**Morning Press Clips: Thursday, March 10, 2016**

**Bonds**

- SN: McCrory shoots hoops, talks bond on visit to UNCW

- CO: Dubois and Zeiss hit campaign trail for statewide $2 billion bond referendum

- NCNN: Governor McCrory Hosts Bond Panel Discussion at UNC Wilmington

- WECT:  Governor McCrory: "I have no Plan B."

- TWC: Gov. McCrory Visits UNCW to Promote Connect NC Bond

- HPE: Bond fate may hinge on turnout

- PCD:  McCrory visits Wilmington to push Connect NC bond

**Jobs/Economy**

- WCTI12: Bosch expanding Craven County location soon

**Infrastructure**

- CRO:  McCrory: New Bridge Meaningful for Dare

- OBV:  Not all of the key players in Bonner saga drew the spotlight

**NCGA**

- TWC: NC Lawmakers Prepare to Take Action Addressing LGBT Ordinance

**Other**

- NO: New sales tax prompts confusion, ‘uneven playing field,’ legislators say

- NO: Warnings lifted on wells near coal ash ponds

- WRAL:  Trump brings risks, potential rewards to GOP ticket

- CO:  NC GOP flap exposes divisions in party

- WWAY: GOV. PAT MCCRORY STOPS AT BEAU’S COFFEE IN WILMINGTON

- AP:  Challengers take on NC gubernatorial favorites

- NO: NC whistleblower’s case could have impact on McCrory political appointees

- WECT:  Gov. McCrory stops by Beau's Coffee

- WECT: Governor McCrory shoots hoops with UNCW basketball team

- WRAL: State OKs water from 235 wells near coal ash ponds

- JN: Three vying for District 26 NC House seat

- WECT: Governor McCrory shoots hoops with UNCW basketball team

**Opinion**

- CO: Observer Forum: Letters to the editor 03.10.16

- CO: Editorial board endorses 4 for N.C. House, Senate

- FO: McKee: Meeting will address Duke plant risk

- NCPW:  Gender identity or birth sex? Appeals court weighs transgender rights in public accommodations

**BONDS**

**McCrory shoots hoops, talks bond on visit to UNCW**

By Tim Buckland

Star News

<http://www.starnewsonline.com/article/20160309/NEWS/160309686/1004/ARTICLES?Title=McCrory-shoots-hoops-talks-bond-on-visit-to-UNCW>

WILMINGTON -- N.C. Gov. Pat McCrory on Wednesday reiterated the state's claim that the $2 billion bond initiative on the March 15 ballot will not result in a tax increase and said there is no backup plan should the bond question fail.

"I don't have a 'Plan B,' " McCrory told reporters following a panel discussion at the University of North Carolina Wilmington about the bond initiative. "This is my 'Plan A.' "

The bond includes $66 million for a new building at UNCW that will more than double the amount of space available to the school's nursing school and health and applied human services program.

Along with funding for UNCW, the bond also consists of a handful of other projects for the region, including nearly $6 million for Cape Fear Community College; $855,000 for improvements at Carolina Beach State Park; $1.125 million for improvements at the Fort Fisher State Recreation Area; and $2.85 million for improvements at Brunswick Community College.

McCrory said he would guarantee that borrowing the money will not result in a tax increase.

"The financial model means there will be no tax increase because we've integrated the operating costs of paying off the bonds into our budget just like you would integrate a house payment into your monthly budget in your household home," he said.

Last week state Rep. Rick Catlin, R-New Hanover, told WHQR radio criticized the bond partly because it would allow the General Assembly to make any changes it wants.

McCrory didn't dispute the statement, but scoffed at it.

"The legislature has the power to do anything it wants," he said. "Whoever's saying that is throwing false hand grenades. It's a straw-dog argument."

Before the panel discussion, McCrory played a game of P-I-G with members of the UNCW men's basketball team, which on Monday won the Colonial Athletic Association tournament to secure a place in the NCAA Tournament.

McCrory finished second to star guard Chris Flemmings, but did share his story of once, as a referee in 1984, calling a traveling violation on Michael Jordan.

"You know why I called him for traveling?" McCrory said. "Because he traveled. That's why."

Reporter Tim Buckland can be reached at 910-343-2217 or Tim.Buckland@StarNewsOnline.com.

**Dubois and Zeiss hit campaign trail for statewide $2 billion bond referendum**

BY DAVID PERLMUTT

Charlotte Observer

<http://www.charlotteobserver.com/news/local/article65064382.html>

Less than a week before Tuesday’s primary, the leaders of Charlotte’s two public higher education institutions hit the campaign trail Wednesday to push for a $2 billion statewide bond referendum.

Nearly half the money would be slated for UNC system campuses for a variety of projects that include a $90 million science building at UNC Charlotte.

The current two-story science building opened in 1985 when the university’s enrollment was about 11,000. It has since jumped to nearly 28,000, with about half the students who have declared majors concentrating on STEM (science, technology, engineering and math) curricula.

Consequently, the Burson building is cramped with outdated lecture halls and wooden protective laboratory hoods, instead of the safer steel hoods that replaced them decades ago in chemistry labs at other universities across the country.

Even students who major in philosophy or political science must take courses that require at least one laboratory component at a school that is expected to grow to 35,000 students.

“Our existing science building just isn’t big enough, or modern enough,” Chancellor Phil Dubois told about 120 members of the Hood Hargett Breakfast Club during a Wednesday luncheon. “For an institution that’s going to grow to 35,000 students, we need to get that building replaced.”

The bonds have been endorsed by Gov. Pat McCrory, the Charlotte Chamber and new UNC system President Margaret Spellings. Taxes would not rise as a result of the bonds if voters approve the measure.

Projects at the state’s community colleges would get $350 million, with about $9.6 million scheduled for Central Piedmont Community College.

IF YOU WANT TO DO SOMETHING GOOD FOR YOUR COMMUNITY AND YOUR STATE, JUST GO VOTE AND VOTE FOR THESE BONDS. YOU’LL GET A GREAT RETURN FROM YOUR INVESTMENT, AND YOUR INVESTMENT IS ONE VOTE.

Tony Zeiss, retiring president of Central Piedmont Community College

Retiring CPCC President Tony Zeiss told the group that most of its allotment would buy a second energy plant on the central campus to help power recently built buildings. The college, he said, also needs a new truck pad for its new truck driving program.

“If we want to live well, we have to educate well,” Zeiss said. “People say the cost of education is high. Yes, but the cost of ignorance is worse.”

The remainder will go to repair and expand parks, support environmental education and build regional facilities for the Army National Guard. Some $309 million would be dedicated to modernizing water and sewer plants in rural towns and larger cities across the state.

The referendum, at the bottom on next week’s ballot, comes 15 years after North Carolina voters approved by a wide margin $3.1 billion for the UNC system and community colleges. The money launched 728 building projects across the state that added 12 million square feet of space, transforming campuses with new and renovated residence halls, cutting-edge classroom buildings, libraries and other buildings that catered to students.

OF ALL THE NEW ENROLLMENT AT THE 17 UNC CAMPUSES SINCE 2009, 61 PERCENT HAS BEEN AT UNC CHARLOTTE. – CHANCELLOR PHIL DUBOIS

Since then, enrollments at many campuses – including UNCC and CPCC – have exploded. Yet of all the new enrollment at the 17 UNC campuses since 2009, 61 percent has been at UNCC, Dubois said.

CPCC is the state’s largest community college. The school, like many two-year colleges, has become a launching point for many students to go to four-year schools or learn new skills and work. They have also become critical retraining centers for the state’s workforce after factories were shuttered beginning in the 1980s and unemployment spiraled during the recession.

Both leaders said their schools wouldn’t have grown without the 2000 bonds. The last 10 years, UNCC saw about $1 billion in new construction. But when the recession hit, most building and repairs stopped as enrollment continued to grow, Dubois said.

UNCC has the lowest academic space per student in the UNC system, he said. “Even though we’ve added all this space, all these years we’ve grown through that space, so we’re at the same level,” Dubois said. “I’m hoping this science building will really give us a boost.”

Zeiss said his school’s five satellite campuses wouldn’t have been built if voters had turned down the bond issue in the 2000 referendum.

“If you want to do something good for your community and your state, just go vote and vote for these bonds,” he said. “You’ll get a great return from your investment, and your investment is one vote.”

Perlmutt: 704-358-5061; @dperlmutt

Read more here: <http://www.charlotteobserver.com/news/local/article65064382.html#storylink=cpy>

**Governor McCrory Hosts Bond Panel Discussion at UNC Wilmington**

North Carolina News Network

<http://ncnn.com/edit-news/9753-governor-mccrory-hosts-bond-panel-discussion-at-unc-wilmington>

Wilmington, N.C. - Governor Pat McCrory led an educational bond panel discussion Wednesday at the University of North Carolina Wilmington. The conversation focused on what the bond would bring to UNCW and the region.

"I fought to put the Connect NC bond proposal before the voters because the investments here at UNCW and across the state will cultivate skilled graduates who are prepared to meet the demand for highly-trained health and human services professionals," Governor McCrory said.

Governor McCrory was joined on the panel discussion by UNCW Chancellor Jose Sartarelli, Department of Natural and Cultural Resources Secretary Susan Kluttz, North Carolina National Guard Adjutant General Greg Lusk and Brunswick Community College President Dr. Susanne Adams.

In total, Connect NC will provide $1.3 billion to the UNC System and North Carolina's 58 community colleges.

If approved by voters, the University of North Carolina Wilmington will receive $66 million for a new Health and Human Services/Nursing building. The new building will house the College of Health and Human Services, including the Center for Healthy Communities; existing academic programs in health and applied human sciences, nursing, clinical research and social work; and related labs and classrooms. This new state of the art facility will offer technology-equipped classrooms, laboratories, faculty and student support space, and related infrastructure necessary for 21st century education for health professions. The proposed building would open during 2018-19 academic year and complete the UNCW Health Sciences Quad.

Southeastern North Carolina stands to receive $116 million from Connect NC for improvements to five state parks and nine community colleges.

In addition to investments in education, the $2 billion Connect NC bond includes investments in national guard facilities, state parks, agriculture and water and sewer infrastructure.

Governor McCrory stated that North Carolina's population has grown by two million since the last bond was passed 15 years ago. He also reiterated that no tax increase is necessary to finance the bonds, now or in the future, given the state’s strong revenue growth and ample debt service capacity.

