



YOU DON'T SAY...

"This ruling further affirms that requiring a photo ID in order to vote is not only common-sense, it's constitutional."

Gov. Pat McCrory, on a ruling by a federal judge dismissing all claims against the state's sweeping 2013 election law overhaul.

THE NEWS & OBSERVER, 4/25/16

Insider for April 26, 2016

News Summary

Session Opening

With North Carolina the center of national attention over House Bill 2, the 2016 short legislative session opened on a 77-degree spring day, with protests, rallies and sit-ins featuring the full spectrum of opinion on the issue. The action occurred alongside the first ever public showing of the N.C. State Constitution. "We thought it would be fun," said Sarah Koonts, State Archives director, about showing the 148-year-old handwritten copy. The yellowed document was behind glass in a locked room inside the General Assembly in the first leg of a limited tour around the state. Outside, supporters of HB2 gathered at Halifax Mall, the grassy area behind the General Assembly Building. There Pastor Ron Baity, of Winston-Salem's Berean Baptist Church and president of Return America, a conservative Christian group, led a noontime rally featuring lawmakers including House Speaker Tim Moore, R-Cleveland; Rep. Dan Bishop, R-Mecklenburg; Rep. Paul Stam, R-Wake; Sen. Andrew Brock, R-Davie and Sen. Buck Newton, R-Wilson. "Go home, tell your friends and family, who had to work today, what this is all about and how hard we must fight to keep our state straight," Newton told the crowd, a video-clip of which was later tweeted out by liberal group Progress NC Action. Baity thanked lawmakers for passing HB2 and told leaders to "stay the course."

Nearby, counter-protests filled Bicentennial Plaza and the steps of the Old Capitol Building. North Carolina NAACP President William Barber led Moral Monday protests that accused Republicans of "using sex and homophobia and racism to stir the vote." His words echoed off the Assembly building. Barber later led protests inside the Legislative Building that resulted in dozens of arrests. On the General Assembly front steps, advocates of reforming state drug laws lit a 3-foot-long symbolic marijuana joint. Created by the East Coast Cannabis Coalition, the curious prop is traveling from Maine to Miami to promote drug reform. Last

year, medical marijuana advocates saw mixed success in North Carolina. Rep. Kelly Alexander, D-Mecklenburg, sponsored a bill to legalize medical marijuana, but it died in committee. Alexander's office said Monday he was currently drafting a similar bill.

Inside the General Assembly the halls were filled with action as advocates, lobbyists, lawmakers and law enforcement prepared for the short session's 7 p.m. start. Unusually, there were no empty seats in the legislative press room. House members filed 16 bills Monday, including a much-anticipated repeal of HB2. Also in the House, two bills were filed to halt construction of toll lanes on I-77 north of Charlotte, a controversial project involving a Spanish-owned company that has recently declared bankruptcy on a road project in Texas. Opponents of the tolls have blamed Gov. Pat McCrory for not halting the project.

As for the governor's budget proposal, which lawmakers will tackle this session, copies of the document are not expected to be available or posted online until Wednesday morning, Rep. Nelson Dollar, R-Wake, said on the House floor. The House and Senate appropriations committees are scheduled to meet jointly at 9 a.m. Wednesday to hear a presentation on McCrory's budget. Twenty-nine bills were filed in the Senate. That chamber on Monday swore in Sen. Jay Chaudhuri, D-Wake, who replaces former Sen. Josh Stein.

Eager to see lawmaking in action, teenagers from across the state zipped messages and materials throughout the building. This week the House has 17 pages, while the Senate has 18. The experience offers high school students the privilege of working inside the Senate and House chambers for a week. "They are on the cusp of becoming voters," said Michael Perdue, Senate page coordinator. "This program provides a first-hand opportunity to see the complexity of government like no other." In the General Assembly basement, Steve Dinwiddie, head cafeteria and snack bar chef, said the short session is featuring new specials - a chicken or shrimp Caesar salad and a weekly panini special that starts next week. "I've been working 13 hours today," he said. "And we'll be back early tomorrow." (Dan Boylan, THE INSIDER, 4/26/16).

HB-2 Protests

Fifty-four protesters against House Bill 2 were arrested inside the Legislative Building downtown Monday evening, and protests continued inside even after the North Carolina House and Senate opened their 2016 regular session and then promptly adjourned. The protesters, who had gathered in a crowd of hundreds on Bicentennial Plaza south of the building, were allowed late in the afternoon to enter in groups of 100 to continue their protest inside. About 6:30 p.m., a group of protesters entered the office of state House Speaker Tim Moore, and at least two dozen others gathered outside the door, chanting for repeal of HB-2. Law enforcement officers corralled members of the media nearby. Police began arresting some who refused to leave the area of the speaker's office about 6:45 p.m. Eighteen were arrested then, said Interim Chief Martin Brock of the General Assembly police force.

Protesters seated in the House gallery disrupted the chamber with shouting as it adjourned shortly after the gavel fell to open the legislature's short session at 7 p.m. Groups of protesters continued chanting in other parts of the building. One gathering, when told by Brock that they would be arrested if they did not leave, chanted, "We shall not be moved." General Assembly police then began arresting a group who sat on the floor outside Moore's office. Thirty-six were arrested then, bringing the day's total to 54, Brock said. The building was cleared shortly before 9 p.m. The anti-HB-2 rally, part of a day of protests in downtown Raleigh for and against the law, brought together a variety of organizations and protesters calling for full repeal of the law, which they say creates more public safety problems than it prevents.

