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Report Card for the
2015 Legislative Session
of the North Carolina
General Assembly



report card

FOR THE 2015 LEGISLATIVE SESSION OF THE NORTH CAROLINA GENERAL ASSEMBLY

Introduction

Our Tar Heel women have made great political, social, and economic strides over the last few decades. Yet, women continue to face many challenges that hold back their ability to get ahead and live healthy, safe lives. These challenges include a large gender wage gap, elevated unemployment and poverty, restrictions on reproductive health care, high risks of violence, and low levels of political representation. These barriers are especially great for women of color, queer women, and women with disabilities.

Seeking to improve the status all women from Murphy to Manteo, NC Women United (NCWU) is a coalition of progressive organizations advocating for policies that support women’s full political, social, and economic equality.

With this goal in mind, we are pleased to present the NCWU Report Card for the 2015 Legislative Session of the North Carolina General Assembly. The report card “grades” how well the policy goals featured in our 2015 Legislative Agenda fared during the session. These policy goals aim to remedy the challenges that women face by expanding economic opportunity, access to health care, ending violence against women, and increasing civic participation and equality.

In our **Report Card**, we score each policy goal along a spectrum of five grades:

- **Very Good;**
- **Mostly Good but Mixed;**
- **Mixed;**
- **Mostly Bad but Mixed; and**
- **Very Bad**

What the Governor and the General Assembly prioritize on Jones Street impacts us all—from economic security to health care and safety to civic participation and equality. Unfortunately, as the analysis in our Report Card shows, state lawmakers are failing to prioritize public policies that will advance and improve the lives of women, children, and workers across the state.

Twenty-two of the thirty-five policy goals received a “Very Bad” grade. Women deserve better. Lawmakers must do better.

The 2016 Short Session offers the opportunity to reverse course. North Carolina’s official state toast boasts that our state is, “Where the weak grow strong and the strong grow great.” Yet without public policies that will truly support the full political, social, and economic equality for all women across the state, the hope and reality in these words will continue to ring hallow for many Tar Heel women.

Tara Romano
NCWU President

Tazra Mitchell
NCWU Policy Director

report card: at a glance

FOR THE 2015 LEGISLATIVE SESSION OF THE NORTH CAROLINA GENERAL ASSEMBLY

POLICY GOAL: Enhance Economic Self-Sufficiency	GRADE
Enhance family economic security.	<i>Very Bad</i>
Guarantee workers a minimum number of paid sick days.	<i>Very Bad</i>
Pass an Equal Pay Act ("Families' Economic Securities Act").	<i>Very Bad</i>
Increase Home & Community Care Block Grant funding.	<i>Mixed</i>
Restore Funding to the NC Housing Trust Fund.	<i>Very Bad</i>
Restore Access to the Child Care Subsidies Program.	<i>Mixed</i>
Reinstate the State Earned Income Tax Credit.	<i>Very Bad</i>
Establish a state-run Paid Family and Medical Leave Insurance Program.	<i>Very Bad</i>
Bring teacher pay closer to the national average and reinstate career status and advanced degree supplements.	<i>Mixed</i>

POLICY GOAL: Expand Access to Health Care	GRADE
Use federal funds to increase access to health care coverage.	<i>Very Bad</i>
Pass comprehensive health education legislation.	<i>Mixed</i>
Preserve optional Medicaid services.	<i>Mostly Good but mixed</i>
Protect access to all reproductive health care.	<i>Mostly Bad but mixed</i>
Repeal taxpayer funding to Crisis Pregnancy Centers (CPCs) and make them more accountable.	<i>Very Bad</i>
Establish clear protections for children, pregnant women and communities that are heavily affected by pollution and toxic chemicals.	<i>Mixed</i>
Pass the NC Toxic Free Kids Act.	<i>Very Bad</i>

report card: at a glance (cont.)