**Governor McCrory: "I have no Plan B."**

WECT

<http://www.wdam.com/story/31430405/governor-mccrory-i-have-no-plan-b>

WILMINGTON, NC (WECT) -

Governor Pat McCrory was in Wilmington Wednesday afternoon stumping for the $2B bond proposal, that’s on the ballot, this primary election season.

“It’s just time” said Governor McCrory, speaking to the press and educators at Trask Auditorium, on the campus of UNCW.  “As a people, we have not had a bond referendum in North Carolina since 2000, over 15 years ago.  Since then, the state has grown by two million people."

The public improvement bond, would go to a variety of projects, mostly in the UNC education system.

Roughly $350 million is ear marked for the state’s community college system, $312 for parks and water and sewer infrastructure, the rest would go to help pay for projects with the NC National Guard, public safety and agriculture.

In the southeast portion of North Carolina, $66 million is proposed for the Health and Human Services/Nursing building at UNCW.  Nearly $6 million, towards improvements at CFCC, $1.1 million to Fort Fisher State park and $855,000 to pay for improvements to Carolina Beach State Park.

Governor McCrory is hoping voters approve the bond.  He told WECT, Wednesday afternoon, he has no “plan B” if voters reject it.”

“One reason I don’t’ have a Plan B is because it’s a good plan in place.  So far, the polling shows that, but who knows with polling these days.” says Governor McCrory. “I would not have put a proposal forward if I didn’t think it had strong public and bi-partisan support.”

Primary Election Day is Tuesday, March 15, 2016.

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**Gov. McCrory Visits UNCW to Promote Connect NC Bond**

By Brandon Shope

TWC News
<http://www.ny1.com/nc/coastal/news/2016/03/9/governor-visits-uncw-to-promote-connect-nc-bond-.html>

WILMINGTON -- Governor Pat McCrory made a stop in the port city Wednesday afternoon to promote the Connect NC bond.

It will be on the ballot March 15th.

Time Warner Cable News reporter Brandon Shope explains why some people are fighting it.

For more information about the bond, please visit here.

**Bond fate may hinge on turnout**

By Paul B. Johnson

HP Enterprise

<http://www.hpenews.com/news/bond-fate-may-hinge-on-turnout/article_a3e30596-e637-11e5-9fae-87b33478d2ae.html>

HIGH POINT — The Republican and Democratic presidential primaries in North Carolina could have implications beyond which candidates collect the most convention delegates — the turnout could help determine the fate of a $2 billion bond referendum issue.

The statewide bond vote, proposed by GOP Gov. Pat McCrory and Republican leaders of the N.C. General Assembly, could end up as the contest most affected by who comes to the polls in the presidential primaries.

If upstart Republican presidential front-runner Donald Trump — who leads in North Carolina in most surveys — generates a strong turnout, it might not bode well for supporters of what’s called the Connect N.C. bond referendum issue, an area political analyst said. Trump supporters tend to be anti-establishment and wary of government entanglements in greater debt, said Ken Fernandez, assistant professor of political science at Elon University.

“Whenever you are trying to pass a bond, you are always worried about the type of turnout,” Fernandez told The High Point Enterprise. “The type of candidates on the ballot can really change the type of person who turns out to vote.”

Proceeds from the Connect N.C. bond would benefit a range of areas, including the University of North Carolina and community college systems, local water, sewer and parks projects, the National Guard, public safety, and agriculture.

Two recent polls give supporters of the Connect N.C. bond reason for optimism.

A High Point University Poll released a week ago finds 69 percent of North Carolinians surveyed support the bond while 20 percent oppose it. The remaining people surveyed either didn’t know or declined to answer.

A WRAL-TV Poll released on Tuesday found 45 percent of those surveyed support the bond while 18 percent are against. But more than one-third of North Carolinians polled by WRAL weren’t certain of their position.

In general, advocates for the bond should benefit by having the issue on the ballot in a presidential year election, Fernandez said. Historically, bond issues fare better in elections with greater turnout.

But this presidential campaign season has been anything but ordinary, in large part because of Trump’s success in the Republican race and the surprising stamina of left-leaning Sen. Bernie Sanders in the Democratic campaign.

“Throughout the primaries nationally, you have seen record-breaking turnout for Republicans and above-average turnout for Democrats,” Fernandez said. “Republicans tend to be more fiscally conservative, and that means it is an uphill battle.”

A spokesman for the Connect N.C. bond advocacy group said supporters of the measure are optimistic, but not overconfident, about its passage.

“All the polling that I’ve see on the bond says that Democrats are supporting this as much as 70 percent to 75 percent,” said spokesman Chris Sinclair. “I’ve seen polling numbers that show as much as 40 to 45 percent of Republicans support it.”

Advocates for the bond referendum issue have sent out hundreds of thousands of direct mail pieces and gone door-to-door to thousands of homes statewide, Sinclair said.

“We are taking nothing for granted,” he said.

pjohnson@hpenews.com | 888-3528 | @HPEpaul

**McCrory visits Wilmington to push Connect NC bond**

By Hannah Leyva

PortCityDaily

<http://portcitydaily.com/2016/03/09/mccrory-visits-wilmington-to-push-connect-nc-bond/>

North Carolina Gov. Pat McCrory took a break from shooting hoops in his suit with the Colonial Athletic Association Champion UNC – Wilmington men’s basketball team Wednesday afternoon to talk about the statewide initiative he’s been championing: the Connect NC bond.

The $2 billion bond would pay for infrastructure across the state, including on public university and community college campuses, in state parks and recreation areas and on property used by the North Carolina National Guard.

“We have so much infrastructure in our schools and at our universities and community colleges that have not kept up with the growth of North Carolina,” McCrory said as he sat at a table in the Golden Hawk Room at UNCW’s Trask Coliseum with UNCW Chancellor Zito Sartarelli, Brunswick Community College President Susanne Adams, the state’s Secretary of Natural and Cultural Resources Susan Kluttz and Adjutant General of the North Carolina National Guard Major General Gregory Lusk.

Nearly half of the bond budget is slated for the University of North Carolina system. Locally, it would fund a new $66 million state-of-the-art building on UNCW’s campus that would house programs in the College of Health and Human Services, which includes nursing, public health and social work.

“We’re just bursting at the seams,” said Sartarelli, saying the school’s programs have grown rapidly in the last few years. “Healthcare – there’s nothing more important, not just to provide great healthcare, but to provide cost-efficient healthcare.”

If passed, the state’s community college system would get about $350 million total. Cape Fear Community College will get $5.9 million for improvements, and Brunswick Community College will get $2.8 million. According to Adams, that money will be used in part to enhance the nursing program and repurpose classroom space as well as update science and welding labs.

“STEM [science, technology, engineering and math] is the future,” Adams said, noting that a lot of the schools would be putting their allotted money toward such programs.

The reason so much is being invested in higher education, according to the governor and other officials, is because of the large gap between the jobs that are available and the skills that people have. The shortages range from trade skills such as plumbing and auto mechanics to fields that require more specialized degrees, such as engineering and healthcare.

McCrory, who describes himself as a fiscal conservative, said he originally wanted the bond to go on last November’s ballot during municipal elections but decided to wait until March to give voters more time to get educated on the matter. Despite the four-month delay, he stressed the urgency of the matter, saying the upgrades and improvements need to be made regardless of the bond’s passage.

“It’s not a matter of if, it’s a matter of when,” the governor said, noting a statewide comprehensive bond has not been passed since 2000. “If we don’t fix this now, we will have to have a tax increase. If we don’t do this now, it will cost the taxpayers more money.”

“This is common sense financing,” he added, saying now is the time to borrow when interest rates are extremely low. “The longer we wait, the more expensive it’s going to get.”

The state has added two million people since 2000 and is now the 9th largest state by population in the country. North Carolina’s population is expected to grow even more in the next few decades, and the population of the Cape Fear region is projected to double in the next 30 to 40 years. Last week, the City of Wilmington passed a resolution to officially support the bond measure, which received bipartisan support when it passed the state legislature last year.

“You won’t be dealing with growing pains, you’ll be dealing with dying pains if we don’t fill these jobs,” McCrory said. “I firmly believe you have to prepare for growth, not react to it.”

UNCW’s Chancellor agreed, saying the bond would provide benefits for years to come.

“We’re investing in the future to help the sons and daughters of North Carolina,” Sartarelli said.

The bond is on Tuesday’s primary ballot, which many citizens have already seen during the ongoing one-stop voting period. Voters are given the option “for” or “against” the Connect NC bond rather than a “yes” or “no” option.

When asked what would happen if voters rejected the measure, the governor said he is confident the plan is good enough to pass.

“We don’t have a Plan B,” McCrory said. “We don’t have one because this is my Plan A, and I’m pushing my Plan A because this is the most fiscally responsible plan.”

McCrory himself is also on the ballot, as he is up for re-election this year and facing challenges from two fellow Republicans, Charles Kenneth Moss and C. Robert Brawley. Between now and Tuesday, though, he’ll be paying close attention to his new friends on the UNCW men’s basketball team as they learn their draw in the NCAA basketball tournament on Selection Sunday.

“I hope they get to stay in North Carolina and play in Raleigh. It would be great for the fans,” McCrory said, before ending with a statement that got the loudest applause of the day. “Go Seahawks!”

**JOBS/ECONOMY**

**Bosch expanding Craven County location soon**

By Lauren Arnott

WCTI 12

<http://www.wcti12.com/news/bosch-expanding-craven-county-location-soon/38429602>

NEW BERN, Craven County -

According to Craven County Economic Development officials, Bosch is planning to buy 23 acres of property in order to expand its BSH Central Distribution Center.

For over a year, Bosch has expressed interest in a parcel of land located directly behind the distribution facility located inside Craven County's Industrial Park. In December of last year, Governor Pat McCrory announced 460 new jobs with Bosch would be coming to the area over the next five years.

With this distribution center expansion, Bosch is planning to add 52 more positions to the already existing 137. This is just the first wave of new positions to be added.

Craven County Economic Development Director Timothy Downs says he expects the sale will be finalized this month.

"There need is immediate. They would like to close on the property this month and break ground as soon as possible. What we've been told is they'd like to be in the building by next year," Downs said.

Due to an Economic Development incentive between Bosch and Craven County, Bosch will only have to pay $1,000 per acre instead of the asking price of $20,000 per acre.

Downs says the project is expected to cost Bosch upwards of $20 million. He expects to see a $100,000 annual increase in the building's property tax.