The Rev. William Barber, president of the North Carolina chapter of the NAACP, rallied loud applause at the outdoor gathering as he called HB-2, "Hate Bill 2." Shortly after 4 p.m., the protesters began walking into the

legislative building, in groups of 100 at a time, and went to the second floor to hold teach-ins outside the offices of House Speaker Tim Moore and Senate leader Phil Berger.

Earlier Monday, a sit-in outside Gov. Pat McCrory's office ended without arrests after HB-2 protesters met with the governor's chief of staff, Thomas Stith. The NAACP organized the protest, which included chanting, singing and praying on the first floor of the old Capitol building. Two protesters were invited inside the governor's office for a short meeting with Stith; McCrory was not present. After the meeting, about a dozen people sat down and blocked one of the entrances to the governor's office. Security officers said the sit-in would violate building rules "if anyone's trying to get in around them." No one attempted to use the blocked entrance, and the protesters realized they would not be arrested or asked to leave unless they stayed after the Capitol's 5 p.m. closing -- an action that would prompt them to miss a rally and other events. The protesters decided to leave the building around 1:30 p.m., shaking hands with the police officers on their way out.

Stith met with Julie Peoples, pastor at Congregational United Church of Christ in Greensboro, and Cosmos George, a doctor from Warren County. Peoples said the governor's staff members were "clearly listening" to their requests that McCrory support the "Human Rights Act of 2016" proposed by the NAACP and its partner groups. "We're asking the governor to take leadership in reversing the fear and the hate that's been created by HB2, and instead put in its place a bill that would ensure the safety, the nondiscrimination and the equality of all citizens," Peoples said. George said McCrory's executive order calling for tweaks to House Bill 2 was "totally inadequate."

Meanwhile, Democratic leaders in the General Assembly held a news conference Monday to urge the legislature to repeal HB-2, while acknowledging that would be a difficult victory to achieve. Senate Democratic Leader Dan Blue of Raleigh said opponents of the law rewriting anti-discrimination protections will put their faith in the justice system, as they have in other Republican-written laws that have ended up in court. A lawsuit challenging the constitutionality of HB-2 was filed soon after it became law with Gov. Pat McCrory's signature. But Blue said there's a chance to reverse the loss of jobs, revenue and reputation. "I think this short session is the one opportunity in North Carolina to stem the reputational harm that will be long-lasting if it is not done -- harm that will have a tail 20, 25 years long," Blue said. House Democratic Leader Larry Hall of Durham echoed Blue's remarks, adding that the furor over HB-2 had "eviscerated" North Carolina's brand. "Where do we go to get our reputation back?" Hall said.

In other HB-2 news:

- A group of House Democrats filed a repeal bill Monday morning that would eliminate House Bill 2 in its entirety. Rep. Darren Jackson of Knightdale is the primary sponsor of House Bill 946. Jackson and his co-sponsors said they do not have any Republican support for their bill and haven't talked with the chamber's leaders about getting it a committee hearing this session. "It is never too late to do the right thing," Jackson said. He expects other legislators will file bills addressing House Bill 2 in other ways -- including Gov. Pat McCrory's call to repeal a section that makes it harder to file a workplace discrimination lawsuit. But he and his co-sponsors said that only a full repeal will address the economic damage of the LGBT law. Rep. Susi Hamilton, a Wilmington Democrat, said the short session that begins Monday night will try to address other legislation, but the focus will remain on House Bill 2. Jackson's bill also includes a noncontroversial budget appropriation for the Human Relations Commission in order to meet the short session's eligibility rules, which require bills to be budget-related. House Speaker Tim Moore issued a statement about Jackson's bill Monday afternoon. "Rep. Jackson's bill will be assigned to committee and will be treated the same as any other bill that is filed," he said. "Our caucus will discuss and plan this bill's best route through the House's legislative process." "I'm not really sure that any of those things are going to

matter in the short term," she said. "We can spin our wheels, but as long as the fundamental issue is present, I don't see us making any progress in the short term."

