

PA PAC Questionnaire for N. C. General Assembly Candidates - 2018

Please return this completed form along with your resume or a brief biographical statement describing your education, work history, community service, and prior political experience as soon as possible, but by **March 9**, at the latest.

You may e-mail your responses to Tom Miller at tom-miller1@nc.rr.com or you may send a printed copy of your responses to Durham PA-PAC c/o Tom Miller, 1110 Virginia Avenue, Durham, NC 27705

Please note that following the March 9 deadline, the Durham People's Alliance PAC may publish your responses to this questionnaire and your resume.

Thank you for completing this questionnaire and your willingness to serve the people of Durham.

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When responding to this questionnaire, type your answers in italics, bold, or a different font to distinguish your answers from the questions. Please do not use colors. You may explain your answer to every question, but please be concise. If possible, limit your answer to each question to no more than 350 words. If you use words or ideas from another person, please attribute your source.

Why You Are Running

1. Of all the issues confronting the State of North Carolina which single issue is most important to you and why? What would you do about it if you are elected?

*The single most important issue must be adequately funding our public education system, which includes not simply kindergarten through 12th grade, but our community college and public university system. Education provides the best pathway to good jobs and economic prosperity, regardless of the circumstances a child is born into. If we have a strong and effective public school system, we can prepare a child not simply to read and write proficiently, but to acquire the skillsets that are necessary to advance their lives and position in society. As an African-American male who grew up in the segregated South, who was born before the landmark U.S. Supreme Court case *Brown v. Board of Education*,*

which declared that public schools could not operate under a “separate but equal” philosophy, I uniquely appreciate the impact of school systems that did not provide equal access to educational resources. I have also observed how so many people have substantially benefitted from the education they obtained in a post *Brown v. Board of Education* society. There have obviously been many legal barriers which previously existed which have increased access to opportunities as well. These efforts have led to the breaking of proverbial glass ceilings in business, industry, government and politics.

Unfortunately, today there are still disparities in the quality of education students receive across our state which must be eradicated. I am deeply concerned by the underfinancing of public education as we have traditionally known it since the Republican majority took control of the N.C. General Assembly in 2011. Not only do budget cuts need to be restored, but we must proactively chart a course that renews and doubles down on our commitment to provide everyone in our state with what we are constitutionally required to provide under our state’s constitution, which is a strong and effective public education. This means that as we change and evolve as a society we not only reduce our high school dropout rate to 0, we must also provide excellent post-secondary education in our 58 community colleges and through our public university system.

We must make a conscious choice to chart this course and be deliberate in our strategies to obtain this outcome. It is a goal most citizens would embrace, and a perspective shared by those in business and industry who want a competent, qualified workforce for the jobs of the future, many of which don’t yet exist as of today. We must be prepared to meet this unique challenge.

Politics and Voting Rights

2. Do you support or oppose placing state legislative and U. S. Congressional redistricting in the hands of a non-partisan commission?

I support this idea in concept. However, it is important to evaluate the operational details of a specific plan to accomplish this objective.

The Environment

3. Should state agencies charged with the management and protection of our environment have the authority to make standards and rules which exceed federal standards?

Absolutely. I have passionately advocated for years that federal environmental standards should establish a floor, rather than a ceiling. Therefore, if our state chooses to adopt more stringent or effective requirements, we should be able to do so.

4. Has the state created laws and regulations adequate to protect North Carolinians from the potential harmful impacts of fracking?

No. My track record on this issue is publicly known and well-established.

5. What tools would you support in the clean-up of GenX, coal ash, and other pollutants in the state's streams, lakes, estuaries and sounds, and water supplies?

To address the GenX issue, we should fund the mass spectrometer required by the NC Department of Environmental Quality, as well as the specialized staffing needed to use and collect pertinent data. One of the problems with GenX is that the federal government has not established standards which would be helpful to state governments in regulating GenX and the federal standards for coal ash are minimal. Our state should have sufficient staffing and resources to evaluate and establish relevant standards which can be used to monitor and control these types of contaminants which can pollute the waterways in our state.