FOR THE 2015 LEGISLATIVE SESSION OF THE NORTH CAROLINA GENERAL ASSEMBLY

POLICY GOAL: End Violence Against Women	GRADE
Enact common sense gun safety regulations.	<i>Very Bad</i>
Amend 50C to strengthen protections.	<i>Mixed</i>
Amend the definition of “domestic violence” in the Domestic Violence Criminal Pre-Trial Release Conditions statute to coincide with the definition of 50B.	<i>Mixed</i>
Require all correctional facilities, juvenile facilities, and local confinement facilities to comply with federal Prison Rape Elimination Act (PREA).	<i>Very Bad</i>
Make it a crime to disseminate sexually explicit photos of victims without their consent.	<i>Mostly Good but Mixed</i>
Amend 50B definition to protect LGBTQ community.	<i>Very Bad</i>
Create a new statutory aggravating factor for sentencing when abusers commit crimes in sight or hearing of a minor child.	<i>Mixed</i>

POLICY GOAL: Increase Civic Participation And Equality	GRADE
Establish an Independent Redistricting Commission.	<i>Very Bad</i>
Pass legislation ratifying the Equal Rights Amendment to the U.S. Constitution.	<i>Very Bad</i>
Provide for fair treatment to immigrants.	<i>Very Bad</i>
Oppose any “religious refusal” legislation that would allow public officials to discriminate.	<i>Very Bad</i>
Update current employment non-discrimination policies to protect LGBTQ community.	<i>Very Bad</i>
Allow joint, family tax benefits for North Carolina’s same-sex couples legally married in other states.	<i>Very Good</i> <i>(court ruling, not legislative)</i>
Protect voter rights.	<i>Mostly Bad But Mixed</i>
Prevent racial profiling and protect the civil rights of those who have traditionally been denied those rights because of race, ethnicity, or national origin.	<i>Very Bad</i>
Raise the presumptive age for adult criminal prosecution to 18.	<i>Very Bad</i>
Enhance open, ethical government.	<i>Very Bad</i>
Restore NC’s nationally renowned judicial public campaign financing program.	<i>Very Bad</i>

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POLICY GOAL: Enhance Economic Self-Sufficiency	NCWU GRADE
<p>Enhance family economic security. Lawmakers failed to move bills out of committee that would raise the minimum wage and tie it to inflation, which would help ensure that workers can make ends meet and also support a growing economy. During a one-day special session, lawmakers passed legislation that eliminated the authority of local governments to require public contractors to pay their employees living wages or provide paid sick days.</p>	<p><i>Very Bad</i></p>
<p>Guarantee workers a minimum number of paid sick days. Lawmakers failed to move bills out of committee that would provide for workers to earn paid sick days, which would help families avoid financial ruin brought on by illness, injury, or another life event.</p>	<p><i>Very Bad</i></p>
<p>Pass an Equal Pay Act (“Families’ Economic Securities Act”). Lawmakers failed to pass a bill out of committee that would require equal pay for equal work, which would help close the gender wage gap and ensure that equally qualified and equally performing women earn the same wage as their male colleagues.</p>	<p><i>Very Bad</i></p>
<p>Increase Home & Community Care Block Grant funding. Lawmakers restored the nearly \$1 million cut enacted in the 2015 fiscal year, meaning funding is flat or equivalent to 2013 levels despite more need. As a result, long-waiting lists will persist. And lawmakers only restored the funding on a one-time basis. This program provides protective services and home-delivered services that allow more frail and low-income older adults to remain in their homes.</p>	<p><i>Mixed</i></p>
<p>Restore funding to the NC Housing Trust Fund. Lawmakers failed to restore funding to the Housing Trust Fund, which helps ensure that women and working families are able to pay for housing expenses and still pay for basic necessities like child care and groceries. Currently, half of renters in the state are unable to afford the cost of fair market housing.</p>	<p><i>Very Bad</i></p>
<p>Restore access to the Child Care Subsidies Program. Lawmakers restored the prorated co-payments for partial care but they failed to raise the eligibility guidelines to 200 percent from 133 percent of the federal poverty level for children ages 6-12 years.</p>	<p><i>Mixed</i></p>
<p>Reinstate the Earned Income Tax Credit. Lawmakers blocked multiple efforts to restore the state EITC, which would go some way to restore equity in the tax system, fight child poverty, and allow low-wage workers to keep more of what they earn.</p>	<p><i>Very Bad</i></p>
<p>Establish a state-run Paid Family and Medical Leave Insurance Program. Lawmakers failed to propose a state FMLI program. They also failed to move the Caregiver Relief Act out of committee to expand the eligibility for workers to take unpaid family and medical leave for the care of siblings, grandparents, grandchildren, step-parents, and parents in law.</p>	<p><i>Very Bad</i></p>
<p>Bring teacher pay closer to the national average and reinstate career status and advanced degree supplements. Lawmakers raised pay for beginner teachers to \$35,000 from \$33,000 and provided a one-time \$750 bonus (which won’t get us closer to the national average) for all other teachers. They failed to restore career status and the salary supplement for all teachers obtaining an advanced degree after 2013.</p>	<p><i>Mixed</i></p>