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**INFRASTRUCTURE**

**McCrory: New Bridge Meaningful for Dare**

by Catherine Kozak

Coastal Review Online

<http://www.coastalreview.org/2016/03/13375/>

Gov. Pat McCrory speaks Tuesday during a groundbreaking event marking the start of construction of the long-awaited Bonner Bridge replacement. Photo: Kip Tabb

Gov. Pat McCrory speaks Tuesday during a groundbreaking event marking the start of construction of the long-awaited Bonner Bridge replacement. Photo: Kip Tabb

NAGS HEAD — Delayed for decades by funding shortages, bureaucratic showdowns and seemingly endless lawsuits, Tuesday’s groundbreaking for the replacement bridge over Oregon Inlet is a day many frustrated Dare County residents thought they’d never live to see.

“I’ve been worrying about it for a very long time,” said Beth Midgett, a 49-year-old Hatteras resident who founded a group a decade ago that pushed to get the bridge built. “I do feel like the grassroots efforts put a face on what Bonner Bridge meant. It wasn’t just a structure – it sounds like a cliché, but it was our lifeline. We were literally scared to death that they would study this to death.”

Clear blue skies and pleasant spring temperatures added to the celebratory atmosphere at a mid-morning press conference Gov. Pat McCrory held at the north end of Pea Island, with the 53-year-old Herbert C. Bonner Bridge as a backdrop.

Wearing sunglasses and an open-collared shirt and jacket, McCrory put his notes aside and spoke about when he first came to Oregon Inlet, how struck he was at how personal the Bonner Bridge was to residents of Dare County.

“It was personal because not having this bridge would impact their livelihoods, “ McCrory said. “It’s personal when it’s a public safety issue. It’s personal when we’re talking about economic development.”

N.C. Transportation Secretary Nick Tennyson, left, and Gov. Pat McCrory. Photo: Catherine Kozak

N.C. Transportation Secretary Nick Tennyson, left, and Gov. Pat McCrory. Photo: Catherine Kozak

McCrory, a Republican who is seeking a second term in November, blamed a “small group of people” for blocking the project for years through litigation.

The state Department of Transportation and the Federal Highway Administration reached a settlement in July 2015 with environmental groups the Defenders of Wildlife and the National Wildlife Refuge Association, represented by the Southern Environmental Law Center.

The settlement was a result of nine months of negotiation and ended a July 2011 lawsuit filed to stop DOT’s plan to replace the bridge with a parallel span and address problems on N.C. 12 south of the bridge as needed. The environmental groups favored a 17.5-mile bridge that would have bypassed Pea Island National Wildlife Refuge, but the groups agreed to drop the legal action in exchange for DOT agreeing to consider building bridges out into Pamlico Sound to bypass sensitive areas in the refuge.

“We had to find a common-sense solution to make this long-delayed project become a reality,” McCrory said.

The $246 million, 3.5-mile replacement bridge will be built by contractors PCL Civil Constructors Inc. and HDR Engineering Inc. of the Carolinas.

“It’s going to be a beautiful bridge,” McCrory said, “and it’s going to be one that will improve the quality of life.”

As the governor addressed the small crowd of Outer Bankers and local, state and federal officials, a plane circled overhead at least 10 times, trailing a banner that said:  “Oil Drilling is Bad for Business. Not the Answer NC.org”

Message2

A banner plane flies over Transportation Secretary Secretary Nick Tennyson displaying the message “Oil Drilling is Bad for Business. Not the Answer NC.org.” Photo: Kip Tabb

McCrory later declined to comment on whether he still favored oil and gas exploration off North Carolina, saying it was a day to celebrate. At least 27 coastal counties are opposed to drilling, and the federal government does not favor a plan to share any lease revenue with the Atlantic states.

“I’m not going to divert the attention off this incredible accomplishment,” McCrory said after the groundbreaking, adding that he did not notice the banner being flown above the site.

“The definition of politics to them is the art of diversion,” he said about the anti-drilling effort.

Several speakers lauded McCrory’s dedication to getting the project moving forward, although the governor said that the success was a product of effective teamwork on all levels of government.

“Were it not for Gov. McCrory,” said N.C. Transportation Secretary Nick Tennyson, “we would still be talking about a court case and not a new bridge.”

Tennyson said that maintenance costs for the aging bridge were “outrageous,” but the new bridge, which will take about three years to build, will be made with modern materials like reinforced stainless steel and updated piling designs that will ensure it lasts at least 100 years. It will also have seven, rather than one, spans open to navigation to make it safer for boat traffic.

A new interim $14.3 million concrete bridge is also being built farther south in Pea Island to replace a temporary metal bridge that was installed in 2011 after Hurricane Irene. The permanent bridge is still being planned.

More than 20 years beyond its useful lifespan, the Bonner Bridge replacement planning began in 1990, with the first environmental study completed in 1993. Plans repeatedly were thrown off course by regulatory and environmental challenges.

Rep. Walter Jones speaks during the event. Photo: Catherine Kozak

Rep. Walter Jones speaks during the event. Photo: Catherine Kozak

Rep. Walter Jones, R-N.C., said that the importance of Bonner Bridge to the people of the Outer Banks underscores why government needs to invest in projects at home, rather than overseas.

“This is a different county,” Jones said. “It’s a county that’s been blessed by God in so many ways.”

As the bridge got older and more decrepit, the community became more concerned. People who used the only link to Hatteras Island on a regular basis joked darkly that they opened their windows when they crossed the bridge in order to increase their chance of survival.

“With this new bridge, the people of Hatteras Island will have peace of mind,” said Bob Woodard, chairman of the Dare County Board of Commissioners. “The bridge is vital to our regional economy and the tourism industry.”

Bob Woodard

Bob Woodard

Jerry Jennings was dealing with the Bonner Bridge, whether getting it repaired or getting it replaced, even before his time as DOT division engineer, a position he has held since 2007.

“The bridge has really needed to get done for several years,” he said. “Certainly, in Division 1, it is one of the more complicated projects we have done.”

A lot has been learned in the 30 years since the first bridge was built, he said.  The new bridge will alleviate many of the problems with navigation and dredging, as well as the constant worry about scour at the pilings and structural corrosion.

The new bridge’s seven spans will be 300 feet apart through the high rise and elevated for 3,500 feet from a little north of the existing span almost to the south side before sloping down.  That will make the bridge much less susceptible to the whims of current and sand shifting that have created constant headaches with unpredictable shoaling and navigation of the channels in Oregon Inlet.

Harry Schiffman, owner of Salty Dawg Marine Towing and a waterman who has worked on Oregon Inlet issues for half of his 74 years, said that the wide spans on the new design makes the replacement bridge much less hazardous for commercial and recreational vessels that transit the notoriously treacherous waterway.

“This is a great day,” Schiffman said about the official kickoff of the project.  “I wasn’t sure I would be here to see it.”

**Not all of the key players in Bonner saga drew the spotlight**

By Russ Lay

Outer Banks Voice

<http://outerbanksvoice.com/2016/03/09/not-all-of-the-key-players-in-bonner-saga-drew-the-spotlight/>

The was no shortage of star power on the speaker’s platform Tuesday morning at the groundbreaking ceremony for the new Bonner Bridge.

Gov. Pat McCrory, U.S. Rep.  Walter B. Jones, Jr, Transportation Secretary Secretary Nicholas Tennyson, Dare County Board of Commisioners Chairman Bob Woodard and NCDOT District 1 board member Malcolm Fearing comprised the list of those who commemorated this day.

But among those in the audience were dozens of people who played significant roles in bringing about the resolution of the Bonner Bridge replacement that led to this, literally, groundbreaking day.

One of the more important groups were perhaps one of the least known on the north side of the Bonner Bridge: The Bridge Moms.

Founded by Natalie Kavanagh after she rallied a group on Hatteras Island in 2010, the Bridge Moms lobbied hard, wrote letters and became a persistent force in calling for a resolution of the decades long impasse.

Kavanagh modestly told the Voice: “I was very happy to be a small part of this very large endeavor to the get the Bonner Bridge replaced and we’re very excited to see this day finally come. It’s been a long trip to get here.”

Kavanagh was joined in the Bridge Moms by Beth Midgett.

Midgett was also a major player in another group, “Replace the Bridge Now,” and she was a member of stakeholder groups that participated in the endless negotiations between an alphabet soup of federal, state, and interest group participants.

When we approached Midgett, she was at a loss for words. “I don’t have anything epic to say, I’m just kind of speechless. It’s a pretty amazing day. I’m very excited, and look at all the people here who feel the same.”

Hatteras Island’s longtime representative on the Dare County board of commissioners, Allen Burrus was humbled:

“I think it’s an emotional time,” he said. “We spent a lot of work and effort in it, in every realm of it and we’re just so pleased and I’m so thankful to the people on Hatteras Island and all over the county that wrote letters and did all things that needed to be done. It’s been a great experience ,but it’s also been a little bit of a trying experience for sure. But we are happy to see this day come.”

Hyde County Manager Bill Rich and state Sen. Bill Cook. (Russ Lay)

Moving further to the south, Hyde County Manager Bill Rich, who resides on Ocracoke Island, was smiling up a storm and summed up his feelings with just a few words: “It sure has been a long time. I think it’s a wonderful day, a wonderful day that’s way overdue. I am excited that a stable route for visitors to Hatteras and Ocracoke is about to get under construction.”

Rep. Paul Tine, whose District 6 includes Dare and Hyde counties, was equally effusive.

“Oh, it’s a great day,” he said. “I can’t wait until we have the actual ribbon cutting. That will be an even better day, but it’s great to see this come with so much work from so many people. The governor’s office, the commissioners for so long in both Hyde and Dare, the lawyer team that worked in DOT just did a great job, so it’s great to see this day come.”

Lee Nettles, as executive director of the Outer Banks Visitors Bureau, is another key player who has been lobbying and worrying about the bridge resolution. Hatteras Island plays such an important role for visitors and Dare’s image as a natural beach.

“It’s just exciting to see this day finally get here,” he said. ” It’s been a long time coming. It’s just as important for the residents and visitors coming over the bridge as it is for the business that comes under the bridge and through the inlet.”

Sen. Bill Cook, who like Tine has represented Dare County for two terms in the General Assembly, seemed content to let other’s take some credit and took his time to thank them.

“I’m grateful for all the help that we got in putting this project together and I’m just glad to see it finally get started,” he said. “I think this is going to add a lot of stability to the economy of this area.”

Finally, as Bob Woodard, chairman of the Dare County Board of Commissioners, noted in his remarks from the main platform, Dare County Commissioner Warren Judge was a member of those many prior boards that grappled with this issue and was board chairman for many of those frustrating years.

