The leader of the University of North Carolina System surprisingly announced she is leaving her post after just 2 1/2 years on the job. UNC President Margaret Spellings, former U.S. secretary of education under the George W. Bush administration, offered her resignation Oct. 25, 2018. Her departure will be effective March 1, 2019. Spellings was elected in October 2015 and officially took office March 1, 2016. She signed a five-year contract with the university.

Spellings is the 21st president of the University of North Carolina and the sixth since the unified UNC System was organized in 1971.

The announcement, which came as Carolina Journal was going to press, follows months of turmoil among members of the UNC Board of Governors — a scene much like that which surrounded her election. John Fennebresque, the board’s former chairman, resigned abruptly after butting heads with his colleagues during the search for a new university leader.
QUICK TAKES

The Raleigh Acton Children’s Business Fair

The Raleigh Acton Children’s Business Fair, held Oct. 6 at midtown’s North Hills shopping center, drew about 65 child entrepreneurs from around Raleigh. The fair is sponsored by the John William Pope Foundation and pulled in roughly 200 shoppers.

Acton fairs are part of an international franchise, begun by the Acton Academy — a Montessori school in Washington, D.C. — supporting and promoting young business owners. JWPF opened its first such fair in 2016. Participants included kids from traditional, charter, private, and home schools. The fair is marketed directly to parents. It has collected an impressive following, said Lindsay Hollandsworth, communications director at JWPF.

Siblings Payton and Daniel Patterson — students of the Sterling Montessori Academy and Charter School — are first-time Acton fair exhibitors. Payton, 12, and Daniel, 11, originally baked up separate businesses selling sweet treats, but they decided to join forces for the Acton fair.

“It’s been a lesson in patience,” Daniel said, grinning.

It’s also been a lesson in marketing and money management. Daniel saves his earnings or buys “extra things for fun.” Payton uses her profits to purchase school supplies.

The two are no stranger to business fairs, having set up shop at a number around the Triangle area. They plan to return to the Acton fair in 2019.

Grace Hester, a homeschooler and young artist, decided to try selling her paintings after years of helping her grandmother — who is also an artist — at art galleries and exhibits.

Formal education is important, but that “doesn’t have to occur in a brick-and-mortar building at a desk,” Hollandsworth said.

“Experiential education allows whole communities to get involved, and we’ve been honored to provide a safe, real-world experience for over 180 children since we started.”

— Kari Travis
N.C. wins federal grants to expand charter school opportunities

UNC launches $500 tuition program, though many don’t know about it

Elections board recommends possible prosecution of Democratic Rep. Moore


The nine-member Bipartisan State Board of Elections and Ethics Enforcement voted unanimously last week to send Moore’s case to the Ethics Division, following an Oct. 17 meeting of the board.

Moore, a vice chairman of the House Finance Committee, lost a primary re-election bid in May. Neither Moore, Neal, nor any member of his campaign appeared at the meeting to answer the allegations.

Elections Board Executive Director Kim Strach said a routine audit into Moore’s campaign reports in May 2017 uncovered a series of questionable items.

Strach, who has conducted campaign finance investigations into former governors, House members, and senators since 2000, said there is strong reason to believe Moore’s campaign spent money on impermissible items. She said an auditor was more than $25,000 in ATM cash withdrawals and cash-back transactions on retail purchases.

The elections board secured subpoenas for Moore’s bank accounts, which showed no entries after May 2017.

Strach gave a detailed presentation of three bank accounts Moore’s political campaign opened and how the numbers reported to the state didn’t match audit findings.

The largest bank account reported deposits of $78,850. But more than 60 entries totaling $36,605 weren’t on campaign reports. Reports showed $16,593 was spent from that account. Investigators found more than 90 percent of spending — 1,689 items totaling $95,753 — wasn’t disclosed.

Strach said a report filed with the state listed $42,000 cash on hand in the account, when there was just $4,200, and it appears the account never had more than $6,000 in it.

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NORTH CAROLINA has won a federal grant totaling $23.6 million over five years to expand charter school opportunities.

Dave Machado, state Office of Charter Schools director, announced the awards Oct. 3 during the monthly meeting of the State Board of Education. Machado told board members the state has tried to win the grants over the past three years.

North Carolina is one of eight states to receive the Expanding Opportunities through Quality Charter School Program grants from the U.S. Department of Education. The other states are Michigan, Arkansas, Idaho, New York, Arizona, Delaware, and Colorado.

The federal grant will be divided into four sub-grants. One will assist new charter schools, which will serve a large economically disadvantaged student population during their planning year. Another will assist charter schools in their first three years of operation serving a large economically disadvantaged student population. The third grant will assist high-quality charter schools that want to expand to serve more low-income students.

“North Carolina’s charter schools should be laboratories of innovation, proving grounds for ideas that can be scaled across all our schools and all student populations,” State Superintendent Mark Johnson said in a news release.

The application deadline for charter schools to apply for the grants is early next spring. Awards will be announced by the end of the school year. North Carolina has 185 operating charter schools, and eight more plan to open next year.

Lindsay Marchello

UNC launches $500 tuition program, though many don’t know about it

F ewer than 20 percent of North Carolinians know about major tuition cuts at three state universities, but leaders of the University of North Carolina System are working to change that.

Elizabeth City State University, UNC-Pembroke, and Western Carolina University, under a program called NC Promise, now offer tuition of $500 per semester to in-state students. Out-of-state students will pay reduced tuition of $2,500 per semester.

UNC launched a campaign, “We Promise,” Oct. 1 to publicize the program. The campaign also advertises UNC’s fixed tuition plan, which guarantees tuition will stay the same over four years at any UNC school.

State lawmakers enacted the program in 2016, investing $51 million to improve enrollment at some of North Carolina’s Historically Black Colleges and Universities. Critics protested the law, citing concerns over potential revenue losses. Only ECU chose to participate.

The General Assembly hasn’t put a sunset date on the program, and there’s plenty of support for NC Promise — even if the legislature’s majority switches from Republican to Democrat after the 2018 midterm elections, UNC President Margaret Spellings told Carolina Journal.

“I can’t find anyone who doesn’t think college should be more affordable,” Spellings said.

The cuts apply only to tuition. Still, slashing costs allows students to use financial aid for other expenses such as room and board, fees, and books, Spellings said.

Enrollment is climbing at all three universities even though the public is largely unaware of NC Promise, data from UNC show.

Undergrad transfer rates saw the largest spike, with ECU at a 57 percent increase over 2017, data from UNC show. UNCP saw a 56 percent bump in the same category, and WCU scored a 40 percent increase.

First-year enrollment jumped 20 percent at ECU and UNCP, and just more than 10 percent at WCU since 2017. Total undergraduate enrollment at ECU, UNCP, and WCU shot up 19 percent, 14 percent, and 6.6 percent, respectively.

WCU doesn’t attribute growth to NC Promise, NPR reported in September.

The school has seen constant growth over the past decade — mostly due to engineering and anthropology programs, university officials told NPR.

But ECU, an HBCU with a total enrollment of about 1,300, is uniquely set to benefit from the program. The university hit rough turf between 2010 and 2016, when enrollment plunged 59 percent. Budget cuts and leadership turnover have plagued the university.

Kari Travis

North Carolina System are working to expand charter school opportunities.

President Margaret Spellings
QUICK TAKES

Cooper flunks fiscal policy report card, but state makes top 10 for fiscal health

The Cato Institute gave Gov. Roy Cooper an F on its fiscal policy report card. The state did get some good news from outside reviewers, however.

While Cooper scored poorly for his fiscal policies, North Carolina ranked among the top 10 states for fiscal health, recent state fiscal rankings from the Mercatus Center at George Mason University saying.

In its fifth State Fiscal Ranking, the Mercatus Center ranked North Carolina ninth. Mercatus is a market research center based at GMU.

Specifically, the state ranked second for budget solvency, which measures whether a state can cover its fiscal-year spending using current revenue. North Carolina ranked eighth for long-term solvency and 14th for trust-fund solvency. For cash solvency, the state ranked 24th.

By comparison, New York was at the top of every category.

Gov. Roy Cooper includes conditions that underpin his fiscal policies. Eight governors got an F. Cooper was among the eight who secured the lowest possible grade.

Governors who cut taxes and spending receive high grades. Those who pursue tax and spending increases receive the lowest scores.

The General Assembly passed tax cuts in 2017 over Cooper’s veto. The 2017 law cut the flat individual income rate from 5.439 percent to 5.25 percent, and it cut the corporate tax rate from 3 percent to 2.5 percent.

Cooper has been a vocal opponent of the tax cuts and proposed freezing implementation of the cuts in his 2018 proposed budget. The governor also advocated for increased spending, particularly for education.

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The Food and Drug Administration announced Sept. 27 it’s seeking information on how consumers use milk alternatives as a first step in potentially changing how plant-based dairy substitutes are labeled.

The announcement goes on to say the comments will be used to develop an approach toward labeling plant-based dairy substitutes, including soy, almond, and coconut milk.

Michael Dorf, a Cornell law professor, said the government has a legitimate interest in general in labeling food and drinks in a way that doesn’t mislead consumers. But Dorf said this particular case seems less about protecting consumers and more about protecting the dairy industry from competition.

“The problem as I see it is not that the FDA is proposing to label food, but that they are doing so contextually,” Dorf said. “The claim is that they just want consumers to know what the nutritional value is, but in fact this is an effort to stifle a burgeoning industry on behalf of an established industry.”

Nondairy alternatives have grown in popularity. Data from Nielsen, commissioned by the Plant Based Foods Association, found that nondairy milk sales rose 9 percent to $1.6 billion in 2018. Conversely, the share of cow’s milk in market sales dropped 6 percent.

The National Milk Producers Federation wrote to FDA Commissioner Scott Gottlieb on Oct. 26 to request that he enforce the “standard of identity” requirement for nondairy “milk” products. This requirement dictates what standards a food item must meet to use a certain label.

North Carolina is a step ahead of the federal government in terms of dictating what is and isn’t milk. The Farm Bill, Senate Bill 711, became law in June despite a veto from Gov. Roy Cooper. It directs the N.C. Department of Agriculture to develop an enforcement plan to carry out the FDA’s standard of identity for milk. North Carolina would enact a ban of the sale of plant-based products labeled as milk only if 11 other states from the Southern Dairy Compact passed similar legislation.

Dorf said a few possible challenges could follow new FDA regulations over the labeling of plant-based milk products.

“One possibility is an administrative law challenge,” Dorf said. “Another possibility is a free-speech challenge, but that depends on the kind of regulation the FDA comes up with.”

Dorf said conglomerates that sell a lot of dairy products are selling plant-based milk. This could be a long-term solution to the animosity between the industries, no matter what the FDA decides.

Lindsay Marchello
State Treasurer Dale Folwell is making good on a pledge from his 2016 election campaign to cut costs and boost transparency in the State Health Plan.

Folwell announced that in January 2020, the State Health Plan will change the way it reimburses medical providers. The attempt to save $300 million would translate into $60 million in savings to plan members.

