists, and legislators are benefiting themselves while raising North Carolina energy bills.

“We launched a major investigation to find out who really is behind the subsidies and tax breaks that prop up ‘alternative energy’ schemes,” said Civitas Policy Director Brian Balfour.

“We found that major solar corporations and out-of-state radical environmental money, known collectively as ‘Big Solar,’ have hired political consultants and lobbyists in North Carolina to push the narrative to their key clients – state legislators. They in turn actively support legislation that forces North Carolina taxpayers to subsidize renewable energy and pay higher electric bills.”

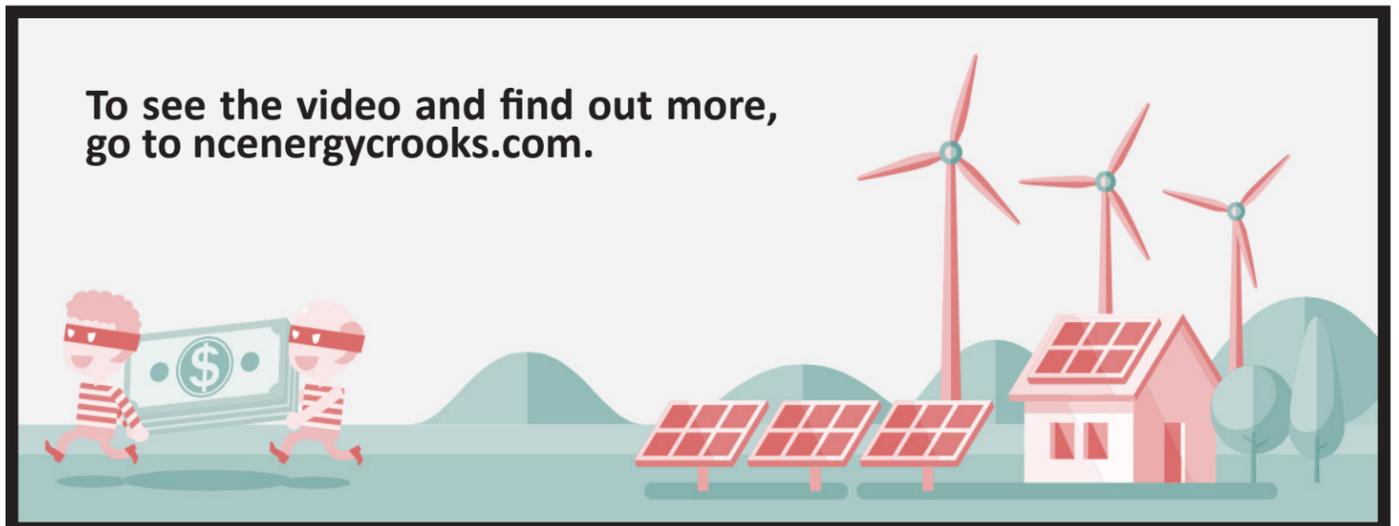
The video, “Energy Crooks in North Carolina,” provides

a vivid picture of how this all happens.

The ncenergycrooks.com site, a project of the North Carolina Environmental Partnership, also features links to Civitas research about these schemes. This includes our research on how Big Solar and radical environmentalists groups in San Francisco teamed up with Republican consultants and lobbyists to influence legislation. ■



To see the video and find out more, go to ncenergycrooks.com.



Bathroom Battle Spotlights Partisan Divide

BY MATT CAULDER

The furor over North Carolina’s Public Facilities Privacy & Security Act (HB2) has continued to roil the state, while exposing a sharp divide between the parties.

The law was attacked as unconstitutional in a lawsuit backed by Lambda Legal, the American Civil Liberties Union of North Carolina (ACLU-NC) and Equality North Carolina.

Senate President Pro Tem Phil Berger (R-Rockingham) and House Speaker Rep. Tim Moore (R-Cleveland) responded by saying, “While they’ve accused the state of disrespecting local control, the irony is far-left groups like the national ACLU, their out-of-state lawyers and Attorney General Roy Cooper want to use North Carolina as a pawn

in their extreme agenda to force women and young girls to welcome grown men into their bathrooms and locker rooms nationwide.

“This lawsuit takes this debate out of the hands of voters and instead attempts to argue with a straight face that there is a previously undiscovered ‘right’ in the U.S. Constitution for men to use women’s bathrooms and locker rooms – but we are confident the court will find the General Assembly acted properly in accordance with existing state and federal law.”

The law was passed in the single-day special session in response to a Charlotte ordinance passed in February that allowed transgender people to use the restrooms aligned with their gender identity, in

addition to expanding the city nondiscrimination ordinance to include gender identity and sexual orientation.

The state legislation requires people to use the public restroom or changing facility of their biological sex and prohibits cities from passing local ordinances inflating the local minimum wage.

The state law only affects use of publicly owned facilities, as regulation on private businesses is already covered in the state building code.

Berger calls on Cooper to resign

Berger also responded to Cooper’s announcement that he will not defend HB2 in court. Berger said, “Roy Cooper’s refusal to defend the

law makes clear he wants the ACLU to win by default in federal court what they can’t win at the ballot box, and allow men to walk into locker rooms at YMCAs across our country and undress in front of young girls. His zeal for pandering for the extreme Left’s money and agenda in his race for governor is making it impossible for him to fulfill his duties as attorney general – and he should resign immediately.”

Cooper said, “This shameful new law has brought [the lawsuit] upon us. Discrimination is wrong, period. The governor and the legislature should repeal this law.”

Cooper, who is the Democratic nominee for

CONTINUED ON PAGE 4

NON-PROFIT ORG.
US POSTAGE
PAID
Permit #172
Raleigh, NC

NC Capitol Connection
100 S. Harrington St.
Raleigh, NC 27603
Vol. 8, No. 4



Does ‘Democratic Socialism’ Even Exist?

BY JIM TYNEN

I’ve been intrigued by a challenge someone posted on Facebook: “Can someone from this Institute give a good definition of democratic socialism and pros and cons of it?”

I don’t claim that I can – because I don’t think there is a good one. But maybe it will be illuminating to try.

The term is in the news because Vermont Sen. Bernie Sanders calls himself a democratic socialist. He was quoted as saying in 2006: “I think it means the government has got to play a very important role in making sure that as a right of citizenship, all of our people have health care; that as a right, all of our kids, regardless of income, have quality child care, are able to go to college without going deeply into debt; that it means we do not allow large corporations and moneyed interests to destroy our environment; that we create a government in which it is not dominated by big money interest. I mean, to me, it means democracy, frankly.”

His description is basically a compilation of vague liberal slogans. Note that even Sanders shies away from the label socialist and harps on the word democracy. Perhaps he is merely a liberal politician who finds that “democratic socialism” thrills a naïve segment of his audience.

But what about all the socialisms – including

communism and Nazism – that have had a darker purpose and outcome?

The Democratic Socialists of America have their own description: “Democratic socialists believe that both the economy and society should be run democratically – to meet public needs, not to make profits for a few. To achieve a more just society, many structures of our government and economy must be radically transformed through greater economic and social democracy so that ordinary Americans can participate in the

that affect our lives”? How does that happen?

If your local hamburger joint wants to change its menu, does it have to seek a vote with everyone in the neighborhood? If a big company like Microsoft wants to introduce a new product, must it hold a nationwide plebiscite to get the voters’ approval?

Of course that’s impossible. Any enterprise – including the Democratic Socialists of America – inevitably will be managed by a small group of people, with one person ultimately responsible.

That’s what the famous sign

political power; all too often, one tyrant seizes it all. “The people” are left with nothing. The economic collapse and political confusion in Venezuela is just the latest example.

Democratic socialists often point to nations in Europe as examples of democratic socialism. But those nations grew wealthy under capitalism, and so were able to indulge in flirtations with socialism, in the form of welfare states, thanks to the prosperity created by capitalism.

In many cases, those nations

economy.

In fact, here’s the best way to let people take part in the decisions that control their lives: Let them make their own decisions. Let them decide what’s good for them – within the rule of law, of course – and decide what to produce, and what to buy. Working with each other, even if unconsciously, will allow them the best chance to be happy, productive, prosperous and free.

That is of course also called capitalism, or free enterprise. We conservatives should just call it economic democracy, because that’s what it is.

In the end, I can’t define “democratic socialism” because I don’t think it exists. I think those are contradictory terms, like “dry rain” or “soft rocks.”

These are of course simple retellings of the insights of thinkers such as Frederic Bastiat, Friedrich Hayek, and Ludwig von Mises. They saw the essential contradiction between socialism and freedom. The more of one you have, the less you have of the other.

And that, I hope, sums up the pros and cons of the term. To the extent something is democratic, it is not socialist; to the extent it is socialistic, it is not democratic.

At best, it is merely another political slogan. At worst, it leads to suffering and tragedy. We should hope this term fades away soon, like other political slogans, once the campaigns are over. ■

COMMUNISM: Commissars take your stuff and give it to other people. If you resist, the government arrests you.

SOCIALISM: Bureaucrats take your stuff and give it to other people. If you resist, the government arrests you.

