

- Today's Insider (PDF)



YOU DON'T SAY...

"Although we have made wise investments to our rainy day fund since 2013, no amount of planning could have prepared us for the sheer scale and devastating nature of the disasters we have encountered since late September."

Gov. Pat McCrory, in a letter to the state's congressional delegation asking for their help in securing more than \$1 billion in federal disaster recovery aid for damage caused by Hurricane Matthew.

THE NEWS & OBSERVER, 11/14/16

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News Summary

Durham Ballots

North Carolina's top criminal investigations agency is looking into whether there was wrongdoing in last spring's primary election in Durham County, the likely ground zero in the ongoing fight over last week's still-in-doubt race for governor. A State Bureau of Investigation spokesman and Durham's district attorney confirmed Monday that investigators have been on the case for two weeks. The bureau is investigating whether crimes were committed in the mishandling of more than 1,000 provisional ballots during the March primary elections. Some may have been counted twice and election officials presented the vote count as true when it was wrong, according to an interim report presented to the state elections board in May. The miscount didn't affect the primary's outcome.

The state board's completed investigation was turned over to Durham District Attorney Roger Echols, who brought in state investigators Oct. 31, bureau spokesman Shannon O'Toole said. Problems identified during the March primary are different from the technical glitches observed by bipartisan election observers that

led to the late reporting of 94,000 votes on election night, Durham County elections board chairman William Brian Jr. said. Gov. Pat McCrory's re-election campaign last weekend claimed wrongful or illegal conduct by the Republican-majority elections board in the heavily Democratic county. "There's no connection between the investigation that the SBI has engaged in and this last election," said Brian, a registered Republican.

A lawyer for the state Republican Party filed a formal protest accusing the county elections board of "malfeasance" in counting the ballots. Durham County's elections board scheduled a meeting Wednesday to hear details of the protest filed by GOP lawyer Tom Stark, who lives in Durham County.

McCrory led in the gubernatorial contest for much of election night until the previously unreported early votes from Durham County flooded into the statewide tally shortly before midnight. That turned the advantage to Democrat and Attorney General Roy Cooper, who now leads in the race by about 5,000 votes. "Everybody involved in an election has an agenda," Brian said in a telephone interview. "The Board of Elections only has one agenda, and that is to make sure that everyone in Durham County who is eligible to vote has the opportunity to vote in accordance with the law and that those votes are accurately counted."

The Durham elections board this weekend released a blow-by-blow description of what happened last week, emphasizing that every step in counting the early votes was watched by Republican members of the county board and later a state elections official. The county elections board followed all state and federal laws in its handling of an equipment problem discovered after polls closed Nov. 8, the board said in a statement late Sunday. The malfunction forced a time-consuming manual process before the results of the early voting could be reported to the state elections board, county officials said.

McCrory's campaign team wants Durham County to manually recount each of the original paper ballots before reporting official results this week. Under state law, counties will complete a canvass of all their votes by Friday. The state elections board is scheduled to make the election results official late this month. Candidates could then appeal decisions they oppose to state courts. The Republican-dominated Legislature could ultimately determine the outcome if left unresolved by elections boards and judges. (Emery P. Dalesio, THE ASSOCIATED PRESS, 11/14/16).

Contested Elections

It may be an outside possibility, but the ghosts of a contested election for school superintendent in 2004 could haunt this year's gubernatorial race, allowing the Republican-led legislature to settle the contest between Republican Gov. Pat McCrory and Democrat Roy Cooper, the state's attorney general. Over the weekend, several political operatives and others with interest in the election began circulating a 2007 article by Robert Joyce of the UNC School of Government. That article recapped the 2004 contest between June Atkinson, a Democrat, and Bill Fletcher, a Republican, and sketched out the process that eventually allowed the General Assembly to decide the race. The question now becomes whether the same process, created by a legislature controlled by Democrats, could be used to put the governor's race in the hands of Republican lawmakers. "You've got to have some legitimate grounds for saying you actually won the race," former state Supreme Court Justice Bob Orr said Monday when asked if McCrory had a path to make such an appeal. But the short answer, Orr said, was "yes," albeit a qualified one.

First a big caveat: It's entirely possible that, in the coming weeks, local boards of elections and the State Board of Election are able to settle all contests to both sides' satisfaction. If the state board can certify the results without challenge, then the discussion involving Joyce's article is moot. However, if there is a prolonged contest, attention will almost certainly focus on Durham, where the county Board of Elections was late in reporting roughly 90,000 early votes on election night. The late-night report took McCrory out of the lead and gave Cooper an advantage of fewer than

5,000 votes out of 4.7 million cast. Cooper declared victory, but McCrory almost immediately raised questions about the propriety of Durham's election administration and said he wanted to let the process play out before conceding. The Durham County Board of Elections is scheduled to meet on Wednesday to hear a protest from a local Republican voter who is also the state Republican Party's general counsel.

Neither spokesmen for McCrory's nor Cooper's campaigns immediately returned emails seeking comment for this story. Joyce could not immediately be reached for comment. "A contested election for any office established by Article III of this Constitution shall be determined by joint ballot of both houses of the General Assembly in the manner prescribed by law," reads a constitutional provision first drafted in 1835 when voters were given the right to choose the governor directly. Some semblance of that provision has remained through two other drafts of the constitution, the most recent one laid down in 1971.

Article III governs the state's ten statewide elected offices, including the governor, lieutenant governor and attorney general. In 2004, there were questions over whether it was proper to count ballots for statewide races that were not cast in a voter's proper precinct. At the same time, voting equipment in Carteret County lost more than 4,500 votes when it malfunctioned. "There was an actual situation where you couldn't figure things out," said Gerry Cohen, a lawyer who worked as the head of bill drafting for the General Assembly during the 2004 episode but who is now in private practice. In this year's gubernatorial race, Cohen said, no votes have been lost. The issue at hand, he said, is simply ensuring that they're counted correctly.

