



LEGISLATIVE NEWSLETTER

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Legislative Suit Eyed: The NC Association of Educators intends to file suit against the state following an early-morning vote by GOP lawmakers to override Democratic Gov. Beverly Perdue's veto of legislation targeting the teachers' group. Perdue called lawmakers into special session Wednesday to let them consider overriding her recent veto of legislation that guts a law that provides death row inmates with a new avenue to challenge their sentences.

Following a move by House Republicans that failed to capture enough support for that override, they scheduled a session at 12:45 a.m. Thursday to override a veto Perdue handed down last summer on [Senate Bill 727](#). The legislation prohibits NCAE from collecting dues from members through payroll deduction. The Senate voted in July to override that veto, but the House dodged the override until Thursday morning, when it had the necessary votes.

NCAE attorney Jack Nichols said the way the House vote was handled violated the state constitution. The legislation itself is also unconstitutional, he said, because it is written specifically to target the teachers' group. The State Employees Association of North Carolina and charities like the United Way also collect dues and donations through payroll deduction.

"The message from the legislature is clear: If you stand against cuts to public education, we will teach you a lesson," NCAE President Sheri Strickland told supporters at a news conference. Strickland played a clip of House Speaker Thom Tillis, R-Mecklenburg, unwittingly speaking into an open microphone last spring during a Republican caucus meeting, when he outlined plans to target the group. NCAE traditionally supports Democratic candidates.

What Both Sides Said: "We just want to give them a little taste of what's about to come," Tillis told his fellow House Republicans at the time. Strickland said this week: "We didn't back down then. We're not going to back down now." For more info, [click here](#) for related story in today's News & Observer.

Also this week, Tillis, the House speaker, defended the hastily called session earlier Thursday, saying: "Everybody knows that every veto override that is on the calendar is unfinished business." House Democrats were rankled. "You draw your own conclusions," said Rep. Rick Glazier, D-Cumberland. "My conclusion is it was vindictive, it was punitive, it was deliberate, it was willful and, in my view, it's also malicious and harmful to the people of the state," according to WRAL News.

Reminder: The winter edition of NCACTE is available at our website: ncactonline.org.

Wake County School Board Policy Changes Under Way: The Wake County school board's new Democratic majority this week pushed for major changes in the system's new assignment plan in a tense work session as Superintendent Tony Tata, the architect of the plan, and his Republican supporters argued for staying the course. With board chair Kevin Hill as arbiter, Democratic board members argued that student achievement should play a greater role than proximity in assignment formulas. They specifically criticized the plan's feeder patterns, the kindergarten-to-high-school paths that students are to follow under the current plan.

"We have a responsibility as a board of nine to make sure this plan is the best for our community," said new Democratic board member Christine Kushner, according to The News & Observer. [Click here](#) to read more.

McCrorry Fundraising Update: The campaign of GOP gubernatorial candidate Pat McCrorry says it has raised about \$1.5 million in the last six months. Campaign spokesperson Brian Nick said the campaign also has more than \$2 million on hand, based on fundraising over the last year. Nick did not provide details regarding the fund raising. Reports detailing individual donations and expenses during the final six months of 2011 are due to the State Board of Elections on Jan. 27, The Insider reports.

Dems Play Defensive Ball against McCrorry: The NC Democratic Party has created a website designed to tie McCrorry to the Tea Party movement and Republican-led legislature. The site, www.TeamMcCrorry.com, also implies that McCrorry is acting as a lobbyist in his job as a consultant for the Moore Van Allen law firm. It includes video footage of several McCrorry interviews and other appearances around the state. A representative for the McCrorry campaign called the website "a third grade-looking thing" intended to draw attention away from Gov. Perdue's problems. "It's the amateur hour over there," Nick said.

Retired Legislator Returns: Former Rep. Trudi Walend was appointed this week to fill a slot created after Gov. Perdue named Rep. David Guice, a Republican, as the head of the state's probation system. GOP leaders in House District 113 picked Walend, a Brevard Republican who served five terms in the House, to replace Guice on Monday.

Walend was on the House floor this week for what she called "a critical vote" for Republicans — to attempt to override the governor's veto of their repeal of the Racial Justice Act. "I'm really honored that I'm elected to go back to Raleigh," Walend said.

The district includes parts of Henderson, Polk and Transylvania counties. Perdue, a Democrat, is required by law to officially appoint the 68-year-old Walend. Walend served in the Legislature from 1999 through 2008 before choosing not to run, in part, to spend more time with her grandchildren, according to the Henderson Times-News.

DNCC Makes NC Deposits: The CEO of the Democratic National Convention Committee announced on Thursday \$2 million in deposits each with two minority-focused financial institutions in Durham. Convention committee CEO Steve Kerrigan said the deposits are being made with Mechanics and Farmers Bank and the Latino Community Credit Union to help the institutions increase their loan activity. Kerrigan said the money will stay in accounts that generate no interest for the Democrats, who will draw down the funds slowly as money is needed for convention expenses.

Quotes of the Week: *"Maybe it was a little sneaky, but a little sneaky isn't the same as unconstitutional."*

- Jeanette Doran, executive director of the NC Institute for Constitutional Law, on Democratic claims' that the GOP legislative move this week to add a new legislative session to consider another matter beyond the racial justice issue was unconstitutional.

" May the roof above us never fall in. And may the friends gathered below it never fall out."

- Irish Toast

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