DEMOCRATIC SOCIALISM: 51 percent of the voters take your stuff and give it to other people. If you resist, the government arrests you.

many decisions that affect our lives.”

So what does it mean to say “ordinary Americans can participate in the many decisions

“the buck stops here” means.

That is often what happens when a society tries “socialism.” Invariably, a small group gets the lion’s share of the economic and

in recent years have even backed away from the welfare state model. It turns out the best way to fund social programs is to nurture a healthy market

All contents may be reproduced if used in context and if credit is given to the Civitas Institute.

NC Capitol Connection

PUBLISHER

Francis X. De Luca
francis.deluca@nccivitas.org

MANAGING EDITOR

Jim Tynen
jim.tynen@nccivitas.org

GRAPHIC DESIGNER

Jona McDuffie

Editorial & Advertising

100 S. Harrington St. Raleigh, NC 27603
phone: 919.834.2099 | fax: 919.834.2350

NC Capitol Connection is a publication of the Civitas Institute

The Civitas Institute is a 501(c)(3) non-profit dedicated to advancing conservative and free-market principles in the state of North Carolina.

© 2016 by John W. Pope Civitas Institute

Subscribe today...it’s FREE!

Check the address label. If the word “subscriber” is not included on the address label of this issue, you must subscribe to ensure you continue to receive *NC Capitol Connection* each month.

NAME

ADDRESS

CITY

STATE

ZIP

EMAIL

PHONE

CELL HOME BUSINESS

Mail to: 100 S. Harrington St. Raleigh, NC 27603 | web: nccivitas.org/getnews | phone: 919.747.8052

Poll Shows Bipartisan Support for ESAs

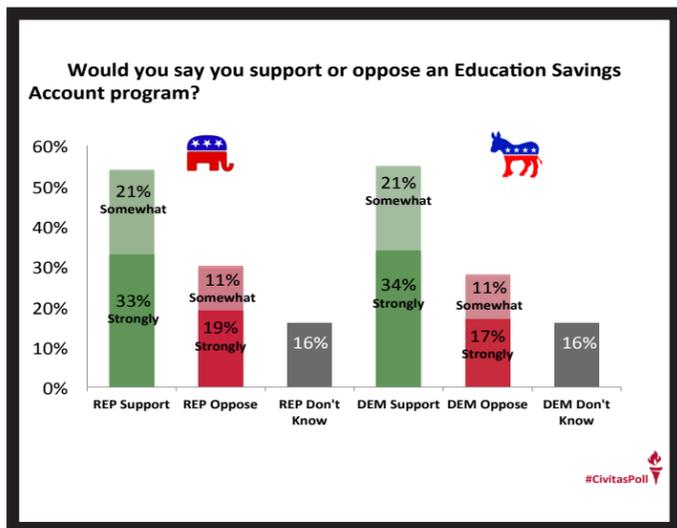
BY BOB LUEBKE

Civitas polls voters nearly every month on the important issues of the day. If there is one thing we've learned, it's that Democrats and Republicans disagree on just about everything. There is one thing, however, on which they can agree: Education Savings Accounts.

Education Savings Accounts – or ESAs as they are commonly known – are taxpayer-funded accounts that parents can use to help pay for the educational expenses of their children. ESAs empower parents to determine how and where their child is educated.

or ESAs as they are commonly known – allow state funds to be used by parents to create a personal account to pay for K through 12 education expenses including: tuition, tutoring, testing, fees and books. Would you say you support or oppose an Education Savings Account program?

Democrats and Republicans both support ESAs by significant and virtually identical margins, 54 percent and 55 percent respectively. Thirty percent of Republicans oppose ESAs; 28 percent of Democrats oppose them.



And that's something Democrats and Republicans both seem to agree on. The March Civitas Poll separately surveyed 500 likely Democrat and 500 likely Republican primary voters on a variety of topics, including the following question:

A new program to help families and students is being proposed in many states. Education Savings Accounts –

Support for ESAs was widely spread across geographical reasons, ideologies and races. Polling tells us repeatedly that parents want to be able to control what their children learn and where they go to school. Education Savings Accounts offer an effective and popular vehicle for making those choices a reality. ■

What are ESAs?
youtu.be/HDVh5uuNzZg
ESA4NCKIDS.ORG

Monthly Petition

I Support ESAs in NC

I support the creation of Education Savings Accounts (ESAs) for North Carolina families. No school is perfect and no school can serve the needs of every child. That's why it's so important that parents be able to choose where their children go to school and what they learn. ESAs allow parents to use taxpayer funds to create a personal account to pay for K-12 educational expenses such as tuition, books, tutoring, testing and fees. ESAs put parents in charge of their children's education. I urge everyone in North Carolina to support an ESA program.

Name (First, M.I., Last)

Street Address

City State, Zip County

Email

Phone Cell Home Business

Signature Date

Name (First, M.I., Last)

Street Address

City State, Zip County

Email

Phone Cell Home Business

Signature Date

Name (First, M.I., Last)

Street Address

City State, Zip County

Email

Phone Cell Home Business

Signature Date

Cut out and mail to: Civitas Institute, 100 S. Harrington St. Raleigh, NC 27603
or Email to: signups@nccivitas.org Please make copies of this form for others to sign

Privacy Battle Spotlights Partisan Divide in the State

CONTINUED FROM PAGE 1

governor, is still officially a named party in the lawsuit but said his office “will not be involved in those lawsuits.”

McCrory explains bill

In signing the bill, McCrory said, “The basic expectation of privacy in the most personal of settings, a restroom or locker room, for each gender was violated by government overreach and intrusion by the mayor and city council of Charlotte. This radical breach of trust and security under the false argument of equal access not only impacts the citizens of Charlotte but people who come to Charlotte to work, visit or play. [The Charlotte] regulation defies common sense and basic community norms by allowing, for example, a man to use a woman’s bathroom, shower or locker room.”

The issue has continued to draw attention, including

criticism from big corporations, some of whom have threatened to steer business elsewhere, with

and showers protected the life of just one child or one woman from being molested

North Carolina does not see the worth of our children in the same light, then I wish

in HB2 while expanding the state equal employment policy to include sexual orientation and gender identity.

The governor said his order is meant to reaffirm the statute’s language requiring that gender-specific facilities be reserved for people of the gender, based on their birth certificates; affirms that the private sector is free to set its own policies in regards to restrooms and locker rooms; and affirms the right of private companies and local governments to set their own non-discrimination policies for its own employees.

McCrory also said he will seek legislation in the Short Session to allow the state to be sued in court for discrimination. ■



Hundreds of North Carolinians rallied on April 11 outside the Old State Capitol to show support for HB 2. Jason and David Benham were among the speakers.

PayPal cancelling a project in Charlotte.

That drew a response from Lt. Gov. Dan Forest, a Republican: “If our action in keeping men out of women’s bathrooms

or assaulted, then it was worth it. North Carolina will never put a price tag on the value of our children. They are precious and priceless. If a corporation wanting to do business in

them well as they do business somewhere else. “

Executive Order

On April 11, Gov. Pat McCrory signed an executive order that affirmed the language

This article includes material from NC Capitol Connection online. To see more North Carolina news, go to nccapitolconnection.com.

PayPal Puts Hypocrisy on Display

BY BOB LUEBKE

The debate over HB2 included some big corporations inveighing against the legislation – but their efforts put their hypocrisy on display.

In perhaps the most glaring case, PayPal CEO Dan Schulman proclaimed the company would not open a global operations center in Charlotte.

The company’s announcement said in part: “This decision reflects PayPal’s deepest values and our strong belief that every person has the right to be treated equally, and with dignity and respect. These principles of fairness, inclusion and equality are at the heart of everything we seek to achieve and stand for as a company. And they compel us to take action to oppose discrimination.”

But does the company really want every person to be treated with dignity and respect?

Katrina Trinko at The Daily Signal (dailysignal.com) had “8 Questions for PayPal” that pointed out the problems and flawed logic with PayPal’s decision.

For example, she asked what is PayPal’s response to sexual assault survivors like Janine Simon, a Washington resident who talked with The Daily Signal about the state’s new bathroom regulations that permitted people to enter bathrooms of the sex they identify with, not biological sex?

Simon replied: “I’ve had my first panic attack in 10 years now knowing in my state there are only certain bathrooms that I will be able to enter safely.” (Trinko’s article can be found online at tinyurl.com/NCCC-PayPal.)

Looking at the high-minded language in the PayPal



statement, I wondered: Are those deep values and strong beliefs — that every person has the right to be treated equally and with dignity and respect — also at the root of the company’s decision to expand into Cuba, a country with one of the worst human rights records in history?

Are those deep values and strong beliefs — that every person has the right to be treated equally and with dignity and respect — also what influenced PayPal’s decision to make Singapore the company’s international headquarters?

In case you didn’t know, Singapore prohibits relations between same-sex adult men and does not recognize relationships of same-sex couples in any form. The country also prohibits same-sex couples from adopting or from even participating in any childrearing arrangements.