- Gov. Pat McCrory in a Monday visit to Wrightsville Beach to address sheriffs from around the state reiterated that he would ask the General Assembly to reform, but not repeal, HB-2. After McCrory addressed those attending the Sheriff's Association spring meeting about measures he has taken to improve public safety, he said he wanted to talk about "the elephant in the room." He said he would ask the legislature to repeal the portion of the bill that removed the right for discrimination suits to be heard in state courts because it was the right thing to do. The governor issued an executive order April 12 stating the state could not discriminate based on sexual orientation in its hiring and firing practices. He told the sheriffs he did not believe regulations should be made regarding private-sector bathroom policy like Charlotte did five months ago. "Because I don't think you, as sheriffs -- any city police -- need to be the bathroom police for the private sector," McCrory said. "You've got more important things to do." (Ashley Morris, WILMINGTON STAR-NEWS, 4/25/16)
- A new poll shows little public support for HB-2, the law that rewrites discrimination protections in North Carolina. The left-leaning firm Public Policy Polling said Monday it found 45 percent of respondents oppose the new law and 36 percent support it. Asked whether it was having a negative impact on the state's economy, 54 percent said it was, and 11 percent said it was having a positive effect. In early April, a Time Warner Cable News poll found support for HB-2 at 51-40 percent, less than two weeks after the bill was enacted into law by the governor. The survey was taken of 960 registered voters from Friday to Sunday. Respondents were not identified as likely voters, which is a more accurate measure. Of the participants, 80 percent responded by phone, and 20 percent who didn't have land lines responded over the internet.
- The campaign of Gov. Pat McCrory released an email Monday blaming Charlotte Mayor Jennifer Roberts Roberts, a Democrat, for backing the ordinance that prompted House Bill 2. The email takes a swipe at McCrory's Democratic opponent Roy Cooper as well as Roberts. "Roy Cooper Ally Jennifer Roberts Admitted She Thought About Leaving Out The Bathroom Mandate, But Pushed It Through Anyway," a headline says. In January, Roberts backed a city council ordinance that extended anti-discrimination protection to the LGBT community and allowed transgender people to use the bathroom with which they identify. McCrory's email includes TV and radio clips of Roberts talking about House Bill 2. It's unusual for a governor to target a mayor as part of his re-election campaign. "The clips . . . should help refresh your memory that the topic of bathrooms was first raised by the radical left when -- over warnings from the governor and other state leaders that they should have left restroom norms way they were and focus on things . . . Roy Cooper's allies decided to push through Charlotte's radical bathroom mandate anyway," said McCrory campaign spokesman Ricky Diaz. A Roberts spokesman declined to comment. (Jim Morrill, THE CHARLOTTE OBSERVER, 4/25/16)
- The Libertarian Party has joined the growing list of organizations calling for the repeal of HB-2. "The state has no authority to determine gender," the unanimous resolution states, according to a news release. HB-2 also "unduly intrudes state authority into local decision-making and unreasonably limits the ability of the citizens . . . to govern themselves." In addition, the bill reduces individual rights because it "bans citizens from using state courts to remedy discrimination" Nic Haag, Libertarian candidate for Senate District 44, introduced the resolution. It was endorsed by General Assembly candidates Brad Hessel, Senate District 15, Brian Irving, House District 36, and Rob Rose, House District 37. The convention was held in Raleigh last weekend. (NEWS RELEASE, 4/25/16)
- The Detroit-based W.K. Kellogg Foundation has canceled a major conference in Asheville with an estimated \$1.5 million economic impact, according to Asheville's WLOS News. The conference was to be held at the Omni Grove Park Inn, and would have brought an estimated 500 people to Asheville, according to the foundation. Kellogg Foundation spokesperson AJ Jones says the

decision to leave is no reflection on the Omni organization or Asheville, but rather the policies of lawmakers who passed HB-2. "It is unfortunate that the Kellogg Foundation has decided not to have their event at our resort," said Omni Grove Park Director of Public Relations & Community Outreach Tracey Johnston-Crum. "That is their business decision and we respect, as we would with any client, their choice of location for their meetings." The W.K. Kellogg Foundation's (WKKF) Truth, Racial Healing & Transformation enterprise (TRHTE) would have been held in August. (Kimberly King and Krystyna Biassou, WLOS NEWS, 4/25/16)

- A four-day business conference for architects has pulled out of Wilmington, citing opposition to HB-2. In a news release Monday afternoon, the American Institute of Architects (AIA) announced it would not hold its South Atlantic Region conference this fall in Wilmington. The conference was scheduled to be held Sept. 29 to Oct. 2 at the Wilmington Convention Center. "We join the growing chorus of citizens and entities and call for the judicious and timely repeal of HB 2 in North Carolina as soon as the General Assembly convenes this week," the release stated. The AIA's South Atlantic region represents more than 5,100 architects in Georgia, North Carolina and South Carolina, according to the release. The release does not list a new location for the conference, but states that it will be held outside of North Carolina. (Cammie Bellamy, WILMINGTON STAR-NEWS, 4/25/16)

(Anne Blythe, Colin Campbell, Craig Jarvis, THE NEWS & OBSERVER, 4/25/16).

HB-2 Rally

Hundreds of supporters of a new North Carolina law that limits LGBT rights rallied downtown Monday to defend it against what pastors and Republican lawmakers said were lies churned into a smear campaign. Speakers on Halifax Mall, just north of the Legislative Building, focused on the section of the law that requires people to use bathrooms in public facilities that correspond to the gender on their birth certificate. "We have a solemn duty to stand in defense of our state, in defense of the truth and in defense of HB2," said John Rustin, executive director of the NC Family Policy Council, on the day the legislature returned for its scheduled 2016 session. "Encourage the governor and state legislators to stay the course against these despicable attacks." Monday's demonstration featured some of the same organizers and speakers who put on a pro-HB2 rally outside the Capitol two weeks ago. But much has changed since then. More companies have announced their opposition to the law, reports of cities losing tourism have grown, and the United Kingdom has issued a North Carolina travel advisory for its lesbian, gay, bisexual and transgender citizens. A federal appeals court decision in a Virginia case has thrown the viability of the LGBT portion of the law into doubt.

HB2 rallies dominated the first day of the legislative short session Monday. Opponents and supporters held simultaneous afternoon demonstrations on opposite sides of the Legislative Building, with opponents on the south side. The groups did not meet except when a small group walked by the supporters' rally chanting "black trans lives matter." Aware that the attention of the world is on the state, speakers encouraged the bill's supporters to stand fast and participate in a backlash against the backlash. Tami Fitzgerald, executive director of the NC Values Coalition, told the law's supporters that they soon will have an easy way to post Facebook messages to businesses and "reach out to CEOs who have been bullying our state." Rep. Dan Bishop, the Charlotte Republican who sponsored the law, said opposition to it is based on "a media-fueled, ideological carpet bombing." The response to the law has been extensive. PayPal canceled its plans to expand in Charlotte, where it intended to add 400 jobs. Deutsche Bank froze Cary expansion plans. Amazon pulled out of talks to manage the UNC-Chapel Hill bookstore. Bruce Springsteen, Ringo Starr, Pearl Jam and others – including on Monday singers Nick Jonas and Demi Lovato – canceled North Carolina shows. Pro-HB2 speakers blamed the business backlash on Charlotte Mayor Jennifer Roberts and the Charlotte City Council for passing

the ordinance, plus the Human Rights Campaign and Equality NC, an LGBT rights advocacy organization. The Human Rights Campaign, in a statement, said the state's political leaders are responsible. Christian churches and schools drove attendance at the pro-HB2 rally; some participants came in buses. Hundreds of people stood and sat on the lawn surrounded by government buildings. Most speakers emphasized that the purpose of the law was to protect women and girls from sexual predators who would use the bathroom ordinance to assault them. "Has the nation gone crazy?" asked Rep. Paul Stam, an Apex Republican. "Has the nation gone nuts? Some people have, but you haven't."(Lynn Bonner, THE NEWS & OBSERVER, 4/25/16).