Judge’s comments probably summed up how all those who made this day possible felt:

“It’s a great day. We’re excited about it and glad its here. There’s no need to rehash history and wondering why it took all these years to get here, but we’re glad its here. We thank so many people along the way. Multiple board’s of county commissioners, Sen. Basnight, the work Sen. Hagen did in 2010 to get the record of decision, which then prompted six years of lawsuits, so it’s great for public safety, health, welfare and its going to be the lynchpin, it going be the starting point of a great renaissance of economic investment in Hatteras island and Dare County and I’m excited about that.”

**NCGA**

**NC Lawmakers Prepare to Take Action Addressing LGBT Ordinance**

By Kirstin Garriss

TWC News
<http://www.ny1.com/nc/charlotte/news/2016/03/9/nc-lawmakers-prepare-to-take-action-addressing-lgbt-ordinance-.html>

CHARLOTTE -- This week, state lawmakers created work groups to craft new legislation addressing Charlotte's non-discrmination ordinance.

The new ordinance will allow transgender individuals to use the bathroom of their choosing and many lawmakers have concerns about women's and children's safety in public restrooms.

Last week, state leaders urged Attorney General Roy Cooper to take a stand against the ordinance.

“Attorney General Roy Cooper has admitted state laws trump local ordinances, and he is the one person with the power to stop this nonsense and enforce our state’s criminal laws,” said Senate Leader Phil Berger (R-Rockingham). “But if he refuses to do his job and protect the safety and privacy of our children, then the Senate stands ready to return to session and resolve this issue quickly.”

“An overwhelming number of house republicans are prepared to return to Raleigh for a special session to address the asinine ordinance the Charlotte City Council passed recently. Because the ordinance goes into effect April 1st, and we are not scheduled to reconvene for the short session until late April, it is important we act swiftly. This is a matter of public safety,” said Speaker Tim Moore (R-Cleveland).

Members of Equality North Carolina say this exact same ordinance has been passed in 200 cities across the country without any negative incidents. They say considering a special session is a political stunt.

"It's no surprise to me and certainly a lot of other people that this is an election year and it's politically convenient to bring up this and make it a fuss. And try to drive through fears into the hearts of people,” said Matt Hirschy, Director of Advancement at Equality North Carolina.

While the controversy revolves around the bathroom, the ordinance also extends LGBT protections to city contracts and taxis.

Lawmakers haven't taken a stance on these other sections but Hirschy said all of these protections are necessary for Charlotte to become more inclusive.

"So some protections is great but at the end of the day, its not acceptable to me and to our organization if we only have partial protections,” said Hirschy. “I think our entire community needs to be protected everywhere they are.”

Governor Pat McCrory has been vocal about this issue from the start. On Tuesday night, he said this ordinance goes too far and it changes basic privacy standards in the state.

"When a person going to the restroom or locker room, we have expectations of privacy that anyone else who comes in that room is a person of our gender,” said McCrory. “That’s work out well for the last 100 years, I think that’s how it should be for the next 100 years in North Carolina!"

**OTHER**

**New sales tax prompts confusion, ‘uneven playing field,’ legislators say**

BY PATRICK GANNON

N&O

<http://www.newsobserver.com/news/politics-government/state-politics/article64959932.html>

The recent expansion of the state sales tax base to repair, maintenance and installation services is creating an uneven playing field among some taxpayers, as similar transactions are treated differently depending on who provides the service.

Cindy Avrette, of the General Assembly Legislative Analysis Division, described to the Revenue Laws Study Committee Tuesday a number of scenarios stemming from the sales tax base expansion causing confusion and concern during tax season.

Committee members said the General Assembly should fix the problems. “Clearly, Cindy has pointed out many examples of an uneven playing field, and I think it’s incumbent on us to deal with those issues,” said Sen. David Curtis, a Lincoln County Republican.

Avrette said changes made to the tax code resulted in similar transactions being taxed differently and that the differences have led to confusion in applying the tax laws.

One example she gave involved plumbing repairs. If a plumbing supplies retailer repairs a customer’s plumbing, those services are taxable. But if “Jack the plumber,” who doesn’t have a retail store, does the same plumbing repairs, they are not taxable, Avrette said.

“You can see how the carve-outs that were created to try not to create new retailers it has created an unlevel playing field and it’s created confusion as you try to work through whether the transaction is taxable,” she said.

Avrette offered suggestions on how the General Assembly could address the problems. Legislation could eliminate different classifications of retailers, so everyone who performs certain services is treated the same from a tax standpoint.

In other words, it could remove the exception that allows a contractor who only provides repair, maintenance and installation services to be considered a non-retailer. That would create a new group of retailers and likely would result in expanding the sales tax base to additional transactions, she said.

Another option would be to more clearly identify what are taxable transactions.

Avrette also recommended a grace period during which the state would relieve taxpayers from liability for underpayment of sales taxes on repair, maintenance or installation services if the taxpayers made a good faith effort to comply with the base expansion. The length of that period would be up to the Legislature.

Sen. Bob Rucho, a Meckleburg County Republican, said legislators have received many phone calls about the unfairness and confusion caused by the base expansion. Said Republican Sen. Jerry Tillman: “I would just say we need a lot of clarity.”

Read more here: <http://www.newsobserver.com/news/politics-government/state-politics/article64959932.html#storylink=cpy>

**Warnings lifted on wells near coal ash ponds**

BY CRAIG JARVIS

N&O

<http://www.newsobserver.com/news/politics-government/politics-columns-blogs/under-the-dome/article64944517.html>

RALEIGH

UPDATED State health officials are lifting their do-not-drink notices for some private drinking water wells located near Duke Energy power plants, saying they had erred on the side of caution over the past year.

The notices were based on the levels of two substances in the water -- hexavalent chromium and vanadium – that might come from Duke’s coal ash ponds across the state. But similar levels of those contaminants are present in municipal drinking water across North Carolina and the entire country.

Dr. Randall Williams, a deputy secretary at the state Department of Health and Human Services, told the Environmental Review Commission on Wednesday that officials discovered that many water systems would exceed the levels the agency had used to issue the warnings.

"We knew at the time those were very cautious levels," Williams said, particularly since the wells are close to coal ash ponds that are leaking.

In 2008, the U.S. Environmental Protection Agency considered whether to set limits on hexavalent chromium, which it has said can cause cancer in humans if ingested in drinking water, because it has caused tumors in rats and mice, and due to some evidence of stomach cancers in humans. But North Carolina, like the federal government, hasn’t set limits on how much of it is safe in drinking water. Williams said the EPA plans to weigh in on the health risks in December.

DHHS, acting under the direction of a new state law regulating coal ash cleanup, established its own benchmark: a level that might cause one cancer in 1 million people over a lifetime of exposure. The state health agency tested 360 wells. Of those, 330 exceeded the screening levels for several substances, and the agency recommended that water not be used for drinking or cooking.

As of Wednesday, DHHS reports that 235 of those wells now no longer have do-not-drink recommendations. Ninety-five wells will still be designated as not for drinking because of the presence of other constitutents aside from hexavalent chromium or vanadium.

Uncertainty around what is safe has been stressful for the people who use those wells, and have been on Duke-supplied bottled water for months. Duke Energy reports it is providing bottled water to 388 homes.

Some residents continue to express skepticism about whether or not the water is safe.

Read more here: <http://www.newsobserver.com/news/politics-government/politics-columns-blogs/under-the-dome/article64944517.html#storylink=cpy>

**Trump brings risks, potential rewards to GOP ticket**

By Mark Binker

WRAL

<http://www.wral.com/trump-brings-risks-potential-rewards-to-gop-ticket/15505401/>

RALEIGH, N.C. — When Donald Trump rolls into Fayetteville for a campaign event Wednesday evening, his audience will, more likely than not, be made up of people upset with the federal government and not terribly pleased with any particular incumbent.

"I think Washington and our state government and everybody has lost touch with what the people need," said Harlon Skimmiehorn, 52, of Fayetteville, who was one of the respondents to a WRAL News poll this week that showed Trump would likely capture about 41 percent of the vote.

Skimmiehorn says he's been disappointed with elected Republicans, including 2nd District Congresswoman Renee Ellmers and U.S. Sen. Richard Burr, who he says have become part of a culture bent more on fundraising and scoring political points than solving problems.

"With Burr, you don't hear anything about what he's trying to do for anybody until it's election time," he said. "We need new people in there with new ideas to get us through this turmoil we're in with (the national debt)."

While calls for new blood are common among self-identified Trump voters, conservative thought leaders and Republican honchos are split on what that bodes for the party.

While some have decried the turn toward carnival sideshow and vulgarity the Republican nomination contest has occasionally taken – with the talk of how small a candidate's hands are as Exhibit A – others say the energy surrounding the contest has been good overall.

"With the caveat that the party is neutral on the race, I can say that Republican early voting numbers are surging astronomically," said Dallas Woodhouse, the North Carolina Republican Party's executive director. "I would say the excitement of the race is being embraced across the the state, and we think it's good for the Republican Party."

Others are less sanguine. An NBC News-Wall Street Journal poll this week found a party roiled by the prospect of a Trump nomination. Sixty-one percent of respondents to that survey said that "Trump represents something that is harmful to the Republican Party."

That could be unsettling for Republican incumbents such as Burr, Ellmers and North Carolina Gov. Pat McCrory, who are running for re-election arguing they have done a good job in office at the same time Trump is making the case that the existing federal government is completely broken.

"It's an inconsistency to say the least," said John Hood, an author and president of the John William Pope Foundation, which supports conservative nonprofits. "I think he's incapable of leading America, and anyone who watched his meandering speech last night should reflect on four years of that from a President Trump."

In addition to slamming his opponents and predicting victory, Trump rolled out some Trump-branded steaks and water to refute opponents claims that he was a bad businessman.

Hood, like other conservative leaders, makes the case that, while Trump is fomenting a particular vein of anger and populism within the Republican primary electorate, he is not someone whom the majority of Americans will back come November. Former Massachusetts Gov. Mitt Romney, the Republican presidential nominee in 2012, called trump a "phony" last week, arguing that the business mogul does not have the temperament or resume to be president.

"He is a fundamentally dishonest person who says whatever he thinks is convenient at the time in order to make the sale," Hood said.

Trump addressed the question of whether he shares common values with other Republican candidates Tuesday night in Florida, saying that the Republican Party should embrace him as someone bringing new voters to the primaries.

"I'm not really changing the Republican Party because I'm actually a conservative, but I'm a common-sense conservative," he said.

Not all Trump voters are enthusiastic about his message or style.