Like Orr, Cohen said the question may come down to what the meaning of "contested" is in the constitutional provision and how widely lawmakers are willing to interpret it. Orr noted that the legislature essentially built its process for settling the election on the fly. The constitutional provision allowing the General Assembly to settle Council of State contests took many by surprise in 2004, and lawmakers had to build an entirely new structure to hear Atkinson's case. "I can remember in 2004 and 2005 when that first popped up, and I was supposed to be the knowledgeable expert on the constitution and had to ask, 'It says what?'" Orr said.

In his 2007 article, Joyce argued that future lawmakers could be inclined to use their power for partisan advantage, and he raised questions over whether their decisions could be appealed to the courts. Those questions have not been answered in the meantime. Joyce said Monday that in addition to the constitutional provision, lawmakers in 2004 crafted a state law giving those in Council of State races a right to appeal to lawmakers after a final decision had been made by the State Board of Elections. "This is all new ground," he said, noting that the Atkinson case was the only time in more than 100 years the provision had ever been triggered. Asked whether the General Assembly would have any limits on deciding whether to take up a case or how to handle it based on how people voted, Joyce said, "The short answer to your question is I don't know." (Mark Binker, WRAL NEWS, 11/14/16).

HB2 Trial

A federal trial on the legality of a North Carolina law limiting which restrooms transgender people can use in schools and government buildings has been pushed back until at least late summer. A U.S. magistrate judge granted the delay Monday following a conference call with attorneys for people challenging the law and for North Carolina officials defending what's known as House Bill 2, according to a court filing. The trial was supposed to begin Monday. In September, Magistrate Judge Joi Elizabeth Peake granted a delay until next May because the U.S. Supreme Court was considering whether to hear a Virginia case on transgender restroom access. She extended the delay another 90 days. Attorneys from opposing sides in the North Carolina case wrote Peake last week supporting an even longer delay because the justices have since agreed to take up the Virginia matter. The justices' ultimate ruling could shape the outcome of the House Bill 2 litigation.

A U.S. District Court judge also hearing the North Carolina litigation ordered in August the transgender plaintiffs be allowed to use restrooms aligned with their gender identity at University of North Carolina campuses where they worked or studied. Judge Thomas Schroeder's preliminary injunction, however, did not cover all transgender people in the state. So the plaintiffs recently asked an appeals court to expand Schroeder's injunction. Attorneys for North Carolina Republican leaders asked the appeals court to delay a decision until after the U.S. Supreme Court rules. GOP Gov. Pat McCrory and lawmakers have defended the bathroom provisions as providing privacy and safety by keeping men out of women's restrooms. Those who sued call the law discriminatory. House Bill 2 also limits local and state anti-discrimination laws for lesbian, gay, bisexual and transgender people.(Gary D. Robertson, THE ASSOCIATED PRESS, 11/14/16).

Energy Settlement

Duke Energy has agreed to a \$27 million settlement of shareholder claims over its ousting of CEO Bill Johnson following the 2012 merger of Duke and Progress Energy. The litigation, filed in Delaware Chancery Court, say Duke's directors broke their fiduciary duty to shareholders by concealing their plan to fire Johnson, the Progress chief executive, immediately after closing the \$32 billion merger. In an August ruling, a judge ruled in part against Duke's motion to dismiss the case. The parties notified the judge last Wednesday of the settlement, which the court must still approve. Insurers will pay the settlement amount, which because of the nature of the litigation will be paid to Duke itself, not the shareholders who brought the litigation. Duke's directors admitted no wrongdoing in the settlement.

"Duke Energy is pleased that the parties were able to reach a settlement agreement to resolve all remaining litigation stemming from the CEO change that occurred following the Duke Energy-Progress Energy merger in 2012," the company said in a statement. The agreement resolves all pending shareholder litigation over the Progress merger, Duke said. In 2015 Duke agreed to a \$146 million settlement of a class-action shareholder lawsuit that claimed Duke, its executives and directors made misrepresentations related to a post-merger CEO change. The agreement covered shareholders who bought Duke stock between June 11, 2012, leading up to the merger's close, and July 9, 2012, the days after it closed. Duke denied wrongdoing in that agreement. When Duke and Progress agreed to the \$32 billion "merger of equals," Johnson was expected to lead the combined companies. But within hours of closing the deal, the new Duke board fired Johnson and reinstalled Duke chief executive Jim Rogers.

Johnson, who got a \$44 million severance payout, is now president and CEO of the Tennessee Valley Authority. The N.C. Utilities Commission launched an investigation of whether the commission had been misled about the company's leadership. In testimony, Rogers and Duke directors depicted Johnson's "autocratic" style as a poor fit for the job. Johnson testified that Duke had simply wanted to get out of the merger before it closed. Under the settlement terms reached in late 2012, Rogers retired at the end of 2013, when his contract expired. Duke agreed to replace two other executives and added \$25 million to the \$650 million in merger savings it guaranteed Carolinas customers. Duke also said it would maintain at least 1,000 employees in Raleigh, the former Progress headquarters, for at least five years. (Bruce Henderson, THE CHARLOTTE OBSERVER, 11/14/16).