Voter ID Law

U.S. District Judge Thomas Schroeder issued a 485-page ruling dismissing all claims in the challenge to the state's sweeping 2013 election law overhaul. Schroeder, a George W. Bush appointee, also upheld portions of the 2013 law that cut the number of days people could vote early, eliminated same-day registration and voting and prohibits people from casting a ballot outside their precinct. The decision comes nearly three months after a trial on the ID portion of the law. Schroeder noted that North Carolina had "become progressive nationally" by permitting absentee voting, having early voting for 17 days before the Election Day, a lengthy registration period, out of precinct voting on Election Day and a pre-registration program for 16-year-olds. "In 2013, North Carolina retrenched," Schroeder said in his opinion. Ultimately, though, Schroeder said the state had provided "legitimate state interests" in making the changes and the challengers failed to demonstrate that the law was unconstitutional. "This ruling further affirms that requiring a photo ID in order to vote is not only common-sense, it's constitutional," Gov. Pat McCrory said in a statement. "Common practices like boarding an airplane and purchasing Sudafed require photo ID and thankfully a federal court has ensured our citizens will have the same protection for their basic right to vote."

In reaching the decision released on Monday, Schroeder conducted a two-part trial that spanned over 21 days in July and this past January. He considered the testimony of 21 expert witnesses and 112 other witnesses, and more than 25,000 pages that are part of the record. The ruling won swift condemnation from civil rights organizations that challenged the three-year-old changes to North Carolina's voting process. "The sweeping barriers imposed by this law undermine voter participation and have an overwhelmingly discriminatory impact on African-Americans," Dale Ho, director of the ACLU's Voting Rights Project, said in a statement. "This ruling does not change that reality. We are already examining an appeal." An appeal is likely and many expect the U.S. Supreme Court to be the final arbiter of the constitutionality of a law that has been monitored by many. The legal battle is one of several being watched across the nation as courts address questions of the fairness and lasting impacts ID laws have on voting rights.

In North Carolina, voters were required this year to use one of six specified IDs when they cast ballots — unless they could show they faced a "reasonable impediment" for getting one. The rule is part of sweeping changes to North Carolina's elections law that were shepherded through the Republican-led General Assembly and signed into law by Gov. Pat McCrory, a Republican, in 2013, the first year the party had control of both chambers and the governor's office. In 2015, on the eve of the federal trial, N.C. legislators added a "reasonable impediment" option that gave voters who did not have or could not get an ID the option of casting a provisional ballot. In the March primaries, many college students who did not have one of the specified IDs ran into problems and had to cast provisional ballots, some of which counted; others that didn't. That data was not before Schroeder as he issued his opinion.(Anne Blythe, THE NEWS & OBSERVER, 4/25/16).

Academic Investigation

The NCAA handed UNC-Chapel Hill a new notice of allegations Monday — a much smaller, 13-page document that is a gentler take on the academic-athletic scandal than the first notice delivered nearly a year ago. The

new notice removed an impermissible benefits charge that pertained to athletes who took fake classes from the fall of 2002 through the summer of 2011, and replaced it with a failure to comply with rules charge that starts in the fall of 2005. The new notice continues to assess a lack of institutional control charge against UNC, but also limits the misconduct to the fall of 2005 going forward for athletes in sports other than women's basketball. Football and men's basketball are no longer mentioned as leading beneficiaries of the fake classes. In fact, the notice doesn't mention them at all, and instead cites misconduct involving athletes in general in the lack of institutional control and failure to comply allegations. The new notice, as expected, includes more examples of misconduct by Jan Boxill, a former academic counselor to the women's basketball team. The NCAA said Boxill provided extra impermissible benefits by writing parts of papers in 15 cases, completing a quiz in another and asking for specific grades for two athletes. UNC had brought additional examples of Boxill's misconduct to the NCAA in August, which caused a delay in the case as the NCAA prepared a new notice of allegations. An attorney for Boxill, the former faculty leader who was forced to retire last year, said the allegations in the notice are "incorrect and based on email conversations that were taken out of context." "Dr. Boxill has never spoken publicly about the scandal, but she did testify before the NCAA," said attorney Randall Roden. "She explained that she did not know anything about the fake classes or who was grading the papers – and no one connected to the women's basketball team knew those things. There is no legitimate reason for the women's basketball team to be singled out for special scrutiny or punishment." The notice said Boxill's conduct was so egregious that the NCAA waived its four-year statute of limitations. That statute wasn't mentioned for the other allegations, including lack of institutional control. The new notice says others in the Academic Support Program for Student-Athletes did not know what they were doing was wrong.

