



**N.C. CENTER FOR
PUBLIC POLICY
RESEARCH**

From The Center Out

*The Newsletter of the North Carolina Center for Public Policy Research ... A voice for good government
January-February-March 2007*

LOTTERY AND VIDEO POKER PROPELLED NEWCOMERS TO RANKS OF MOST INFLUENTIAL LOBBYISTS IN N.C. LEGISLATURE

The new 2007 legislative session began on January 24, so we thought our readers might be interested in a look at lobbyists who play an influential role in the lawmaking process. Looking back at the last legislative session, a new state lottery and a ban on video poker were hot issues. And, six of the 11 newcomers in the latest rankings of the Most Influential Lobbyists in the N.C. General Assembly worked for or against lotteries and video poker. Overall, at least 17 of the 50 most influential lobbyists had a stake in the gambling debates. The latest rankings by the N.C. Center for Public Policy Research are based on surveys of all legislators, registered lobbyists based in North Carolina, and the capital news media.

Eleven Newcomers Among the 50 Most Influential Lobbyists

Eleven lobbyists are ranked among the most influential for the first time. They are contract lobbyist Theresa Kostrzewa (at 10th), Andy Ellen of the N.C. Retail Merchants Association (11th), former N.C. Attorney General and now contract lobbyist Rufus Edmisten (20th), lottery lobbyist Meredith Norris (23rd), Rolf Blizzard of N.C. Citizens for Business and Industry (24th), and Kathy Hawkins of Progress Energy (31st). Also new to the rankings are Stephanie Simpson of the N.C. Association of Realtors (33rd), Michael Houser of the N.C. Association of Educators (47th), contract lobbyist Dana Simpson (48th), Bob Hall of Democracy North Carolina (49th), and John Rustin of the N.C. Family Policy Council (50th).

The Center's executive director, Ran Coble, says the rankings show a lot of turnover this time. "With 11 lobbyists entering the rankings and 16 dropping out, we're seeing significant changes in who has the most influence with legislators," he says. "Just a few sessions ago, the hot lobbyists were concerned with hog farms, electric deregulation, crime victims' rights, and concealed weapons."

The highest-ranked newcomer – and the only woman in the top 10 – is Theresa Kostrzewa, a contract lobbyist representing video poker, specialty beer, and the pork industry. She became the first newcomer since 1990 to debut in the top 10 of the most influential lobbyists.

Lobbyists on Both Sides of the Video Poker and Lottery Debates Gain Influence

Former N.C. Attorney General and Secretary of State Rufus Edmisten, who made the rankings for the first time, is a contract lobbyist representing video poker interests, for-profit colleges, and real estate investors. On the opposite side and successfully lobbying for a ban on video poker was John Rustin of the N.C. Family Policy Council who made his first appearance in the rankings.

Pro-lottery lobbyists ranked among the most influential included contract lobbyists Jack Cozort (8th) and Al Adams (12th), who represented GTECH, a company which operates lotteries in 26 states and 47 foreign countries. Gov. Mike Easley pushed for the lottery, and two of his lobbyists, Franklin Freeman (7th) and Kevin Howell (13th), were ranked among the most influential. Meredith Norris, a former staff aide to former Speaker of the House Jim Black, lobbied for Scientific Games, another company which operates lotteries. Norris is banned from lobbying in the 2007-08 legislative session because she was found guilty of failing to register as a lobbyist for Scientific Games.

The Center's survey showed that anti-lottery lobbyists from different parts of the political spectrum also had influence with legislators. Lobbying against the lottery were Andy Ellen (ranked 11th) of the N.C. Retail Merchants Association; Chuck Neely (34th), a former Republican state Representative who was the volunteer chairman of the bipartisan Citizens United Against the Lottery; and John Rustin (50th) of the N.C. Family Policy Council.