Educating Our Children

6. What measures, if any, do you believe are necessary to improve public education in North Carolina?

We need to immediately fund the backlog of students for the North Carolina Pre-K Program (formerly More at Four) and to expand the eligibility of students allowed to participate in the program. We also need to adequately fund traditional public education programs so that students and teachers have the resources that they need to enable students to achieve their highest potential. We also need to provide teachers with the training which they need to be effective in the classroom. I fully support the idea of having teachers or other specialists certified in teaching reading in kindergarten through third grade to better enable our students to acquire the reading skills and proficiency which they need at an early age. There is so much we can do that it is hard to know where to start but having adequate funding and making this a priority is critical to success.

Healthcare

7. Are you satisfied with the current system of providing healthcare to North Carolina residents? Explain. If you are not satisfied, what changes would you make?

I am not satisfied with the current system in which we provide healthcare to our residents. However, it is important to think of healthcare delivery systems

in two different components. The first component would be traditional private sector healthcare providers, the second being services provided to those who receive services through Medicaid. Our Medicaid system is going through a significant transformation at this time, which will result in our state entering into contracts with providers or networks of providers who will accept a flat fee for services provided to a Medicaid recipient. Our traditional mental health delivery system is also being revised so that those with severe mental disabilities will continue to be served for the next 3-4 years by our LME/MCOs and those without severe mental health problems will be taken care of through a traditional network of providers who will focus on whole person care. This system needs to be tracked and monitored closely.

I believe it is important that we increase access to healthcare and that in addition we must devote the resources that are necessary to eradicate disparities in healthcare and outcomes. We need to do all that we can to make certain that the rural hospitals in our state remain viable healthcare providers, since their ability to compete and to provide services has been profoundly jeopardized since our state did not expand Medicaid under the Affordable Care Act. We must also work vigorously to expand Medicaid. We should be skeptical of healthcare mergers and acquisitions which could result in increasing healthcare costs. Healthcare costs and access to healthcare services in our state could also be impacted if Certificates of Need are repealed. Their repeal could lead to the most profitable sectors of healthcare services being provided by specialized clinics at a lower cost, which would not have to provide 24-hour services or indigent care, unlike traditional hospitals. If these types of specialized facilities move to rural areas, it could result in the closing of rural hospitals. These are all problems that need to be considered during this ongoing debate.

State Revenues

8. Is the current system of state and local taxes and fees fair and adequate to meet the needs of North Carolina residents? What changes should be made, if any? Please cite specific examples.

Our state has seen significant revisions made to our taxation policies since the Republican majority took control of the North Carolina General Assembly in 2011. Today, rather than having a progressive personal income tax, we have a flat tax. This means that high income earners who once paid a tax rate of 7.25 to 7.75% today only pay 5.25% of their income in taxes. In addition, the corporate income tax rate has been reduced from 6.9% to 2.5%, effective in 2019. When I have spoken to businesses in Research Triangle Park, they have all told me that they did not ask for income tax cuts, and that they did not locate in North Carolina because of our tax rate. Instead, it would be their preference that they pay their fair share in taxes and that the funds be used to invest in our public schools and university system so that they can have the

most qualified workforce in the future. Most high-income earners who I've met have also indicated that they don't mind paying their fair share in taxes, rather than paying the same rate that middle income earners pay. We need to rethink our taxation policies, but more importantly, what our long-term needs are as a state, and how we will financially provide for them. In addition to income taxes, we need to also rethink how we pay for transportation infrastructure, which includes roads, bridges and mass transit. We have traditionally relied upon the fuel tax, however, today, as a result of vehicles being more fuel efficient with an ever-growing percentage of electric vehicles on the road, we will increasingly see decreases in fuel tax revenues. However, there will be no corresponding decrease in our transportation infrastructure needs and in particular our need as a state to support mass transit systems, which should include our bus systems.

