



FROM THE CENTER OUT

The Newsletter of the North Carolina Center for Public Policy Research...A voice for better government
September - November 1996

Special Thanks to our Corporate Contributors

(August 10 - October 28)

Benefactors

(\$2,000 - \$5,000)

Glaxo Wellcome Inc.

Lowe's Charitable & Educational Foundation

Patrons

(\$1000 - \$1999)

Broyhill Family Foundation, Inc.

Carolina Power & Light Co.

N.C. Retail Merchants Association

Supporters

(\$500 - \$999)

Elastic Therapy, Inc.

Spring Industries, Inc.

George Shinn Foundation

Donors

(\$300 - \$499)

Consolidated Diesel Company

K. R. Edwards Leaf Tobacco

Fayetteville Publishing Company

Womble Carlyle Sandridge & Rice

Corporate, Association, and Full-Service Members

(\$200 - \$299)

Everett, Gaskins, Hancock & Stevens

Murphy Family Farms

N.C. Association of Broadcasters

N.C. Cable Telecommunications Assn.

N.C. Medical Society

N.C. School Boards Association

N.C. Textile Manufacturers Association

PHP, a United Healthcare Co.

Pines of the Carolinas Girl Scout Council

Twiggs, Abrams, Strickland & Trehy, P.A.

United Transportation Union

WFMY-TV

Wyrick, Robbins, Yates & Ponton, L.L.P.



The Center's Mission

"The North Carolina Center for Public Policy Research is an independent, nonprofit organization dedicated to the goals of a better-informed public and more effective, accountable, and responsive government."

Pro and Con Arguments on the Constitutional Amendments Before the Voters on the November 5, 1996 Ballot

The Gubernatorial Veto Amendment
The Victims Rights Amendment
The Alternative Punishments Amendment



a report by the
North Carolina Center for Public Policy Research

Table of Contents

The Gubernatorial Veto Amendment

Introduction -- by Jack Betts

PRO -- by Ran Coble

CON -- by J. Allen Adams and Abraham Holtzman

The Victims Rights Amendment

PRO -- by Catherine Gallagher Smith

CON -- by Henderson Hill

The Alternative Punishments Amendment

PRO -- by James E. "Mike" Roark

CON -- by Rep. Paul Luebke

On election day on November 5th, North Carolina citizens will cast votes not only for their elected representatives, but also for or against three amendments to the North Carolina Constitution on (1) gubernatorial veto power, (2) crime victims' rights, and (3) alternative criminal punishments. To encourage public education and debate, the North Carolina Center for Policy Research prepared a report offering pro and con essays on each of the amendments.

(1) The Gubernatorial Veto Amendment

For the first time in the state's history, voters will have a chance to ratify an amendment to the North Carolina Constitution that would grant veto power to the governor. If ratified by voters on election day, the amendment would require most statewide legislation to be submitted to the Governor. State and federal constitutional amendments, local legislation, joint resolutions, and appointments would be exempt. If the Governor vetoes a bill, the General Assembly could override the veto by a three-fifths vote of the members of each house present and voting.

(2) Victims' Rights Amendment

The Victims' Rights Amendment would add to Article I of the state Constitution a list of basic rights for victims of crime. It would guarantee victims: (1) the right to be informed of and present at court proceedings; (2) the right to be heard at sentencing; (3) the right to receive restitution; (4) the right to information about the crime, the criminal justice system, the rights of victims, and services for victims; (5) the right to information about the conviction, final disposition, and sentence of the accused; (6) the right to be notified of the criminal's escape, release, proposed parole or pardon, or commutation of his or her sentence; (7) the right to present their views and concerns to the governor or agency considering the release of the criminal; and (8) the right to confer with the prosecution. Failure of the state to observe the rights created by the amendment would not create a claim for money damages.

(3) The Alternative Punishments Amendment

Since 1868, the state constitution has limited the punishments judges may impose on criminals to "death, imprisonment, fines, removal from office, and disqualification to hold and enjoy any office of honor, trust, or profit under this State." Because this list is exclusive, prisoners have been able to elect to serve prison time instead of receiving an alternative punishment. With prison space at a premium, some criminals think they will be released earlier if they are sentenced to a prison term instead of serving an alternative punishment. This amendment would expand the criminal punishments the constitution allows judges to impose.