Top 10 Spots See Little Change

Seven of the 10 most influential lobbyists from last session remained in the top slots. Contract lobbyists Don Beason (1st), Zeb Alley (2nd), and Roger Bone (3rd) all retained their top places in the rankings. Beason, Alley, and Bone have traded the top three spots with each other for 10 years. Seven of the top 10 lobbyists are lawyers and three are former legislators – Alley, Bone, and Alexander “Sandy” Sands (4th). Overall, 26 of the 50 most influential lobbyists are lawyers. Nine of the top 10 are contract lobbyists representing multiple clients. Overall, 26 of the 50 most influential lobbyists now are contract lobbyists as lobbying has become a full-fledged profession.

The Revolving Door: Former Elected Officials and Agency Staffers Turn to Lobbying

Six of the 50 most influential lobbyists are former members of the General Assembly. The former legislators are Zebulon Alley (ranked 2nd), Roger Bone (3rd), Sandy Sands (4th), Al Adams (12th), Chuck Neely (34th), and Marvin Musselwhite (43rd). One top-ranked lobbyist, Rufus Edmisten, is a former statewide elected official in the executive branch, and two top lobbyists are former appellate judges – Franklin Freeman and Jack Cozort. At least 11 other top lobbyists are former staffers in executive agencies or the legislature, such as Paul Wilms of the N.C. Home Builders Association, who formerly headed the N.C. Division of Environmental Management, and Rolf Blizzard, who had worked for the President Pro Tempore of the state Senate before lobbying for N.C. Citizens for Business and Industry.

The legislature took steps in 2005 to slow the revolving door between the General Assembly and the lobbying corps. In 2007, when a new law on lobbying takes effect, North Carolina will become one of 30 states that require some form of “cooling off” period between public office and becoming a lobbyist. However, North Carolina's new law applies only to legislators. And, the new six-month waiting period here is shorter than the required “cooling off” time in all of the other 25 states that currently specify a time between legislative service and lobbying for private clients.

How and Why the Lobbyist Rankings Are Done

This is the thirteenth time the N.C. Center for Public Policy Research has released its lobbyist rankings. “The rankings of the most influential lobbyists help citizens understand which key interests and organizations have clout with legislators in North Carolina,” says the Center's Coble. “The rankings shed light on what is often an invisible process. They also show changes in the lobbying profession and illustrate which issues were the hottest.”

The new rankings of the *Most Influential Lobbyists in the N.C. General Assembly* are available from the Center for \$10. A set of three publications – including *Article II: A Guide to the N.C. Legislature* (\$25); rankings of legislators' effectiveness, attendance, and roll call voting participation (\$10); and rankings of the most influential lobbyists (\$10) – is available for \$40. To order, write the Center at P.O. Box 430, Raleigh, NC 27602, call (919) 832-2839, fax (919) 832-2847, or order by email from tbromley@nccppr.org.

MEBANE RASH WHITMAN BECOMES NEW *INSIGHT* EDITOR

Mebane Rash Whitman is the new editor of the Center's journal, *North Carolina Insight*. She graduated from the University of Virginia in 1990 and the UNC School of Law in 1993. At the UNC School of Law, she was a member of the *North Carolina Law Review*. She has been a member of the North Carolina State Bar since 1993, and she is admitted to practice in both the state and federal court system. After law school, she worked for Carolina Legal Assistance, a mental disability law project, before joining the Center as the policy analyst from 1994-98. Long-time Center members will recognize the name because Mebane authored previous editions of *Article II*, our citizens' guide to the legislature, as well as stellar articles on merit selection of judges and public school finance. From 1995-99, she was an adjunct professor at the UNC School of Law. She was selected in 1997 to be a William C. Friday Fellow for Human Relations, a fellowship for emerging leaders across North Carolina. We are delighted to welcome Mebane back to the Center.

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*Indicates new contributors or those rejoining after an absence of a year or more.