Instead of using a commercial-based plan with varying fees, the state will convert to reference-based government pricing. Payments to medical providers will be based on a negotiated percentage above Medicare rates.

Folwell’s long-term strategy is using the purchasing power of the self-insurance plan — it has a $3.3 billion annual budget — to control health-care costs while promoting care, transparency, and affordability.

North Carolina will join Montana, which has switched its financially troubled state health plan to that model. But North Carolina is bound to make a bigger splash. Montana has 30,000 plan members. North Carolina has 727,000 teachers, state workers, retirees, and their dependents on its plan.

The State Health Plan is funded with employee contributions and tax dollars. It has $35 billion in unfunded liabilities. Blue Cross and Blue Shield of North Carolina administers the plan and will continue to do so under the new model.

During a July forum, Folwell challenged BCBSNC and key state medical providers to cut costs annually by $300 million. His impatience bubbled over at an Aug. 30 State Health Plan meeting, when he said the insurance giant keeps so much billing information secret that he can’t determine how much of charged expenses were waste, fraud, and abuse.

The Treasurer’s Office contends state and federal guidelines demand transparency, but BCBSNC isn’t providing it. Blue Cross says it gives all claims data to the State Health Plan, it has an online cost transparency tool, and third-party auditors check the books.

The State Health Plan has used BCBSNC’s network of medical providers for decades. State agencies are lumped together with other employers in a selected insurance plan. They share a network of doctors and other health care services. BCBSNC says it can’t release all contract details because private and public entities are under the same contract.

Under reference-based pricing, BCBSNC will pick a network of providers specifically for the State Health Plan. Plan officials then can see all billing details.

Aside from greater transparency, Folwell said the new system will give providers more predictable payments. Primary care, mental health, and critical-access providers are expected to see fee increases under the new rate structure.

Dan Way

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QUICK TAKES

Hurricane relief marks break from partisan fights

Gov. Roy Cooper signed the $793 million Hurricane Florence Disaster Recovery Act into law Oct. 16 after unanimous legislative passage. An N.C. State University political science professor says not to expect the good vibrations to last.

“We see these things fairly frequently, crises or challenges that emerge that generate quite pretty large actions by government that are built upon bipartisan cooperation,” Andy Taylor told Carolina Journal.

And then we resort to polarized, normal politics. That happened repeatedly at the state and national levels the past 20 years or so,” Taylor said. “It to some extent demonstrates that government can do stuff, and it need not be gridlocked,” he said.

Hurricane relief isn’t an ideological issue, so it’s hard for either party to gain advantage politically.

That doesn’t mean officials don’t genuinely want to help. The governor has spent much of the past month visiting devastated portions of the state.

He and lawmakers have churned out photos and news releases praising volunteers, consoling victims, and promising help.

Senate Bill 3 passed the House and Senate unanimously. It directs $56.2 million previously appropriated, the total Hurricane Florence state relief funding now stands at $849,430,477.

Of the current round of funding, $700 million will come from the state’s rainy-day fund. The reserve, built over a period of years under Republican-led budgeting to cushion the blow of emergencies, had about $2.1 billion.

Recovery fund money will come from the state Highway Fund, $65 million; the John Locke Foundation, $25 million; Shallow Draft Navigation Channel Dredging and Aquatic Weed Fund, $2 million; and $390,477 to the state Department of Insurance for Hurricane Matthew relief.

Cooper’s action came 31 days after Florence smashed into the North Carolina coast. In contrast, the first funding bill for Hurricane Matthew disaster recovery came in December 2016, two months after the storm slammed the state, and that initial funding bill was just $200 million.

Dan Way

ACT scores show national downward trend as N.C. remains below average

The 2018 ACT scores are in, and they don’t paint a pretty picture.

North Carolina graduates continue to score below national averages, and the percentage of graduates meeting math and English college readiness standards are trending down. Readiness levels in math and English have been trending downward since 2014.

The results are based on the most recent 1.9 million graduates, or 55 percent of the national graduating class of 2018, who took the ACT. In North Carolina, 100 percent of high school seniors are required to take the test.

“The negative trend in math readiness is a red flag for our country, given the growing importance of math and science skills in the increasingly tech-driven U.S. and global job market,” Marten Roorda, ACT CEO, said in a press release.

“It is vital that we turn this trend around for the next generation and make sure students are learning the math skills they need for success in college and career.”

On the national level, 40 percent of students tested met the math benchmark, down from a high of 46 percent in 2012. Readiness in English is trending down, too, with 64 percent meeting the English benchmark in 2015 and 60 percent meeting the benchmark in 2018. Readiness levels in reading (46 percent) and science (35 percent) haven’t changed much over the years.

In North Carolina, the highest percentage of students meeting a benchmark was in English at 46 percent, followed by 35 percent reaching the reading benchmark. Only 31 percent of students met the math benchmark, and 25 percent reached the science benchmark.

“This is just the most recent example of the disconnect between inputs and outcomes,” said Terry Stoops, vice president for research and director of education studies at the John Locke Foundation. “Despite substantial increases in teacher compensation over the last five years, there have been no meaningful improvements in student performance on ACT tests.”

The average composite score for North Carolina students in 2018 is 19.1, while the national average is 20.8. The score ranges from one being the lowest score; 36 the highest.

Stoops said the most alarming statistic is scores by African-American students. N.C. African-American students had an average score of 16, which was significantly lower than the state average score of 19.1. It’s lowest of any racial or ethnic group in the state.

Eighteen percent of N.C. students met all ACT benchmarks, while 47 percent failed to meet just one.

Lindsay Marchello

Cooper cites Florence, court order; re-establishes six state agencies

GOV. ROY COOPER says the urgency of dealing with Hurricane Florence recovery led him to sign executive orders re-estabish six state agencies tied up in litigation with the General Assembly.

The Democratic governor’s office said in a written statement his actions involve the Clean Water Management Trust Fund Board of Trustees; Parks and Recreation Authority; Private Protective Services Board; State Building Commission; Child Care Commission; and Rural Infrastructure Authority.

The boards and commissions were part of a lawsuit Cooper brought in May 2017 against Senate leader Phil Berger, R-Rockingham, and House Speaker Tim Moore, R-Cleveland. The governor contended the lawmakers violated separation of powers by radically changing the structure and composition of key boards and commissions.

The release said the State Building Commission should receive briefings on emergency repair work and the Rural Infrastructure Authority must consider JDIG grants to economic development projects in disaster counties.

On Aug. 31, a three-judge panel in Wake County Superior Court declared the related statutes unconstitutional because they gave a majority of the appointments to legislative leaders instead of the governor, shifting control over executive branch agencies to the legislative branch.

The ruling was based on a 2016 state Supreme Court decision saying the governor must have sufficient control over executive boards and commissions by appointing a majority of their members.

But the panel’s decision left those agencies unable to operate. Legislative leaders said they would address the judges’ ruling when the General Assembly returns to session Nov. 27.

Cooper used identical language in each executive order to explain the need for the agencies: “The statutes challenged in this lawsuit prevent the Governor from performing his core function under the North Carolina Constitution to ‘take care that the laws be faithfully executed.’”

The release said the six executive orders comply with state law and the August court order. The powers and duties of the boards and commissions were unchanged. The executive orders alter only the number of appointments allotted to the legislative and executive branches.

Dan Way
UNC BOARD OF GOVERNORS

UNC System president resigns as BOG chairman cites need for understanding among members

continued from PAGE 1

Early in 2015, former UNC President Tom Ross, a Democrat, was pushed from his job by the mostly Republican board. He served until Jan. 3, 2015. Fennebresque said the Board’s inability to increase affordability and accessibility led to political friction, The Charlotte Observer reported. Fennebresque cited a need for “another leader who might bring other assets and a clearer vision to our institution.”

At that point, the BOG was still muddling through dealings with former BOG member, to confirm Spellings said she was “pleased, but not satisfied,” with the accomplishments of her administration. During her first year in office, Spellings, along with the UNC Board of Governors, developed a university policy to increase affordability and accessibility for students.

The president worked with former BOG Chairman Lou Bissette during her first two years. Outwardly, the two shared a friendly relationship, laughing and chatting during public meetings. Bissette stepped down earlier this year. His successor, Harry Smith, has verbally supported Spellings during meetings and press conferences, but interaction between them appeared more stilted.

“All leaders are for a time,” Spellings said in a statement released Oct. 26, when the board made the announcement of her resignation official. “When I was hired three years ago the board and I believed that I was the right leader, and I have worked hard to meet the expectations that have been set. I am proud of the people around me and of the work we have done.”

“But times change, and those changes demand new leaders and new approaches. I will leave North Carolina with pride of the contributions made during my tenure that build on the work of those that came before and that lay the foundation for the work ahead.”

She said she plans to return to her home state of Texas.

Smith, who rose to board leadership a few months ago, has wasted no time establishing a new regime — one that’s as much about who’s in charge than the environment fostered by Bissette.

Like any new leader, he’s faced a gauntlet of political scrutiny mostly due to his notable involvement in campus policymaking.

Under Smith’s leadership, the board has overhauled rules for how universities’ boards of trustees pick their chairmen, and the process of abiding by concerns about the open chancellorship at Western Carolina University.

He says board members are still dealing with communication challenges and “high emotions,” but he didn’t offer details.

The board is “tackling some issues that have plagued the system for a long time,” Spellings said during an Oct. 10 board meeting. The Greenville businesswoman commented on a need for compromise and understanding, vaguely referencing “robust phone calls [with board members] that were loaded.”

Smith mentioned an opinion piece, penned by 10 former BOG members, that condemned “clearly bad governance” under his leadership.

“It was difficult for me to read the piece,” he said, “but I didn’t think it was credible enough to deserve a response. I ask that if you want to be critical of the Board of Governors, make some phone calls first. Have a conversation with me.”

A few members around the table, including Bissette, appeared uncomfortable.

The comments weren’t a reference to anything specific, Smith explained, during a long conference. Smith makes himself available to media, readily responding to phone calls, texts, and emails. He’s usually diplomatic and typically gives vague answers to questions about potential conflicts with board members. The chairman publicly praised board members, while also referencing their “advice and criticism.”

“One thing I’ve learned is that we’re going to deal with issues inside the ANU system on a consistent basis,” he told CJ. “A lot of the reasons individuals have emotion involved in them. What I want us to continue to do is get the facts down in detail and just try to do what’s right.”

UNC Board of Governors
Chairman Harry Smith

The board then decided to rework the search process for university chancellors.

Other factors may have rocked the decision.

BOG member Tom Fetzer disrupted the WCU search by ordering an outside consulting firm to run an independent background check on Spellings’ candidate. The meddling unnecessarily jammed the board’s decision, Bissette said in a July 26 BOG committee, a story by the News and Observer says.

Fetzer formerly recommended the current chancellor at WCU by two members of the university’s board of trustees. While Fetzer told CJ he was open to the job, it had no effect on his decision to investigate Spellings’ candidate.