"Supposedly the last four years we voted to change Congress and get the Republicans in there, and what have they done? Nothing," said Tom Caddy, 74, a retired State Bureau of Investigation agent and private security manager.

Caddy says Trump is the "only thing we Republicans have got left in the race, and I'm not very pleased with him."

Trump's biggest appeal? "He's not more of the same," Caddy said.

While some Republican incumbents have embraced Trump, others have taken something of a middle ground. For example, McCrory has said that he would support whomever the eventual Republican nominee might be. But he also took pains last week in an interview to make clear he wasn't weighing into the GOP presidential contest.

"I've got my own campaign, and I'm letting the presidential process go through the process it deserves," McCrory said.

Like McCrory, Burr has told media outlets such as The Charlotte Observer that he would support the eventual Republican nominee but that he wouldn't weigh in on the race.

Paul Shumaker, a GOP consultant working for the Burr campaign, said Republican leaders shouldn't worry so much about the fact Trump is a non-traditional candidate. He likened Trump to former Gen. Dwight D. Eisenhower, who was courted by both political parties before his run for president not so much because of his policies but because of his massive name recognition.

"Trump is a personality candidate," Shumaker said. "That's why you see him transcending a lot of traditional voting groups."

Drawing new voters to the party, he said, would be helpful to all candidates.

Other GOP consultants agree.

"The one thing we've seen Trump do successfully is energize the Republican base," said Alfredo Rodriguez, a Republican media strategist based in Charlotte.

While Rodriguez is personally supporting U.S. Sen. Marco Rubio of Florida for the nomination, he said Trump has drawn attention to Republican policies and ideas, as well as tapped into a vein of dissatisfaction with status quo government.

"I think the party as a whole has been a little tone deaf to the growing frustration across America among Republican primary voters. It's been a long time coming," he said.

While national polling shows Trump struggling against former Secretary of State Hillary Clinton in a projected general election matchup, Rodriguez said Trump and the other remaining GOP candidates would be well-positioned to take her on.

"I don't think there should be any narratives written that say, if Trump is nominated, the Republicans are going to fail in the fall," he said.

But Hood argues that the angry voters Trump is tapping won't necessarily translate into general election votes.

"He's just a statement of rage. That's enough to win Trump some votes in the primary, but it is utterly insufficient to build a majority in the fall," Hood said, arguing that, while all voters might be reasonably frustrated with Washington, D.C., most are not ready to embrace the vulgar bombast Trump brings.

That, in turn, he said would have consequences for other races. "He will act as a big, heavy ball-and-chain attached to the ankle of every Republican on the ballot."

Read more at http://www.wral.com/trump-brings-risks-potential-rewards-to-gop-ticket/15505401/#SEwy5FhF8t0WRd6k.99

**NC GOP flap exposes divisions in party**

BY JIM MORRILL

Charlotte Observer

<http://www.charlotteobserver.com/news/politics-government/article65030492.html>

Exposing fault lines that mirror those of the national Republican Party, North Carolina’s GOP chairman Wednesday lashed out at the party’s executive director Wednesday, accusing him of cutting off his email and “working around” him.

Hasan Harnett, the state GOP’s first African-American chairman, also asked Dallas Woodhouse, “Am I not white enough for you?”

“I mean seriously, is this some form of ritual or hazing you would put the first black Chairman of the NCGOP State Party through?” he wrote Woodhouse. “Or is it because I am not white enough for you? You keep pushing the limits.”

Woodhouse called those comments “unfortunate.” He downplayed the email shut-off, saying the party had been dealing with “a significant electronic security issue.”

“Many people on the system including me, the chairman (and vice chair) had their email turned off to protect our systems while we handled this,” he said.

Harnett, from Harrisburg, said his email was restored around midafternoon.

The acrimony comes less than a week before a primary where voters will nominate Republican candidates for president and other federal and state offices. The Republican presidential contest so far has been marked by the success of outsiders, such as businessman Donald Trump and U.S. Sen. Ted Cruz of Texas, and the pushback from establishment Republicans, such as Mitt Romney.

In North Carolina, Wednesday’s feud appears to reflect the festering tension that led to Harnett’s election in 2015.

Supported by grass-roots and tea party activists, he upset a candidate backed by Gov. Pat McCrory as well as the outgoing state chairman and other top GOP officials. Harnett, a self-described constitutional conservative, became the first person championed by the grass roots, not the establishment, to lead the state party.

A Massachusetts native, Harnett is an entrepreneur, martial arts enthusiast and motivational speaker who majored in biochemistry in college. A Republican for just five years, he remained relatively unknown to many in his party as well as the state.

The email flap is apparently just the latest friction between Harnett and his staff. Woodhouse was named to the post last fall by the party’s Central Committee. He directs the day-to-day activities of the party. The chairman is the face and often the voice of the party.

Harnett’s email to Woodhouse, obtained by a conservative blog called The Daily Haymaker, recounted a litany of slights.

“Why are (you) fighting me?” Harnett wrote. “I have brought sound ideas to the table and have bent over backwards to make great things happen for all of us at the NCGOP.

“It is apparent that my sincere help and service to the Republican Party is not appreciated or welcomed by you and the Central (party) Committee. It is apparent that you and the Central Committee want to do your own thing by working around me as opposed to working with me.”

Ada Fisher of Salisbury, a member of the state party’s national committee, warned against reading too much into the dispute, which she said involved “internal matters.”

“Sometimes a disagreement is just a disagreement,” she said.

But Charlotte Republican Vince Coakley, whose 2014 congressional campaign was managed by Harnett, said the party owes activists some answers.

“If there was a vote to elect the chairman, the chairman needs to be supported. Period,” said Coakley. “If that’s not happening, we need to figure out why, and that needs to be a priority.”

Coakley, who is African-American, said Harnett’s trouble doesn’t help the party’s professed goal of expanding its base. “If we’re a party that’s concerned about inclusiveness, then we need to display that,” he said.

Jack Brosch, a grass-roots activist from Mecklenburg County who ran for state chair in 2013, said “there’s definitely a schism in the party.”

“It’s not hard for me to draw a pretty straight line from Dallas Woodhouse to Marco Rubio and John Kasich and from Hasan Harnett to Ted Cruz and Trump,” he said.

Speaking to Cabarrus County Republicans last week, Harnett said the party had to unite.

“We must come together as one party to defeat the Democrats,” he said. “A house divided will fall. That is why we must be united heading into November. We must have energetic turnout, momentum and consensus in all our ranks.”

North Carolina is again expected to be a swing state in November. Polls show a close contest in a matchup of Trump and Democrat Hillary Clinton, leaders in the delegate race in their respective parties.

One Republican consultant said it’s no time for intraparty battles.

“The last thing Republicans need going into the general election of 2016,” said Larry Shaheen, “is their chairman and executive director sniping at each other in the press.”

Jim Morrill: 704-358-5059, @jimmorrill

Read more here: http://www.charlotteobserver.com/news/politics-government/article65030492.html#storylink=cpy

**GOV. PAT MCCRORY STOPS AT BEAU’S COFFEE IN WILMINGTON**

By: Hannah Patrick

WWAY

<http://www.wwaytv3.com/2016/03/09/gov-pat-mccrory-stops-at-beaus-coffee-in-wilmington/>

WILMINGTON, NC (WWAY) — Gov. Pat McCrory made a stop in Wilmington today and made a very special stop at a local coffee shop that we told you about earlier this year.

On his way to UNCW for a news conference, the governor stopped by Beau’s Coffee. Amy Wright opened the shop to give people with intellectual disabilities jobs and show them how capable they are.

McCrory sat down with the owners and the employees for a strawberry smoothie and a cinnamon roll. He said he is not allowed to promote a specific business, but he was honored to support them.

“They are not just caring for their own kids,” McCrory said. “They are understanding the challenge for many, many parents who have incredible, talented children, and we need to take advantage of their talent, and to have an entrepreneur do just that is the best of North Carolina and the best of Wilmington, and I’m honored to be here.”

McCrory also gave Beau’s employee Stephanie a big hug and shout-out for the incredible strawberry smoothie she made for him.

There was a room full of smiles at the coffee shop this afternoon.

**Challengers take on NC gubernatorial favorites**

by Gary D. Robertson

The Associated Press

<http://www.thecharlottepost.com/news/2016/03/09/local/challengers-take-on-nc-gubernatorial-favorites/>

RALEIGH – A default expectation for North Carolina's fall elections is that Republican Gov. Pat McCrory and Democratic Attorney General Roy Cooper will clash in a bruising gubernatorial race.

First, these politicians must win their respective March 15 primaries. While Cooper and McCrory have large advantages in fundraising and name recognition over primary challengers, their leading rivals are bringing them political discomfort.

Democrat Ken Spaulding and Republican Robert Brawley have gained supporters and some formal endorsements along the way. These former legislators are largely relying on media reports and word of mouth, and hoping perceived unhappiness within the electorate of the status quo and decisions by the front-runners will bring votes.

"It's not just about (raising) money, and this is what I'm trying to prove," Spaulding said in an interview.

Brawley said, "You shouldn't be buying the office .... I'm trying to show people I have earned the office."

Cooper and McCrory have largely avoided criticizing their primary rivals. Their campaigns, however, have been harping on each other for months. McCrory, who ran for governor and lost in 2008 but won in 2012, said primary voters should choose him in part because he's put the state on stronger financial footing and made government more efficient.

"I have followed through on almost every commitment that I promised, and the first one was to rebuild the economy of North Carolina," the former Charlotte mayor said in an interview. "We still have got a lot of work to do, but we've had a heck of a rebound."

Brawley is an Iredell County insurance consultant who once ran for state insurance commissioner. He lost his state House seat in 2014 after a public feud with Speaker Thom Tillis made him an electoral target.

Public opposition to the state's plans for a private company to build toll lanes on Interstate 77 north of Charlotte initially caused Brawley to run again for the House. But he said he switched to governor after reports last fall surfaced about McCrory's role in resolving a state prison maintenance contract flap that involved a friend.

"I just felt like somebody needed to step up and say something about it," Brawley said. He said McCrory has done some good things but hasn't gone far enough making government more transparent. Brawley said he would cancel the I-77 contract.

Also running in the GOP primary is Charles Kenneth Moss of Randleman, who finished last in the race for the 2012 gubernatorial nomination. Moss blames McCrory for getting the state into legal troubles and is working on a plan to make two years of community college free. Lon Cecil is the Libertarian nominee.

While Brawley got in the race in December, Spaulding announced in August 2013. The attorney has been involved in economic development projects in Durham, and said he would use his skills to bring jobs and investment to rural areas and small towns if elected.