Your Ideas

We welcome your suggestions for topics on which the Center's independent, nonpartisan research could make a difference. To make a suggestion, please write us at **P.O. Box 430, Raleigh, NC 27602**, call us at **(919) 832-2839**, fax to **(919) 832-2847**, or send an email to tbromley@nccppr.org.

DRAFT PLAN OF RESEARCH REPORTS, THEME ISSUES OF Accomplished in 2006 2007

Major Research Reports

The Statewide UNC Board of Governors: Its Selection, Powers, & Relationship to the 16 Local Campus Boards of Trustees

An analysis of:

1. The powers of the UNC Board of Governors,
2. The process of election of the Board of Governors by the N.C. General Assembly and the pros and cons of this and alternative methods of selection;
3. The allocation of powers among the Board of Governors and the campus Boards of Trustees
4. Key issues in higher education, including tuition costs, long-range planning, and intercollegiate athletics

Rankings of effectiveness, attendance, and roll call participation for members of the 2005-2006 General Assembly

Article II: A Guide to the 2007-2008 N.C. Legislature (16th edition)

Rankings of the Most Influential Lobbyists in the N.C. General Assembly

Special Provisions in Budget Bills

North Carolina Insight Magazine

Theme Issue: Eastern NC, Part II-
(1) the future of agriculture in the East;
(2) military installations in the East; and
(3) economic engines in the East

General Issue, featuring follow-up evaluation of charter schools and examination of dropout rates in N.C.

Theme Issue on issues affecting Community Colleges

Theme Issue on policies and issues affecting the aging population in N.C.

Other Programs and Activities

1. Special Event: "The Changing Face of North Carolina" aired 58 times
 2. Briefings for Policymakers on domestic violence and on ways to improve voter turnout
 3. 12 monthly Center radio programs on WPTF-AM
 4. 4 appearances on "North Carolina Now" and "N.C. People" on statewide public television and 11 appearances on commercial TV stations
 5. 6 appearances on the 90-station N.C. Radio News Network
 6. 12 appearances on State Government Radio
 7. 44 speeches and public appearances
 8. Member newsletters: "From the Center Out"
 9. 2 appearances on "OpenNet" program of the N.C. Agency for Public Telecommunications – higher education governance and voting trends and the 2006 elections
 10. Center website at www.nccppr.org
 11. Receptions and dinners for Center members in Rocky Mount and Boone
1. Briefings for Policymakers: open
 2. Op-ed Pieces: open
 3. 12 monthly Center radio programs on WPTF-AM
 4. Appearances on "North Carolina Now" on statewide public television
 5. Speeches and public appearances
 6. Member newsletters: "From the Center Out"
 7. Appearances on "OpenNet" program of the N.C. Agency for Public Telecommunications
 8. Center website at www.nccppr.org

OUR PROCESS

In March, our Board of Directors will vote on topics for the Center to study. They will lock in our agenda for 2007 and make tentative commitments for 2008 and 2009. Tell us what you think of these topics or suggest a new idea and tell us why you think the Center can make a difference. Some of our best ideas have come from Center members.

MAGAZINES AND SPECIAL PROJECTS FOR 2007-2009

2008

2009

Higher Education Study, Part IV: Evaluation of How Well the UNC Board of Governors Has Performed Its Duties Over the Last 36 Years

1. Teaching, research, and public service: How has each mission fared under the Board of Governors'?
2. Funding the 16 universities: Has the Board of Governors allocated money fairly and equitably among the 16 constituent institutions?
3. Access to higher education: How well has the Board provided access to affordable education?
4. Program allocation and duplication: How well has the Board addressed new program proposals and eliminated duplicative programs?

Rankings of effectiveness, attendance, and roll call voting participation for members of the 2008-2009 General Assembly

Rankings of the Most Influential Lobbyists in the N.C. General Assembly

General Issue, featuring follow-up study of recycling and solid waste management and examination of the idea of a Central Park N.C.