Does Singapore protect LGBT persons from discrimination? Not according to Wikipedia: “No laws exist specifically protecting LGBT Singaporeans from discrimination in the workplace, housing or any other relevant areas. Previous attempts claim damages for alleged discriminatory conduct in such fields have been dismissed in Singaporean courts.”

I guess PayPal is only concerned about those deep values and strong beliefs in certain parts of the world. And the above examples aren’t the most extreme cases.

“PayPal gets the hypocrite of the year award!” the Rev. Franklin Graham said. “PayPal operates in countries including Saudi Arabia, Nigeria, and Yemen, for Pete’s sake.”

Those nations are among 10 that have laws that punish homosexuality with the death penalty, The Washington Post reported.

Dan Schulman, your PayPal statement rings hollow and rings with hypocrisy. ■

NEW POLLING RESULTS ARE IN!
JOIN US FOR LUNCH
Thursday, May 26th

11:45am-1:00pm

Doubletree by Hilton Raleigh
1707 Hillsborough Street
Raleigh, NC 27605

Tickets: \$15

For registration and more information:

Online
www.nccivitas.org/lunch

Phone
919-747-8068

Liberals Displaying Double Standards on Bathrooms, Boycotts and Religious Freedom

BY RYAN T. ANDERSON

If it weren't for double standards, some liberals would have none at all. That seems to be the lesson from the past few weeks, where liberals have displayed three distinct forms of hypocrisy.

Liberal governors and mayors signed travel bans to North Carolina and Mississippi, CEOs of major corporations pledged boycotts and relocations, and Bruce Springsteen and Bryan Adams have canceled scheduled concerts in those states.

At issue are a Mississippi law that narrowly and carefully protects the rights of religious charities, small businesses, and select public servants and a North Carolina law that reasonably protects privacy and safety in public restrooms while leaving private institutions free to set their own bathroom policies. These laws, apparently, are now unacceptable to some voices on the Left.

But are they really? The hypocrisy in their opposition suggests otherwise.

1. Big money and big business in politics are bad, unless they support the left?

Liberals decry the influence of big business and big money in politics. They denounce, as a direct threat to democracy, the ability of corporations to engage in issue advocacy. They

Salesforce, and countless other giant corporations threatening legislators and governors with boycotts if they pass popular laws that the left disapproves of.

These corporate elites didn't win an argument about good public policy. Instead, they threatened to boycott and transfer jobs out of states if the politicians didn't do as they insisted.

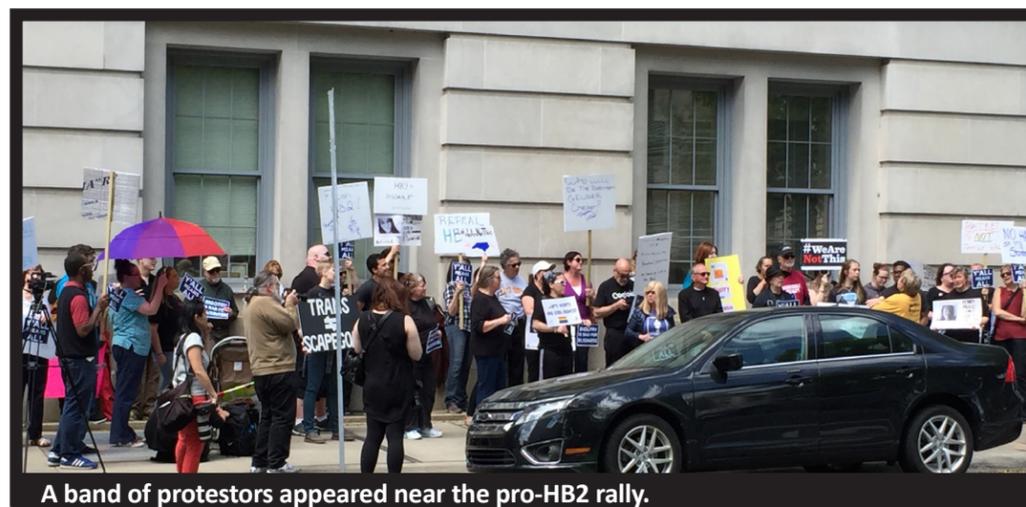
This economic coercion is a form of cronyism—cultural cronyism. Big businesses use their outsized market share to pressure government to do their bidding at the expense of the will of the people and the common good. And, hypocritically, the Left cheers it on.

2. Bruce Springsteen and Bryan Adams get to follow their consciences, but the baker and florist don't?

Many of us think that what these corporate giants are doing is bad for representative democracy and self-government. But they have a right to do it. And yet, they want to deny the rights of bakers, florists, photographers, adoption agencies, and marriage counselors who only want the same liberty to follow their consciences.

Big business is using its market freedom to deny

deny their artistic gifts and talents to citizens of states that have enacted policies they disagreed with. And, of course, they have that right.



A band of protestors appeared near the pro-HB2 rally.

Adams wrote: "I cannot in good conscience perform in a state where certain people are being denied their civil rights."

He's wrong about the laws—they don't deny anyone civil

and not just grandstanding—then why do so many of these same companies do business in foreign countries with terrible records on human rights in

general, and for LGBT people in particular?

The governor of North Carolina, Pat McCrory, pointed out this hypocrisy. After New York Governor Andrew Cuomo

Then PayPal might want to explain why its international headquarters are in Singapore, where people engaged in private consensual same-sex acts can

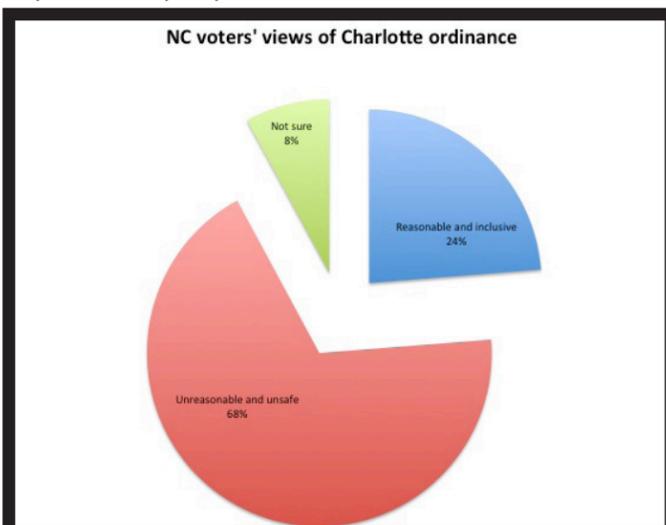
face two years in jail. It might also want to explain why it announced in 2012 that it would open offices in the United Arab Emirates (UAE). While North Carolina placed some commonsense limits on public bathrooms, the UAE reportedly jails gay and transgender people.

What's next?

The Left knows it can't win on the merits in the debate about religious freedom and bathroom privacy. These bills enjoy strong public support—that's why elected representatives are voting to pass them. And it's why corporate elites have to target governors to veto them.

Missouri is likely the next state to move a religious freedom bill, and we can expect the same cast of characters to come out in opposition. But this time, the Left and big business are entering the debate with one big disadvantage—they've been beaten. McCrory and Gov. Phil Bryant of Mississippi have stood up to the bullies and shattered their aura of invincibility. ■

Ryan T. Anderson, Ph.D., researches and writes about marriage and religious liberty as the William E. Simon senior research fellow in American Principles and Public Policy at The Heritage Foundation, and was a speaker at our 2016 CLC. This article originally appeared in The Daily Signal and is used with permission.



A recent Civitas poll found that 68 percent of North Carolina voters believe the recently passed Charlotte ordinance that allows biological men and biological women, who identify as the opposite sex, to use the bathroom or locker room of their choosing, is "unreasonable and unsafe." Only 24 percent believe the ordinance is "reasonable and inclusive."

rights. Instead, they protect civil rights. They protect religious freedom, which, as the liberal American Civil Liberties Union (ACLU) once acknowledged, is a civil liberty.

So Springsteen and Adams are exercising their freedom of conscience by boycotting states that sought to protect the consciences of adoption agencies, religious schools, bakers, and florists. Do they not see the hypocrisy?

3. North Carolina and Mississippi are human rights violators, but Singapore and Cuba are great?

Finally, if these boycotts are really a matter of principle—

issued a travel ban for state employees to North Carolina, Gov. McCrory asked how it was consistent with Gov. Cuomo's trip to Cuba—with state business leaders—to promote trade with that country.

Is Cuba better on human rights than North Carolina? Or is Cuomo being a bit hypocritical?

Others have pointed out the hypocrisy of PayPal. The CEO of PayPal announced that the company wouldn't expand in North Carolina because of "PayPal's deepest values and our strong belief that every person has the right to be treated equally, and with dignity and respect."

Really?

Some of the countries where does business and being gay is ILLEGAL:

Algeria	Morocco
Kenya	Senegal
Mauritania*	Zambia
Namibia	Mozambique
Angola	Tanzania
Cameroon	Zimbabwe
Somalia*	India
Nigeria*	Kazakhstan
Botswana*	Malaysia
Egypt	Turkmenistan
Guinea	Papua New Guinea
Malawi	Saudi Arabia*
	Yemen*

*Denotes countries where homosexuality is punishable by death.

argue that politicians must answer to the people, not the highest corporate bidder.