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POLICY GOAL: Expand Access to Health Care	NCWU GRADE
<p>Use federal funds to increase access to health care coverage. Lawmakers failed to expand Medicaid coverage for people who currently fall into the Medicaid gap.</p>	<p><i>Very Bad</i></p>
<p>Pass comprehensive health education legislation. Lawmakers approved legislation that would provide sex trafficking prevention and awareness education for students in public schools. However, the bill also weakened the credentials needed for helping create instructional materials for sex education.</p>	<p><i>Mixed</i></p>
<p>Preserve optional Medicaid services. Lawmakers did not further cut optional Medicaid services for older adults and people with a disability. They also did not restore services that were cut in past years.</p>	<p><i>Mostly Good but Mixed</i></p>
<p>Protect access to all reproductive health care. Lawmakers failed to ensure that women are able to access the full range of safe and legal reproductive health care options—including abortion care and birth control—without government or employer intrusion or restriction. Rather than ensuring that women’s health clinic regulations are based on sound science and medical information, they extended the waiting period for an abortion procedure to 72 hours from 24 hours. They also passed a law that requires physicians to send ultrasounds taken in preparation for certain abortions to NC DHHS. However, lawmakers established a committee to review maternal deaths and make recommendations to decrease maternal mortality.</p> <p>Also, lawmakers barred state funds for contracts with groups that provide pregnancy prevention or family planning services, a provision that only stripped funding for Planned Parenthood.</p>	<p><i>Mostly Bad but Mixed</i></p>
<p>Repeal taxpayer funding to Crisis Pregnancy Centers (CPCs) and make them more accountable. Lawmakers failed to repeal funding for CPCs. They also failed to require CPCs to provide medically accurate information, to be transparent and honest in their advertising about the services they provide and the qualifications of their staff, and respect patient confidentiality.</p>	<p><i>Very Bad</i></p>
<p>Establish clear protections for children, pregnant women and communities that are heavily affected by pollution and toxic chemicals. Lawmakers failed to establish clear protections--such as laying the burden of proof for chemical safety on manufacturers rather than the public--and also failed to empower NC agencies to move quickly on protecting the public from the worst chemicals. However, the Environmental Review Commission took a small step forward by unanimously recommending legislation which directs three agencies to develop a chemical action plan that identifies actions the state may take to reduce threats posed to children by toxic chemical flame retardants.</p>	<p><i>Mixed</i></p>
<p>Pass the NC Toxic Free Kids Act. Lawmakers failed to approve this Act, which would require manufacturers to phase out the use of three toxic chemicals in children’s products.</p>	<p><i>Very Bad</i></p>