New guidelines for chancellor selections clarify no BOG members or university trustees can be considered for a chancellorship unless they resign. BOG members can’t serve on search committees but can nominate people for those roles. Search committees should look at candidates from a variety of backgrounds, including those outside of academia — business, government, military, and nonprofits.

Background checks already are required, and the recommendations state educational and work history, compensation, references, criminal background, credit history, and social media use should be closely scrutinized. Search committees are encouraged to seek internal candidates and professionals from North Carolina.

The full BOG will have seven days to study trustee reviews of candidates. That job used to take 48 hours and was handled by the BOG’s personnel and tenure committee.

Confidentiality — a rule many say harms transparency — remains in place for the search process. University employees and students can participate in interviews but are legally bound to conceal information about candidates.

The confidentiality rule is merited, board member Steve Long told CJ. Public disclosure is demeaning to candidates and “doesn’t encourage good candidates to apply.”

“How many people want to go through job searches with the full public watching? Closed searches protect the candidates’ interests, and they also avoid this unnecessary cattle call where candidates are dragged through the mud,” Long said.

It’s great to have clearly outlined rules, but the overhaul had nothing to do with what happened at WCU, Long said.

Issues with ECU Chancellor Cecil Staton

Smith criticized East Carolina University Chancellor Cecil Staton. In a July 15 email to two state lawmakers, Smith called out Staton for misusing public funds and Observer. In it, Staton said his institution was “handed the largest budget cut for any of the state’s public universities: $1.1 million, with no reasonable explanation.”

The statement was unacceptable, Smith said in the email.

“It’s been a scandalous couple of years at ECU that has and continues to damage our great university,” Smith wrote to Reps. Gregory Murp hy, R-Pitt, and John Bell, R-Craven.

“Leaders take accountability, and I am not sure whether Mr. Staton is happy to sit down with Cecil and explain in great detail the many issues we have had under his leadership that he was in direct control over that causes greatly hurt and divided ECU,” Smith told Bell and Murphy.

“The many issues” include a $1.26 million employment buyout ECU’s Board of Trustees over his years in charge for former university Athletic Director Jeff Compher, Smith told CJ.

Smith, like other BOG members, has taken issue with the ECU Foundation’s purchase of a $1.3 million off-campus home for the chancellor and his family, though that objection was “a personal perspective,” Smith said.

Ten days after Smith emailed Bell and Murphy to apologize for Staton’s editorial, the ECU Board of Trustees sent a letter to Spellings, supporting Staton and his vision.

“The ECU Board of Trustees feel compelled to respond to recent questions that have been raised about Chancellor Cecil Staton,” members wrote July 25. “In July 2017, the board passed a resolution in support of Chancellor Staton’s priorities. Today, this board would like to again express its unequivocal support for the bold leadership, vision, and direction that this chancellor is providing to East Carolina University.”

Kieran Shanahan, chairman of ECU’s BOT, later told CJ that the letter turned out to be unnecessary.

Rumors that Staton’s job was in jeopardy were false, Smith told CJ in an August interview.

The UNC board never will “overrun the trustees” and wouldn’t fire Staton without direction from ECU and Spellings, though “I know that rumor was flying … but that rumor never should’ve gotten any legs, and the world is full of rumors as you know,” Smith said.

UNC chancellor search

Two weeks into his role as chairman, Smith led a shake-up of the chancellor search at WCU, unexpectedly declining, along with other board members, to confirm Spellings’ pick. The board ordered WCU’s board of trustees to consider a chancellor unshaken by conflicts from scratch, citing a lack of information about the candidate.
UNC BOARD OF GOVERNORS

The unexpected resignation in late October of UNC President Margaret Spellings casts a brighter light on the 28-member UNC Board of Governors. The board will pick Spellings’ successor.

Carolina Journal publishes a lot of stories about the University of North Carolina Board of Governors. A handful of members regularly appear in our reporting, and we hope our readers have gleaned important information about the BOG from our articles.

That said, a 28-member board is tough to pan. You may know the names, backgrounds, or political affiliations of only a few members. Some are outspoken, others are not. But all are important. And all are accountable for good governance of the UNC System.

That’s why we’ve put together a brief, but comprehensive, biography of each board member, occupation, and political registration.

CHAIRMAN
HARRY SMITH, JR.
Current term: 2017 – 2021
Appointed by the board by the N.C. House in 2013. Serving his second term.
Occupation: Former chairman and CEO of Flanders Corporation, owner of Pitt Electric.
Residence: Greenville

VICE CHAIRMAN
RANDY RAMSEY
Current term: 2017 – 2021
Appointed by the N.C. House in 2017.
Occupation: Founder and president of Jarrett Bay Boatworks
Residence: Beaufort

SECRETARY
PEARL BURRIS-FLOYD
Current term: 2015 – 2019
Appointed by the N.C. House in 2015.
Occupation: Chief government affairs officer at Partners Behavioral Health, president and CEO of Hidden Germantown Consulting
Residence: Dallas, N.C.

CHANCELLOR
BETTYLENAH NJARAMBA
Current term: 2015 – 2019
President of the University of North Carolina Board of Governors. Appointed by the N.C. Senate in 2011. Currently serving her second term.
Occupation: Student at N.C. Central University

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Playing with public money?

Officials in mythical Mayberry may nip problematic project in the bud

BY DON CARRINGTON

The Barter Theatre, which has operated since the Great Depression, reportedly draws 160,000 people a year to the charming mountain town of Abingdon, Virginia. Officials in Mount Airy — who already traffic on the celebrity of native Andy Griffith and the mythical town of Mayberry — think they should risk tax money to move an offshoot of the Barter Theatre into the Tar Heel State.

The city plans to redevelop an abandoned textile mill into a boutique hotel and apartment complex anchored by the southern branch of the Barter Theatre. The city secured $1 million associated with the project from the General Assembly for water and sewer improvements.

But the plans have run into trouble.

Barter Theatre officials seem reluctant to move forward, and the process of getting the water-and-sewer grant has raised ethics concerns.

The Spencer’s Redevelopment project hopes to transform the Spencer’s Mill property — a century-old textile manufacturing site vacant for more than a decade — into a mixed-use project. Mount Airy has capitalized on Griffith’s fame with regular festivals, along with stores and attractions based on “Mayberry,” the setting of the popular 1960s television series.

Moreover, the way the city landed an earmarked appropriation in the most recent state budget may have ethical if not legal problems. Former state Rep. Bryan Holloway, the city’s registered lobbyist, also lobbies for a nonprofit firm, the Resource Institute. The law states, “Any payment to a lobbyist in violation of the law prohibits contingency payments tied to lobbying efforts.”

A commission for lobbying?

According to City Council meeting minutes, in September consultant Charles Anderson submitted a $100,000 bill to the city of Mount Airy for his role in securing $1 million for a water and sewer line extension project. State law prohibits contingency payments tied to lobbying efforts. Something just doesn’t seem right,” she said.

Playing with public money?

The Barter Theatre is seeking to create a multi-use center at the mill that includes lodging, dining, 80 market-rate apartments, and a business center. The total planned private investment is projected to be $28.5 million and is expected to create more than 110 permanent jobs.”

But redevelopment has lagged. In March, city officials met with staff of the LGC, headed by State Treasurer Dale Folwell, to discuss the project. The meeting was informal. According to Folwell spokesman Frank Lester, staff indicated the LGC was unlikely to approve borrowing for the project as presented. City officials were told to come up with another plan — which depends in part on the feasibility study. It’s being prepared by the Development Finance Initiative, part of the UNC School of Government.

Consultant Charles Anderson submitted a $100,000 bill to the city of Mount Airy for his role in securing $1 million for a water and sewer line extension project. State law prohibits contingency payments tied to lobbying efforts.

The agreement between the city and Resource Institute was signed in July 2017. It requires the city to pay Resource Institute 10 percent of any grant it helped the city obtain. Such an arrangement appears to violate state law. Charles Anderson is registered as a Virginia lobbyist, even though the city council minutes state he lobbied for the money.

N.C. General Statute 163A-305 states, “Contingency fees prohibited. No individual shall act as a lobbyist and receive payment for lobbying that is dependent upon the result or outcome of any legislative or executive action.”

The law also states, “Any payment to a lobbyist in violation of the section is subject to forfeiture and shall be paid into the Civil Penalty and Forfeiture Fund.”

Jane Pinsky is director of the N.C. Coalition for Lobbying and Government Reform, a “nonprofit organization dedicated to promoting good-government policies.” Pinsky said the contingency fee claimed by Resource Institute “doesn’t pass the smell test. If Mr. Anderson did lobby for this grant, he should have registered as a lobbyist. State law prevents lobbyists from working on contingency fees. Something just doesn’t seem right,” she said.

continued PAGE 11
LOCAL GOVERNMENT
continued from PAGE 10

Holloway told CJ he didn’t benefit from the fee his client Resource Institute was charging his other client, the city of Mount Airy. “I don’t care what the meeting minutes say. They are wrong. City Manager Barbara Jones does not understand the nature of lobbying. I don’t care if the city pays this invoice,” he said. He also said he hadn’t seen the agreement between the city and Resource Institute.

CJ sent a copy of the law to Jones, who asked City Attorney Hugh Campbell to review. “Since you raised this issue, we have determined the invoice from Resource Institute is premature. Resource Institute has withdrawn it, and we are contemplating a new contract with the organization,” Campbell said.

City council meeting minutes say Holloway is paid $1,000 a month by the city. He is also a registered lobbyist for Resource Institute and told CJ he gets $2,500 a month from that organization. He told the Mount Airy News in mid-September he wasn’t aware that the city had an agreement with Resource Institute, and he didn’t stand to receive any of the $100,000.

The Resource Institute’s website lists five staff members, including Charles Anderson, project developer and funding liaison. A report in the Mount Airy News said Resource Institute’s efforts have secured between $18 million and $20 million for greenway and stream restoration work in Mount Airy.

CJ spoke by phone with Anderson and RI board chairman Michael Smith. “We don’t go to Raleigh and lobby. We write grants and administer projects. RI submitted an invoice for administration. Once Mount Airy determines they want us to do this, we will submit an invoice for 10 percent to cover our grant administration expenses,” Anderson said.

“The timing of submitting an invoice was probably in error,” Smith said. “We did not expect them to pay it until we actually started administering the grant. There has been a degree of confusion in Mount Airy regarding this invoice.”

Smith said he informed Mount Airy officials “to rescind the invoice until they require our administrative services once a project is determined.”

Role confusion

A city resolution passed in July 2017 authorized a memorandum of understanding between the city of Mount Airy and Resource Institute. The resolution stated, “This agreement is specific to help secure funding for the Spencer’s Redevelopment Project Infrastructure.”

But the MOU doesn’t connect the grants to the Spencer’s Redevelopment Project:

Resource Institute has been asked to help secure and assist in finding funding for projects that the City of Mount Airy is wanting to implement over a period of time. Resource will aid in writing grants, research funding opportunities, and assist the city in other funding avenues as needed. Once those funds are in place and accepted by the city, Resource Institute will have completed its obligation for the grant(s).