Future Battlefields

The world's most powerful military and technology agencies, including the NSA, Army and Marine Rapid Capabilities Offices and the US Special Operations Command, will discuss North Carolina's role in maintaining America's edge on the battlefields of the future, according to officials involved with a Raleigh-area symposium. "N.C. businesses are developing innovative technologies with potential defense applications every day," Denny Lewis, of the North Carolina Defense

Technology Transition Office, wrote in an email. On Tuesday, the North Carolina Defense Innovation Symposium is slated to address a wide spectrum of technologies including unmanned systems, space communications, medicine and 3D night vision. According to symposium officials, while North Carolina has a unique innovation ecosystem, many smaller companies worry about competing with major defense contractors and navigating the massive Department of Defense. To help N.C. businesses, the North Carolina Military Business Center, which is based at Fayetteville Technical Community College, recently established the Defense Technology Transition Office to act as a liaison between the Department of Defense and local innovators. The symposium is a major part of this collaboration, officials said. Lewis said that while initial defense contracts or funding may be small, "if the resulting technologies are rapidly integrated into major programs of record, contracts for technologies can grow quickly from the R&D to major production stage." According to an N.C. Dept. of Commerce study, the annual military impact on the state's economy is an estimated \$66 billion and is the second largest sector of North Carolina's economy, making up 12 percent of GDP.(Dan Boylan, THE INSIDER, 11/15/16).

Federal Aid

Gov. Pat McCrory wants Congress to approve a little more than \$1 billion in federal aid to help North Carolina with repairs and recovery after Hurricane Matthew's record flooding last month. On Monday, McCrory released his requests for the state after the massive rains and resulting flood damage his office said hurt 30,000 businesses and caused more than \$400 million in crop losses. More than 3,700 people were in shelters at the height of the storm. There were 28 storm-related deaths. Individuals or governments in 48 of North Carolina's 100 counties have qualified for federal relief. The economic damage to the state caused by business interruption is likely to exceed \$2 billion, according to McCrory's federal assistance request sent to the state's congressional delegation.

Most of the governor's request — \$810 million — would be a block grant designed in part to build replacement and rental housing for displaced residents, improve wastewater and utility systems and provide grants and loans to small businesses. The money also would be used to minimize down time for key services during future storms and elevate buildings and other structure to avoid flooding. Other funds would improve dams and federally authorized navigation channels, repair farming infrastructure and restore damaged roads. More than 600 roads were closed during Matthew and its aftermath, the governor's report said, and the state Department of Environmental Quality has identified 65 low, intermediate and high-hazard dams damaged by the storm. McCrory also wants Congress to reduce the state's matching-fund requirement from 25 percent of federal funds received to 10 percent. This request is above and beyond what the state will spend on the matching funds and other recovery efforts and programs the federal government doesn't cover. McCrory has said obtaining federal aid through Congress as it returned Monday for its late-year session is a key step toward holding a special General Assembly session soon to allocate state funds.

Two separate state committees are meeting to recommend additional recovery assistance programs. One committee of elected leaders, business people, government officials and citizens planned to take public comment Tuesday in Lumberton, one of the hardest-hit areas. The state has nearly \$1.6 billion in reserve to help with supplemental aid. Hurricane Matthew came two weeks after the remnants of Tropical Storm Julia dropped heavy rains on the state. Now the state is responding to wildfires in western North Carolina. "No amount of planning could have prepared us for the sheer scale and devastating nature of the disasters we have encountered since late September," McCrory said in a release. About 78,500 homes and other residential structure were damaged or destroyed during Matthew at a total loss of \$777 million, according to a state estimates. About \$402 million of the

damage was uninsured, McCrory's report said. (Gary D. Robertson, THE ASSOCIATED PRESS, 11/14/16).

Hurricane Recovery

Hurricane Matthew and the flooding that followed it caused an estimated \$2 billion in economic damage to North Carolina, Gov. Pat McCrory's administration reported Monday. That is the first estimate of the size of the losses in the state from the slow-moving storm that hit on Oct. 8. It comes on the day that the state submitted a request for more than \$1 billion in federal disaster recovery aid, and asked that the federal government pick up a larger share of the costs. McCrory, in a letter to the state's congressional delegation, asked for their help in securing the funding. Monday was the first day Congress has been in session since Sept. 30. McCrory has said he will call the General Assembly back into session in early December to authorize additional state money to be spent on recovery efforts. The legislature isn't scheduled to convene until mid-January. The state wants to be responsible for matching or reimbursing the federal government with 10 percent of the total cost rather than the 25 percent that is common.

Here's how the money would be spent:

- \$811 million in grants to pay for housing, water and sewer, utility infrastructure, jobs and agriculture. Housing funds would replace damaged and destroyed property and develop long-term storm damage prevention through retrofitting, repair and elevating buildings.
- \$40 million for the Army Corps of Engineers to restore navigation channels.
- \$42 million to repair 65 dams in risk of failing.
- \$22 million in emergency funding from the Federal Highway Administration for damaged roads as part of an estimated \$121 million that will be needed.
- \$69 million to fix damaged farm roads and fences and remove debris.
- \$46 million in watershed protection funding is estimated by the state agriculture officials.

The governor's disaster recovery committee will hold its first regional meeting on Tuesday in Robeson County. It is charged with getting people back into their homes, helping small businesses restart and exploring the best ways to make flood-prone communities more resilient. (Craig Jarvis, THE NEWS & OBSERVER, 11/14/16).

Western Wildfires

Fire crews spent Monday cutting down trees, removing brush and clearing leaves to protect homes threatened by a fire in the Lake Lure area that has now burned more than 3,400 acres. About 1,000 people have been affected by either mandatory or voluntary evacuations. The blaze is one of at least 15 major wildfires that have burned thousands of acres across Western North Carolina. Officials said Monday that calm weather helped reduce the spread of the Party Rock fire, but they are concerned that drier weather with light winds could change that. The fire was 15 percent contained Monday afternoon. Fire crews have managed to protect threatened homes but have been hampered by extremely dry conditions and steep terrain. Crews are working around the clock. "It's jumping the fire lines and it's even doing it in the middle of the night. That's unheard of around here," said Johnny Wilson with Buncombe County Emergency Management.