Or at least that's what they used to say. Liberals are now cheering Apple, PayPal,

small businesses and charities their religious freedom. The hypocrisy is astounding.

Take the cases of Springsteen and Adams. They said their consciences require them to

How One Elections Board Member Controls Voting Hours in NC

BY SUSAN MYRICK

Joshua Malcolm, one of two Democrats on the five-member State Board of Elections (SBE), has told the board's Executive Director he will not allow counties to reduce the number of one-stop hours (early voting hours) for the November election.

Sounds funny, doesn't it? How can one state board member make the decision for a five-member board, a board appointed by the governor? This decision by one man will have far-reaching effects in all of North Carolina's 100 counties.

In a Numbered Memo 2016-07, dated March 29 and sent to all 100 counties' elections directors, Kim Strach explained that one unnamed board member would not vote in favor of any hours reductions requests and that "lack of budget of resources would not be considered a valid reason to allow a reduction."

"One State Board member has indicated that the member will not vote in favor of any hours reduction requests for the 2016 general election, with only the very limited exception of exigent circumstances. This member also made clear that a lack of budget of resources would not be considered a valid reason to allow a reduction. Thus, all county boards are on notice not to expect hours reductions to be granted for the November election unless unforeseen circumstances arise. All county boards should take steps now to secure the resources they need to meet this statutory mandate. The topic of securing resources for the 2016

general election is explored further in Numbered Memo 2016-06."

The memo did not include the board member's name. It took an email to the state board's spokesperson to find out that the board member making the unilateral decision was Joshua Malcolm. Malcolm is the former chairman of the Robeson County Board of Elections and is one of two Democrats appointed by the governor to the five-member state board.

Malcolm is allowed to make this power move because of a compromise to the provision in VIVA (the Voter Identification Verification Act/HB 589 passed in 2013) that shortened the early voting period from 17



Joshua Malcolm

days to 10 days. In the last hours of wrangling over the changes to the election law in 2013, legislators voted to require counties to offer the same number of cumulative hours of one-stop voting that were offered for the previous comparable election, even while shortening the early voting period by 10 days.

This compromise provided for county boards in primaries and elections to request that the State Board allow for fewer hours under G.S. 163-227.2(g3). But there was a catch with this allowance – the request had to be approved with a unanimous county board of elections vote, followed by a unanimous vote by the five State Board of Elections members.

The move by Malcolm is not unprecedented. In 2014 the other Democrat on the SBE did essentially the same thing. Maja Kricker, former chairman of the Chatham County Board of Elections, devised a set of rules that counties seeking to reduce their early voting hours had to comply with in order for her to vote in favor of their plans. Since the vote had to be unanimous, her "no" vote would ultimately deny any county requesting a variance.

If you attended the meetings back in 2014 when Kricker was questioning the counties on their variance requests, you might be inclined to thank Mr. Malcolm for saving us from having to sit through those particularly painful meetings again. But Mr. Malcolm's decision to run roughshod over the SBE can't be what the state legislators had in mind when they agreed to a requirement of unanimous votes from, first, the county boards and then the SBE.

Local boards, in general, ask for a reduction of hours when they have determined that the total number of hours required would exceed the number that was needed to accommodate

voters. For example, in 2014, one county, in its request for a reduction of hours, reported that one of its early voting sites in 2010, on average, voted only two people per hour.

One might understand the

the member and is an insult to the governor and the voters of North Carolina.

Director Strach made it clear to the local directors in the last paragraph of the memo when she said:



justification of a unanimous vote on the local level. After all, county board members know their counties, understand their voters and are aware of any special requirements in the administration of elections in their home counties.

If one of the three local board members wants to make the case for more hours for their one-stop sites, then that board member must defend his position to the local county commissioners and the citizens of the county. Adding more one-stop hours often means more sites, which means more personnel, more ballots and more equipment – adding up to much more money. The problem comes when the county's unanimous decision must be voted on by the SBE and that vote is required to be unanimous as well.

Unintended consequences? No doubt state lawmakers would not have voted for this compromise if they had taken the time to think it through. One appointed board member unilaterally dictating his/her standards to 100 county boards of elections discredits

"Given the expressed wishes of a member of our State Board that only unforeseen circumstances will justify hours reduction requests, we expect very few of these requests. In any case, no such requests will be accepted after Friday, July 1, 2016."

Note to the General Assembly: The last paragraph in Numbered Memo 2016-07 provides very important information: July 1, 2016 is the deadline to have reduction requests into the SBE. At this time there is expected to be very few if any requests submitted, even if a county knows that the number of hours utilized in 2012 was too high then and will be too high in 2016.

The Legislature has the time in the short session to make changes to G.S. 163-227.2(g3) and strike the requirement for unanimous votes. This will allow local elections officials to do the job they were appointed and hired to do: administer elections. ■

Civitas Action Needs Your Opinion

Tell us what matters to you and Civitas Action will work with you to make a difference in North Carolina

I support the following actions and want to help make a difference in North Carolina:

- Implementation of statewide Education Savings Accounts (ESA)
- School choice
- Elimination of personal and corporate income tax
- Support Taxpayer Protection Act
- Reduction in state spending
- Elimination of pork/earmark spending
- Ending tax credits for special interests
- Make NC state taxes the lowest in the nation
- Requiring supermajorities for tax increases
- Elimination of Certificate of Need Laws (CON)
- Lowering health care costs by increasing supply
- Ending state control of medical service supply
- Eliminating withholding union dues from state workers at taxpayer's expense
- Establishing term limits for NC state legislators
- Putting limits on session length for NC Legislature (Session Limits)
- Passing real voter ID laws to ensure election integrity
- Elimination Renewable Energy Portfolio Standard (REPS)
- Oil & gas drilling
- Other _____



Sign up:

Name (First, M.I., Last)

Street Address

City

State, Zip

County

Email

Phone

Cell House Business

Mail to: 100 S. Harrington St. Raleigh, NC 27603 | phone: 919.747.8052

Ballet Dancer Says Licensing Board Blocks Her Care

BY MATT CAULDER

The joint legislative panel charged with oversight of the state's administrative bodies has tabled discussions on a draft bill that would dissolve 15 licensing boards in the state and consolidate 10 more into other licensing bodies.

While nearly all of the comments from the public were from people affiliated with the licensing boards or in the professions themselves arguing for preservation of their boards, one commenter from the public spoke in favor of dissolving the Acupuncture Licensing Board.

Jan Burkhard is a principal dancer with the Carolina Ballet and is a recipient of dry needling therapy from her physical therapist, which she said the Acupuncture Licensing Board is trying to stop.

"My husband and I live in Raleigh, and we are expecting our first child. Our baby girl is due on Aug. 5," she said. "[Sen. Andy Wells (R-Alexander)] asked if I would be willing to come speak with you today. At first I wasn't sure I could talk to a room full of strangers about my health issues, but I ultimately agreed because I feel strongly that this committee has a right to know what the acupuncture board is trying to do to patients like me.

"The truth is that there are thousands of patients like me who need a certain kind of health-care treatment, and our access to that treatment is under attack."

Acupuncture vs. dry needling

Burkhard said her training and performances are extremely demanding physically and that without sufficient treatment she takes longer to recover from the stress and rigors of her physical training.

"All of this can cause serious health issues, but we are fortunate to have effective health-care treatment ... that treatment is called dry needling," she said. "Dry needling is a type of physical therapy where needles are inserted into bands in muscles to relieve pain or other problems. On a regular basis I received dry needling treatments from Dr. Elizabeth Henry, a physical therapist affiliated with the Carolina Ballet."

Burkhard said the relief

she gets from dry needling is different than that of other treatments, including acupuncture, she has undergone, but that her care is under attack.

"Unfortunately, a few years ago Dr. Henry received a cease-and-desist letter from the acupuncture board," she said.



Jan Burkhard

"The cease-and-desist letter ordered her to stop providing dry needling treatments to patients like me. When Dr. Henry refused to stop treating patients like me who need dry needling, the acupuncture board filed a lawsuit against her. I'm told that lawsuit is ongoing.

"The acupuncturists on the acupuncture board say that instead of getting dry needling, patients like me should get acupuncture. Acupuncture is completely different from the dry needling I get from Dr. Henry. I ought to know, I've had acupuncture in the past. I've sought out both treatments for different reasons. I'm concerned that the acupuncture board is going to eliminate my access and my choice to the type of health-care treatment that I desperately need."

Burkhard said she is shocked the board would go after her chosen type of care.

"As a patient, I thought the law gave me the rights to make those decisions for myself," she said. "As I'm sure you do, I care deeply about being able to have access to the health care I need. I care about it so much that I am willing to do whatever it takes to be sure that I can continue to get dry needling. Unfortunately when the acupuncture board wouldn't

stop its attacks, I was forced to file a lawsuit asking the courts to stop the acupuncture board from trying to block our access to care."

Boy defends board

The only other commenter from the public not affiliated with any of the professions was

Colson Combs, a 13-year-old boy living in Raleigh.