A detailed investigation backed by UNC found the scandal began in 1993, after Deborah Crowder, a former departmental manager for the African and Afro-American Studies department received complaints from academic counselors to the athletes about the rigor of the department's independent studies. Crowder, an ardent UNC basketball fan who was not a faculty member, began creating the classes and grading them. Her boss, professor Julius Nyang'oro, continued the classes after Crowder retired in 2009. Nyang'oro, the department chairman, was forced to retire in 2012. Athletes made up half of the roughly 3,100 students enrolled in the classes, with men's football and men's basketball leading the athletic enrollments. Experts say it's the worst academic fraud in the NCAA's history, but the NCAA in both notices has not labeled the classes as fraudulent. The five charges outlined in the amended notice are as follows:

- Jan Boxill, the former women's basketball academic counselor and former director of UNC's Parr Center for Ethics, is charged with providing extra benefits in the form of impermissible academic assistance and special arrangements to women's basketball players.
- Debby Crowder, the former AFAM department administrative assistant, is charged with unethical conduct for refusing in 2014 and 2015 to consent to an interview with the NCAA Enforcement Staff about possible rules violations.
- Julius Nyang'oro, the former AFAM department chairman, is charged with unethical conduct for refusing to consent to an interview with the NCAA about possible rules violations.
- UNC is charged with failing to monitor the ASPSA and AFAM departments between the fall of 2005 and the summer of 2011.
- UNC is charged with a lack of institutional control between the fall of 2005 and the summer of 2011.

(Dan Kane, THE NEWS & OBSERVER, 4/26/16).

Party Dispute

In an unprecedented move, six former North Carolina Republican chairs wrote party officials Monday urging the ouster of the current chairman. In the letter to the party's executive committee, former chairs Claude Pope, Robin Hayes, Ferrell Blount, Jim Hastings, Jane Rouse and Tom Fetzer said they are "disappointed and even appalled at the actions of current NCGOP Chairman Hasan Harnett." The appeal comes days before Saturday's scheduled executive committee meeting where a vote is expected to be taken on Harnett's future. Harnett was elected last year with the support of tea party and grassroots activists. He upset a candidate who had the backing of Gov. Pat McCrory and other GOP elected leaders. Last month the GOP Central Committee voted to censure Harnett, citing eight "gross violations of the Party's rules." Among them: jeopardizing the security of party computer systems as well as its fundraising apparatus. In their letter, the former chairs wrote, "The multiple inaccurate statements being spread by Hasan Harnett, undermine the work of our grassroots activists that have long been dedicated to our party. He has demonstrated time and time again that he is not capable of being chairman. We, as former chairmen, respectfully and sincerely ask to vote to remove Hasan Harnett as chairman on the NC Republican Party." Harnett could not be reached for comment. Supporter Daniel Rufty said he's out of the country on business. "This is part of the good old boy's club and Hasan's not a part of it," said Rufty, the GOP's 12th District chairman. "I think it's absurd. The evidence they've presented against Hasan is ludicrous."(Jim Morrill, THE CHARLOTTE OBSERVER, 4/25/16).

Toll Opposition

In the latest efforts to stop the Interstate 77 toll lane project, two Mecklenburg County lawmakers introduced separate bills Monday to cancel the construction contract. Rep. Tricia Cotham, a Matthews Democrat, introduced House Bill 950. And Rep. Charles Jeter, a Huntersville Republican, filed HB 954. Each would cancel the contract with I-77 Mobility Partners, a subsidiary of the Spanish firm Cintra. The \$660 million project broke ground late last year. It would add center toll lanes to the interstate that serves the fast-growing Lake Norman area. Critics say the 50-year contract for Cintra to collect the toll revenue virtually precludes the state from adding any extra lanes for the length of the contract. Getting out of the contract would enact a penalty that's been estimated to cost up to \$300 million. Both measures says nothing in the bill "shall be construed as relieving the state from paying damages or other monetary penalties" from canceling the contract.

Despite opposition from area residents and business groups, earlier efforts to stop the project ran into dead ends. In January the Charlotte Regional Transportation Planning Organization voted to endorse the project over the objections of several local governments. It's not clear how any bill to stop the project would fare during the short session. Senate Republican Leader Phil Berger of Rockingham County told reporters last week he hadn't seen a specific proposal. But he didn't seem inclined to support it. "The I-77 issue has been around for a while," he said. "I think we've gone pretty far down the road on that. I don't see the need for any significant changes." Cotham is running for Congress from the 12th District, which now includes north Mecklenburg County. Jeter is running for re-election against a well-funded Democrat after winning the March 15 primary by 35 votes.(Jim Morrill, THE CHARLOTTE OBSERVER, 4/25/16).

Gubernatorial Poll

The poll by the left-leaning firm Public Policy Polling finds Gov. Pat McCrory and Attorney General Roy Cooper neck and neck in their campaigns for governor. Polls have consistently found that to be the case, until an Elon University poll last week gave Cooper a six-point lead. PPP found Cooper with 43 percent and McCrory 42 percent, with a margin of error of 3.2 percentage points. The survey was taken of 960 registered voters from Friday to Sunday. Respondents were not identified as likely voters, which is a more accurate measure. Of the participants, 80 percent responded by phone, and 20 percent who didn't have land lines responded over the internet.(Craig Jarvis, THE NEWS & OBSERVER, 4/25/16).

Hired

The N.C. Department of Transportation has hired J. Carr McLamb Jr. as its new general counsel. McLamb replaces Shelley Blake, who recently left the agency to become general counsel at GoTriangle. A DOT spokesman confirmed McLamb's hiring. His first day is May 2. Most recently, McLamb worked as a manager with Troutman Sanders Strategies focusing on government relations and lobbying. Before that, he was deputy director of legislative affairs and an assistant general counsel at the Department of Environment and Natural Resources, now known as the Department of Environmental Quality. A Raleigh native, McLamb received a degree in business management from N.C. State University and his law degree from Wake Forest University School of Law.(THE INSIDER, 4/26/16).