The N.C. Forest Service put out a request for aid, and firefighters from across the state are helping out, according to Wilson. More than 340 people were working to combat the fire, according to Carrie Harmon, public information officer at the Party Rock Fire. That number doesn't include emergency management, fire department personnel or state Highway Patrol troopers who are helping.

- **Air Tankers:** An air war resumed Monday against a fierce wildfire ravaging thousands of acres near Chimney Rock. A smoky shroud covering a thousand square miles lifted Monday morning, allowing firefighters to unleash helicopters and air tankers, said Harmon. Visibility was so limited Sunday that aircraft were grounded, she said. Reinforcements flowed in by the dozens to battle the stubborn inferno, which grew about a third to nearly 3,500 acres on the peaks near Lake Lure. By Monday, firefighters were laboring in the rugged slopes on the blaze, which was considered only 15 percent contained. Units from Charlotte and Gastonia fire departments were among those defending the village of Chimney Rock, which has been evacuated since Friday. Fire has surged to the edge of the hamlet, but teams have set up lines that have kept flames away from structures.
- **Air Quality:** Air quality in valleys below 4,000 feet in elevation reached a Code Red designation Monday, according to federal and state air quality agencies. Code Red indicates an unhealthy air quality because of the many wildfires burning across Western North Carolina, causing harmful smoke and particle pollution, said Tom Mather with the Air Quality Center. The air quality in the four most western counties, Clay, Graham, Cherokee and Macon, are in a code purple now, Mather said, which is a level more dangerous than red. "This is where wildfires have been burning the longest," Mather said. "It's very unhealthy for everyone and people should limit time outdoors and limit all outdoor exertion."

(Julie Ball and Karen Chávez, ASHEVILLE CITIZEN-TIMES, 11/14/16; Mark Washburn, THE CHARLOTTE OBSERVER, 11/14/16).

Future Interstate

Eastern North Carolina's representatives in Congress want President Barack Obama's administration to quickly sign off on designating U.S. 264 as a future interstate -- a move proponents say would be a step toward better transportation options for the state's largest city without an interstate highway. North Carolina's request for Highway 264's interstate status is pending on the desk of U.S. Secretary of Transportation Anthony Foxx, a former mayor from Charlotte, N.C. The document -- called a memorandum of understanding -- wouldn't allocate any federal money but local officials say it would help them immediately start marketing the area to prospective companies looking to relocate where roads will meet their needs. And, the federal designation would prioritize funding for the future interstate corridor. State transportation officials want to build out the thoroughfare over the next 25 years to better connect Greenville and surrounding areas. The interstate project is supported by U.S. Reps. G.K. Butterfield, Democrat from Wilson, and Walter Jones, Republican from Farmville, as well as North Carolina's two Republican U.S. Sens. Richard Burr, from Winston-Salem, and Thom Tillis, from Huntersville. Supporters say developing Highway 264 into an interstate connected to Interstate 95 and neighboring Virginia and South Carolina would be a boon for local residents and the economy.(Anna Douglas, McCLATCHY DC, 11/14/16).

Inmate Confinement

State prison officials say seven inmates have been held for more than a decade in solitary confinement, a practice that human rights advocates say amounts to torture. A prison spokesman rejected the newspaper's request for those inmates' names, citing a court ruling. The Charlotte Observer, however, identified two prisoners through other means. One is Jason Swain, who suffers from bipolar depression and has been in solitary confinement for more than 13 years. Swain, now at Central Prison in Raleigh, has repeatedly swallowed razors, ripped open his surgical incisions and plunged sharp objects into his open wounds. It was only after an earlier Observer story about Swain that he was released from solitary and allowed to visit with his mother for the first time since 1999. Another, Shawn Minnich,

recently wrote to an Observer reporter to say that he's been in solitary for 13 straight years. State prison officials said Minnich is "an extreme escape risk" with a history of assaulting staff members. But Minnich, 48, said he has gone more than two years without disciplinary infractions but still remains in solitary.

State prison officials say the figure of seven prisoners in solitary confinement for more than a decade is accurate as of early March. About 2,500 North Carolina inmates are in solitary at any given time. As of March 12, 167 North Carolina inmates had been in solitary for more than a year. Daniel Shain, a professor who heads the biology department at Rutgers University, is a Minnich friend who confirms much of the inmate's descriptions. Shain and others don't dispute that Minnich deserved to go to prison. Instead they say that no one should be kept in solitary so long. "By any standard, this is cruel and unusual punishment equivalent to torture," Shain wrote in a May letter to state prison officials, lawyers and lawmakers. "... This is not the example we should set for the rest of the world."

State prison officials refused to confirm how long Minnich has been held in solitary confinement. Prison officials did not respond to Minnich's recent allegations about inhumane treatment. But in court papers, they disputed the claims in a federal lawsuit he filed in 2010. Elizabeth Forbes, who heads the criminal justice reform group NC CURE, said she sees no justification for withholding the names of inmates in long-term solitary. "What on earth are they hiding?" she asked. On a web site that provides public information about offenders, the state Department of Public Safety lists who is being held in isolation, but not for how long.(THE CHARLOTTE OBSERVER, 11/14/16).

I-77 Toll

The controversial Interstate 77 toll lanes project is on schedule to open at the end of 2018, the lead contractor told Charlotte City Council Monday night. But commuters were also warned that construction headaches will soon be coming to Charlotte just north of uptown, which could add time to morning and afternoon commutes. So far, construction on the express lanes has been in north Mecklenburg, between Exits 23 and 36. In the next few days, I-77 Mobility Partners said it would close the High-Occupancy Vehicles lane on southbound I-77 from I-85 to its end, near Oaklawn Bridge just north of uptown. The contractor said it didn't know how long the HOV lane would be closed, though it would likely be several months. When finished, the 26-mile, \$650 million project will create express toll lanes from uptown to Mooresville.