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POLICY GOAL: End Violence Against Women	NCWU GRADE
<p>Enact common sense gun safety regulations. Lawmakers undermined existing gun safety laws by replacing the lifetime ban on carrying concealed permits for people convicted with simple assault with a three-year ban, putting domestic violence survivors at risk. Among other provisions that harm public safety goals, lawmakers also (1) lowered the penalty for carrying a concealed handgun on private property from a misdemeanor to an infraction; (2) limited to five years how far back sheriffs can look into criminal history and conduct when determining whether to issue a pistol permit; (3) established an affirmative defense for individuals in certain situations who use a firearm on prohibited school property; (4) and allowed district attorneys, certain Department of Public Safety employees, and administrative law judges with concealed carry permits to carry in a court room. Also, lawmakers failed to close the background check loophole and increase penalties for unsafe storage of firearms to hold adults accountable when a child is injured or killed with a firearm.</p> <p>Lawmakers corrected a problem in the current lifetime ban on carrying concealed permits that inadvertently left out people who violate a DV protection order or are charged with a domestic criminal trespass. They also tried to protect DV victims by adding the disqualifier that if someone is disqualified by Federal law because they have been convicted of a misdemeanor crime of domestic violence then they are also disqualified under state law.</p>	<p><i>Very Bad</i></p>
<p>Amend 50C to strengthen protections afforded to victims of nonconsensual sexual conduct and stalking without an intimate or familial relationship. Lawmakers improved future access to 50C protections by allowing that all documents related to ex parte proceedings to be completed electronically. They also created a permanent 50D protective order option for victims whose perpetrators have been convicted of a stalking or sexual assault crime, and they passed legislation clarifying that a knowing violation of a 50C order could be considered either civil contempt or criminal contempt. But these changes fail to fix the lack of active enforcement or punishment for a 50C violation that is needed to adequately strengthen protections.</p>	<p><i>Mixed</i></p>
<p>Amend the definition of “domestic violence.” Lawmakers amended the definition of “domestic violence” in the Domestic Violence Criminal Pre-Trial Release Conditions statute to coincide with the definition of 50B to ensure that victims of dating violence--including same-sex survivors--are protected. Yet, lawmakers refused to approve this protection in a stand-alone bill and instead attached it to a broader bill that included policies that are detrimental to women and children.</p>	<p><i>Mixed</i></p>
<p>Require all correctional facilities, juvenile facilities, and local confinement facilities to comply with federal Prison Rape Elimination Act (PREA). Lawmakers failed to introduce a bill requiring compliance with PREA.</p>	<p><i>Very Bad</i></p>
<p>Make it a crime to disseminate sexually explicit photos of victims without their consent. Lawmakers and the Governor signed a bill that makes it a crime to disclose an explicit image of an intimate partner without their affirmative consent. While this bill is a good start, it excludes many people from the protections, including same-sex non-domestic partners and people who exchange images but are not in a “romantic relationship.” This is because the bill relies on an “expectation of privacy,” which defines privacy as the disclosure of the images within the context of a personal relationship based on N.C. General Statute 50B. In addition, the bill only covers the disclosure of images which the victim originally consented to allowing the perpetrator to have, leaving an enormous gap in protection for victims whose perpetrators originally obtained the image without the victim’s knowledge.</p>	<p><i>Mostly Good but Mixed</i></p>
<p>Amend 50B definition to protect LGBTQ community. Lawmakers failed to pass a bill that would expand the definition of the 50B “personal relationship” to include same-sex dating partners.</p>	<p><i>Very Bad</i></p>
<p>Create a new statutory aggravating factor for sentencing when abusers commit crimes in sight or hearing of a minor child. Lawmakers passed and the Governor signed a bill that allows a judge to punish a defendant more severely if they committed a felony in the presence of a minor child. Yet, lawmakers refused to approve this protection in a stand-alone bill and instead attached it to a broader bill that included policies that are detrimental to women and children</p>	<p><i>Mixed</i></p>