Spaulding labels Cooper the establishment candidate and blasts him for defending in court laws passed by the Republican-led General Assembly, particularly the 2013 election law that requires photo identification to vote in person. Litigation alleges the law burdens black voters disproportionately.

"I just think it's wrong for you, Mr. Attorney General, to be defending these Republicans on this matter," Spaulding, a member of prominent black Durham family, said during a candidate forum.

Cooper, the attorney general since 2001 and previously a legislator, said he's doing what voters elected him to do by representing the state in court, even though he personally opposes many GOP laws he defends, including the election law. Both Spaulding and Cooper have received endorsements from local black political organizations.

"For 15 years as attorney general, I've done my job and I am going to keep doing it until the end of the term," Cooper said, adding if elected governor he would reverse the wrong direction McCrory and other Republicans have taken the state on public schools and taxes.

"I think people can look at my record and decide for themselves whether I'm ready to be governor," Cooper said.

Potentially foreshadowing the fall, McCrory questions what Cooper or Spaulding would do differently than him: "The results speak for themselves, and I'd be glad to debate the results."

**NC whistleblower’s case could have impact on McCrory political appointees**

BY ANNE BLYTHE

N&O

<http://www.newsobserver.com/news/politics-government/article65072032.html>

RALEIGH

Joe Vincoli, a former state employee who lost his job after being reclassified as a political appointee, is but one man fighting the effects that a 2013 law change had on his career.

But his success or failure in court could have an impact on as many as 1,500 employees who now serve at the pleasure of the governor.

 Joe Vincoli, formerly of Wake Forest Baptist Medical Center, poses at his home in Winston-Salem, N.C., Friday. Vincoli blew the whistle on Wake Forest Baptist Medical receiving $1.34 million in overpayments from the State Health Plan.

Joe Vincoli, formerly of Wake Forest Baptist Medical Center, poses at his home in Winston-Salem, N.C., Friday. Vincoli blew the whistle on Wake Forest Baptist Medical receiving $1.34 million in overpayments from the State Health Plan. Bruce Chapman 2012 Winston-Salem Journal file

On Wednesday, attorneys for Vincoli argued in front of a three-judge state Court of Appeals panel that the law amended by the General Assembly in 2013 failed to offer reclassified workers an avenue to appeal the decisions.

In addition to more than tripling the number of state workers who could be declared political appointees, the amended law also removed the standard recourse for state employees appealing job decisions — a hearing before an administrative law judge.

Vincoli was hired by the N.C. Department of Public Safety in 2010 in a position that classified him as a career-status employee. At the time of his hiring, he reported to a deputy commissioner of what was then the state department of correction.

After Gov. Pat McCrory’s election in 2012, that department became part of the newly formed Department of Public Safety.

In June 2012, Vincoli was rated “outstanding” on his performance evaluation, and in July 2013 he again received another “outstanding.” His supervisor wrote: “Thank you, Joe!” on his last performance review.

On Oct. 1, 2013, Vincoli was reclassified as “managerial exempt,” though he did not manage or supervise any employees, according to his complaint in state court. On Dec. 6, he was fired on the stated grounds that “a change in agency staff is appropriate at this time.”

Vincoli, who still wants to know why, contended in a 2014 lawsuit that it was because he pursued a whistleblower claim.

Vincoli, a former worker at Wake Forest Baptist Medical Center in Winston-Salem, identified overpayments by the state while working there and urged the hospital to adjust its charges. He was ignored there and fired from that job.

After becoming a state employee, Vincoli continued to press for a reimbursement. He persisted to report to his superiors what he believed to be misuse of state Health Plan money at Baptist Hospital.

Public safety officials repeatedly told Vincoli to stop his pursuit on state time, arguing that it had nothing to do with his department. His attorneys contend that state law requires him to report any misuse of state funds regardless of the department.

Vincoli tried to appeal his termination, but the Department of Public Safety and the Office of State Human Resources refused to process his grievance.

The state Office of Administrative Hearings dismissed his challenge, but Wake County Superior Court Judge Donald Stephens ruled last summer in favor of Vincoli. The state has appealed that.

Taking of property?

Michael Byrne, a Raleigh attorney representing Vincoli, argued on Wednesday that not offering his client an opportunity to challenge his reclassification amounted to a taking of property.

The argument was one similar to that made by North Carolina teachers who have challenged a legislative attempt in 2013 to end tenure for the state workers.

In that case, an appeals court panel ruled 2-1 that a 2013 law that would have phased out tenure for public school teachers amounted to an illegal taking contract and property rights. That ruling was appealed to the state Supreme Court, which has yet to issue a decision.

Attorneys for Vincoli argued Wednesday morning that when he was hired by the state in 2010, he essentially entered an employment contract that stated if he did his job for 24 months, he gained “certain rights with a property interest.”

Joseph Finarelli, an assistant state attorney general, disputed contentions that Vincoli’s hiring by the state was a contractual agreement. He also argued against the theory that Vincoli had been stripped of any legal recourse to the reclassification of his job.

“It’s just saying you can’t bring it in the Office of Administrative Hearings,” Finarelli said.

J. Michael McGuinness, a lawyer in Elizabethtown, filed a brief in the case on behalf of the State Employees Association of North Carolina, which has a membership of 55,000 state employees.

The 2013 law gave the governor authority to declare up to 1,500 workers “at-will” employees that he could hire and fire without recourse. That was up from about 400 at-will workers in 2010.

“If this law is allowed to stand, no statutory or contractual commitment made by the state to its workforce is safe from annulment at whim,” McGuinness stated in the court filing.

The three judges on the appeals court panel asked lots of questions about when the state enters a contract with an employee and whether the 2013 amendment essentially makes all workers “at-will” employees. It could be weeks or months before a ruling.

Vincoli said afterward that though he was pleased with the line of questions, he hopes to find answers of his own.

“I am also looking forward to finding out at whose request Secretary Frank Perry subsequently fired me two weeks before Christmas, without cause, without notice, and without a full day’s pay for my last day,” Vincoli said.

Anne Blythe: 919-836-4948, @AnneBlythe1

Read more here: http://www.newsobserver.com/news/politics-government/article65072032.html#storylink=cpy

**Gov. McCrory stops by Beau's Coffee**

By: Brandon Wissbaum

WECT
<http://www.wect.com/story/31429497/gov-mccrory-stops-by-beaus-coffee>

WILMINGTON, NC (WECT) -

Governor Pat McCrory made a stop at Beau's Coffee while in Wilmington Wednesday.

He got a cinnamon bun and a strawberry smoothie for lunch.

Lauren Rautenkranz was there and said he kept joking around, saying “I can't promote a business...", but was smiling and showing off the logo.

"I heard this is the place to be in Wilmington,” McCrory said. “Beau's is on the national scene and giving great publicity to a great cause. It's got the best strawberry drink I've ever had made by Stephanie."

Beau's Coffee opened up last month.

Its mission is to provide people with intellectual and developmental disabilities an opportunity to work and provide for themselves.

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**Governor McCrory shoots hoops with UNCW basketball team**

WECT

<http://www.wect.com/story/31429889/governor-mccrory-shoots-hoops-with-uncw-basketball-team>

WILMINGTON, NC (WECT) -

Governor Pat McCrory visited Wilmington to speak at UNCW about the Connect NC bond.

While on the UNCW campus, McCrory got the pleasure of shooting hoops with NCAA Tournament bound UNCW Seahawks.

The Seahawks are headed to the NCAA Tournament after defeating the Hofstra Pride,80-73, in the finals of the CAA Tournament.

McCrory spoke at UNCW to garner support for the NC Connect Bond. Find out what he said about the bond and the projects it will support by clicking here.

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**State OKs water from 235 wells near coal ash ponds**

By Laura Leslie and Tyler Dukes

WRAL

<http://www.wral.com/state-oks-water-from-235-wells-near-coal-ash-ponds/15507961/>

RALEIGH, N.C. — Months after telling the owners of hundreds of wells near coal ash ponds that their water was unsafe to drink, North Carolina public health and environmental officials are now telling them the water is fine.

The Coal Ash Management Act required the state Department of Health and Human Services to test wells near ash ponds for compounds associated with coal ash, and 330 well owners were told last year not to use their water for drinking or bathing and were given bottled water instead.

On Thursday, state officials will mail letters to 235 of those well owners, telling them their water is safe after all.

The chemicals in the water haven't changed, but the state's guidelines have.

Most of the "do not drink" advisories were based on levels of vanadium or hexavalent chromium, a known carcinogen, found in the water. DHHS had set its threshold for vanadium at 0.3 micrograms per liter and chromium-6 at 0.07 micrograms per liter – levels for a one in a million increase in cancer risk.

Tom Reeder, deputy secretary for the state Department of Environmental Quality, said Wednesday that those levels are far stricter than public water standards.

"Seventy percent of the municipal water systems in the United States of America would have either chromium-6 or vanadium levels that would exceed the health risk thresholds that were used by the Department of Health and Human Services for their do not drink notification," Reeder said.

DHHS has agreed to raise its thresholds to 20 micrograms per liter for vanadium and 10 micrograms per liter for chromium-6.

"We have been very cautious," DHHS Deputy Secretary Randall Williams said. "We feel that the position we're arriving at now is after a lot of due diligence."

Officials say they are following standards set by the federal government and other states, which Rep. Pricey Harrison, D-Guilford, said is troubling.

"I do understand that they're letting the neighbors know that their water isn't any more dangerous than the public water supply, but it is concerning that we've got this carcinogen in our public water supply at these levels that exceed what causes cancer," Harrison said.

The new standards mean Duke Energy will no longer have to provide bottled water to homes where the water has been declared safe to drink.

State lawmakers and Gov. Pat McCrory's administration have taken a lot of heat over contaminated wells, and Upper Neuse Riverkeeper Matthew Starr said it's no coincidence the standards were relaxed before the upcoming election.

"Without question, this is politically motivated," Starr said.

Amy Adams, state campaign coordinator for environmental group Appalachian Voices, called the state's move "a shell game" and criticized regulators for a "cavalier" attitude toward drinking water.

"They have an opportunity to be more protective of North Carolina citizens, but they've fallen back of the old standby of, ‘The federal government isn't regulating it, The state won't either,'" Adams said.

"There's going to be hell to pay for somebody at the end of the day who has to explain to people why it was too dangerous to drink two days ago, but today it's fine," she continued. "You didn't fix the problem. You lowered the number."

DHHS officials say water from 95 wells near coal ash ponds is still considered unsafe to drink or use.