Mini-Theme Issue, featuring state water policy

General Issue: topics open

1. Special Event: open
2. Briefings for Policymakers: open
3. Op-ed Pieces: open
4. 12 monthly Center radio programs on WPTF-AM
5. Election analysis on 90-station N.C. Radio News Network
6. Appearances on "North Carolina Now" on statewide public television
7. Speeches and public appearances
8. Member newsletters: "From the Center Out"
9. Appearances on "OpenNet" program of the N.C. Agency for Public Telecommunications
10. Center website at www.nccppr.org

N.C.'s Tax Structure and Tax Policy

An analysis of:

1. State tax credits and deductions
2. The existing tax structure:
 - a. Is it equitable vertically and horizontally?
 - b. Is it structurally sound in terms of fitting the state's future economy and avoiding structural deficits?
3. How competitive is N.C.'s tax structure compared to other states?

Article II: A Guide to the 2009-2010 N.C. Legislature (17th edition)

Theme Issue: Open

General Issues: Open

1. Briefings for Policymakers: open
2. Op-ed Pieces: open
3. 12 monthly Center radio programs on WPTF-AM
4. Appearances on "North Carolina Now" on statewide public television
5. Speeches and public appearances
6. Member newsletters: "From the Center Out"
7. Appearances on "OpenNet" program of the N.C. Agency for Public Telecommunications
8. Center website at www.nccppr.org

KEY ISSUES FACING THE 2007 LEGISLATURE

by Ran Coble

The 2007 Legislative Session began January 24th. We thought you might like to see an outline of likely topics on the legislative agenda.

1. The legislature's principal responsibility is to pass a state budget (\$19 billion now). North Carolina has had ups and downs in revenue the last 5 years. In 4 of the last 5 years, N.C. had \$1 billion+ shortfalls. Then last year, the state had a \$2.3 billion surplus, but used a lot of non-recurring money to pay for recurring expenses. Though revenues are running ahead of projections (>3.9% rate of increase), it costs more to provide the same services because of rising health care costs (double-digit increases), growth in enrollments in public schools, community colleges, and public universities, and inflation in the costs of building new roads.
2. Key budget issues legislators will face:
 - *Increase teacher pay to the national average, as Gov. Mike Easley has proposed
 - *Pay raise for state employees, who received a 5.5% raise last year, the largest increase in 15 years
 - *Let scheduled tax cuts take place? Would lose \$260 million if state sales tax is cut from 4.25% to 4% and would lose \$80 million if income tax for higher income taxpayers is cut from 8% to 7.75%
 - *Earned income tax credit for low and middle income taxpayers, endorsed by Lt.-Gov. Beverly Perdue and State Treasurer Richard Moore, both of whom are running for Governor in 2008
 - *\$50 million for Housing Trust Fund
3. Issues in which new Speaker of the House Joe Hackney has traditionally had an interest and which, therefore, may receive more attention this year:
 - *Environmental issues
 - *Courts and sentencing policy
 - *Drunk driving
 - *Moratorium on death penalty or limit circumstances under which death penalty is imposed
 - *Equitable distribution of property after divorce and women's rights issues
 - *Campaign finance reform and public financing of campaigns
4. Legislative process reform issues proposed by a diverse coalition of nonprofits:
 - *Ban on special provisions in budget bills, a long-time Center concern
 - *3 days to study the state budget before taking a vote
 - *No "floaters" - legislators who can vote in all committees
 - *Open budget meetings to the public
5. In between sessions, legislative study commissions studied certain policy issues and made recommendations to the 2007 General Assembly on:
 - *Domestic violence
 - *Modernizing the tax structure
 - *Reducing dropout rates, including raising the compulsory attendance age from 16 to 17 or 18
 - *Global warming and climate change
6. There are at least 5 proposals for statewide bond issues, totaling \$8 billion in requests.
 - *Public school construction
 - *Roads or local option for counties/cities to raise money for roads or more toll roads
 - *Water and sewer
 - *Land for Tomorrow
 - *Housing

However, State Treasurer Richard Moore has issued a report saying the state can afford no more than \$384 million in new debt. The state's debt service payments this year will be about \$628 million, a third of which is due to payment on the \$3.1 billion bond issue for public universities and community colleges passed by the voters in 2000.