Combs told the committee his acupuncturist is to thank for him not being on medication



Lindsay Purrington

today.

"Thank you for the opportunity to tell you why I think acupuncturists should be licensed," he said. "Fifty-four percent of America's children have been diagnosed with a chronic health condition; that's over 40 million U.S. children who are suffering. Former U.S. Surgeon General Richard Carmona said that my generation may be the first that is less healthy and has a shorter life expectancy than

their parents.

"Over 70 percent of Americans are sick and medicated. My acupuncturist helped me avoid medication and surgery. My first major health issue was environmental allergies. My entire life I could barely breathe through my nose. When I was 5 years old I was running through a field of tall grass and my face and neck swelled to almost twice their size. My family took me to an acupuncturist, and he said I needed to change the way I eat. My mom and dad changed their diets with me, and I never again experienced another episode. I could breathe through my nose for the first time in my life. Thanks to my acupuncturist, I avoided medicine."

Combs also said his acupuncturist gave his parents advice, referring them to a physical therapist to adjust the way he used his legs to develop them correctly as he grew instead of undergoing surgery.

"With their help, with some chiropractic care my legs are straight," he said. "My acupuncturist has also helped

my parents, my dad no longer has ADD (attention deficit disorder) and has stopped his medication. He helped my mom recover from debilitating exhaustion caused by working too much after I was born. My parents are almost 50 years old, and they don't need medication. We need our acupuncturists to be able to fully practice in North Carolina, and they must be licensed."

Consolidation planned for

5 boards

The legislation has been making waves since it was introduced into the Occupational Licensing Board Oversight Subcommittee of the Joint Legislative Administrative Procedure Oversight Committee last month.

The move is being floated with the intention of deregulating the state to remove barriers to entry for newcomers to the affected occupations.

Defenders of the boards said they are needed to protect North Carolinians from fraud and safety and health problems.

Those supporting the dissolution said national certification is sufficient to protect consumers who are choosing which proprietors to utilize. ■

Berger Gives Preview of Senate Plans

BY MATT CAULDER

Senate Leader Phil Berger (R-Rockingham) said April 20 that the Senate will focus on passing a balanced budget and instituting more tax changes to let people keep more of what they earn and increasing teacher pay.

"The main thing that we will be working on during the Short Session is the budget and our principal order of business during the Short Session is making modifications to and passing another balanced budget that funds North Carolina's key priorities while continuing go make state government smarter and more efficient," Berger said. "The Senate is committed to protecting our hard working taxpayers and passing a responsible budget. And that responsible budget in our view would increase spending in North Carolina by approximately 2 percent."

"Another area where we will continue to focus on is tax reform," he said. "There's one thing you should remember about the changes legislative Republicans have made to North Carolina's tax codes over the past five years, it is that the vast majority of North Carolinians are keeping more of their own money." ■

McCrorry Sets 5 Top Priorities in Health Budget

BY MATT CAULDER

Gov. Pat McCrorry spoke April 11 about the five top proposals in his Health and Human Services budget proposal ahead of the Short Session.

Improving Medicaid

McCrorry said the state's Medicaid system has been improving greatly over the last three years, providing room to expand Medicaid to new segments of the population in the coming budget.

"After four straight years of Medicaid shortfalls totaling \$2 billion, North Carolina's Medicaid program is on target to finish three consecutive years with cash on hand due to responsible lending and budgeting," he said. "North Carolina improved its overall public health rankings more than any other state in the United States of America. That's a heck of a benchmark."

McCrorry said that he offered a compromise deal to President Obama for Medicaid expansion with the condition that those covered under the expansion participate in job training programs, but that deal was shot down.

"Now I realize there are issues regarding Medicaid and my major priority is to help those who can't help themselves and encourage those who can," McCrorry said.

Five areas of focus

"What we've done in working with our budget is focus on five major areas and prioritize with my budget director exactly what we plan to do," McCrorry said.

"The first one is we're going to support the recommendations of the Governor's Task Force on Mental Health and Substance Abuse. They are going to be rolling that out during the coming days. I got a sneak look, and I said we're going to help you any way we can. And within the budget we're going to submit \$30 million to help this task force accomplish its goals."

McCrorry said the issue of mental health is a top priority in the state, and the budget gives it the attention it deserves.

"It's an issue that's being hidden in our emergency rooms, in our county jails, and in our state prisons and underneath road bridges across

North Carolina," he said. "We can no longer ignore that issue and I've made that commitment that we are not going to ignore that issue, so this is what we are going to be doing.

matter.

"With all due respect to all the other issues that we are dealing with in NC, this is the most important. People are living and dying based on



"First of all, as the secretary mentioned, we are going to increase funding for medication-assisted treatment and access to Naloxone. This will serve more than 2,000 individuals with substance abuse disorders and provide expanded access in areas across the state. This is a life and death

whether or not they have access to this drug."

The budget proposal will include \$9 million to expand the availability of Naloxone, a life-saving emergency overdose medication. "Every day at this point somewhere across the state this drug is saving lives," McCrorry said.

The budget includes \$3 million to assist with transitioning mentally ill out of jails and hospitals and helping them before they end up in the system so they don't get caught up or go back. McCrorry said the funding will save the state in the long run.

The governor also announced \$5 million to expand the state's specialty courts, which offer alternative punishments to drug users besides jail time.

"Putting an addict in prison accomplishes nothing and we need to help them get help because they will just go right back out on the street and have the same difficulties with themselves and their families and the community and then it becomes a life and death situation," he said.

The budget also provides \$13 million for transition care for children in foster care, \$3 million to expanded home care for Alzheimer's patients, \$8.6 million for expanding the state social services system to protect children, and \$750,000 to prepare for possible fallout from a Zika virus outbreak in North Carolina. ■

The Real Truth on Taxes: Conservatives Cutting Them

BY BRIAN BALFOUR

Desperation can cause people to do odd things. Take, for example, left-wing groups such as Progress North Carolina now pretending to be concerned about the tax burden on North Carolinians.

For decades, while North Carolina imposed among the highest income tax rates in the nation, liberal progressives never made a peep of concern about state taxes taking a bite out of household budgets. Indeed, dozens of tax hikes were passed by Democrat majorities to fund the massive expansion of state government that liberals demanded.

And make no mistake, these weren't tax hikes on "the rich," but ranged from tax increases on everything from general retail sales, to cigarettes, to gas, to alcohol, to movie admissions, to insurance and to your phone bill.

In this context, the radical left-wing group Progress North Carolina just kicked off its "Tax Hike Truth Tour" in Raleigh. Is the group finally going to educate people on the decades of actual tax hikes approved under Democratic leadership these last few decades? Of course not.

The events focus on recent tax reforms that actually reduced

tax rates on all levels of income, along with corporate income taxes, that have resulted in huge net tax cuts for North Carolina's economy.

Amazingly, in the upside down world of Progress NC, it is in the wake of some of the largest tax cuts in state history they decide to show faux concern over "average folks" who are "feeling the pain from tax hikes on the middle class."

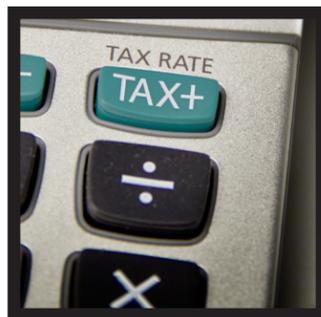
Timing is everything, the saying goes, and this Tax Tour seems to be coming about 30 years too late to be taken seriously. The real truth on taxes is that the last handful of years have seen historic tax cuts, which have spurred job growth and improved economic opportunity for the most-needy North Carolinians.

The beginning of this recent spate of historic tax relief can be traced back to 2011, when the Republican-led legislature successfully fought against then-Governor Bev Perdue's plan to extend three-fours of a "temporary" 1-cent statewide sales tax hike. Blocking this tax hike saved North Carolinians upward of \$800 million per year.

Of course, liberals at the time sided with Perdue and fully supported forcing North

Carolina families to pay nearly a billion dollars more every year in sales tax. So much for their fake concern over the impact of the "regressive" sales tax.

Then in 2013, North Carolina passed arguably the largest tax cut in the state's history. Income taxes on all income levels were reduced, and corporate tax rates were also cut in order to attract



more jobs and investment. The reforms were projected to amount to a net tax cut of \$2.4 billion over their first five years of implementation alone.

Add to that the unemployment insurance reforms passed in 2013, which enabled North Carolina to pay back roughly \$2.5 billion in debt to the federal government far earlier than the original payback plan. The early repayment has resulted in major tax relief for employers, and some estimates say this

relief will generate a total of \$2.5 billion in tax savings for job creators over four years, including \$240 million in 2016 alone.

The results of all this tax cutting have been impressive. Since mid-2013, job growth in North Carolina has outpaced national job growth by a wide margin (6.2% to 5.1%). The Tar Heel State's job creation has also outperformed our regional neighbors during that time. Moreover, our state's economy has grown more rapidly than the national and regional averages, climbing by 3.2 percent compared to the national average of 2.5 percent and regional 2.4 percent rate.