Historic Papers

Famous papers about North Carolina government will be on display for two days on the first floor of the Legislative Building as lawmakers start their next session. The documents will be on display Monday morning through Tuesday afternoon. The legislative session starts Monday. Included in the display will be the state's first constitution from 1776, which said the General Assembly selected the government, not voters. Only free men who were at least 21 years old could vote, and only landowners could hold political office. Among the documents to be displayed are North Carolina's early constitutions, the original Declaration of Rights and amendments to the state and U.S. Constitution. After display at the General Assembly the documents will be exhibited at state museums and historic sites throughout 2016.(THE ASSOCIATED PRESS, 4/25/16).

Municipal Districts

The Legislative Research Commission on Monday signed off on draft legislation related to municipal service districts, allowing the proposal to be filed as a bill during the short session. Municipal service districts, or MSDs, are special areas inside cities in which property owners pay extra taxes for extra services. Most of the 50-plus MSDs in North Carolina are for downtown revitalization or beach erosion control. The draft legislation came from the LRC's Committee on Municipal Service Districts. Sen. Trudy Wade, R-Guilford, said the proposal would require cities to pass ordinances to create the districts. Currently, a city council can create an MSD by adopting a resolution by majority vote. "It makes them pass an ordinance at two separate meetings so that the public has more of a chance to have input," Wade said. The draft measure also would require that any private agency that contracts with a city to provide services for an MSD must report amounts paid to any subcontractors. The proposal also would establish a process by which property owners may petition their city councils to create an MSD. Finally, the proposal would allow a property owner located within a proposed district to petition the city to be removed from the district. The commission also recommended that two other LRC committees on Savings Reserve Accounts and Barriers to Small Business Access to Credit and Capital be allowed to continue to meet and report back to the General Assembly in December.(Patrick Gannon, THE INSIDER, 4/26/16).

Tobacco Watch

The Connecticut Supreme Court has ruled that lawsuits against cigarette manufacturers aren't prohibited by an exemption in liability law, bolstering the case of a Connecticut smoker who got cancer and won a \$28 million judgment against a tobacco company. The decision was released Monday. The court was asked to decide the issue by the 2nd U.S. Circuit Court of Appeals in New York, which is considering R.J. Reynolds Tobacco Co.'s appeal of the award. Barbara Izzarelli, of Norwich, sued the Winston-Salem, North Carolina, company in 1999 after surviving laryngeal cancer. She smoked the company's Salem Kings cigarettes for 25

years. The lawsuit alleged R.J. Reynolds manipulated nicotine in cigarettes to get non-smokers addicted and smokers to smoke more. R.J. Reynolds argues such lawsuits are barred by state liability law.(THE ASSOCIATED PRESS, 4/25/16).

Charlotte Headquarters

A packaging company based in New York state is moving its headquarters to Charlotte to be closer to its manufacturing operations. Genpak Corp., which currently has 62 people in its Glens Falls location, is looking for office space that could eventually hold about 100 employees, president Kevin Kelly said Monday. The company expects to staff the headquarters with a mix of relocated employees and new hires, he said. The company already has manufacturing and research and development operations in Charlotte, including on Westinghouse Boulevard. Genpak plans to look for office space in areas such as Ballantyne and the Coliseum area, Kelly said. Genpak is a privately held company owned by the Canada-based Jim Pattison Group. It manufactures food packaging such as foam meat trays for supermarkets and plastic microwaveable containers.(THE CHARLOTTE OBSERVER, 4/25/16).

House Bills Filed

Monday, April 25, 2016

- [HB-945](#) UNEMPLOYMENT INSURANCE TECHNICAL CHANGES
- [HB-946](#) REPEAL HB2/FUND HUMAN RELATIONS COMM
- [HB-947](#) ENHANCE OVERSIGHT OF CERTAIN CAPITAL PROJECTS
- [HB-948](#) AUTHORIZE APO STUDIES
- [HB-949](#) OCCUPATIONAL LICENSING BOARD CONTACT INFO
- [HB-950](#) TERMINATE AGREEMENT FOR TOLLING OF I-77
- [HB-951](#) CHANGE REPORT - BUILD. & INFRASTRUCTURE COMM
- [HB-952](#) HONOR OUR SERVICE ANIMALS/SHERIFF CONTRACTS
- [HB-953](#) ORDERED FUND TRANSFER BACK TO RICHMOND COUNTY
- [HB-954](#) TERMINATE AGREEMENT FOR TOLLING OF I-77
- [HB-955](#) CHANGES SPECIAL ED./OPPORTUNITY SCHOLARSHIPS
- [HB-956](#) HENDERSON COUNTY/COMMUNITY COLLEGE PROJECTS
- [HB-957](#) HENDERSONVILLE CHARTER AMENDMENT
- [HB-958](#) FELONY DEATH IMP. BOATING/SHEYENNE'S LAW
- [HB-959](#) DOT PROPOSED LEGISLATIVE CHANGES
- [HB-960](#) RETIREMENT CREDITABLE SERVICE CHARTER SCHOOLS

Senate Bills Filed

Monday, April 25, 2016

- [SB-723](#) DOT PROPOSED LEGISLATIVE CHANGES
- [SB-724](#) ENHANCE OVERSIGHT OF CERTAIN CAPITAL PROJECTS
- [SB-725](#) UNEMPLOYMENT INSURANCE TECHNICAL CHANGES
- [SB-726](#) IRC UPDATE
- [SB-727](#) MOORE CNTY LOCAL SALES TAX USE RESTRICTION
- [SB-728](#) LOTTERY - JLOC RECOMMENDATIONS
- [SB-729](#) VARIOUS CHANGES TO THE REVENUE LAWS