“City of Mt. Airy will make payment to Resource Institute at the rate of ten percent (10%) of the total grant awarded to the city that Resource Institute has assisted the city in obtaining.”

The agreement remains in effect until canceled by either party. The most recent state budget, approved June 1, directed the Division of Water Infrastructure in the Department of Environmental Quality to allocate money to four specific local governments for water infrastructure projects. Mount Airy received $1 million.

Holloway made a presentation to the City Council July 7, summarized in minutes from the meeting:

“Bryan Holloway announced that $1 million has been appropriated in the State of NC’s budget for the City of Mount Airy to use for infrastructure. The Governor did veto the budget yesterday, but today, the Senate override the veto, and that will be overridden in the House next week.”

Holloway thanked several state lawmakers from the area for helping secure the money and Charles Anderson with Resource Institute.

Jones thanked Holloway “for his hard work and communications.”

CJ asked Division of Water Infrastructure spokesman Cathy Ayers about the process for delivering the $1 million to Mount Airy. “The process used for this project is just like the process used in any of our funding applications, from a post-award standpoint. Payments are done on a reimbursement basis only,” she said. “If payments request-
Looking to land auto plant, state pushed not-ready-for-prime-time megasite

BY DON CARRINGTON

North Carolina officials insist the state is prime territory for the next big industrial manufacturing facility — most likely an automaker.

Auto assembly plants can attract billions of dollars in investment, create hundreds of high-paying jobs, and revitalize a local economy.

But we keep losing the competition for new auto plants to nearby states. South Carolina has BMW, Mercedes-Benz, and Volvo. Tennessee has Nissan and Volkswagen. Georgia has Kia.

And Alabama has become an automaking giant, hosting assembly plants for Honda, Hyundai, and Mercedes-Benz. Most recently, state officials landed a joint-production deal involving Toyota and Mazda.

The Tar Heel State reportedly was a finalist for the Toyota/Mazda plant. N.C. Department of Commerce documents show company officials considered at least three locations here. In September 2017, they focused on the Greensboro-Randolph Megasite near the town of Liberty.

State officials were promoting the Liberty site over others, and it has received considerable financial backing — about $26 million — from the N.C. Railroad Co., a private company owned by the state and controlled by political appointees.

State officials seem to promote the Liberty site over others, based on a review of Commerce Department documents. The state's apparent interest in pushing the Liberty location may have cost North Carolina its best opportunity to land an automaker.

Barry McClelland, a retired Honda facilities manager and now an independent plant location consultant, told Carolina Journal the Duke transmission line needs to be moved. “It might be a deal stopper. That site also needs to get certified by the state. In today's world, certification is a big deal,” he said.

McClelland said that he is aware of three major site searches in North Carolina in the past few months, and state officials need to show a company all three sites.

The other two megasites are in Chatham County — one near Siler City and the other near Moncure.

A fourth megasite — the 1,500-acre Kingsboro site in Edgecombe County — landed a major tenant in January. The Chinese tire manufacturing company Triangle Tyre announced it will build its first manufacturing plant outside China on part of the Kingsboro site.

The state’s apparent interest in pushing the Liberty location may have cost North Carolina its best opportunity to land an automaker.

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Favored site

The Liberty site was the brainchild of former Piedmont Triad Partnership CEO David Powell. In 2011, he began advocating for a regional megasite south of Greensboro.

Powell resigned from the organization in January 2015 and later was investigated over allegations of embezzlement. Former Greensboro Mayor Jim Melvin set up the Greensboro-Randolph Megasisite Foundation and assumed the advocacy role from Powell.

Powell was indicted in 2016. His trial was postponed several times, and he committed suicide in April 2017.

In May 2015, NCRR, a quasi-state organization, decided to buy land for the megasite project.

NCRR owns and manages a 317-mile rail corridor connecting Morehead City to Charlotte. NCRR is unique because it’s a private company, but the state of North Carolina owns all its stock. The governor and legislative leaders appoint the 15-member board of directors. Its primary income comes from leasing some of its tracks to Norfolk Southern Railway.

CJ hasn’t been able to determine how NCRR became involved in the project. The organization would not disclose meeting minutes. In 2016, Chairman Frank Rouse said NCRR doesn’t have to comply with the state’s public-records law, because it’s a private company, not a state agency.

CJ first wrote about NCRR’s unusual plan to buy land for the project in 2016. Since Norfolk Southern Railway owns the rail line bordering the megasite, and the NCRR track is about 15 miles away in Greensboro, NCRR would not receive any direct benefit from its spending.

The stated mission of NCRR is to develop its own corridor. NCRR president Scott Saylor told CJ the megasite project is part of his organization’s broader economic development mission.

County property tax records show NCRR owns about 1,200 acres of the site. In October 2017, Saylor, Randolph County Commission Chairman David Allen, and Foundation President E.S. Melvin pledged to give the Greensboro-Randolph

continued PAGE 13
ECONOMY

continued from PAGE 12

Megasite, worth $48 million, to Toy-
ota and Mazda if the automakers
chose the location for the assembly
plant.

Power line problem

The N.C. Department of Com-
merce and the Economic Develop-
ment Partnership of North Caro-
olina, a private nonprofit established by
the General Assembly in 2014, are
responsible for recruiting industries
to come to North Carolina.

On Sept. 15, 2017, EDPNC CEO
Christopher Chung wrote Com-
merce Secretary Anthony Copeland
about the Liberty site. “Discussion
at the Liberty site focused heavily
on the relocation of the high-volta-
tage transmission line bisecting the
north and south halves of the site.
This is clearly an issue that the cli-
ent team highlighted as needing to
be resolved within the required
time frame (18 to 24 months) and
at minimum cost to the client. Duke
Energy is aware of the need for this
matter to be addressed and how
critical it is to the Liberty site’s via-
bility; they are reviewing what can
be done,” said Chung.

In a Sept. 25 letter from Duke
Energy N.C. President David Foun-
tain to Greensboro Chamber of
Commerce President Brent Chris-
tensen, Duke Energy Chief Execu-
tive Officer Lynn Good agreed to
move the line and said it would be

According to Duke, a new indus-
try couldn’t tap directly to that line.
“Our 525 KV transmission system is
for bulk transport and voltage sta-
bility only. It is not designed for re-
tail service and has never been used
in that manner,” spokeswoman Meghan Miles said.

CJ asked Miles about the sta-
tus of the relocation project. She
told CJ she said the project is no longer mov-
ing forward since the potential cus-
tomer selected another site. She al-
so said the estimated cost of mov-
ing the line as proposed would be
$25 million and that Duke custom-
ers wouldn’t pay for the project.

She said Duke would move pow-
er lines, if needed, at other meg-
asites. “Duke Energy supports eco-

nomics and where our infor-
structures inhibits successfully
completing a project, we have pol-

cies in place that allow the compa-
ny to relocate our infrastructure.
These policies both protect our rate
base and allow for economic de-
velopment projects to use the full site,”
she said.

N.C. Certified Sites

The EDPNC runs the state’s site
certification program. “Since 2001,
North Carolina has offered an offi-
cial Certified Sites program to pro-
vide a statewide inventory of indus-
trial sites that have undergone a rig-
orous prequalification process to en-
sure they are ‘shovel ready’ for im-
mediate development and meet a
consistent set of standards,” ED-
PNC’s website says. “A Certified Site
 reduces the risks associated with
development by providing detailed
information about a site, including
price and availability, utilities, ac-
cess, environmental concerns, and
potential development costs. Sites
are periodically recertified to ensure
accurate, reliable data.”

North Carolina has 24 certified
sites, including the Siler City site
and the Moncure site. The Greens-
boro-Randolph site isn’t certified.

Brent Christensen, president of
the Greensboro Chamber of Com-
merce, is one of the local market-

ing contacts for the site. He said the
state hasn’t certified it. “It is our un-
derstanding that the remaining re-
quirement for site certification is
the complete right-of-way acquisi-
tion to the site for water and sew-
er service by the City of Greensbo-

This process is well underway, and
we anticipate submitting for state
site certification upon its comple-
tion,” he said.

Meantime, Greensboro-Ran-
dolph site officials have obtained
separate certification from the busi-
ness consulting firm KPMG and
hired the company to review the
Liberty site. On June 30, 2018, KP-
MG consultant Hartley Powell re-
ported to Randolph County Eco-

nomics Development Corporation
President Bonnie Renfro that the
site had been named a “KPMG Cer-
tified Site.”

CJ hasn’t found any information
about KPMG’s certified site program.
Spokeswoman Katy Reddin said,
“The certification is not so much a
program as a service that we pro-
vide to our clients. The certifica-
tion confirms that the site has met
specific requirements demanded by
companies and agreed to by KPMG
and the community.”

It’s unclear whether this out-
side certification holds much sway
over companies looking for a place
to build a major manufacturing fa-
cility.

Crossing a line

A short history of the Greensboro-Randolph Megasite

2011
The Piedmont Triad Partnership, a regional
economic development organization, begins
advocating for the Greensboro-Randolph
Megasite project

Jan. 2015
David Powell resigns from partnership

Feb. 2015
Former Greensboro Mayor Jim Melvin forms
Greensboro-Randolph Megasite Foundation
and assumes advocacy role formerly held by
Powell

April 2015
Powell investigated for embezzling from
Megasite Foundation

2016
NCRR, Randolph County, and G-R
Megasite Foundation
sign agreement creating partnership for the
project

March 2016
NCRR, Randolph County, and G-R
Megasite Foundation

2017
Toyota and Mazda show interest in site

2018
To bring total holdings to
more than 1,200 acres

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A common justification for more government spending on public schools is that such “investments” are a critical factor in driving businesses to a state. Presumably, the increase in spending leads to an increase in quality, and higher-quality schools produce a more capable workforce. While there is some merit to the latter claim, the relationship between spending and quality has always been tenuous, at best, as decades of empirical research have identified a host of nonpecuniary factors that affect school quality. Research notwithstanding, elected officials, chambers of commerce, economic development officials, and public school advocates insist public school spending is a key criterion for making relocation or expansion decisions. In August, the Charlotte Business Journal declared North Carolina is “not making the grade” in attracting new businesses to the state. Their proof? The state had dropped from No. 5 to No. 9 on CNBC’s America’s Top States for Business 2018 ranking. CNBC staff wrote, “A great workforce has businesses sticking with the Tar Heel State, but underfunded schools are infringing on success.”

Despite their grave assessment, seven of the top 10 states in this year’s CNBC ranking spent less per student than the national average. The third-best state for business, Utah, has one of the lowest per-student expenditures in the nation. New York, which is second only to the District of Columbia in per-student spending, ranked 27th. As New Yorkers know, big-time spending on schools requires levels of state and local taxation that keep new enterprises away and U-Haul dealers busy.