The price of the toll will fluctuate depending on congestion. If more people want to use the lanes, I-77 Mobility Partners – which will also manage the lanes for 50 years – will likely raise the price. It's possible a one-way trip to Charlotte could cost as much as \$20. The project has been bitterly opposed in north Mecklenburg, and some have speculated that the toll lanes led to Gov. Pat McCrory trailing Democrat Roy Cooper in this month's election by about 5,000 votes. While McCrory won all 15 north Mecklenburg precincts in his 2012 governor's race, he lost five of them last week. His votes in the 15 precincts were about 8,000 fewer than four years earlier. Cooper received about 14,000 more than Democrat Walter Dalton got in 2012. That's a swing of 22,000 votes. Cooper has said he opposes the project, though it's unclear if he will move to cancel the contract.(Steve Harrison, THE CHARLOTTE OBSERVER, 11/14/16).

Gildan Bid

Gildan Activewear Inc. on Monday announced it has committed to spending \$66 million to buy certain assets of bankrupt American Apparel LLC. American Apparel, based in Los Angeles, voluntarily filed for Chapter 11 bankruptcy Sunday -- its second time requiring protection from creditors since October 2015. Much of American's brand cachet comes from the bulk of its products, geared toward millennials and made domestically. American entered bankruptcy with the intent of

having Gildan be a preferred acquirer, although a U.S. Bankruptcy Court judge may require an auction for the assets. Gildan would acquire the intellectual property rights but would not acquire any of American's 110 stores. Gildan, an apparel manufacturer based in Montreal, has pledged to create more than 700 jobs in North Carolina, including at least 290 in Mocksville and 16 in Eden, as part of expanding domestic yarn-spinning capacity for new and existing products for its Gildan Yarns division. It also added production in Salisbury. Gildan is a direct competitor of Hanesbrands Inc. of Winston-Salem. (Richard Craver, WINSTON-SALEM JOURNAL, 11/14/16).

Contested Conviction

A Superior Court judge is fighting his conviction on corruption charges. A federal court jury last month found Judge Arnold O. Jones II guilty of paying bribes, paying gratuities and attempted corrupt influence of an official proceeding. Federal prosecutors say Jones asked a Wayne County deputy last year to obtain text messages from his wife, who the judge believed was having an affair. The pair met in Goldsboro to exchange \$100 for a disk supposedly containing the texts. Jones initially offered to give the officer "a couple cases of beer" for his help but later agreed to \$100 in cash, authorities said. In a motion filed Nov. 3, Jones' attorneys suggest the deputy might have been biased against Jones because the judge had ruled against him in various cases. In a second motion, the defense argues that the deputy doesn't qualify as a "public official" under federal bribery statutes because his involvement with a U.S. Marshals Service task force was limited to investigating potential terror plots, so the first two charges against Jones should be dismissed. Jones, who lost his re-election bid last week after eight years as a Superior Court judge, is scheduled to be sentenced in January. He faces a maximum sentence of 37 years in prison and a \$750,000 fine. (WRAL NEWS, 11/14/16).

Vivitrol

To fight rampant misuse of prescription painkillers and heroin, the federal government has approved spending more than \$23 million to fund treatment projects that include giving monthly injections of Vivitrol to prison inmates. Vivitrol targets receptors in the brain's reward system, blocking the high and gradually extinguishing the urge to use heroin or other opioids. In some of the programs, prisoners get an injection before release, then follow-up shots from a clinic. Here's a look at the programs, which each cost \$2.8 million to \$3 million over three years:

- North Carolina proposes to serve inmates being released from prison to post-release supervision and to those who are on probation and live in selected communities.
- Vermont is focusing medication-assisted treatment services on three special populations, including offenders on parole or probation.
- Wisconsin is targeting four groups, including prisoners who are within four months of release.
- Wyoming is offering services to inmates as they leave prison.
- Rhode Island is focusing on identifying, counseling and providing services to inmates with histories of prescription drug or heroin addiction before they were incarcerated.
- Illinois intends to offer Vivitrol injections to offenders who are released from Sheridan Correctional Center southwest of Chicago.
- In Colorado, at least one provider, Arapahoe House, plans to provide Vivitrol to clients involved in the criminal-justice system.
- Arizona plans to offer medication-assisted treatment that aims to create a bridge between incarceration and outpatient treatment.

(THE ASSOCIATED PRESS, 11/14/16).

Deaths

William T. Brown, a Fayetteville educator and principal during the years of integration and later a trustee at Fayetteville State University, died Monday, according to an FSU spokesman. Mr. Brown also served on the University of North Carolina Board of Governors. Mr. Brown earned his bachelor's degree from North Carolina Central University and a masters degree from Columbia University. He held honorary doctorate degrees from Fayetteville State University and Shaw University. At the time of his death, Mr. Brown was a trustee emeritus at Fayetteville State University. Mr. Brown was known as a person who worked to increase opportunities for the underprivileged via public schools. W.T. Brown Elementary in Spring Lake is named for him.(THE FAYETTEVILLE OBSERVER, 11/14/16).

Awarded

Janice Allen, deputy director of the N.C. Coastal Land Trust, has been awarded the Order of the Long Leaf Pine by Gov. Pat McCrory. Created in 1963, the award honors persons with a proven record of service to the state of North Carolina.(WILMINGTON STAR-NEWS, 11/14/16).