- [SB-730](#) SPAY AND NEUTER
- [SB-731](#) RESTORE FUNDING TO DRUG COURT
- [SB-732](#) REPEAL LUMBERTON FIREMEN'S SUPP. PENSION FUND
- [SB-733](#) TOWN OF PROCTORVILLE/SEWER FEE COLLECTIONS
- [SB-734](#) STATEWIDE STANDING ORDER/OPIOID ANTAGONIST
- [SB-735](#) APPROPRIATE FUNDS/DEMENTIA CAREGIVER PROGRAMS
- [SB-736](#) STUDY SUICIDE PREVENTION
- [SB-737](#) CONTINUE WORKFORCE DEVELOPMENT OVERSIGHT COM
- [SB-738](#) STUDY APPRENTICESHIP INCENTIVES
- [SB-739](#) TOWN OF ROLESVILLE/ANNEXATION
- [SB-740](#) COLLABORATION OF STATE AGENCIES/EARLY EDUC
- [SB-741](#) STATE CONTROLLER/CRIMINAL RECORD CHECKS
- [SB-742](#) OPP. SCHOLARSHIP MILITARY CHILD ELIGIBILITY
- [SB-743](#) AUTHORIZE APO STUDIES
- [SB-744](#) OCCUPATIONAL LICENSING BOARD CONTACT INFO
- [SB-745](#) RESTORE TAX DEDUCTION FOR 529 PLAN
- [SB-746](#) BOARD OF AGRICULTURE CONFIRMATION
- [SB-747](#) STATE-OWNED REAL PROPERTY MANAGEMENT/PED
- [SB-748](#) CHANGE REPORT - BUILD. & INFRASTRUCTURE COMM
- [SB-749](#) CONFIRM LYONS GRAY/UTILITIES COMMISSION
- [SB-750](#) CONFIRM CHRIS LOUITIT/INDUSTRIAL COMMISSION
- [SB-751](#) COMMISSION MEMBERSHIP WINSTON-SALEM RET. FUND

House Calendar

Tuesday, April 26, 2016

House Convenes at 11:00 a.m.

- No bills listed.

Senate Calendar

Tuesday, April 26, 2016

Senate Convenes at 9:15 a.m.

- No bills listed.

House Committee Meetings

- Wednesday, April 27
 - 9:00 a.m.
 - House Committee On Appropriations, 643 LOB

Senate Committee Meetings

- Tuesday, April 26

- 1:00 p.m.
 - Senate Committee On Finance, 544 LOB
- 3:00 p.m.
 - Senate Select Committee on Nominations, 1027/1128 LB
- Wednesday, April 27
 - 9:00 a.m.
 - Senate Committee On Appropriations/Base Budget, 643 LOB

Other Legislative Studies and Meetings

Items in **Bold** are new listings.

LB: Legislative Building

LOB: Legislative Office Building.

More Information: <http://ncleg.net/LegislativeCalendar/>

Monday May 9

- **1 p.m. | The Joint Legislative Program Evaluation Oversight Committee, 544 LOB.**

N.C. Government Meetings and Hearings

Items in **BOLD** are new listings.

Thursday, April 28

- 10 a.m. | The N.C. Drought Management Advisory Council meets, Gov. James G. Martin Building, North Carolina State Fairgrounds, 1025 Blue Ridge Road, Raleigh.

Monday, May 2

- 8:30 a.m. | The NC Sheriffs' Education and Training Standards Commission, holds public hearing on proposed rule changes, 1700 Tryon Park Dr., Raleigh.

Wednesday, May 4

- 10 a.m. | The NC Board of Chiropractic Examiners holds public hearing on proposed rule changes, Board Office, 174 Church St, NE, Concord.
- 3 p.m. | The DEQ Environmental Management Commission holds public hearing on proposed rule changes, NC Department of Environmental Quality, 217 West Jones St., Raleigh.

Monday, May 9

- 5 p.m. | The Coastal Resources Commission of the Dept. of Environmental Quality holds public hearing on proposed rule changes, Currituck County, Outer Banks Center for Wildlife Education, 1160 Village Lane, Corolla.

Tuesday, May 10

- 10:30 a.m. | The Criminal Justice Education and Training Standards Commission holds public hearing on proposed rule changes, Wake Technical Community College, Public Safety Training Center, 321 Chapanoke Road, Raleigh.

Wednesday, May 11

- 1:30 p.m. | The DEQ Coastal Resources Commission holds public hearing on proposed rule changes, Dare County Government Complex, 954 Marshall C. Collins Dr., Manteo.

Thursday, May 19

- 10 a.m. | The Rules Review Commission meets, Rules Review Commission room, Office of Administrative Hearings, 1711 New Hope Church Road, Raleigh.

Wednesday, May 25

- 3 p.m. | The DEQ Environmental Management Commission holds public hearing on proposed rule changes, Training Room (#1210), DENR Green Square Office Building, 217 West Jones St., Raleigh.

Wednesday, June 1

- 9 a.m. | The State Banking Commission meets, Hearing Room, Office of the Commissioner of Banks, 316 W. Edenton St., Raleigh.

Thursday, June 16

- 10 a.m. | The Rules Review Commission meets, Rules Review Commission room, Office of Administrative Hearings, 1711 New Hope Church Road, Raleigh.

Thursday, June 23

- 11 a.m. | The Rural Infrastructure Authority of the Dept. of Commerce meets, N.C. Commerce Board Room, 4th floor at 301 N. Wilmington St., Raleigh.

Thursday, July 21

- 10 a.m. | The Rules Review Commission meets, Rules Review Commission room, Office of Administrative Hearings, 1711 New Hope Church Road, Raleigh.