Starting in the 1980s, researchers began producing empirical studies that tried to examine the relationship between state-specific characteristics and business relocation and expansion decisions. Most researchers have found corporations prefer favorable tax, regulatory, and infrastructure conditions, rather than “quality of life” factors that economic development officials and others claim are instrumental in luring businesses to their respective states. For example, a 1999 Journal of Business Research study assessed a survey of businesses that had relocated, expanded, or been launched in Colorado. The respondents said the cost of office or plant, the availability of labor, and business operating costs were the most important considerations in their decision. The quality of primary/secondary education was, at best, a second-tier consideration, with only 10 percent of respondents saying that it was an “extremely important” factor.

An article a year later in Policy Sciences asked similar questions to executives from 118 internationally owned firms in North Carolina. Of the 11 location factors that respondents were asked to consider, the perceived quality of schools and universities ranked fifth. Labor force factors, such as the availability of labor and wage rates, topped the list. State marketing efforts were dead last.

Unsurprisingly, surveys of top business executives and managers agree with the research. According to a 2017 Site Selection Magazine survey of corporate real estate executives, workforce skills were identified as the most important location criteria, followed by transportation infrastructure, utilities, state and local taxes, and the availability and price of real estate.

Although useful, research and rankings of business development and relocation criteria are based on perceptions, generalities, and various what-ifs. Insight into the actual decision-making processes that business executives undertake, as well as state responses to their deliberations, are more difficult to find. Fortunately, when Toyota and Mazda earlier this year announced that they planned to locate a new joint automobile plant in Alabama rather than North Carolina, WRAL published nearly 400 pages of N.C. Department of Commerce emails, text messages, and planning documents related to the negotiations.

It’s possible the issue of public schools came up during a meeting or appeared in correspondence that was excluded from the documents obtained by WRAL. Nevertheless, the contents of the North Carolina proposal don’t mention per-student spending in North Carolina, which is slightly higher than Alabama, or even the quality of the public schools in Randolph and adjacent counties that bordered the megasite identified for the proposed plant. In the end, the existing supply chain for automotive parts in Alabama was the deciding factor.

Business leaders know it’s not necessary to rely on state systems of public schools to meet their skilled workforce needs. Both interstate and international labor mobility can address deficiencies in local and regional markets. Why else would the North Carolina proposal to Toyota and Mazda include funds for the Japanese Saturday school?

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State’s fiscal health depends on more than just one politician

The Mercatus Center at George Mason University now ranks the Tar Heel State No. 9 in the country for its fiscal health.

Not so fast. A report card issued on the same day as the Mercatus Center ranking offers a much different assessment of Cooper’s performance as fiscal steward.

The libertarian Cato Institute assigns Cooper an F for his fiscal policies. Yep. The governor of the state with the ninth-best fiscal status earns a failing grade for his fiscal policies.

Lest you think the Cato crowd consists of particularly harsh graders, consider the following: Only one other Southern governor, John Bel Edwards of Louisiana, earns an F. Just eight governors nationwide earn that dubious distinction.

Among our neighbors, Georgia’s Nathan Deal gets a B and Tennesse’s Bill Haslam a D. Those who especially relax competition with the “other” Carolina might cringe when they see an A grade for Henry McMaster of South Carolina. McMaster is one of just five governors nationwide to secure the top letter grade.

How does a governor in a state with so much recent economic success flunk Cato’s test? “Cooper scored poorly on both spending and taxes,” according to Cato’s report. It notes the governor’s 6.5 percent proposed state government spending increase for 2019. The report also explains that the state enacted budgets with smaller spending increases only after lawmakers voted to override Cooper’s vetoes.

“On taxes, Cooper has tried to block efforts by the legislature to make pro-growth reforms,” Cato researchers add. They cite his opposition to legislation that “will cut taxes by more than $900 million annually.” The Cato report assigns Cooper a simple motive. “He wanted higher revenues to fund a spending increase.” “He’s only been in office just a bit less than two years, but so far, he’s going in the wrong direction, it seems to me,” report author Chris Edwards told Carolina Journal Radio. “He’s pushed for substantial increases in the state budget, and he’s blocked tax reductions.”

Contrast Cooper with his South Carolina counterpart. “McMaster is off to a fiscally conservative start as governor by offering a restrained budget this year, supporting pension reforms, vetoing tax increases, and proposing income tax reforms,” according to the Cato report.

While Cooper has stamped his veto on GOP budget bills that spent money more frugally than he wished, “McMaster vetoed a transportation bill that raised gas taxes by 12 cents per gallon and jacked up vehicle fees.” The S.C. legislature overrode McMaster’s veto, but the Cato report credits him nonetheless for his efforts.

Cooper and McMaster. Two governors with different fiscal priorities. Two governors with polar opposite grades on Cato’s report card.

One of them leads the state with the third-best fiscal health ranking in the Southeast and the ninth-best ranking among the nation’s 50 states. The fact that Roy Cooper, not Henry McMaster, enjoys that honor should remind us that there’s much more to a state’s fiscal health than the man or woman who sits behind the governor’s desk.
Caring about science: Carbon is not carbon dioxide

ROY CORDATO
SENIOR ECONOMIST
JOHN LOCKE FOUNDATION

It should be pretty clear carbon dioxide (CO2) and carbon aren’t the same things. CO2 is a colorless and odorless gas emitted when all animals exhale, and it’s given off when formerly living things—plants and animals—decay. Not mentioned by Merriam-Webster is that it’s also generated when these formerly living things, even after millions of years—as with the case of coal and oil—are burned. Also not mentioned by the online dictionary is the fact that carbon dioxide, in addition to its role in photosynthesis, is what is called a “greenhouse gas.” That is, in conjunction with other gases, water vapor being the most dominant, it acts as a blanket that keeps heat from escaping the atmosphere and prevents the planet from freezing over. Carbon dioxide is essential for sustaining life.

Carbon, on the other hand, is a solid. It’s present in all living things and things that were once living. As noted, when these once-living things that contain carbon are burned, the carbon combines with oxygen to form carbon dioxide and is emitted into the atmosphere along with the CO2 that we exhale or that comes from decaying plant life. So, while it is one of the elements that goes into forming carbon dioxide, it’s no more the same as carbon dioxide than hydrogen or oxygen is the same as water—water being two parts hydrogen (H2) and one part oxygen (O).

So why, in nearly all discussions of global warming, is the word “carbon” freely substituted for “carbon dioxide?”

“Carbon emissions,” “carbon tax,” “carbon footprint,” and “cost of carbon,” all use the word “carbon,” when actually what’s being referred to is carbon dioxide. Carbon can’t logically be a substitute expression for carbon dioxide any more than hydrogen or oxygen can be a substitute expression for water. In the latter case, everyone would realize such a substitution would be silly and just bad science. And yet, when it comes to talking about carbon dioxide and carbon, the switch in terminology is made seamlessly and really without notice. In fact, it’s so common to refer to CO2 as carbon that it is done regularly by people on all sides of the global warming debate and even by government agencies, as with the expression “cost of carbon” used to describe the EPA’s estimate of how much emissions of carbon dioxide in the atmosphere are estimated to cost society.

My speculation is the transformation of the legitimate and accurate “carbon dioxide” into the false and inaccurate “carbon” has been part of an effort, in this case, a quite successful one, to obfuscate what is really talked about. It is a tool of propaganda. Note that this has also been done with the substitution of “climate change” for “global warming,” despite the fact that what’s referenced is the warming of the planet, not any general change in climate that occurs all the time.

The word “carbon” conjures up images, captured in Merriam-Webster’s definition, completely unrelated to carbon dioxide. In most people’s minds, carbon is associated with everything black and dirty—coal, charcoal, asphalt, carbon black, etc. Of course, none of these describes CO2, which is a colorless and odorless gas. If one wants the vision of black soot being emitted from power plant smokestacks and automobile tailpipes, then CO2 emissions will just not work. But, of course, that’s exactly what carbon emissions would look like. And it would hardly make sense to talk about colorless, odorless, and harmless CO2 emissions as contributing to “dirty air,” which is done regularly. But carbon? Now that’s something quite different. It’s black, it’s “sooty,” and if it were being emitted into the air as a result of heating our homes or driving our cars, it would make the air “dirty” by any standard.

In discussions of global warming, we need to take back the language for sound science. Intentionally or not, it’s deceptive and misleading to refer to carbon dioxide as carbon. As noted, this is not just because they are, in fact, not the same thing but because they bring to mind two very different notions. The use of the word “carbon” allows special-interest groups to transform simple science into a tool of propaganda. Honest protagonists on either side of the global warming debate, particularly those who actually care about scientific accuracy, should make a concerted effort to reject substituting the word “carbon” for “carbon dioxide.” They should not only stop making the switch themselves but begin calling out others who continue the charade.

From Merriam-Webster

CARBON DIOXIDE. A heavy colorless gas (CO2) that does not support combustion, dissolves in water to form carbonic acid, is formed especially in animal respiration and in the decay or combustion of animal and vegetable matter, is absorbed from the air by plants in photosynthesis, and is used in the carbonation of beverages.

CARBON. A nonmetallic chiefly tetravalent element found native (as in diamond and graphite) or as a constituent of coal, petroleum, and asphalt, of limestone and other carbonates, and of organic compounds or obtained artificially in varying degrees of purity especially as carbon black, lampblack, activated carbon, charcoal, and coke.
**Can higher ed revive rural North Carolina?**

**SHANNON WATKINS**  
COLUMNIST

Many rural counties in the U.S. are on life support. They're struggling with shrinking and aging populations, shuttered businesses, disappearing job bases, and a general sense of hopelessness. There's little consensus about how to fix things. Some policymakers and researchers dedicate extensive efforts to halt and reverse rural decline in North Carolina. Other observers view the decline as inevitable, with little else to do but manage it as best as possible.

Higher education officials tend to be optimistic about the future of rural counties. A common belief is that the more Tar Heel System — and elsewhere in North Carolina — is that the more tar-

ingenuity presence in rural North Carolina can be a key driver of economic prosperity. In a Martin Center interview, Smith argued that higher education creates the graduates needed to "sustain the economy" in rural North Carolina.

However, although large, research-oriented UNC institutions might have the ability to help drive local economies in which they are located. Most rural counties in the state aren't near a research university. Instead, the nearest institution of higher learning is usually a community college. While community colleges have the ability to train the local workforce, they don't have the infrastructure, resources, or reputations of large universities to create thriving socioeconomic "hubs."

Researchers in North Carolina have also recognized how unhealthy cultural trends contribute to the failure of rural counties. For example, in a Martin Center interview, Leslie Boney at N.C. State's Institute for Emerging Issues noted the decline in civic engagement in many rural areas.

One can't help but question the long-run effectiveness of such programs. Can they offset the exod- us of young and educated people from rural towns, provide enough jobs for those who live there, and resuscitate broken economies? As the data suggest, the forecast isn't optimistic.

Clearly, rural communities need economic, cultural, and civic renewal. The question remaining is whether higher education initiatives can jump-start that renewal. It may take something stronger and deeper, some major unforeseen event that brings the middle class back to the rural towns. Or, perhaps, some form of spiritual rebirth will lift the existential gloom and spread of social pathologies. But until events prove otherwise, hope may be best tempered with realism.