And the state legislature delivered more tax cuts last year; dropping the income tax rate further while raising the standard deduction for all taxpayers, and ensuring the corporate tax rate continues to fall. The sales tax base was broadened slightly to include some services in order to better reflect the modern economy. On net, these tax changes are projected to save taxpayers nearly another \$400 million over the biennium.

The irony and hypocrisy of left-wing groups manufacturing fake outrage about non-existent

tax hikes during a time of unprecedented tax cutting is thick.

Compare the record of tax reforms over the last five years with the litany of actual tax hikes over the previous few decades, and the contrast is incredibly stark.

For instance, between 1991 and 2009, the state sales tax nearly doubled from 3 percent to a high of 5.75 percent. Adding on local sales taxes, most North Carolina families were paying a 7.75 percent sales tax on purchases.

Liberals condemn the sales tax as "regressive" and harmful to low-income households disproportionately. So why no left-wing "tax hike truth" tours in 1991, 2001, 2003, 2005, 2007 or 2009, all years in which the sales tax was increased?

And that's not all. Even a quick survey of state fiscal history shows 30 tax increases from 1985 to 2010 that garnered nary an objection from the "tax hike truth" crowd. A truth tour on taxes is badly needed, and the truth is that Democrats raised taxes and Republicans are cutting them. ■

Brian Balfour is policy director of the Civitas Institute in Raleigh.

Teacher Pay Higher on Short Session Agenda

BY BOB LUEBKE

The 2016 legislative session will be important for those interested in the education landscape in North Carolina. Here's an incomplete list of some of the topics the legislature may consider in the upcoming Short Session.

Teacher Pay. It's the issue that won't go away. Even with pay increases to boost starting salaries the last two years and the largest average teacher pay increase (7 percent) in the country, there is a sense legislators are not done with this issue.

Gov. Pat McCrory recently proposed a 5 percent pay increase for teachers and a 3.5 percent bonus pay for veteran teachers. Legislative leaders have yet to comment on the governor's plan.

However, legislative leaders such as Speaker Tim Moore, Senate President Pro Tem Phil

that nearly 70,000 students in public charter schools – on average – receive only about 73 percent of local current expense funding received by district students on a statewide basis. The difference amounts to about \$33 million annually.

Last session, HB539 was intended to remedy this problem. The bill expanded the array of local fund categories that would have to be shared with charter schools.

Versions of the bill passed both chambers last session, but the House and Senate still need to work out their differences on this legislation. You may see another version emerge this year.

Vouchers. Many teachers and parents believe North Carolina's Special Needs Scholarship Program is underfunded. The program has many more applicants than

understandably an imperfect system, the goal was to give parents additional information when evaluating educational options for their children.

Some educators believe the current system relies too heavily on testing. HB803,

“Analysis from the NC Treasurer’s Office and the NC Department of Public Instruction revealed that nearly 70,000 students in public charter schools – on average – receive only about 73 percent of local current expense funding received by district students on a statewide basis.”

approved by the House last session, changes how performance grades are calculated.

The bill makes the grade a combination of 50 percent test scores and 50 percent student

The program also provides scholarships to 300 students to attend in-state universities, earn degrees in education, and teach math and science in the state's public schools. HB661 is the legislator remedy to the problem.

The bill passed the House last session but failed to get out of the Senate. The legislation funds the recruitment and preparation of 1,000 new teachers in math, science and special education to serve in

ASDs are comprised of five low-performing schools chosen from the bottom 25 percent of all schools in the district. ASD will force the local school board to either close the school or transfer governance from a local school board or the ASD.

The ASD would have a third-party organization take over the management and operations of the local school. The local school board would remain responsible for transportation and building maintenance. ASD programs in other states have shown promise. ASD was originally part of SB95, passed by the Senate but stalled in the House.

Considering the magnitude of the issue, the House decided to create a Select Committee on Achievement School Districts for further study. Some form of additional action could be likely this spring.

Political Activity by School Employees. Several incidents of lobbying in the schools by education organizations brought this issue to light.

SB480 bans issue advocacy during the school day on school equipment and email accounts by all school employees except principals, superintendents and other designated school leaders. The bill passed the Senate with significant exceptions and is still under consideration in the House.

These are just a few of the education topics the North Carolina General Assembly will likely consider when it returns for the 2016 floor session. At Civitas, we are working to ensure our schools and colleges emphasize academic excellence, are responsive to public needs, and embrace true accountability and reform. We'll be watching. ■



Berger and Senate Education Chairman Jerry Tillman have stated that they would probably prefer teacher pay proposals in the 2 to 3 percent range. The differences will keep things interesting – and may provide enough room to meet somewhere in the middle. We'll see.

Charter Schools. This past session provided a lot of activity on charter schools. Still, there is a lot left to consider.

One of the most significant topics regarding charter schools is financing. Analysis from the NC Treasurer's Office and the NC Department of Public Instruction revealed

available spaces.

Apparently, McCrory feels the same way. In early April, the governor revealed his plan to provide \$5 million to expand the Special Needs Scholarship Program by an additional 300 new students.

This is a positive move that would enable more parents to find the best educational environmental for their special-needs children.

School Performance Grades. The North Carolina General Assembly passed legislation requiring the state to grade all public schools with an A-F system beginning with the 2013-14 school year.

Though this is

growth. Currently grades are a combination of 80 percent test scores and 20 percent student growth.

Teacher Recruitment. One of the biggest issues facing North Carolina is how to prepare and retain teachers, especially in hard-to-staff areas such as math, science and special education.

A number of proposals have been floating around to develop teacher scholarship programs, similar to the Teaching Fellows program. McCrory's education plan includes \$2 million in funding to attract new and highly qualified math and science teachers.

the state's hardest-to-staff areas.

In exchange for service in hard-to-staff areas, recipients would be given debt-forgiveness. Teacher recruitment is a pressing need, especially in hard-to-staff disciplines and certain geographical areas.

While attention is needed, we need to make sure that legislation doesn't merely replicate existing programs like Teach for America.

Turning Around Low-Performing Schools. Rep. Rob Bryan of Charlotte offers Achievement School Districts (ASDs) as a means to turn around low-performing schools.

Follow
NC Capitol
Connection
on Twitter!

@nccapconn

Unaffiliated Voter Ranks Continue to Grow

BY SUSAN MYRICK

In the time period between March 12 and April 9, North Carolina added 39,944 voters. The trend that began in January 2009 continues with unaffiliated voters growing by 20,705 voters in this time period, followed by Republicans gaining 15,077 new voters and Democrats lagging behind with an additional 4,534 voters.

By using the chart on the opposite page, you will see that Democrats gained voters in 52 counties (6,875 new voters), while losing 2,341 voters in 48 counties. Republicans gained voters in 98 counties (15,430) and lost 353 voters in two counties. The unaffiliated voter group picked up 20,939 voters in 97 counties while losing 234

voters in just three counties.

The voter registration statistics chart was derived from the www.carolinatransparency.com/voterregistration website. The website uses the latest voter registration statistics from the State Board of Elections (SBE). The website allows you to look all the way back to January 2008 and compare voter registration

by week and by month.

The changes in North Carolina voter registration can be surprising. For instance, since January 2009, the unaffiliated ranks have grown by a whopping 473,694 voters. Republicans have had a net loss of 5,638 voters while Democrats saw a loss of 222,045 voters. Democrats since January 2009

have lost voters in all but five of North Carolina's 100 counties, while the unaffiliated ranks have grown in every county.

Carolina Transparency voter registration statistics are updated each week, making it a good way for you to keep up with voters in the state and in your home county. ■

CLF Fights for Property Owners, Open Records, Religious Freedom

BY NCCC STAFF

Recent weeks have brought key developments in cases involving the Civitas Institute Center for Law and Freedom (CLF).

CLF Lead Counsel Elliot Engstrom on April 13 argued on behalf of Perquimans County residents who are challenging the Department of Environmental Quality's failure to properly permit the construction of 499-foot-tall wind turbines near their home.

The case was heard at the Office of Administrative Hearings in Raleigh.

"Our clients allege that an April 29 letter sent by the Department of Environmental Quality to Iberdrola Renewables violated North Carolina law and substantially prejudiced the rights of our clients by depriving them of legislative protections of which they were intended beneficiaries," Engstrom said. "NCDEQ argues that the wind energy project is grandfathered in under North Carolina law.

Administrative Law Judge Melissa Lassiter heard argument from all parties — including intervenors Weyerhaeuser Company and Pasquotank County. Judge Lassiter concluded the hearing by saying that she will take the case under advisement and issue a decision in the future."

CLF seeks judgment in records issue

CLF has moved for summary judgment in Gaston County Superior Court on behalf of clients seeking access to public records within the custody of the City of Belmont. The motion is the latest step in a lawsuit that CLF filed in August 2015.

The case presents the issue of whether an investigation into the Belmont Police Department is a public record.

Put briefly, CLF is alleging that an investigation conducted into a police department by a private investigation company is a public record, and as such it should be disclosed pursuant to the Public Records Act. The City of Belmont has taken the position that the entire investigative report is a confidential personnel file, and that it therefore does not have to disclose the report as a public record.