Levine Scholarships

Former Family Dollar CEO Howard Levine is bankrolling the first charitable effort to roll out in response to that week of violent protests that rocked Charlotte back in September. The Howard and Julie Levine Opportunity Scholars Programs, a joint-effort with Central Piedmont Community College will provide full two-year scholarships plus expenses to low income minority teens. The \$520,000 gift to the school is enough to cover the first 45 students, a number CPCC expects to grow as more donors step forward. "[The protests] made me realize that there are challenges here that we have to deal with," Levine said.(Mark Price, THE CHARLOTTE OBSERVER, 11/14/16).

Honored

Jimmy Buxton, president of the Fayetteville/Cumberland County NAACP, was named branch president of the year by the North Carolina NAACP State Conference. The award recognizes a leader who works in harmony with the ideals and goals of the organization. Buxton, 69, has been involved with the NAACP's Fayetteville branch since 1998. He became president in 2007.(THE FAYETTEVILLE OBSERVER, 11/14/16).

Channel Dredging

The North Carolina Ferry Division's new Dredge Manteo successfully finished its first assignment over the holiday weekend, clearing debris out of the Hatteras-Ocracoke ferry channel that was left behind by Hurricane Matthew last month. The dredge was delivered to the Ferry Division earlier this year. "The equipment and technology on Dredge Manteo worked just as we expected it to," said Jed Dixon, ferry division deputy director. "We look forward to having it help us keep our ferry channels open and safe for many years to come." According to a news release from the North Carolina Department of Transportation, more than 30,000 cubic yards of sediment were cleared away from six days of work. Its next job will be routine upkeep of the Ferry System's Cape Fear River channel between Southport and Fort Fisher.(Amir Vera, THE VIRGINIAN-PILOT, 11/14/16).

Settlement

A lawsuit against the Winston-Salem/Forsyth County school board has been settled for \$365,000, according to documents obtained by the Winston-Salem Journal. A former Carver High School student and her mother filed the lawsuit against the school system over the student's sexual abuse by a part-time athletic director, Herman Blount. In June 2011, Blount, 33, pleaded guilty in Forsyth Superior Court to felony sex offense with a student. Blount was sentenced to 10 to 12 months in prison. He is required to register for a period of 30 years as a sex offender. Harvey

and Harold Kennedy, attorneys for the student and her mother, sent out a statement Oct. 27, announcing the settlement. According to documents, the school system's liability insurer, the Netherlands Insurance Company, is paying the \$365,000. The school board does not admit any wrongdoing, and the plaintiffs agree not to seek any further claims against the school system, the settlement documents said. The student and her mother had been seeking \$6 million in damages, and the lawsuit had been scheduled to go to trial Nov. 28.(Michael Hewlett, WINSTON-SALEM JOURNAL, 11/14/16).

Legislative Studies and Meetings

Items in **Bold** are new listings.

LB: Legislative Building

LOB: Legislative Office Building.

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

Tuesday, Nov. 15

- TIME CHANGE 1 p.m. | The Joint Legislative Program Evaluation Oversight Committee, 544 LOB.
- 10 a.m. | Child Fatality Task Force, 1027/1128 LB.
- CANCELED -- 1 p.m. | The Committee on Homeless Youth, Foster Care and Dependency (LRC)(2015), 643 LOB.
- **1 p.m. | The North Carolina General Statutes Commission, Trust Drafting Committee, UNC School of Law, 160 Ridge Road, Room 5066, Chapel Hill.**

Wednesday, Nov. 16

- 9 a.m. | Child Fatality Task Force, 1027/1128 LB.
- 9 a.m. | The Joint Legislative Program Evaluation Oversight Committee, 544 LOB.

Tuesday, Nov. 22

- 9:30 a.m. | The Joint Legislative Oversight Committee on Unemployment Insurance, 544 LOB.

Monday, Nov. 28

- 10 a.m. | Joint Legislative Study Committee on School-Based Administrator Pay, 415 LOB.

Tuesday, Nov. 29

- 8:30 a.m. | The Joint Legislative Oversight Committee on Health and Human Services, 643 LOB.
- 9:30 a.m. | The Joint Legislative Emergency Management Oversight Committee, 544 LOB.
- 1 p.m. | Joint Legislative Oversight Committee on Medicaid and NC Health Choice, 643 LOB.

Wednesday, Nov. 30

- 9 a.m. | Child Fatality Task Force, 1027/1128 LB.
- 9 a.m. | Committee on Savings Reserve Account (LRC)(2015), 544 LOB.

Thursday, Dec. 1

- 9 a.m. | Child Fatality Task Force, 1027/1128 LB.

Tuesday, Dec. 6

- 10 a.m. | The Joint Legislative Administrative Procedure Oversight Committee, 544 LOB.

Friday, Dec. 9

- 10 a.m. | The North Carolina Courts Commission, 643 LOB.

Monday, Dec. 12

- 9 a.m. | Child Fatality Task Force, 1027/1128 LB.

Friday, Jan. 6

- 9 a.m. | ROOM CHANGE: The Joint Legislative Transportation Oversight Committee, 1228/1327 LB.

Wednesday, Jan. 11

- Noon | Session Convenes

N.C. Government Meetings and Hearings

Items in BOLD are new listings.
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Wednesday, Nov. 16

- 10 a.m. | The N.C. Department of Labor holds public hearing on proposed rule changes, Labor Building Conference Room 205, 4 West Edenton St., Raleigh.
- 10:30 a.m. | The Criminal Justice Education and Training Standards Commission holds public hearing on proposed rule changes, Wake Technical Community College-Public Safety Training Center, 321 Chapanoke Road, Raleigh.
- 1 p.m. | The Strategic Planning Committee of the North Carolina State Ports Authority meet, Executive Conference Room of the North Carolina Maritime Building, 2202 Burnett Blvd., Wilmington.
- 2 p.m. | The N.C. Board of Agriculture meets, Maritime Building at the N.C. Ports Authority, Wilmington.
- 4 p.m. | The N.C. Environmental Management Commission, Green Square Building, Room 1210, 217 West Jones St., Raleigh.
- 6 p.m. | The North Carolina Marine Fisheries Commission meets, Hilton Garden Inn, 5353 N. Virginia Dare Trail, Kitty Hawk. Contact: Patricia Smith, 252-726-7021.