9. State and local governments provide substantial economic incentives for corporations to relocate to North Carolina or to expand their operations in the state. What is your position on the use of economic incentives for private business?

All across America, states and communities are offering a broad array of economic incentives to entice businesses to locate in their communities. Unless Congress were to pass legislation to change this financial landscape, which is exceedingly unlikely, then as a state we must offer competitive incentives to attract and retain new jobs for our residents. It is in the discretion of local governments whether they choose to offer incentives. In some situations, the magnitude of incentives could make a difference in whether a business might decide to locate in an area. It would be great if we lived in a perfect world and incentives were not needed, however, in the current environment, they can make a critical difference.

We must seriously consider the magnitude of the investment being made by a firm, as well as the number of jobs they will provide during construction as well as on a long-term basis, in addition to the pay range and skills that will be required of the employees which will be hired. Some firms, in addition, will attract other firms to an area, which will supply them with parts and materials as well as firms who will benefit from a similarly trained and qualified workforce. Another factor to consider is whether the incentives being offered result in the extension of water and sewer lines or natural gas lines that other businesses could benefit from today or in the future. These are all factors which need to be thoughtfully considered when decisions are made relating to the magnitude and type of incentives that will be offered.

Civil Rights

10. Would you support legislation designed to protect gay, lesbian, and transgender people from discrimination in housing, employment, public accommodation, and access to government benefits and services?

Yes, I have drafted such legislation in the past.

Crime, Law Enforcement, Courts and Racial Justice

11. What, if anything, should be done about gun violence and the proliferation of guns in North Carolina?

There is obviously a great deal that can be done to decrease gun violence and the proliferation of firearms in North Carolina. The question is, do we have the political will to do so? It is possible that in light of the growing concerns expressed by students and organizations which were the direct outgrowth of the Parkland school shooting in Florida, that there is a greater probability that progress can be made on modest, incremental changes, but certainly not profound and significant changes.

There should certainly be legislation passed that raises the age for purchasing firearms to twenty-one, and which prohibits the sale of assault-style weapons to consumers, and bump stocks should also be prohibited. In addition, background checks and waiting periods prior to gun purchases should be expanded. These are all rather modest changes compared to the types of changes that are actually needed.

Unfortunately, since the Republican majority took control of the North Carolina General Assembly in 2011, we have seen legislation pass which has gone the wrong direction. For example, there has been legislation passed to permit people to carry firearms in funeral processions, to sporting events, onto public college and university campuses, into restaurants that serve beer and alcohol, on to playgrounds, and there is legislation pending now that would pretty much make it unnecessary to have a concealed carry permit. All of these types of policies have literally increased the places that people can carry firearms and increased the probability of people using them inappropriately in such locations.

According to an article which I recently read, in 2016 in North Carolina over 1,400 people died from guns. In addition, homicides from guns increased 27% in one year alone over the preceding year. These types of statistics should give us a great deal of concern. As a victim of gun violence over thirty-two years ago, I am firmly and vigorously committed to programs and initiatives that will limit access to firearms and which will improve the safety of firearms in the homes and businesses of those who choose to own them.

12. Should state and local government law enforcement agencies have the discretion to decide the extent to which they cooperate with U. S. Immigration and Customs Enforcement with regard to detainers and programs such as Secure Communities and the 287(g) program?

Yes, state and local governments should have the option to decide whether to participate in such programs.

13. Do you support or oppose the recent statutory changes that discourage North Carolina judges from waiving court fines and fees for indigent defendants? Why or why not?

I oppose the changes that discourage North Carolina judges from waiving court costs and fines for indigent defendants. Judges should have the maximum discretion possible in making such determinations.

14. At times, both political parties have suggested moving from the election of judges to some form of "merit selection". What do you believe is the best way to select independent and qualified judges?