The parties essentially agree as to the facts of the case; they only disagree only as to how the public records and personnel laws apply to those facts. Such disagreements of law are ripe for argument on what is called "summary judgment," where a judge rules on how the law applies to a given set of facts — the idea being that if no facts are in dispute, it is more

efficient for a court to dispose of the case without engaging in intensive fact-finding, whether on its own or with the help of a jury.

In December 2015, the parties were essentially ready to make their arguments on summary judgment. The defendants filed their answer to the lawsuit, and after conducting a small amount of discovery it was clear that the parties agreed on all the material facts, meaning that a decision made purely on the law was appropriate. However, North Carolina law requires the parties to a public records dispute to submit to mediation before a court has jurisdiction to compel the production of public records. While the mediation statute does provide for a waiver of mediation, the parties can only do so after requesting mediation and designating a mediator. These are time-consuming steps that substantially delay access to public records.

Here's the most egregious part — in this case, the plaintiffs and the defendants agreed that mediation was unnecessary. All parties cooperated to waive mediation as quickly as possible. And yet, it still took three months from the time that the parties were ready to argue the case to the time when

the plaintiffs were legally able to move for summary judgment.

In cases where the parties agree as to all material facts, it is unnecessary and onerous to require mediation, particularly in light of the Public Records Act's statement that public records are "the property of the people" and that "the people may obtain copies of their public records and public information free or at minimal cost."



Regardless, CLF has now moved for summary judgment and filed a notice of hearing for May 16 in Gaston County Superior Court. As that date draws closer, both sides will likely file written briefs before making their oral arguments in court.

Magistrates' case date set

The North Carolina Court of Appeals on April 12 issued

a calendar setting argument in the case of *Breedlove v. Warren* for May 11, 2016, at 9:30 a.m.

Breedlove is a religious liberty challenge brought by CLF and Ellis Boyle Law, PLLC. At issue is whether the North Carolina Administrative Office of the Courts (AOC) violated the religious liberties of two magistrates when it issued memoranda informing the men that they had to either participate in same-sex marriage ceremonies or resign their positions as magistrates. CLF argues that the AOC's memoranda contained incorrect statements of law upon which the plaintiffs reasonably relied. The Court of Appeals must decide whether the plaintiffs have standing to challenge exertions of authority by the AOC.

The case brings into question numerous legal issues. One such issue is whether and how administrative agencies can be held accountable for exerting authority over state employees that they do not directly hire or fire. Another is whether the North Carolina Constitution provides stronger protections for religious liberty than the Constitution.

If the plaintiffs prevail at the Court of Appeals, the case will be remanded to the trial court for further proceedings. ■



Changes represent the difference in voter registration between March 12, 2016 and April 9, 2016

County	Total Voters	Total Change	Democrats	Democrats Change	Republicans	Republicans Change	Libertarians	Libertarian Change	Unaffiliated Voters	Unaffiliated Change
STATE TOTAL	6,551,230	39,944	2,647,793	4,534	1,999,511	15,077	27,507	-372	1,876,419	20,705
ALAMANCE	95,774	877	38,094	95	31,788	307	349	1	25,543	474
ALEXANDER	23,792	124	6,655	-39	10,476	64	57	1	6,604	98
ALLEGHANY	7,218	7	2,833	-11	2,401	11	27	0	1,957	7
ANSON	17,161	132	12,035	33	2,338	26	17	1	2,771	72
ASHE	18,518	144	5,705	7	7,813	41	52	4	4,948	92
AVERY	11,569	57	1,434	7	6,902	23	44	0	3,189	27
BEAUFORT	32,342	157	13,923	-88	10,408	108	87	0	7,924	137
BERTIE	14,182	47	10,455	-17	1,477	17	16	1	2,234	46
BLADEN	22,375	93	13,909	-72	3,151	69	29	1	5,286	95
BRUNSWICK	89,322	513	26,423	59	33,007	262	297	-10	29,595	202
BUNCOMBE	188,254	1,287	75,443	510	46,290	185	1,109	-18	65,412	610
BURKE	56,949	240	19,327	-90	19,946	119	231	2	17,445	209
CABARRUS	124,757	1,461	39,437	294	47,429	524	553	-9	37,338	652
CALDWELL	53,831	371	15,217	-59	23,990	156	309	-7	14,315	281
CAMDEN	7,405	42	2,539	-37	2,170	30	35	2	2,661	47
CARTERET	50,922	364	12,916	-125	21,246	239	211	-1	16,549	251
CASWELL	15,262	77	8,280	-14	3,504	31	28	-2	3,450	62
CATAWBA	100,860	897	27,166	-76	43,367	310	334	5	29,993	658
CHATHAM	48,713	504	20,214	92	12,636	178	185	-11	15,678	245
CHEROKEE	23,163	191	6,596	-13	9,578	86	102	3	6,887	115
CHOWAN	10,187	58	5,078	3	2,550	24	17	0	2,542	31
CLAY	8,682	29	2,231	-9	3,452	41	36	0	2,963	-3
CLEVELAND	60,796	534	26,582	-78	19,063	260	183	-3	14,968	355
COLUMBUS	35,466	272	21,498	-19	6,200	100	52	0	7,716	191
CRAVEN	68,798	385	25,040	30	23,447	145	313	-1	19,998	211
CUMBERLAND	197,036	1,687	95,782	671	46,304	387	799	14	54,151	615
CURRITUCK	18,114	130	4,173	-84	6,361	72	116	-2	7,464	144
DARE	28,444	273	9,223	-15	8,499	108	170	-2	10,552	182
DAVIDSON	101,895	787	27,644	87	47,250	396	373	0	26,628	304
DAVIE	28,697	283	5,713	6	14,802	122	79	-5	8,103	160
DUPLIN	29,372	288	14,523	25	7,742	123	83	0	7,024	140
DURHAM	213,114	2,064	121,708	937	28,546	259	868	-12	61,992	880
EDGECOMBE	38,009	121	27,449	-6	6,044	53	66	4	4,450	70
FORSYTH	239,339	-266	100,955	-123	74,350	-112	994	-2	63,040	-29
FRANKLIN	41,282	363	18,365	16	12,504	144	161	-8	10,252	211
GASTON	134,552	1,186	44,800	-27	51,463	476	501	-17	37,788	754
GATES	8,368	43	4,750	9	1,628	16	19	0	1,971	18
GRAHAM	6,370	30	2,073	-5	2,745	22	20	0	1,532	13
GRANVILLE	36,427	331	18,859	58	8,708	131	127	2	8,733	140
GREENE	11,202	62	6,774	-7	1,944	19	25	-1	2,459	51
GUILFORD	343,364	977	160,315	515	93,008	207	1,493	-22	88,548	277
HALIFAX	37,885	117	25,916	-22	4,502	52	73	-1	7,394	88
HARNETT	68,739	671	26,424	23	23,773	441	405	-7	18,137	214
HAYWOOD	42,478	376	17,453	-61	12,516	148	174	-1	12,335	290
HENDERSON	79,067	714	17,772	102	30,529	257	328	-13	30,438	368
HERTFORD	14,745	11	11,054	1	1,378	2	32	1	2,281	7
HOKE	30,337	307	14,930	92	6,317	111	138	3	8,952	101
HYDE	3,424	20	2,096	-13	516	10	7	0	805	23
IREDELL	112,935	843	30,751	-157	46,781	450	456	-6	34,947	556
JACKSON	26,717	254	10,317	42	6,836	93	114	-8	9,450	127
JOHNSTON	114,657	416	37,869	124	43,967	212	531	-5	32,290	85
JONES	7,395	29	3,864	-15	1,728	21	25	-1	1,778	24
LEE	33,463	331	14,657	21	9,557	126	119	-3	9,130	187
LENOIR	38,591	98	21,713	-32	9,374	63	84	2	7,420	65
LINCOLN	53,047	512	14,434	-92	22,859	322	176	-2	15,578	284
MACON	24,697	150	6,923	-40	9,830	95	90	3	7,854	92
MADISON	16,252	115	6,775	22	4,224	23	83	-3	5,170	73
MARTIN	17,038	68	10,595	-19	3,234	25	42	-4	3,167	66
MCDOWELL	28,296	352	8,946	6	10,318	146	100	1	8,932	199
MECKLENBURG	654,151	-388	294,255	75	165,525	-241	3,054	-20	191,317	-202
MITCHELL	10,986	42	1,148	10	6,767	20	28	0	3,043	12
MONTGOMERY	15,800	126	7,412	39	4,623	41	43	2	3,722	44
MOORE	63,695	623	16,784	44	26,188	262	285	-4	20,438	321
NASH	64,741	459	33,643	39	18,365	197	153	0	12,580	223
NEW HANOVER	158,580	345	52,645	-36	51,201	179	996	-42	53,738	244
NORTHAMPTON	14,642	40	10,879	-13	1,353	4	12	0	2,398	49
ONSLow	98,844	1,469	28,388	64	35,169	585	651	-6	34,636	826
ORANGE	109,197	515	52,477	310	17,062	66	591	-22	39,067	161
PAMLICO	9,516	27	4,081	-12	2,923	15	27	2	2,485	22
PASQUOTANK	27,516	211	13,511	-46	5,594	79	135	-1	8,276	179
PENDER	37,937	443	13,095	43	13,850	218	192	4	10,800	178
PERQUIMANS	9,842	60	4,297	-34	2,513	39	34	-2	2,998	57
PERSON	25,963	161	12,451	-76	6,275	100	83	-1	7,154	138
PITT	116,083	1,095	55,094	257	30,442	322	549	-11	29,998	527
POLK	15,567	124	4,595	10	5,380	40	67	-3	5,525	77
RANDOLPH	89,986	663	20,018	19	44,733	358	345	7	24,890	279
RICHMOND	29,930	160	17,513	-118	5,437	98	61	-2	6,919	182
ROBESON	74,108	585	51,093	34	9,074	266	161	-3	13,780	288
ROCKINGHAM	58,972	365	24,037	-199	19,821	238	185	-3	14,929	329
ROWAN	91,485	748	28,824	34	37,017	387	266	-4	25,378	331
RUTHERFORD	43,822	275	16,108	-79	15,336	195	166	2	12,212	157
SAMPSON	36,652	180	16,743	25	13,282	67	91	2	6,536	86
SCOTLAND	22,201	111	13,203	-8	3,437	42	43	0	5,518	77
STANLY	39,565	261	11,727	-90	17,184	154	103	-3	10,551	200
STOKES	30,465	105	8,395	6	14,538	63	138	-1	7,394	37
SURRY	44,025	443	14,779	-117	18,104	256	128	-3	11,014	307
SWAIN	10,216	64	4,134	-10	2,580	26	32	-1	3,470	49
TRANSYLVANIA	24,594	234	6,935	8	8,068	64	106	-6	9,485	168
TYRRELL	2,453	9	1,502	-11	326	3	5	0	620	17
UNION	142,963	785	38,674	77	60,794	393	555	-5	42,940	320
VANCE	29,547	98	20,066	-1	4,275	33	53	1	5,153	65
WAKE	662,680	5,615	254,548	1,807	184,605	1,597	3,598	-87	219,929	2,298
WARREN	13,374	63	9,487	31	1,680	17	34	0	2,173	15
WASHINGTON	8,540	44	6,007	2	1,056	10	22	1	1,455	31
WATAUGA	43,812	54	11,986	13	13,857	36	415	-16	17,554	21
WAYNE	73,464	511	32,999	19	23,407	201	225	-5	16,833	296
WILKES	41,896	315	10,420	-19	21,490	169	110	-5	9,876	170
WILSON	54,519	74	29,518	17	13,450	9	119	-3	11,432	51
YADKIN	23,619	141	4,354	5	13,137	59	65	2	6,063	75
YANCEY	13,636	83	5,343	-7	4,827	34	37	0	3,429	56