Thursday, Nov. 17

- 9 a.m. | The North Carolina Marine Fisheries Commission meets, Hilton Garden Inn, 5353 N. Virginia Dare Trail, Kitty Hawk. Contact: Patricia Smith, 252-726-7021.
- 9 a.m. | The Board of Directors of the North Carolina State Ports Authority meets, Board Room of the North Carolina Maritime Building, 2202 Burnett Boulevard, Wilmington.
- 9:45 a.m. | The Local Partnership Advisory Committee of The North Carolina Partnership for Children, Inc. meets, 1100 Wake Forest Road, Raleigh. Contact: Yvonne Huntley, 919-821-9573.
- 10 a.m. | The Rules Review Commission meets, Rules Review Commission room, Office of Administrative Hearings, 1711 New Hope Church Road, Raleigh.
- **11:30 a.m. | The Personnel Committee of the State Board of Community Colleges meets, NC Community College System Office, 200 W. Jones St., Raleigh.**
- 1 p.m. | The N.C. Midwifery Joint Committee holds public hearing on proposed rule changes, North Carolina Board of Nursing, 4516 Lake Boone Trail, Raleigh.
- 1 p.m. | The N.C. Board of Nursing holds public hearing on proposed rule changes, NC Board of Nursing, 4516 Lake Boone Trail, Raleigh.
- **1:30 p.m. | The State Board of Community Colleges committees meet, NC Community College System Office, 200 W. Jones St., Raleigh.**
- **3 p.m. | The Committee on Public Affairs of the UNC Board of Governors meets via conference call originating in Conference Room C of the Spangler Center, Chapel Hill. Contact: Joni Worthington, 919-962-4629.**
- 6:30 p.m. | The NC State Board of Dental Examiners holds public hearing on proposed rule changes, 2000 Perimeter Park Dr., Suite 160, Morrisville.

Friday, Nov. 18

- 8:30 a.m. | The North Carolina Marine Fisheries Commission meets, Hilton Garden Inn, 5353 N. Virginia Dare Trail, Kitty Hawk. Contact: Patricia Smith, 252-726-7021.
- **9 a.m. | The State Board of Community Colleges hold full Board meeting, NC Community College System Office, 200 W. Jones St., Raleigh.**
- 10 a.m. | The NC Industrial Commission holds public hearing on proposed rule changes, Room 2149, 2nd Floor, Dobbs Building, 430 North Salisbury St., Raleigh.
- 10 a.m. | The state Radiation Protection Commission holds public hearing on proposed rule changes, Dorothea Dix Campus, Wright Building, Room 131, 1201 Umstead Dr., Raleigh.
- 10:30 a.m. | The Criminal Justice Education and Training Standards Commission holds public hearing on proposed rule changes, Wake Technical Community College-Public Safety Training Center, 321 Chapanoke Rd, Raleigh.
- 1 p.m. | The N.C. Medical Board holds public hearing on proposed rule changes, NC Medical Board, 1203 Front St., Raleigh.

Monday, Nov. 21

- 11 a.m. | The Executive Committee of The North Carolina Partnership for Children, Inc. Board of Directors meet, 1100 Wake Forest Road, Raleigh. Contact: Yvonne Huntley, 919-821-9573.

Wednesday, Nov. 30

- 1 p.m. | DHHS Mental Health and Substance Use Task Force Meeting, Royal Banquet and Conference Center, 3801 Hillsborough St., Raleigh. Contact: wei.li.fang@governorsinstitute.org.

Friday, Dec. 2

- 3 p.m. | The Sexual Harassment and Sexual Violence Policy Subcommittee of the Campus Security Committee of the UNC Board of Governors meets, UNC General Administration, Conference Room B, 910 Raleigh Road, Chapel Hill. Contact: Joni Worthington, 919-962-4629.

Wednesday, Dec. 7

- 10:30 a.m. | The Fund Development and Communications Committee of The North Carolina Partnership for Children meets, 1100 Wake Forest Road, Raleigh. Contact: Yvonne Huntley, 919-821-9573.

Thursday, Dec. 8

- 6 p.m. | The state Department of Environmental Quality holds public meeting on proposed changes to Duke Energy's W.H. Weatherspoon Plant water quality permits, Robeson Community College A.D. Lewis Auditorium, 5160 Fayetteville Rd., Lumberton.

Tuesday, Dec. 13

- 8:30 a.m. | The State Board of Examiners of Plumbing, Heating and Fire Sprinkler Contractors holds public hearing on proposed rule changes, State Board of Plumbing, Heating and Fire Sprinklers Contractors, 1109 Dresser Court, Raleigh.

Thursday, Dec. 15

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

Wednesday, Jan. 11

- 9 a.m. | Environmental Management Commission meets, Ground Floor Hearing Room, Archdale Building, 512 N. Salisbury St., Raleigh.
- 10 a.m. | The N.C. Alcoholic Beverage Control Commission meets, 400 East Tryon Rd, Raleigh.

Thursday, Jan. 12

- 9 a.m. | Environmental Management Commission meets, Ground Floor Hearing Room, Archdale Building, 512 N. Salisbury St., Raleigh.