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POLICY GOAL: Increase Civic Participation And Equality	NCWU GRADE
<p>Establish an Independent Redistricting Commission. Lawmakers failed to establish an independent redistricting commission that would draw legislative and congressional districts. And despite bi-partisan support, lawmakers failed to approve a bill establishing a nonpartisan redistricting process whereby legislative staff would draw legislative and congressional districts with input from a citizens advisory commission, with the legislature giving final approval.</p>	<p><i>Very Bad</i></p>
<p>Pass legislation ratifying the Equal Rights Amendment to the U.S. Constitution. Lawmakers failed to pass the ERA bill out of committee. In fact, lawmakers in both chambers required the bill to go through the Rules Committee where “bills go to die.”</p>	<p><i>Very Bad</i></p>
<p>Provide for fair treatment to immigrants. Lawmakers passed a bill that is hostile to immigrant communities and undermines community policing, which puts women and families at risk. They failed to expand access to state driver’s licenses and in-state tuition for undocumented immigrants, and also failed to expand worker protections to include all workers, regardless of immigration status.</p>	<p><i>Very Bad</i></p>
<p>Oppose any “religious refusal” legislation that would allow public officials to discriminate. Lawmakers overrode the Governor’s veto to enact legislation allowing magistrates to opt out of performing marriages, with the intention to deny gay and lesbian couples their legal right to marry in North Carolina.</p>	<p><i>Very Bad</i></p>
<p>Update current employment non-discrimination policies to protect LGBTQ community. Lawmakers failed to pass a bill protecting state employees and teachers to include enumerated categories for gay (“sexual orientation”) and transgender (“gender identity”) workers. HB2 also permits private businesses to discriminate against customers on the basis of sexual orientation and gender identity, and allows employers to fire their employees because of their race, religion, gender, or age, without remedy in state court.</p>	<p><i>Very Bad</i></p>
<p>Allow joint, family tax benefits for North Carolina’s same-sex couples legally married in other states. Due to a United States Supreme Court ruling that legalized same-sex marriage across the nation, 2016 is the first year that every same-sex couple in the country can file both their federal and state taxes together. No legislative action was required.</p>	<p><i>Very Good (court ruling, not legislative)</i></p>
<p>Protect voter rights. Lawmakers passed a bill allowing for a “reasonable impediment declaration” in lieu of photo ID. Yet, they failed to pass broader measures that would add another week to the early voting period, restore same day voter registration, restore pre-registration for 16 and 17-year olds, or implement an on-line voter registration option.</p>	<p><i>Mostly Bad but Mixed</i></p>
<p>Prevent racial profiling and protect the civil rights of those who have traditionally been denied those rights because of race, ethnicity, or national origin. Lawmakers passed a bill that could foster racial profiling and discrimination by outlawing so-called “sanctuary” local policies. That bill also makes it harder for undocumented immigrants to identify themselves to government officials. Lawmakers also failed to pass out of committee a bill that aims to end discriminatory policing.</p>	<p><i>Very Bad</i></p>
<p>Raise the presumptive age for adult criminal prosecution to 18. Lawmakers failed to pass a bill that would raise the age of juvenile jurisdiction so that 16- and 17-year-olds who commit misdemeanors are handled in the juvenile system and not charged as adults.</p>	<p><i>Very Bad</i></p>
<p>Enhance open, ethical government. Lawmakers failed to provide for more rapid, electronic disclosure of how money flows into elections.</p>	<p><i>Very Bad</i></p>
<p>Restore NC’s nationally renowned judicial public campaign financing program. Lawmakers failed to reinstate the public campaign fund and failed to give local governments the authority to implement public campaign financing or “voter-owned elections” programs if they choose to do so.</p>	<p><i>Very Bad</i></p>

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Statement on NC Revenues and the Budget: **Very Bad**

Our 2015 legislative agenda encouraged lawmakers to reverse the 2013 tax cuts because they are draining state revenues that are needed to build a stronger, more inclusive economy for all. Lawmakers did the opposite. They approved another round of deep tax cuts, which are sharply constraining North Carolina's ability to make public investments for public education, community economic development, the court system, and other vital services. At this critical point in the state's uneven and slow economic recovery, policymakers chose to deliver greater benefits to the wealthiest few rather than build a solid foundation that supports opportunity for many. Even worse, the state Senate passed a TABOR bill that would tie our state's budget to a rigid and fundamentally flawed formula, forcing permanent cuts to education, public safety, health care and other key services that support our economy and quality of life.

As mentioned in the *Expand Access to Health Care* section of the Report Card, lawmakers also barred state funds for contracts with groups that provide pregnancy prevention or family planning services, a provision that only stripped funding for Planned Parenthood.

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PO Box 10013 • Raleigh, NC 27605

Phone: 866-518-7657 • Email: info@ncwu.org

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