I oppose the current merit selection plans which have been discussed by the North Carolina General Assembly. I served as a Member of the Senate's Committee on Merit Selection and Judicial Redistricting. I currently serve as a Member of the Joint Senate and House Committee on Merit Selection and Judicial Redistricting. I haven't seen a plan proposed by the co-chairs of the Joint House-Senate Committee that I could support.

The current plan under consideration would result in the establishment of a new local committee to consider all judicial appointments. The composition of its' membership has not been established nor have rules or criteria been established which the committee would use for evaluating the qualifications of a person seeking a judgeship. Once a vacancy is created, the local committee would meet to decide if a person considered for a vacancy was qualified or unqualified. No criteria have been established for them to use to make this determination. The local committee would in turn send the names of people it considered for a judicial vacancy to the N.C. General Assembly, which would in turn select 3 people from the list provided that would go to the Governor, who would appoint 1 person from the list. The person appointed by the Governor would stand for election in the 2nd election cycle, after his or her appointment in a Judicial Retention Election. No one would be able to run against a person in this type of election. A voter would simply have the option to vote a person appointed to a judgeship up or down. If the candidate is rejected by voters, then the process would start over again to find a replacement. If the candidate was approved by voters, the candidate would serve one 10-year term on a particular court. This merit selection plan would establish Judicial Retention Elections and would require an amendment to our State's Constitution before it could be enacted. I don't find this plan or model acceptable, therefore, I would

support our current way of electing or appointing judges until a reasonable, viable merit selection model can be crafted.

Yes or No

15. Please answer the following questions by circling (or underlining) YES or NO. You may explain or qualify your answer to any question, but *please use no more than 40 words*.

a. Should North Carolina voters have to present some sort of identification in order to vote?

YES or NO

b. Do you support increased state funding for a crisis pregnancy center?

YES or NO

No barriers should be established that would restrict a woman's right or ability to freely make decisions relating to the continuation or termination of a pregnancy since this type of decision is immensely personal and private.

c. Should North Carolina have a paid sick leave law?

YES or NO

d. Should cities and counties have the authority to use inclusionary zoning to promote affordable housing?

YES or NO

e. Should cities and counties have the authority to control rents to promote affordable housing?

YES or NO

I am open to considering legislation in this area which is carefully crafted.

I believe there are many other policies that could be used to incentivize and to promote affordable housing through tools such as inclusionary zoning and through the sale of affordable housing bonds. As a past Chairman of the Durham Affordable Housing Coalition I supported many of these initiatives in the past including the sale of affordable housing bonds by the City of Durham.

f. Do you support or oppose requiring a supermajority city council vote in re-zoning cases when qualified neighbors file a protest petition?

YES or NO

I have supported the rights of cities in our state to have Charter Amendments that would allow them to require supermajority votes in re-zoning cases.

g. Under what circumstances should polluters be exempt from fines and civil penalties imposed by the state?

YES or NO

This question does not lend itself to a “yes” or “no” response. I think that all cases relating to any type of exemptions to existing policies should be determined on a case-by-case basis based upon the facts and circumstances in a particular case.

h. Should magistrates or other government officials be excused from performing their lawful duties because of their religious beliefs?

YES or NO

i. Should the death penalty in North Carolina be abolished?

YES or NO

I am personally opposed to the death penalty, since, in my opinion, it constitutes cruel and unusual punishment, which should be prohibited under the U.S. Constitution. I believe that those that commit heinous acts which would subject them to the death penalty should be imprisoned for life without the possibility of parole. We spend too much as a state litigating death penalty cases, which frequently linger in the courts for decades.

j. Do you support the Jordan Lake and Falls Lake rules?

YES or NO

Concerning You

16. Have you ever been convicted of any criminal offence other than a minor traffic offense? Have you ever been charged with a felony (without regard to the disposition of the charge)? If the answer to either of these questions is yes, please describe the charge or charges, the circumstances, and the outcome.

17. For whom did you vote in the 2012 and 2016 general presidential elections?

Thank you and please don't forget to send us your resume or biographical statement.