Regulators said the strict guidelines were hurting property values and causing unnecessary stress, and Reeder said life can return to normal for people who use wells that have been cleared under the new guidelines.

"You're drinking the same water as Raleigh. You're drinking the same water as Chicago, Los Angeles, Denver," he said. "Drink the water. I would drink the water. I would advise anybody to drink the water. It meets the federal Safe Drinking Water Act standards."

Read more at http://www.wral.com/state-oks-water-from-235-wells-near-coal-ash-ponds/15507961/#Y7MUoaXVWvGtCPT0.99

**Three vying for District 26 NC House seat**

Johnstonian News

<http://www.johnstoniannews.com/contentitem/409383/2390/three-vying-for-district-26-nc-house-seat>

The NC State House District 26 race features a retired U.S. Air Force colonel, a school board member and an educator.

Former U.S. Air Force Col. Dennis Neilsen, school board member Donna White and Corinth Holders High School teacher Rich Nixon, all of Clayton, are seeking the seat being vacated by retiring House Rep. Leo Daughtry.

Neilsen, 69, is the owner of Freedom Arms gun store in Clayton. He graduated from the University of Nebraska with a degree in law enforcement.

Neilsen and his wife of 37 years, Linda, have two grown daughters Holly Neilson and Raquel Neilsen-Williams.

He is most widely known for having participated in the rescue effort of United Airlines Flight 232 that crashed in Sioux City, Iowa in 1989.

Neilsen has run for several political offices, most recently, the 2014 state House race in which he lost against Daughtry.

In his 2008 campaign against Gov. Pat McCrory, Nielsen advocated the elimination of property tax for those over 65 years of age with an annual adjusted gross income of less than $40,000 and he wanted to give tax credits to parents who home-schooled or sent their children to private schools.

Nixon, 61, teaches at Corinth Holders with his wife Kathi. He attended Wake Forest University on a football scholarship before transferring to North Carolina State University with a bachelor of arts degree in history and a master of education degree.

He has taught for 37 years, 28 of them in Johnston County. The Nixons have two grown sons who are both teachers, a stepson who’s enrolled at Appalachian State and a stepdaughter who is a student at Corinth Holders.

“If I am elected I will work to lift North Carolina back to the position it once held as a national leader in education and thereby brighten the futures of our children and grandchildren,” Nixon said. “We must take action to preserve the things that make Johnston County a special place to raise our children and our grandchildren.”

Nixon wants to meet the needs of a rapidly growing county, protect the environment, improve roads and make sure local businesses thrive.

White, 67, is a registered nurse for the North Carolina Division of Aging and Adult Services. She has served on the Johnston County Board of Education since 2004.

A graduate of the Watts School of Nursing, White is married and has two children and two grandchildren.

She has chaired the Clayton Board of Adjusters, served on the Governor’s Safer School Task Force and on the board of the Johnston County Area Transit Board.

“I believe in open and transparent government and wise use of taxpayers money. I believe that each citizen of North Carolina have a voice in their government,” White said. “I believe that we have a great State, and by open communication, input from our citizens, collaboration, and inclusion of all, we can be even better.”

White said she would continue to provide a climate for job growth and fewer regulations. She would also assure that public education would continue to be a competitive choice.

**Governor McCrory shoots hoops with UNCW basketball team**

WECT

<http://www.wdam.com/story/31429889/governor-mccrory-shoots-hoops-with-uncw-basketball-team>

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**Observer Forum: Letters to the editor 03.10.16**

Charlotte Observer

<http://www.charlotteobserver.com/opinion/letters-to-the-editor/article65036032.html>

Why police brutality keeps happening

In response to “CMPD defends use of force against suspect” (March 9):

 Rudy Abrams

Rudy Abrams

Multiple Charlotte police officers hold down a man while another officer beats him and Charlotte’s police chief finds no fault.

Police brutality keeps happening because officers feel confident they won’t be punished.

Don’t they realize that when the police are perceived as the enemy, instead of protectors, it makes their job harder?

RUDY ABRAMS, CHARLOTTE

End wrong-headed toll lanes project

In response to “More storm clouds over I-77 toll lanes project” (March 5 Editorial):

Gov. Pat McCrory, please stop being so wishy-washy and cancel the I-77 toll lanes project with Cintra, which will be a disaster.

The governor and Attorney General Roy Cooper need to stop playing the “who shot John” game and get on with the business of the state.

The people in this area do not have any confidence in Cintra. Why would we want Cintra to build even a dog house in this state?

BARBARA BELL KERR, CHARLOTTE

Resorting to toll roads is a fail for N.C.

Resorting to toll roads to finance N.C. highways is admitting that as a state we have failed.

The inability to face reality and pay for our infrastructure via an increased gas tax or other reliable means is diminishing the former “Good Roads State.”

STEPHEN JONES, CHARLOTTE

Varicella quarantine was right move

In response to “Unvaccinated students sent home over chickenpox” (March 8):

Put very simply, in society there are consequences for choices individuals make.

If individuals choose not to vaccinate their children they must take responsibility for that choice.

If your children are quarantined for their safety, and more importantly the safety of others, then you are responsible for any inconvenience this might cause you.

MARK MOORE, KNOXVILLE, TENN.

Thank Burr, Tillis and the GOP for Trump

For the past eight years, the Republican leadership’s insistence on denigrating and denying President Obama through a series of mean-spirited, insulting and obstructionist tactics has earned the GOP Donald J. Trump!

N.C. Sens. Richard Burr and Thom Tillis have helped to sow the seeds of discord that are now bearing the rotten fruit of bigotry and rancor.

Time for a serious taste of your own cooking.

HARDIN MINOR, CHARLOTTE

GOP elite should get behind Trump

In response to “Trump worries N.C. GOP leaders” (March 6):

Donald Trump is an amazing possibility.

Turnout in these early contests is because of his candidacy, and he gives us the best chance to win in November.

The Republican elite always talks about expanding its reach into potential voting groups. Trump is bringing those constituencies to the Republican message in general and to himself in particular.

Listen to your own words about growing the party, and get behind our best chance in November.

ROBERT E. CASSELL JR., CHARLOTTE

I’m 85; Clinton nor Trump will do

After watching TV Sunday with the news of Nancy Reagan’s death, I wondered why we cannot find a fine and good person to be president of the United States.

We do not need Donald Trump, nor Hillary Clinton. We need someone far superior to either of them. So think about it very carefully when you cast your ballot.

At 85, this might well be the last president I will remember. I hope and pray for our country and leaders.

SARAH C. EDWARDS, CONCORD

Don’t be fooled by fuss about cage-free

In response to “Harris Teeter parent moving to cage-free eggs” (March 5) and related articles:

It’s surprising to see all the recent local press coverage of many grocery store chains announcing they will be transitioning to cage-free eggs by 2025.

Cage-free chickens are just a very small step above caged chickens. So these grocery chains are not doing anything positive to improve the living conditions of these animals.

Cage-free chickens are still crammed wall-to-wall into large buildings with no access to the outside.

What they really should be moving to is free-range, certified humane eggs. Then, they’d have something to be proud of.

SHERRY KLEPFER, MOORESVILLE

Read more here: http://www.charlotteobserver.com/opinion/letters-to-the-editor/article65036032.html#storylink=cpy

**Editorial board endorses 4 for N.C. House, Senate**

Charlotte Observer

<http://www.charlotteobserver.com/opinion/editorials/article65035642.html>

Eight N.C. House and Senate seats for Mecklenburg County are on the March 15 primary. Here are our picks in four of them.

N.C. House 100

Voters in the Democratic primary for this east Charlotte district face a choice between Charlotte City Council member John Autry and former council member Billy Maddalon.

With no Republican in the race, the primary likely will decide who will replace Democrat Tricia Cotham, who isn’t seeking reelection.

In his five years on City Council, Autry has worked hard for east Charlotte. But Maddalon would be a stronger representative.

He articulates progressive policies more eloquently, and wisely promises a measured, bridge-building approach to working in the GOP-controlled legislature. As a married, gay small businessman and foster parent, he would bring a stereotype-busting new voice to Raleigh.

N.C. House 92

Incumbent Charles Jeter of Huntersville squares off in the Republican primary against the same man he beat in the 2012 primary, retired Air Force Lt. Col. Tom Davis of Mountain Island Lake.

Davis hopes voter anger over the controversial Interstate 77 toll lanes will propel him to victory this time. Jeter has helped lead the anti-toll effort in recent months, but residents have blasted him for failing to fight the project early on.

Still, Jeter remains the best choice for this district, which stretches from Huntersville to Lake Wylie. He is a smart, energetic lawmaker who provides a much-needed moderate voice within the Republican leadership, having opposed controversial abortion and gay marriage bills.

A chastened Jeter remains the better option for District 92.

N.C. Senate 38

Democratic incumbent Joel Ford is running for a third term in this district that stretches from the University area through north Charlotte into western Mecklenburg. He faces Roderick Davis in the Democratic primary. Richard Rivette is unopposed in the Republican primary.

Ford has been a moderate Democrat who’s willing to break with his party on some issues. Ford is part of Main Street Democrats, a group of centrist N.C. lawmakers who’ve shown some ability to work across the aisle in the Republican-led General Assembly.

We don’t always agree with Ford, including his vote for a bill that allowed magistrates to opt out of granting same-sex marriage licenses. (He later altered his position and voted to sustain Gov. Pat McCrory’s attempted veto of the bill.) But we appreciate his independence on issues.

Davis has not mounted a credible campaign. We recommend voters give Ford another two years.

N.C. Senate 40

Voters are getting a rematch of sorts in this heavily Democratic east Charlotte district. Incumbent Joyce Waddell, who defeated four others in the Democratic primary two years ago, is facing one of those opponents, former Charlotte City Council member Nasif Majeed.

Waddell, a former CMS school board member, continues to be an advocate for public schools and teachers in the Senate. She said she’s learning to get things done through committees and fought hard to save teaching assistants and the state’s driver’s education program. Still, even in the Republican-dominated Senate, she has had less impact than voters might have hoped.

Majeed, a Charlotte businessman, thinks he can do better by speaking the language of business-centric Republicans. He’s been active in east Charlotte since the primary loss, leading an east Charlotte coalition that is getting county money for a $40 million recreation center.

Majeed’s group also has worked with police to deal with crime issues, and he says he will be a strong advocate for teachers and education in the Senate. With his strong work in east Charlotte, he’s earned a chance to see what he can do in Raleigh.