7. Other key issues that are likely to come up during the legislative session:
- a. Mental health reform: an estimated \$550 million needed
 - b. Proposed tuition increase at public universities, but Gov. Easley opposes
 - c. Access to health insurance: (a) high risk insurance pool to expand health insurance coverage for those with pre-existing medical conditions or (b) covering more adults and children through Medicaid
 - d. Amendments to funding formulas: (a) lottery money distribution or changes to increase play
(b) roads funding: urban districts want more money
 - e. State takeover of county share of funding for Medicaid (would cost \$426 million)
 - f. New prisons/sentencing changes/alternatives to incarceration
 - g. Temporary moratorium on large landfills is set to expire in August
 - h. Encourage alternative energy sources
 - i. Tougher penalties for gang-related crime
 - j. Billboard industry wants to increase distance from which companies can remove vegetation near billboards
 - k. Hazardous waste facilities to have round-the-clock security, more insurance, and more frequent inspections if lots of people live nearby; this is the result of the Oct. 2006 explosion at a storage depot in Apex
 - l. Utility companies want to raise power bills to recoup costs for new plants while the plants are still on drawing board or even if the project is abandoned.
 - m. Make legal defense funds for public officials subject to public disclosure
 - n. Sex offenders: lengthen prison terms for people who create or distribute child pornography or who use the Internet to solicit a child for sex

LOOKING AHEAD IN 2007: CENTER STUDIES PLANNED FOR RELEASE THIS YEAR

Follow-Up Evaluation of Charter Schools – North Carolina first authorized charter schools in 1996. Since then, each of the available 100 charters has been awarded under the law. Some have been revoked or allowed to expire, meaning 138 schools have at one time or another held a state charter. Efforts to raise or eliminate the cap have been proposed in the legislature since the cap was reached in 2000. The law establishing charter schools outlined six goals. The Center's evaluation will look at charter school performance under these six goals, including academic performance, educational innovations, racial diversity, and financial stability.

Examination of High School Dropout Rates – North Carolina's official dropout rate has become a source of controversy. Two national reports – by The Education Trust in Washington D.C. and by the Southern Regional Education Board in Atlanta – have criticized the way the state calculates its dropout and graduation rates. Our analysis will outline four ways of counting dropout rates and describe various programs in North Carolina that are working to prevent or reduce dropouts. We also will outline recommendations for improving the way the state reports dropout rates and ways to reduce the number of dropouts.

Citizens' Guide to the Legislature – In 2007, we'll publish the 16th edition of *Article II: A Guide to the 2007-2008 N.C. Legislature*, the most comprehensive legislative guide available. *Article II* contains biographical and voting information for each of the 170 legislators, as well as their committee assignments and counties in their districts. For legislators who served in the previous session, the guide will list five bills they introduced in 2005-2006, their votes on 12 bills of statewide interest, and rankings of attendance and roll call voting participation, as well as a history of their effectiveness rankings.

Community Colleges – North Carolina has 58 community colleges enrolling more than 800,000 students. About 75 percent of these students are enrolled in programs to prepare them for direct transition from community college to work. For example, the colleges train almost all public safety officers – police, fire, and emergency medical staff. Sixty percent of the state's nurses are produced through community colleges, and about one-third of our teachers start out at these colleges. The other 25 percent of community college students are enrolled in programs that will allow them to transfer to public and private colleges and universities. The Center is studying five key issues facing the community college system in North Carolina: (1) the community colleges' role in job training and economic development; (2) their role in meeting work force needs in fields of shortage such as teaching, nursing, and biotechnology; (3) ease of transfers from community colleges to public and private four-year institutions; (4) community college faculty pay; and (5) governance of community colleges.

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