Wednesday, Aug. 17

- 9 a.m. | The State Banking Commission meets, Hearing Room, Office of the Commissioner of Banks, 316 W. Edenton St., Raleigh.

Thursday, Aug. 18

- 10 a.m. | The Rules Review Commission meets, Rules Review Commission room, Office of Administrative Hearings, 1711 New Hope Church Road, Raleigh.
- 11 a.m. | The Rural Infrastructure Authority of the Dept. of Commerce meets, N.C. Commerce Board Room, 4th floor at 301 N. Wilmington St., Raleigh.

Thursday, Sept. 15

- 10 a.m. | The Rules Review Commission meets, Rules Review Commission room, Office of Administrative Hearings, 1711 New Hope Church Road, Raleigh.

Thursday, Oct. 20

- 10 a.m. | The Rules Review Commission meets, Rules Review Commission room, Office of Administrative Hearings, 1711 New Hope Church Road, Raleigh.
- 11 a.m. | The Rural Infrastructure Authority of the Dept. of Commerce meets, N.C. Commerce Board Room, 4th floor at 301 N. Wilmington St., Raleigh.

Wednesday, Nov. 2

- 9 a.m. | The State Banking Commission meets, Hearing Room, Office of the Commissioner of Banks, 316 W. Edenton St., Raleigh.

Thursday, Nov. 17

- 10 a.m. | The Rules Review Commission meets, Rules Review Commission room, Office of Administrative Hearings, 1711 New Hope Church Road, Raleigh.

Thursday, Dec. 15

- 10 a.m. | The Rules Review Commission meets, Rules Review Commission room, Office of Administrative Hearings, 1711 New Hope Church Road, Raleigh.
- 11 a.m. | The Rural Infrastructure Authority of the Dept. of Commerce meets, N.C. Commerce Board Room, 4th floor at 301 N. Wilmington St., Raleigh.

Wednesday, Jan. 25

- 9 a.m. | The State Banking Commission meets, Hearing Room, Office of the Commissioner of Banks, 316 W. Edenton St., Raleigh.

N.C. Utilities Commission Hearing Schedule

Dobbs Building
430 North Salisbury Street
Raleigh, North Carolina

More Information: <http://www.ncuc.commerce.state.nc.us/activities/activit.htm>

Monday, May 2

- Staff Conference.
- 2 p.m. | E-22 Sub 530 ...Petition for Arbitration of Unresolved Issues Between Fresh Air Energy, Ecolplexus and Dominion Power North Carolina, Dobbs - Commission Hearing Room, 2nd floor, Room 2115.

Monday, May 9

- Staff Conference.

Tuesday, May 10

- 10 a.m. | T-4615 Sub 0 ...Application for Certificate of Exemption to Transport Household Goods, Dobbs - Commission Hearing Room, 2nd floor, Room 2115.

Wednesday, May 11

- 7 p.m. | E-7 Sub 1101 ...Petition for Certificate for 6MW Solar (Woodleaf Site) Located at the Intersection of 801 and Old US 70, Rowan County, City of Salisbury City Hall, Council Chambers, 217 S Main St., Salisbury.

Monday, May 16

- Staff Conference.
- E-7 Sub 1101 ...Petition for Certificate for 6MW Solar (Woodleaf Site) Located at the Intersection of 801 and Old US 70, Rowan County, Dobbs - Commission Hearing Room, 2nd floor, Room 2115.

Tuesday, May 17

10 a.m. | G-40 Sub 130 ...2015 Annual Prudency Review/Annual Gas Cost, Dobbs - Commission Hearing Room, 2nd floor, Room 2115.

Monday, May 23

- Staff Conference.

Tuesday, May 31

- Staff Conference.

UNC Board of Governors

Board Room of the Spangler Center
910 Raleigh Road, Chapel Hill (**remote meeting locations in BOLD**)
More Information: <https://www.northcarolina.edu/bog/schedule.php>

Wednesday, April 27

- 1:30 p.m. | The UNC Board of Governors meet, Board Room of the Spangler Center, 910 Raleigh Rd, Chapel Hill.

Friday, May 27

- TBA | The UNC Board of Governors, Board Room, Center for School Leadership Development, Chapel Hill.

Friday, July 29

- TBA | The UNC Board of Governors, C.S.L.D. Building, Chapel Hill.

Friday, Sept. 9

- **TBA | The UNC Board of Governors, UNC Greensboro.**

Friday, Oct. 14

- TBA | The UNC Board of Governors, C.S.L.D. Building, Chapel Hill.

Friday, Dec. 2

- TBA | The UNC Board of Governors, C.S.L.D. Building, Chapel Hill.

Other Meetings and Events of Interest

Items in **BOLD** are new listings.

Tuesday, April 26

- TBA | The state Department of Cultural and Natural Resources holds a public hearing on a monument to commemorate the achievements of African-Americans, Wilmington.

Tuesday, May 3

- TBA | The state Department of Cultural and Natural Resources holds a public hearing on a monument to commemorate the achievements of African-Americans, Raleigh.

Friday, May 6

- 7 p.m. | The NCGOP holds its State Convention, Koury Convention Center, 3121 W Gate City Blvd., Greensboro. Tennessee Congressman Marsha Blackburn will be guest speaker.

Wednesday, May 25

- 9 a.m. | The NC Department of Military and Veterans Affairs and the North Carolina Veteran's Business Association host Women Veterans Summit and Expo, McKimmon Center at North Carolina State University, Raleigh.

Saturday, Oct. 15

- TBD | The Equality NC Foundation host 10th annual Equality Gala, Marriott City Center, 500 Fayetteville St., Raleigh.