Tuesday, Jan. 17

- 9 a.m. | The NC Board of Pharmacy holds public hearing on proposed rule changes, North Carolina Board of Pharmacy, 6015 Farrington Road, Suite 201, Chapel Hill.

Wednesday, Jan. 25

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

Wednesday, Feb. 15

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

N.C. Utilities Commission Hearing Schedule

Dobbs Building
430 North Salisbury Street
Raleigh, North Carolina
More Information: <http://www.ncuc.commerce.state.nc.us/activities/activit.htm>

Monday, Nov. 21

- Staff Conference

Monday, Nov. 28

- Staff Conference

Monday, Dec. 5

- Staff Conference

Wednesday, Dec. 7

- 10 a.m. | T-4626 Sub 1 ...Show Cause, Application for Certificate of Exemption to Transport Household Goods, Dobbs - Commission Hearing Room, 2nd floor, Room 2115.
- 10 a.m. | T-4626 Sub 0 ...Application for Certificate of Exemption to Transport Household Goods, Dobbs - Commission Hearing Room, 2nd floor, Room 2115.

Monday, Dec. 12

- Staff Conference

Monday, Dec. 19

- Staff Conference

Monday, Dec. 26

- Staff Conference

Monday, Jan. 2

- Staff Conference

UNC Board of Governors

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

Friday, Dec. 2

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

Friday, Jan. 13

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

Friday, March 3

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

Friday, April 7

- TBA | The UNC Board of Governors, Campus Location, TBD.

Friday, May 19

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

N.C. Dept. of Environmental Quality

The N.C. Dept. of Environment and Natural Resources has a new name - the N.C. Dept. of Environmental Quality. More Information:
<http://portal.ncdenr.org/web/guest/home>

Tuesday, Nov. 15

- 6 p.m. | Public Hearing: Duke Energy's Belews Creek Plant Draft Wastewater & Stormwater Permits, Stokes Co. Courthouse, 1012 Main St. Danbury.

Wednesday, Nov. 16

- 4 p.m. | Public Hearing: Proposed Revisions To 15A NCAC 02N And 15A NCAC 02O, Green Sq. Building, Rm. 1210, 217 W. Jones St. Raleigh.

Monday, Nov. 28

- 6 p.m. | Public Hearing: Duke Energy Progress LLC - Cape Fear Steam Station to issue discharge permit, Dennis Wicker Civic Center, 1801 Nash St., Sanford.

Tuesday, Nov. 29

- 3 p.m. | To receive comments on Request for Delegation of authority to implement and enforce the Clean Air Act (CAA) Section 111(d)/129 Federal Plan under 40 CFR 62 Subpart LLL - Federal Plan Requirements for Sewage Sludge Incineration Units Constructed on or Before October 14, 2010, Division of Air Quality, 217 W. Jones St., Raleigh. Contact: Ms. Joelle Burleson, 919-707-8720.

Wednesday, Nov. 30

- 1 p.m. | International Business Machines Corporation Public Hearing, Durham County South Regional Library, 4505 South Alston Ave., Durham. Contact: Robert McDaniel, 919-707-8215.

Wednesday, Dec. 7

- 6 p.m. | The N.C. Department of Environmental Quality holds public hearing on Brunswick Regional Water and Sewer H2GO applying for a NPDES permit to discharge wastewater, Odell Williamson Auditorium 150 College Rd. NE Bolivia.

Thursday, Dec. 8

- 6 p.m. | The N.C. Department of Environmental Quality holds public hearing on Duke Energy's Weatherspoon Plant Draft Wastewater & Stormwater Permits, Robeson Community College A.D. Lewis Auditorium, 5160 Fayetteville Rd., Lumberton.

Thursday, Jan. 5

- 6 p.m. | The N.C. Division of Water Resources hold public hearing on a proposed water supply reclassification of the Catawaba River, McDowell Technical Community College, Harold Smith Building, 54 College Dr., Marion.

Other Meetings and Events of Interest

Items in **BOLD** are new listings.

Tuesday, Nov. 15

- 8 a.m. | The North Carolina Military Business Center (NCMBC) and the North Carolina Defense Technology Transition Office (DEFTECH) co-host the North Carolina Defense Technology Transition Symposium, Hamner Conference Center, N.C. Biotechnologies Center, Research Triangle Park.

- 1 p.m. | Gov. Pat McCrory's Hurricane Matthew Recovery Committee holds public meeting, Robeson Community College, Lumberton.

Wednesday, Nov. 16

- **11 a.m. | Lisa Levine, program director for Alzheimer's NC speaks to the Wake Senior Democrats, Golden Corral, 6129 Glenwood Ave., Raleigh.**
- TBD | North Carolina Chamber Hosts Inaugural Women's Conference, Umstead Hotel & Spa, Cary.

Thursday, Nov. 17

- **12 p.m. | The State Board of Community Colleges holds Issues Luncheon entitled "Career Pathways - Enhancing the Postsecondary Talent Pipeline," NC Community College System Office, 200 W. Jones St., Raleigh.**
- **5 p.m. | The Greensboro Human Relations Commission will host presentation titled "Peace of Mind: the Link Between Housing and Mental Health," Greensboro History Museum, 130 Summit Ave., Greensboro. Contact: Jody Stanley, jodie.stanley@greensboro-nc.gov or 336-373-2038.**

Saturday Nov. 19

- 7:30 a.m. | Henderson County Sheriff Charlie MacDonald addresses Henderson County Republican Breakfast, Fireside Restaurant, Sugarloaf Road, Hendersonville. Contact: 828-329-4971, noirs@aol.com.

Saturday, Dec. 3

- Noon | Ipreo Raleigh Winterfest opens, Fayetteville St., Raleigh. Contact: WinterfestRaleigh.com.

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