Shannon Watkins is a policy associate at the James G. Martin Center for Academic Renewal.

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**Exposing the harms of the ‘diversity delusion’**

**GEORGE LEEF**  
COLUMNIST

ON Nov. 7, 2006, Michigan voters passed Proposition 2, banning the use of racial preferences throughout state government and state universities. The next day, University of Michigan president Mary Sue Coleman issued a defiant statement. In it she pledged to fight in the courts against the voters' decision to have a colorblind state: "I will not stand by while the heart and soul of this great university is threatened. We are Michigan, and we are diversity."

Really? It's the "heart and soul" of a great university to prefer some people over others on account of race? But Michigan's president stood ready to fight until the end to protect discriminatory policies be-

cause they're supposedly essential for "diversity." In the years since the enact-

ment of Michigan's ban on racial preferences, the University of Michigan has changed very little and certainly hasn't become a "mediocritas" as Coleman claimed to fear. Nevertheless, a quasi-religious devotion to race and gender discrimination continues to sweep through American higher education.

Manhattan Institute scholar Heather Mac Donald devotes her latest book, *The Diversity Delusion: How Race and Gender Pander to the University and Undermine Our Culture*, to a wide-ranging examination of this obsession.

The academy, she writes, originally maintained its diversity efforts were needed for "bridge-building and broadening people's experiences," but clearly has the opposite effect by "dividing society, reducing learning, and creating an oppositional mind-set that prevents individuals from seizing the opportunities available to them." This new kind of discrimi-

nation — for "diversity" — has spawned an antagonistic group-

think that tears the social fabric and distracts our universities.

The mania for diversity affects faculty hiring. Across the aca-

demic landscape, hiring is subject to pressure for more women and candidates from "underrepresent-

ed" groups. Department heads who want to hire the most excellent candidate find themselves in trouble if their choice doesn't advance the diversity agenda.

When it comes to solutions, Mac Donald doesn't equivocate. She wants to see the whole diversity apparatus dismantled. All the thousands of academic saincures devoted to pushing diversity should be eliminated, and the govern-

ment should stop pandering to "diversity" components. Let individual excellence again be the coin of the realm.

The Diversity Delusion should set off alarms in the minds of Americans who have heard little or nothing about the damage it's doing to the nation.

George Leef is director of editorial content for the James G. Martin Center for Academic Renewal.
**ETHICS & PHILOSOPHY**

Expert contends our character is not as good as we might think

**Q&A**

**MK:** You really look at this issue from the aspect of ... the character that we have. I assume that this is something that people don't spend a whole lot of time reflecting on, just what sort of character they have.

**CM:** Well, maybe not in those terms, but I think it really comes back to the same question as when we think about examples of character and character traits, it's very real-world. It's very much part of our lived experience.

So when we think of honesty, for example, it matters to us whether our friends or our family or those in society are honest or not. If they're dishonest, that could have terrible consequences. Or we think of other examples, like justice or courage or bravery, heroism. These are examples of character traits — parts of people's character, if they have them — which I think we all want to have, we aspire to having. And if we don't have them, that can have, as I said, again, really negative, important consequences.

Character is very much a part of our way of thinking, even if we don't use the term "character" in our day-to-day lives.

**MK:** Most of us probably look at ourselves and, if we were asked, would say, "Yeah, I have pretty good character." Your book and your research suggest that the reality might not match the perception.

**CM:** That's correct. When you survey people and you ask them to rate between one to five, with five being a really high character, one being a low character, time and again, the average is about four out of five. People think that they're above average in their character. This is not just the United States. This has been replicated across the world. Well, are they right about that? Am I right about my own beliefs? There are different ways to assess that and to probe deeper. We could look at religious texts. My preferred approach, though, is to look at psychological research. What happens when you actually put people in real-world situations where they have an opportunity to cheat or not cheat, steal or not steal, lie or not lie, harm or not harm. Even kill or not kill.

There are studies that have been done for the last 50 years which probe people's character in these moral respects. And what do they find? That's a long conversation we could get into some other time. But the upshot of what I interpret those studies saying is this: We have a mixed character.

On the one hand, there is some good news. There are some positive aspects to our character — for example, when helping others and feeling empathy for their suffering. On the other hand, there are some really disturbing sides to our character. Most people's character is such that we will not help in a group emergency. That means when there's an emergency happening and other people aren't doing anything, we're very unlikely to do so, as well.

That's an example of a good side to our character, but also an example of a bad side to our character. The overall picture, I think, is very much one of a mixed bag.

**MK:** The example that's often mentioned is someone in a crowd cries for help and no one helps.

**CM:** That's right. So that goes back to what psychologists call the "group effect." It really matters in an emergency and you're by yourself, you're very likely to help that person. But if you're in a group it doesn't help, it's extraneous anything to help, and the same emergency is happening, you're very likely not going to help yourself. This goes back to research in the 1960s called the "bystander effect," where if you brought a participant into a room, they're part of a study, and they were told to fill out this survey, and then another random person comes in, told, "Fill out this survey," and the two of you are working on the survey. You don't know each other. And then the person when he was in charge, who gave you the surveys, went into the next room. After a little time goes on, you hear a crash. Something's going on in there. Then this person started screaming in pain. "Ow! My leg, my leg! Get this thing off me! It hurts terribly." What would you do?

Naturally, I think you would say, "I would do something to help. I would call out. I would go in the next room to check on the person." But those are the exceptions.

We get caught up in the new car we need to have. We get caught up in the latest sales on Black Friday. We get caught up in our own selfish interests. We need to sometimes push moral considerations, push them to the side, what's right and what's wrong.

**CM:** Well, maybe not in those terms, but I think it really comes back to the same question as when we think about examples of character and character traits, it's very real-world. It's very much part of our lived experience.

**MK:** If your [book] title is The Character Gap, that seems to suggest that there is some distance between the character we ought to have, or think we have, and the character we actually have.

**CM:** That's right. The title is framed exactly in those terms. There's, on the one hand, the character we actually have. We've been spending some time talking about that. I call that a "mixed character" — some good, some bad. Then there's the character we ought to have. That's a virtuous character, a character where we have virtues like honesty, courage, temperance, justice, fortitude, gratitude, and the like. And so the idea of the gap is that there's a significant difference between the two in most people's lives.

Not in everyone's life. We have examples of heroes and moral saints and the like. We can talk about Confucius. We can talk about Jesus. We can talk about Abraham Lincoln and examples like that. But those tend to be the outliers, the exceptions. For most of us, according to my interpretation of the psychological research, there's this gap between how we actually are and how we should be.

**CM:** Are there ways to help shrink the gap, either overall or for us individually?

**MK:** I hope so. I mean, it'd be rather pessimistic and kind of depressing news to find out there is this gap and, so what, you know, we're stuck with it. But the good news now is that there are strategies for overcoming the gap. They're not ones that are quick fixes, however. So there's no magic holy pill you can take, or anything that's going to give you an overnight fix from going from mixed character to virtuous character.

But let me give you a couple of ideas of something that, over the long run, can make a difference. One is looking to moral heroes and saints as role models. So have them be exemplars for us to follow. Look up to Abraham Lincoln with respect to his honesty. If I want to become a more honest person myself, I can use him as a basis for someone to emulate or admire.

Another example has to do with learning more about just who we are in the first place. Getting the word out to people about how they tend to be in the ways they might not even recognize. When you educate people about the impact of groups on helping, people, first of all, are surprised. "I didn't realize this before." But second, they are more aware of it and in the future can combat it, can work against it. So the next time they're in a group, they might say, "Wait, I remember this research I learned about. And it says, 'Well, really there's no good reason for me to not help this other person.'" Just because someone else isn't doing anything doesn't mean I shouldn't. I should really help.

The third and final one I'll mention in this time together is this: moral reminders. So often we get sidetracked onto other things in our lives. We get caught up in our own selfish interests. We get caught up in the latest sales on Black Friday. We get caught up in the new car we need to have. Our self-interest tends to sometimes push moral considerations, push them to the side, what's right and what's wrong.

Moral reminders can be an important part of bringing back to our attention what's really important. So those could be things like wristbands. They could be notes that you leave to yourself or text messages. They could be a reading that you start your day with. And research has found that if you get your perspective back onto what's most morally salient, most morally important, that can help you steer a better course throughout your life, a more virtuous course.

Those are three suggestions: moral exemplars and role models, moral reminders, and getting the word out and learning more about how our character actually works.
### Q&A

**Matthew Ladner**
Senior Research Fellow
Charles Koch Institute

Opponents of school choice in North Carolina are attacking the curricula in private schools. They argue that Opportunity Scholarship vouchers steer students toward schools that prepare them inadequately for college-level coursework or certain careers. One person who has heard this argument before in other parts of the country is Matthew Ladner, senior research fellow at the Charles Koch Institute. Ladner addressed the concerns during an interview with Carolina Journal Radio.

**MK:** This is one of the more popular arguments right now against the school voucher program in North Carolina — the Opportunity Scholarship Program. “Hey, these private schools that are taking these students, they just don’t have good curricula. We should not be sending tax dollars to these schools.” Have you heard this in other attacks on private school choice.

**ML:** I have, yeah. It’s a hot topic in Florida right now, for instance. I would say that people should be more focused on not curricula, but rather outcomes, right? And there is a lot of … I don’t see any other word to use but “prejudice.” There’s this prejudicial notion that private schools won’t teach science. I have even seen news articles from Florida newspapers where people are talking about hillbilly science and snake handling and all this stuff.

There is one source of testing data that actually allows us to compare science scores for both private and public school students. And unfortunately, we can’t get this at the state level, but we can get it at the regional level. So I have looked at the private school science scores in the American South, compared to the public school scores. And what you see, consistent ly, is the private school students perform at a higher level on science. They display higher levels of science achievement and knowledge than the public school students.

So it’s really not a basis on which you’d want to deny families freedom and opportunity to choose the sort of school they want to send their child to.

**MK:** Why do you think we’re hearing this argument?

**ML:** I think that opponents of parents being able to direct their children to the schools that best fit their needs make a lot of different arguments. They come in different flavors. At the end of the day, there is an urge on the part of some people that think that we ought to standardize the education of children, that everyone needs to be doing the same thing. And then there are others of us who think that there should be variety and diversity in education and that we should allow families to direct students to the best-fit schools, right? That’s not necessarily “the best” school based on something like standardized test scores because people’s needs are much more varied than that.

The bottom line is that every bit of testing data that anyone could get their hands on, in terms of science, indicates that the private schools are teaching science to their kids. Or I should put it this way: If you want to use science scores as a justification to get rid of school choice, the river is going to have to flow both ways, and we’re going to have to say, “What’s going on with the public schools because their science scores are lower?”

**MK:** There was a study recently, led by the League of Women Voters, that dealt with this issue in North Carolina, and the vouchers, and talking about the curricula. It came out at about the same time as a research study from N.C. State University that showed our school vouchers were having a positive and statistically significant impact on low-income students and their student achievement. That probably sounds a lot more in line with what you’re hearing in other states, as well?