Read more here: http://www.charlotteobserver.com/opinion/editorials/article65035642.html#storylink=cpy

**McKee: Meeting will address Duke plant risk**

By Shawn McKee

Fayetteville Observer

<http://www.fayobserver.com/opinion/local_columns/mckee-meeting-will-address-duke-plant-risk/article_f5cba999-72b5-570e-a307-486f5dfc60c7.html>

The state environmental department will hold a public meeting at 6 p.m. today, at Robeson Community College's Student Center in Lumberton, to receive public comment on the intermediate-risk classification of Duke Energy's Weatherspoon Plant. Gov. Pat McCrory has directed state environmental officials to oversee the closure of all coal ash facilities in North Carolina in accordance with the coal ash law.

The Weatherspoon facility was given the proposed classification of intermediate risk by the state environmental department after the most recent scientific data and technical information were considered. The intermediate classification means that the Weatherspoon facility's coal ash pond is proposed to be excavated and safely closed by 2024.

The proposal is subject to change through the public participation process. The purpose of today's meeting is to educate the public on the classification process and receive comment.

Duke Energy has applied for permits to excavate and remove coal ash at its Weatherspoon facility. The utility is planning to relocate its coal ash to a mine reclamation project in Sanford.

This month, state officials began a robust public participation process that will help inform the public of the proposed classifications. The department will hold a public meeting in each county where a coal ash facility is located and conduct a 60-day public comment period. Copies of the comprehensive classifications are available at local health departments and a local library in each county with a coal ash facility.

The public is encouraged to provide feedback on the draft proposed impoundment classifications. All comments received online or postmarked by April 18 will be considered in determining final impoundment classifications, except for the four facilities that are designated as high priority by the coal ash law.

Public input and involvement are critical components of the classification process. All draft proposed classifications not designated high priority by law are subject to change based on public input and scientific and technical data gained through the public involvement process. A detailed list of public meetings can be found by visiting deq.nc.gov.

Shawn McKee, an environmental senior specialist for the state Division of Waste Management, will serve as the hearing officer at tonight's public meeting.

**Gender identity or birth sex? Appeals court weighs transgender rights in public accommodations**

By Sharon McCloskey

NC Policy Watch

<http://www.ncpolicywatch.com/2016/03/09/gender-identity-or-birth-sex-appeals-court-weighs-transgender-rights-in-public-accommodations/>

Debate comes as NC legislators seek to flush Charlotte’s LGBT protections

Conservative lawmakers in Raleigh have sounded the alarms in recent weeks over a Charlotte city ordinance extending discrimination protections to transgender individuals, including their rights to use restrooms that correspond with their gender identity — claiming a need to protect children from sexual predators.

They’ve vowed to act quickly to nullify that ordinance through legislation of their own, in special session if necessary, and if recent history holds true, someone will then ask a court to overturn that legislative response.

That’s already happening in federal court in Virginia, where a student has challenged a school board policy excluding transgender individuals from using bathrooms that don’t align with their birth gender.

The facts and circumstances may differ – the student has federal discrimination protections that individuals using bathrooms at Charlotte businesses might not, for example. But the conversation the judges in the Virginia case have been having about transgender discrimination speaks as much about what we know and where we stand as a society when it comes to acceptance of different sexualities as it does about the specifics of any case.

In the words of one of the appeals court judges there during oral argument in late January, “what is the meaning of ‘sex’ in 2016?”

Monsters lurking in the bathroom

In a 7-4 city council vote on February 22, Charlotte expanded its nondiscrimination ordinance to include protections for transgender individuals, recognizing in particular their right to use the bathroom aligned with the gender with which they identify, as opposed to their birth gender.

Several state legislators reacted immediately, saying they’d act quickly to nullify at least the bathroom provision of the local ordinance, professing concerns over the safety of women and children.

“Allowing any gender to enter a public restroom and locker room can endanger the lives of our citizens and their children,” House majority leader Mike Hager of Rutherford County said in a news release.

“Restrooms and locker rooms should remain distinctly private.”

Hager and his colleagues have criticized Attorney General Roy Cooper, who has said that state lawmakers have more pressing issues to deal with, and are threatening to convene a special session ahead of the April 25 opening of the legislature to take on the Charlotte ordinance.

“If he refuses to do his job and protect the safety and privacy of our children, then the Senate stands ready to return to session and resolve this issue quickly,” Senate President Pro Tem Phil Berger said in a statement.

Yesterday Berger pulled together a group of senators who’ll work with Lt. Gov. Dan Forest to overturn the ordinance, according to the News & Observer.

They contend that the ordinance violates the privacy of others and, for women and girls, raises the risk of sexual predators entering the bathroom.

But those supporting the protections say there’s no evidence of that happening anywhere and suggest that lawmakers are simply stoking fear as a mask for prejudice.

That’s a fight Gov. Pat McCrory had already stepped into by the time Charlotte passed the challenged ordinance, signing on to a friend-of-the-court brief this past November in the legal challenge playing out in federal court in Virginia over transgender use of bathrooms and locker rooms in schools there.

McCrory joined a handful of states, including South Carolina, telling the court that the federal government had no business telling local schools how to address bathroom use – a position he had asked Attorney General Cooper to sign on to on behalf of the state.

Cooper declined, but the governor persisted, joining along in his own name.

Let the children lead

Although born a girl, Gavin Grimm has identified as a boy since a young age and is undergoing gender reassignment with the help of his doctors. His classmates and teachers at school in Gloucester County, Virginia, have long accepted him as a boy, and though for a time he was using the restroom in the school nurse’s office, at his request they agreed last year to his use of the boys’ bathrooms.

That use continued without incident for nearly two months until a parent got wind of it and complained to the county school board. Under pressure, the board then adopted a new policy restricting bathroom use to those of the same birth sex but adding new single-stall unisex bathrooms for use by anyone who otherwise didn’t fit those categories and needed privacy.

The school board says that because any student can use the unisex bathrooms it is treating all students equally. In reality, though, students who identify with their birth sex have two choices: use the bathrooms aligning with that birth sex or use the unisex bathrooms.

Transgender students like Gavin have only one choice – the unisex bathrooms.

Gavin sued the school board, contending that the new policy violated Title IX prohibitions against discrimination on the basis of sex and 14th Amendment equal protection provisions.

“Requiring transgender students to use separate restrooms from other students violates Title IX by stigmatizing transgender students, depriving them of physical access to school resources, jeopardizing their health, and impairing their ability to participate equally in the educational benefits and opportunities of school,” his attorneys argued in court filings.

In a sharply worded opinion, a federal trial judge dismissed Grimm’s Title IX claim and refused to stay the school board’s new policy while the court entertained his equal protection claim.

That ruling ascended quickly to the 4th U.S. Circuit Court of Appeals in Richmond, where a panel of three judges heard argument in late January.

Help from friends

A number of groups have weighed in on the merits of the case by filing friend-of-the-court briefs.

On one side are school administrators, doctors, civil rights activists and the federal government, all supporting Gavin Grimm.

The government argues that under Title IX schools cannot exclude transgender students from using restrooms which align with their gender identity.

And school administrators from across the country say they’ve been complying with that Title IX prohibition without incident.

Here’s an excerpt from their brief:

“[We] are superintendents, principals, school board members, general counsel, social workers, and other officials from schools and school districts that have adopted, or are in the process of adopting, formal inclusive policies for their transgender students.

[We write to] shed light on the hypothetical concerns raised here . . . and credited by the district court – that by allowing [Grimm] to use the boys’ restroom would lead to general disruption in the school, violate the privacy and/or “comfort” of other students, and/or lead to the abolition of gender-segregated facilities such as restrooms and locker rooms. These same hypothetical concerns have also been raised in some [of our] schools. In [our] experience, none of those fears and concerns have materialized in the form of actual problems in their schools. Instead, inclusive policies for transgender students have had the effect of not only fully supporting the humanity of transgender students, but also fostering a safer and more welcoming learning environment for all students.

On the other side supporting the county school board and the restriction of bathroom use to gender-at-birth individuals, are six states, including North Carolina, and two conservative religious liberty groups – Eagle Forum and Liberty Counsel.

And at the center, set to decide the issue, are three judges over the age of 65 for whom the notion of transgender accommodation is a relatively recent phenomenon, as reflected by their questions at oral argument in late January.

“What is the meaning of ‘sex’?”

To their credit, the judges in the Virginia case explored the definitions of gender and sex and wondered aloud if and where lines should be drawn – giving voice to the suspicions and misperceptions underlying the fears expressed by many in the public, including lawmakers looking to draw a clear distinction.

To listen to oral argument in the Fourth Circuit case, G.G. v. Gloucester County School Board, click here:

Audio Player

00:0000:00Use Up/Down Arrow keys to increase or decrease volume.

Judge Paul V. Niemeyer asked where in a locker room setting a transgender individual would go, given his or her “anatomical apparatus.”

“I’ve been in plenty of locker rooms,” he said. “There’s lots of open spaces in there.”

Niemeyer also asked where a person who’d had a sex-change operation would go and at what point in the process of transitioning would a person be deemed “changed” for purposes of bathroom use — and who gets to make that decision?

Judge Andre Davis pushed the school board attorney David Corrigan on the argument that sex is defined at birth:

Davis: “So your argument is rooted in this notion that some wise person said biology is destiny. But in fact, it’s neurobiology, isn’t it?”

Corrigan: “Our position is that ‘sex’ equals male and female.”

Davis: “Of course that’s your position. But this is 2016, so what is the meaning of ‘sex’ in 2016?”

Corrigan: “’Sex’ is what the person was born with.”

Davis: “I thought we were long past that, in terms of discrimination law, that ‘sex’ is no more than biology. I thought we were concerned about the stigmatizing effect of stereotypical approaches to gender roles, and if you talk about gender roles it’s not possible to not talk about gender identity.”

Davis then questioned the board’s evidence, echoing concerns voiced earlier by Judges Niemeyer and Henry Floyd that the district court based its decision on the barest of proof and generalized allegations of harm to other students.

“What harm occurred during the seven weeks that GG used the boys restroom,” he asked Corrigan.

Corrigan said parents had complained, but as Grimm’s attorney, Joshua Block from the American Civil Liberties Union noted, those complaints had not been produced.

That prompted Judge Davis to wonder what the board’s motivation was, given that the school itself already had the situation under control before the board intervened.

“Everything we read these days is that we need is strong principals in schools,” Davis said.

“And this principal was doing it; he had the situation under control. And then some kind of top down imposition comes along, and disrupts what the principal was managing in a very humane and orderly way. It’s ironic, isn’t it?”

###