Scandal

NC Teacher Background Checks: Help Can't Come Soon Enough

BY BOB LUEBKE

A February USA Today investigation tells the story of Alexander Michael Stormer, a 34-year-old Georgia public school math teacher who was investigated for assaulting two students, and sexting with a female student in one of his classes.

As school officials launched an investigation, Stormer resigned. About a month and half later Stormer surfaced as a math teacher at a school in Charlotte. He worked at the school until he was suspended earlier this year when a reporter from the Asheville Citizen-Times found that his teaching license had been suspended not only in Georgia but also in South Carolina.

That same USA Today investigation also tells the story of lax, ineffective and cumbersome state systems for vetting teachers before they enter the classroom. The USA Today investigation uncovered major flaws in the way many states screen and track teacher misconduct.

Investigators also graded how states conduct background checking in all 50 states and the District of Columbia. How did the states do? Not well. More than 20 states received a D or F grade. North Carolina received an F.

Why did North Carolina get an F? Reporters said its "patchwork system of laws and regulations, combined with inconsistent execution and flawed information sharing between states and school districts, fail to keep

teachers with histories of serious misconduct out of the classroom."

If you read the full report, which is available online, you'll find North Carolina has one of the least effective systems for checking teacher backgrounds in the nation. The state's system for screening teachers is notoriously weak and left primarily to the local school districts. In addition, North Carolina does a bad job of sharing information with other states.

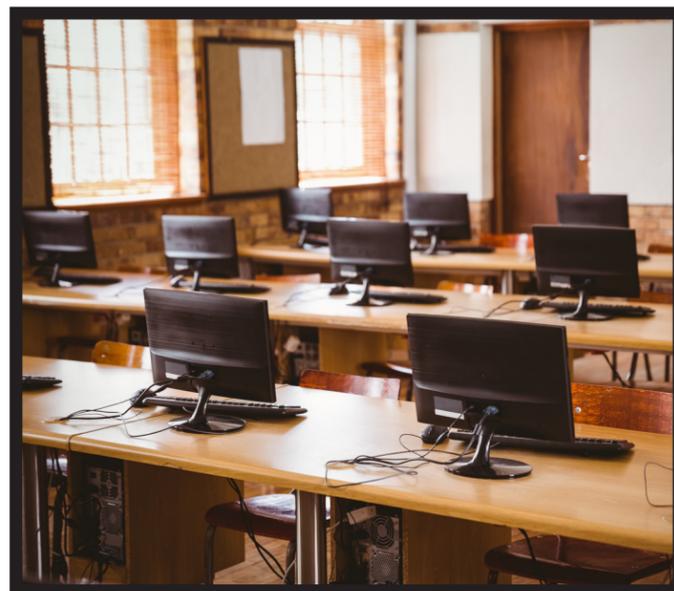
The dirty secret in all this is that these problems have been known for some time. In 2008, Katie Cornetto became a staff attorney with the State Board of Education (SBE). After only a few months on the job, Cornetto saw that the system North Carolina used to check teacher backgrounds had problems.

With the blessing of the Superintendent of Public Instruction's Office and the SBE, Cornetto arranged a task force to address these concerns. When it completed its work in February 2010, the final report recommended that state teachers be subject to fingerprint and background checks.

In addition, the report also recommended that the Department of Public Instruction hire new staff dedicated to investigating teacher misconduct and called for revising existing screening procedures.

But it never happened. When asked about the

subject, Superintendent June Atkinson said the report was released at a time when DPI and the State Board of Education were numb from dealing with the brutal murder of State Board of Education member Kathy Taft. Atkinson said the state was also dealing



with significant cuts to education from which, she says, North Carolina has yet to recover.

While both events were significant, the fact is they happened six years ago. More than enough time has passed for DPI or SBE to revisit the issue.

But they didn't. That is, until the USA Today article exposed the whole mess earlier this year. Truth be told, there is no excuse why the task force recommendations had not been implemented. If you want to be accurate, it's hard to find a better word than negligent.

If there is any good news in this sad tale it's that the USA Today investigation has kick-

started interest in remedying how North Carolina checks teacher backgrounds. In March, the State Board of Education actually had the subject on its agenda.

The interest has focused attention on some concrete steps North Carolina can take

North Carolina join the national clearinghouse for teacher disciplinary action. Clearinghouse records are far from complete, but it has taken positive steps to improve how information is collected. Legislation should also be adopted that allows state officials access to criminal records and that also addresses how the state and local districts can best share information and still protect confidentiality.

Lt. Gov. Dan Forest and other legislators have said they will have legislation ready when the legislature reconvenes in April that gives state education officials the authority to implement some of the recommendations outlined by the task force.

Of course no system is foolproof.

While the current system flagged the backgrounds of about 800 prospective teachers since the mid-90s, it didn't catch Alexander Michael Stormer.

A reporter's simple Google search did.

Thankfully the vast number of those who want to teach in our public schools have the knowledge and character to do a good job. Ensuring that all teachers meet those standards is the promise we must keep to all North Carolinians. ■

to fix the problems.

Currently applicants for teacher licenses in North Carolina must only answer two questions about previous criminal convictions or suspensions. The consensus is the number needs to be expanded. Additional questions regarding character or moral fitness might be helpful.

One of the task force's major recommendations was to require local districts to do applicant fingerprints. It is currently not required.

Advocates also recommend

Scandal is a regular column in *Civitas Capitol Connection* that will explore public corruption in NC Government.

Have a local corruption story?
Email corruption@nccivitas.org or call 919.834.2099.

Pass the Torch Donate

If you like NC Capitol Connection, please consider making a donation to help fund the newspaper. Every dollar you contribute will help us send our conservative message out via Capitol Connection to readers across North Carolina.

All contributions are tax deductible.
Mail to: 100 S. Harrington St. Raleigh, NC 27603
web: nccivitas.org/donate | phone: 919.834.2099

Yes, I'd like to support NC Capitol Connection!

My check made payable to the Civitas Institute is enclosed
 Please charge my: American Express Master Card Discover Visa

Name _____

Address _____

City _____ State _____ Zip _____

Phone _____ Email _____

Card No. _____

Amount: \$ _____ Expiration: ____ / ____ CVV: _____

Signature: _____