Copies of *Pro and Con Arguments on the Constitutional Amendments Before the Voters on the November 5, 1996 Ballot* are available for \$10 from the N.C. Center for Public Policy Research. To order the report, write the Center at P.O. Box 430, Raleigh, N.C. 27602, fax your order to 919-832-2847, e-mail orders to rosebud@nando.net, or call Laurita Ray at 919-832-2839. **The entire report is also available on our website at [HTTP://www.nando.net/insider/nccppr](http://www.nando.net/insider/nccppr).**

**Welcome New Members;
Thanks to our Continuing
Supporters!**

New Individual Members

Mike Decker	Michael J. Palmer
Livingston Goodman	Joyce B. Peters
Cam Griffin	Ann Rollins
Larry Himes	Clifford G. Strassenburg
Craig F. Honeycutt	Diana Williams-Cotten
Human Resources Development/ Training & Employment, State of New Jersey	
James C. McNutt	

New Organizational Members

Adminstrator, Office of the Chief Medical
Examiner
Kelly Goforth, Triangle Transit Authority
Allen Hardison, Greene County

Individual Supporting Members

Philip J. Cook*	Ralph and Peggy McLaughlin*
Rennie Cuthbertson	Mary Norris Preyer
James P. Dixon*	Oglesby and Pat Oglesby
Margaret Dowgwilla	John S. Olmsted
Barbara M. Fletcher	Helen D. Pratt
Stanly Frank	Marcia Simon*
William Friday*	Zachary Smith
Michael Gutschmit	Robert W. Spearman
Ralph W. Ketner*	Nancy Temple*
Philip J. Kirk, Jr.	Winnie Wood
Sharon and Alan McConnell*	

Full-Service Members

Martha Alexander
James O. Barber - NCDPI
William R. Capps - Currituck Co. Board of
Education
Emmett M. Flyod - ENCARE
Gerry Hancock
Geraldine Sumter

Special Gifts

Martha Alexander
Mary Alsentzer
Peter Keber
Pat Morgan
Victor J. Schoenbach
McNeill Smith
James Stevens
Nancy Temple
Cam West

* Indicates new Individual Supporting and Full-
Service Members or those who have increased
their support to this level

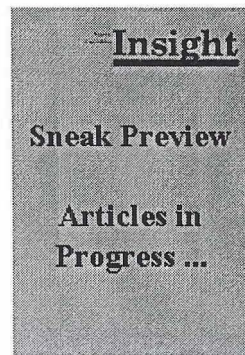
NOW AVAILABLE!

**NORTH CAROLINA FOCUS -- an anthology
on state government, politics, and public policy**

N.C. Focus is the Center's unique anthology on state government, politics, and public policy. The text of the new edition of *N.C. Focus* follows the organization of the state's Constitution, opening with a section on the rights of citizens, followed by chapters on the legislative, executive, and judicial branches of state government. The book also contains a copy of the North Carolina Constitution, and organizational charts for each branch of government. Chapters in several policy areas we believe are of special interest to Center members also have been included -- such as chapters on health care policy, education, the environment, and economic development. These issues currently dominate the political arena, and they are crucial to North Carolina's future. Copies of the 817-page book are available for \$32 plus \$4 postage and handling. To order, write the Center at P.O. Box 430, Raleigh, N.C. 27602, fax your order to 919-832-2847, e-mail orders to rosebud@nando.net, or call Laurita Ray at 919-832-2839.

Insight issue featuring Trends
in Arts Funding in North Caro-
lina to be released in
November!

Funding for the arts will be highlighted in the latest issue *North Carolina Insight*. The year-long study by Tom Mather on **Trends in Funding for the Arts in North Carolina** examines public and private support for the arts since 1980, focusing particularly on the past five years. The next issue of *Insight* also will feature an article by Ran Coble on trends and key public policy challenges facing the nonprofit sector in N.C., and an essay on civic responsibility reprinted from *North Carolina Focus*. This issue is scheduled for release in November.



**1996 Board of Directors
Chair**
Nancy Temple

Vice-Chair and Chair-Elect
Linda Ashendorf

Secretary
Allyson Duncan

Treasurer
William "Cliff" Oxford

John Alexander
Daphne Copeland Beaty
Kelvin Buncum
Ned Cline
Dan Clodfelter
Keith Crisco
Margaret Dardess
Loleta Wood Foster
Virginia A. Foxx
Randy Fraser

Alice Garland
Thomas Hardaway
Thomas J. Harrelson
Susan Harris
V.B. "Hawk" Johnson
Peter Keber
Elaine F. Marshall
Henry McKoy
Edwin W. Monroe
Tom Morrow
Ann Babcock Orr
Harry E. Payne, Jr.
Fran Preston
Mary Joan Pugh
Larry Shaw
Craig Souza
D. Jordan Whichard, III

Executive Director
Ran Coble

Center Staff
Tom Mather
Mike McLaughlin
Danita Morgan
Laurita Ray
Nancy Rose
Mebane Rash Whitman

Perfect Holiday Gift!

Give a gift that will last all year -- a membership to the N.C. Center for Public Policy Research. Special rates for holiday gifts -- \$25.00

___ Yes, I'd like to give a gift membership to:

Name: _____

Address: _____

My check for \$ ___ is enclosed. Please bill me: \$ _____

Mail to: P. O. Box
430, Raleigh, NC
27602
Fax your order to:
(919) 832-2847

Giver's Name: _____

Address: _____



NORTH CAROLINA CENTER FOR
PUBLIC POLICY RESEARCH INC.
P. O. Box 430, Raleigh, North Carolina 27602