**ML:** Yeah. There’s a tremendous amount of empirical research around the country showing that when families have the opportunity to choose schools, that’s actually mutually beneficial. And that impulse is ultimately illiberal. We need to be tolerant of people having differences of opinion — about science, about other things — and allowing sort of a peaceful coexistence rather than yield to this urge to try to make everything the same.

**MK:** Of the things that we’ve talked about, about North Carolina’s Opportunity Scholarship Program, is the fact that our General Assembly has built in additional funding year after year, going out for about the next eight to 10 years, until the program is substantially larger than it is now. Based on what you know about how school vouchers are working across the country, are they setting us on the right path there?

**ML:** Yeah. In fact, I understand that despite the regular funding increases that there are also wait lists. There are more parents that want into these programs than the funding will allow, even with the increases.

The evidence is pretty clear that providing families with opportunities is a source of K-12 improvement that you cannot get from any other source. There are other strategies that states do try to improve K-12 outcomes. They have a mixed record, I would say. But these strategies are always top-down. Freedom and opportunity are bottom-up. It gets down to the basic fact that no one knows the individual needs and aspirations and hopes of a child better than the child’s own family. And that sorting process where maybe your oldest child is a musician and would like to attend an arts-focused school, and maybe your younger child is more focused on science and technology and engineering. A lot of what we’re seeing around the country is getting away from the idea that one size fits all.

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**CAROLINA JOURNAL // NOVEMBER 2018**

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**EDUCATION**

**School choice critics attack private schools over curriculums**

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Commentary

North Carolinians have reason to be optimistic

Becky Gray
Senior Vice President
John Locke Foundation

We learned one thing during the devastation and recovery from Hurricanes Florence and Michael, it's that setting aside more than $2 billion in savings for a rainy day was a very good idea. But that $2 billion didn't just magically appear. It came from hard decisions, focused priorities, bold leadership, and fiscal discipline. Thank goodness we had it.

Beginning in 2011, the General Assembly recognized opportunity for real economic growth was possible if the right decisions were put in place as the state and nation began to recover from the Great Recession. It started with rethinking our state budget and role of government and an understanding that lower taxes and fewer regulations would encourage business growth, lead to more jobs, and allow people to realize the fruits of their labor and, in turn, provide for themselves and their families. It worked.

State government spending per person, adjusted for inflation since 2011, has been flat, with no increase in the cost of government. Every budget since 2011 has been kept at or below the growth of inflation plus inflation. Medicaid spending – which was the fastest-growing segment of state government and 16 percent of the total budget – has been brought under control and is now responsibly managed.

A $27.5 billion debt to the federal government for unemployment insurance was paid off.

We’ve gone from a $600 million budget shortfall in 2011 to budget surpluses the past four years. What have we done with that extra money? We’ve built the state’s savings reserves to the highest level in state history — more than $2 billion. Beginning in 2015, public school teachers have gotten five consecutive pay increases. State employees have had four consecutive pay increases. Just this year, most state employees got a 2 percent pay raise, with a mandated $15 an hour minimum wage. The State Highway Patrol got an 8 percent pay raise, correctional officers received a 4 percent raise, and lawmakers dedicated $15 million for prison security.

There are two sides to the state’s finances: spending and revenue. Budget reforms controlled spending. Tax reforms allowed people to keep more of their money to spend however they chose. Since 2011, North Carolinians have gotten more than $15.8 billion in tax relief. The personal income tax has been reduced from a high of 7.75 percent to 5.25 percent, effective in 2019. Legislators allowed a one-cent temporary sales tax to expire in 2011, cutting the rate from 5.75 percent to 4.75 percent, a $1 billion annual tax break. The corporate tax has been slashed from 6.9 percent to 2.5 percent, the lowest rate of any state that charges a corporate tax. Many credits and carveouts have been eliminated, broadening the base and lowering the rate. The number of North Carolinians who pay no tax was increased when the standard deduction was increased. For a family of four filing jointly, the deduction went from $6,000 to $20,000.

Reining in the growth of government and reforming an oppressive tax system, along with regulatory reform to get government off residents’ backs, education investments focused on kids — not unions — and a strategic transportation investment program to get politics out of infrastructure have worked. They have created an economy with unemployment at a 17-year low, record personal income and GDP growth, and more than 600,000 net new jobs.

Economists agree. North Carolina’s economy is on track to continue strong growth through 2018 and into 2019. Job growth is expected to be the strongest since 2006. The latest revenue reports indicate yet another revenue surplus. A strong economy allows core functions of government to be funded, enables people to work and keep more of their money, and provides for extra revenue to be set aside in savings.

The General Assembly held two special sessions to appropriate money from the rainy-day fund to help hurricane victims. As recovery continues, more of that money will be needed and spent. All or most of it will be gone, and North Carolina will have another rainy day. Will we be ready? Imagine, if, instead of a reserve account to count on, lawmakers increased taxes as folks struggle to recovery from the devastating storm damage.

The time to plan for the next storm is now. While lawmakers are discussing budget surplus. A strong economy allows core functions of government to be funded, enables people to work and keep more of their money, and provides for extra revenue to be set aside in savings.

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Tell the truth about our schools

Do political movements fail, regulatory reform, choice anything? The English writer G.K. Chesterton had his doubts. "The whole modern world has divided itself into Conservatives and Progressives," he wrote in 1924. "The business of Progressives is to go on making mistakes. The business of the Conservatives is to prevent mistakes from being corrected."

I have always appreciated Chesterton's wit and insight. But he was unduly pessimistic, as North Carolina's experience over the past eight years can attest.

To most conservatives, that experience feels like one of tremendous successes. Many public policies we advocated for decades — government reorganization, sound budgeting, tax reform, regulatory reform, choice and competition in education — are no longer just aspirations. What's next? The think tank I co-founded, the John Locke Foundation, set our own goal some years ago. We want North Carolina to be "First in Freedom," as some license plates now read. We don't just want to move up the list of freedom-loving states. We want to top it. Despite recent progress, North Carolina continues to overtax, overregulate, overcentralize, and rely too heavily on outdated monopolies and cartels rather than competitive markets to deliver critical services to the public. In their new briefing book, "North Carolina Policy Solutions 2018," my JLF colleagues have laid out an ambitious reform agenda.

Another common theme is protecting rights. Unlike many states, North Carolina has yet to amend its constitution to deter eminent-domain abuse — to keep governments from taking private property not for public use but instead to transfer to other private parties. We also need to do more to reform our systems of civil and criminal justice.

Another theme is economy in government. We should extend North Carolina's recent practice of keeping a lid on spending growth, building up budget reserves, and rooting out waste and special-interest subsidies. We should get the state out of enterprises it shouldn't be in, such as selling alcohol and encouraging people to gamble, while improving the cost-effectiveness and quality of longtime state enterprises such as roads.

Modern conservatism — really a fusion of the entrepreneurism and classical liberalism — isn't about resisting reform. It champions reform. It assumes the future can be better than the present or the past, but only if, as Chesterton observed, we accept timelessness truths about human nature. Progressive reformers, he wrote, "destroy conventions by appealing to fads." Conservatives seek to reform by "appealing to facts that are older than conventions.

One of those facts is freedom is both a birthright and a practical solution. It works. North Carolina needs still more of it.

State should continue conservative reforms

In the business sector, assuming how much you spend and how many people you hire are equivalent to how much value you create is a one-way ticket to bankruptcy. It's about the rate of return — not budgets, promises, or good intentions. So if we know that what happens in schools is only partially responsible for how students perform, and that measuring inputs isn't the same as measuring outcomes, then why in the world would we rank education systems without taking those fundamental realities into account?

Stan Liebowitz and Matthew Kelly, researchers at the University of Texas at Dallas, have done rankings the right way, by using independent measures of achievement from the National Assessment of Educational Progress and adjusting them for student background. North Carolina ranked 12th in school quality by this measure. Liebowitz and Kelly adjusted for educational expenditure. By that measure, we ranked sixth in the nation in cost-effectiveness.

Parents, educators, and taxpayers deserve better than what they're getting. They deserve the truth.

ENERGY & ENVIRONMENT

Power grid cost deserves attention

During the 2018 campaign season, voters heard a great deal about hot-button issues that candidates believed might either swing votes or motivate voters to cast them. But few issues will be as consequential as an issue voters didn't hear much about in 2018 but will matter a lot in 2019: upgrading the grid delivering electricity to your home.

Duke Energy proposed a $13 billion plan last year to transform the grid. Of that, $4.9 billion will be used to bury existing power lines, $3.5 billion will go to hardening distribution equipment, $2.2 billion will modernize the power lines really accomplish $1.2 billion will modernize the system's capacity to react quickly to outages and inefficiencies.

The remaining $1.2 billion will improve Duke's data analytics, communications, and metering technologies, including the installation of "smart meters" to provide Duke and its customers real-time information about power usage. But in practice, all goods are "good" at some price and not-so-good at some (higher) price. "I know Duke takes it on the chin when a storm comes through," Preston Howard, president of the North Carolina Manufacturers Association, recently told the Charlotte Business Journal. "But customers have already paid for that infrastructure one time, and now Duke wants them to pay for it again."

The line-burial component is probably its most controversial. But a broad coalition of skeptics, extending from business groups to environmental activists, has other concerns. The N.C. Utilities Commission already ruled that it lacks the authority to approve the series of rate hikes Duke requested to finance the modernization of the grid — rate hikes that over the course of the next decade would have raised the average electric bill for residential customers by 23 percent, or roughly $26 a month per household.

That wasn't an explicit rejection of the plan, mind you. It was a recognition that the General Assembly will have to be involved. I think state lawmakers will, indeed, take some action on this issue during the 2019 session. I suspect the original plan will be scaled down significantly. At the same time, it will be hard to argue against the concept of making the system more efficient, more resilient, and more accommodating to consumers with differing preferences about either production or usage.

The distribution of electricity, after all, is not a competitive market. Private, municipal, and cooperative utilities enjoy exclusive franchises in their respective territories. At present, there's no alternative to a regulatory system that requires government to make complex decisions with the best information available.

North Carolinians have billions of dollars at stake in the outcome.
Riders ultimately responsible for keeping scooters in Raleigh

I'm a huge fan of free markets, limited government, and the promotion of individual liberty. Except when one's perceived individual liberty infringes on mine because he or she fails to follow rules set by a participant in the free market.

I refer to electric scooters, which have popped up around downtown Raleigh like pumpkin spice in the fall.

They've become ubiquitous, and the onslaught surprised city leaders, who are scrambling to control the proliferation. Durham is working on an ordinance before that city, too, is overrun by the silly things.

Before you discount this piece as humorless ramblings from a grumpy old man, I must say that I also was a grumpy young man. I've spent my life, as a colleague pointed out, training for my current stage.

I do applaud the scooter entrepreneurs, who saw an opportunity and seized it. The things are popular, regardless of how ridiculous people look while riding them.

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Walden: Why do we take risks?

IN THE AFTERMATH of Hurricanes Florence and Michael, I've been thinking a lot about risk. Indeed, many people are. I have friends who are second-guessing their decisions to move to the coast after retiring. Others question why development is allowed in storm-prone beaches and barrier islands.

To help think about these questions, it's useful to step back and consider the concept of risk. Risk indicates an inability to predict the future perfectly, especially bad outcomes. For example, people who move to the North Carolina coast know hurricanes periodically happen. But they don't know exactly when, where, or the storms' intensities.

Risk doesn't just apply to dramatic weather events like hurricanes, tornadoes, and earthquakes. We face a multitude of risks every day — in driving, crossing streets, being exposed to germs, and many others.

One approach to risk is to avoid it. Yet for many risks, this isn't practical. Most of us use some form of transportation daily and are therefore exposed to the possibility of accidents. We also pass through public areas where many germs reside.

Still, we can take common-sense precautions for some of the risks we can't avoid. For example, in driving — pay attention, don't text, and watch other vehicles.

For big risks — like living in a region where hurricanes could hit, or investing in the stock market — why do we expose ourselves to them at all? The answer is simple. There's a potential upside to taking the risk. Owning a beach home provides pleasure, fun, and financial awards if storms don't strike. Likewise, money invested in the stock market usually beats all other investment earnings over long periods of time.

So, there's a trade-off between risk and reward. To get a chance at a higher reward, like investment returns or ocean views, we often have to take more risk.

Each person doesn't evaluate the risk-reward trade-off in the same way. Some people are "risk-averse" — meaning no matter the potential reward, they don't want to take the risk. My late mother was like this. Having grown up during the Great Depression of the 1930s, she was always fearful and suspicious of the stock market and never invested a penny in it.

On the other side of the spectrum are "risk-taking" people, who take chances and expect to be rewarded. Although they don't always win, these folks are vital to our economy. They're often the inventors, innovators, and creative people who push our economy higher levels, even with many shortfalls along the way.

There are two common ways for people to manage risk. One is through diversification. This strategy — most often observed in investing — involves balancing risky assets with safe assets. The notion is that if the risky assets drop, gains in the safe assets will offset some — or maybe even all — of the losses.

A second risk management technique is insurance. This strategy works best when many people face the same risk, but none know exactly who will be safe and who won't. In this situation, it makes sense for each person to contribute a relatively small amount of money into a common fund. The money in the common fund is then paid to whomever suffers from the risk.

Risk is part of life. Life would not be as interesting unless at least some people accepted taking risk. Each of us has to evaluate how much risk we're willing to take and how to manage that risk. With Hurricanes Florence and Michael fresh in our minds, this may be the perfect time to think about these questions.

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COMMENTARY

We can’t go back, and that’s the problem

ANDY TAYLOR
COLUMNIST

During the “dog days” of summer, in what was likely an opening salvo of the 2020 presidential campaign, Sen. Elizabeth Warren of Massachus-ettes introduced a proposal to alter American capitalism radically. If enacted, large firms would have to incorporate at the federal level and live by a chart that forces them to consider the interests of all stakeholders equally, not regard those of shareholders paramount. Workers must take 40 percent of the seats on the company’s board. The support of 75 percent of both shareholders and board members would be necessary for the corpo-ration to engage in politics.

This is a big deal — not least because many believe Warren has a good chance of being the Demo-crats’ next presidential nominee. As you can imagine, I have strong views on the plan. Here’s one about the senator’s understanding of the economy: It is already the case that shareholders get paid only after governments, vendors, employees, and creditors have taken their cut.

And one on her plan to hinder corporate political activity and level the playing field: Even with the recent Jones decision that prohibited public-sector unions from taking dues out of the paychecks of workers who were not members, labor’s leadership is today as free to distribute money from their organizations’ political coffers as are corporate boards and managers.

But I really want to talk about the bow for decadence of Warren’s Accountable Capitalism Act. By offering this proposal, the senator joins a number of politi-cians of the current era, including President Trump, eager to display a lack of understanding of the modern world and confidence in the American way.

These leaders’ solutions to their perceived problems rest on a fantastical desire to turn back the clock. Both Trump and Warren seem to pine for the rapid growth, greater economic equality, some-what paradoxical social inequali-ty, and American hegemony of the immediate postwar period.

They want to go back to a time when the world bent readily to American will. American liberal values — free markets, free minds, free movement, and free worship — provided inspiration, a path for-ward for many countries as they recovered from the devastation of World War II or shrugged off the bonds of colonialism. Others bowed to American economic and military might — strength suggested by international institu-tions like NATO, the IMF, and World Bank.

Neither Trump nor Warren has a time machine, of course. We can-not go back. And that’s the prob-lem. The crop of leading politi-cians today, especially on the left but notably Trump as well, offers solutions that try to obstruct the movement of political, econom-ic, and social tectonic plates. No amount of American power, model

Senator Majority Leader McConnell is on a roll, reshaping the judiciary

MARC ROTTERMAN
COLUMNIST

WATCHING SENATE

Majority Leader Mitch McConnell operate during now-Justice Brett Kava-naugh’s Supreme Court confirma-tion hearings offers a lesson for students of politics on both sides of the aisle.

During all the noise, turmoil, accusations, attacks, and demon-strations, the Kentucky Republican stood firm. He was calm in his demeanor and firm in his resolve. He never wa-

Both Trump and War-ren seem to pine for the rapid growth, greater economic equality, somewhat paradoxical social inequality, and American hegemony of the immediate postwar period.

behavior, or ingenuity can change their course these days. These leaders misread our circumstances. The advantages in human capital we have enjoyed for a round about a century are no longer so great. The world has caught up, in its educational systems, its technical training, and increas-ingly its technological knowhow. Globalization and the internet revolution have ensured this. The key is to change America at the margins to ride these forces. Amer-i-can economic, political, and social institutions must adapt.

They permit robust economic growth, attract talented and pro-ductive people, and provide crucial freedoms. Trump and the Warren crowd want to revise the 1950s and 1960s, when our foreign-born population was small, trade much less, unions strong, families al-ways nuclear, and workers without college degrees highly paid. No amount of government policy can do that.

Their efforts also betray a lack of confidence. Trump speaks a good game, but he becomes more energized when talking about the past than the future. Leftists argue the “arc” of history is in their favor — they want to be called “progres-sives” after all — but they largely offer up industrial-era economic policies, repackaged with a heavy coating of identity politics.

America has never been a revolu-tionary country. Our “Revolution” was an assertion of independ-ence and the ideas of John Locke that Americans have cherished. The Civil War was an internal squabble over an American anomaly: slavery. The Progressive Era and New Deal did not lead to the kind of pervasive welfare state and broad national-ization of business that emerged in Western Europe following World War II.

The last time we lacked this confidence was in the 1970s. Ron-ald Reagan provided the remedy. He did not have all the answers. But it’s interesting that much of the successful world followed his lead by emphasizing the core ideas of political and economic free-dom. Since then, presidential and congressional majorities of both parties have largely embraced this reinvigorated American model, making adjustments at the margins to accommodate develop-ments.

Desperate times often call for big changes. But regardless of whether these times are bad, our experience tells us not to abandon the values that made America great.

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Warren’s Supreme Court confirma-tion hearings.

McConnell’s quiet confidence resonated with the Republican Caucus. For those who were on the fence, he practiced the art of per-suasion, giving the few who were undecided time and political cover to make up their minds.

This is the second time McCon-nell has delivered a conservative Supreme Court justice for President Trump, and it likely will enhance the president’s legacy and the philo-sophical direction of the federal judiciary for decades.

This impact goes far beyond the Supreme Court. To date, the major-ity leader has shepherded through 69 judicial confirmations, including Kavanaugh and fellow Justice Neil Gorsuch.

McConnell’s impact on the judi-cial branch cannot be understated. Left-wing activists will find it harder to cherry-pick courts to get a result they were unable to gain from their respective legislatures or from Congress.

Simply stated, it will be much more difficult in federal courts for the Left to legislate from the bench. And it will be less likely that the Left will be able to stifle the Trump agenda on myriad issues.

Which brings me to the lame-duck session of Congress in November.

Recently, McConnell set the stage for another monumental fight with the Democrats over immigra-tion policy by stating, “We are com-mitted to helping the president get wall funding.” And House Majority Leader Kevin McCarthy of Califor-nia has signaled he intends to intro-duce legislation to fully fund the wall and enact several of the president’s other security priorities.

Because the federal government is set to hit its debt ceiling Dec. 7, McConnell has a great deal on his plate. Jockeying for dollars by federal agencies, special interests, and lobbyists will be intense.

To be clear, the president is threatening to shut down the gov-ernment if funding for the wall isn’t included in the upcoming continu-ing budget resolution.

To achieve his budget priorities, President Trump continues to urge McConnell to end the legislative filibuster, which requires 60 Senate votes for a spending bill to pass.

Trump wants a simple majority of senators to pass legislation. To me, that seems reasonable — espe-cially after the hyperpartisanship of the Kavanaugh hearings, includ-ing the harassment of Republican senators in the halls of the Senate and the rowdy demonstrations at the Supreme Court.

The Left and their congressional proxies, Sen. Chuck Schumer and Rep. Nancy Pelosi, clearly have one goal — to “resist” any and all of the president’s agenda. By any means necessary.

We can’t say if McConnell will deliver on the president’s signature issue: building the wall.

But it’s clear that this may be the last best chance to ensure sov-ereign American borders.

Marc Rotterman is the host of “Front Row with Marc Rotterman,” a weekly public affairs program on UNC-TV.
POLLS

Opinions on post-Florence policy ideas

Restricting real estate development along flood-prone areas:

- **GOOD IDEA**: 76.10%
- **BAD IDEA**: 11.10%
- **DON’T KNOW**: 12.90%

The Elon University Poll surveyed 848 North Carolina voters between Oct. 1 and Oct. 4. Instead of a margin of error, the poll has a credibility interval of plus or minus 3.6 percent.

Incorporating findings from climate change scientists into local government plans

- **GOOD IDEA**: 61.70%
- **BAD IDEA**: 18.50%
- **DON’T KNOW**: 19.80%

The Elon University Poll surveyed 848 North Carolina voters between Oct. 1 and Oct. 4. Instead of a margin of error, the poll has a credibility interval of plus or minus 3.6 percent.

Increasing environmental regulations for coal ash ponds

- **GOOD IDEA**: 72.20%
- **BAD IDEA**: 10.40%
- **DON’T KNOW**: 17.50%

The Elon University Poll surveyed 848 North Carolina voters between Oct. 1 and Oct. 4. Instead of a margin of error, the poll has a credibility interval of plus or minus 3.6 percent.

Increasing environmental regulations for hog farms

- **GOOD IDEA**: 59.20%
- **BAD IDEA**: 16.10%
- **DON’T KNOW**: 24.80%

The Elon University Poll surveyed 848 North Carolina voters between Oct. 1 and Oct. 4. Instead of a margin of error, the poll has a credibility interval of plus or minus 3.6 percent.

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