2012 Civitas Candidate Survey

Candidate Profile Information

Name

Kelly Hastings

Office sought

NC House

District (if applicable)

110

Party

Republican

Address

PO Box 488
Cherryville, NC 28021

County

Gaston

Occupation

Realtor

Public Phone #

(919)715-2002

Website

http://www.kellyhastings.com

Email

kelly.hastings@ncleg.net

Candidate Issue & Policy Questions

1. Tax rates in North Carolina are

Too high

2. North Carolina should raise the state sales tax by ¾ of one cent – or 15 percent -- to provide additional resources to public schools.

Disagree

3. A nonpartisan redistricting commission should be established to draw North Carolina's Congressional and state legislative district maps.

Disagree

4. North Carolina should allow offshore and natural gas exploration.

Agree

5. In order to address North Carolina's ongoing budget difficulties, state lawmakers should:

Reduce spending

6. Marriage between one man and one woman should be the only domestic legal union that is valid in North Carolina.

Agree

7. The Patient Protection & Affordable Care Act (Obamacare) should be repealed.

Agree

8. North Carolina should retain capital punishment as a sentencing option.

Agree

9. North Carolina should adopt a constitutional amendment limiting the annual growth rate of state spending to a combination of inflation plus population growth.

Agree

10. North Carolina's status as a "Right to Work" state should be written into the state constitution.

Agree

11. Teacher pay should be tied to student performance and other factors reflecting teacher quality.

Disagree

12. The North Carolina legislature should repeal Same-Day Registration.

Agree

13. North Carolina should amend the state constitution to ensure that all new issues of state or local debt require voter approval.

Agree

14. North Carolina should reinstate the cap on the state gas tax rate.

Agree

15. North Carolina should repeal mandated renewable energy quotas on electric companies in order to decrease energy costs.

Agree

16. In terms of state regulation of businesses, which most closely resembles your view?

The state should eliminate many regulations to allow entrepreneurs more flexibility

17. The state should continue to fund Planned Parenthood.

Disagree

18. When state government spends more money to hire more state workers, it creates jobs and therefore stimulates the economy.

Disagree

19. North Carolina should repeal its estate tax.

Agree

21. North Carolina should have term limits for state Senators and Representatives.

Agree

22. North Carolina should end the unofficial moratorium on the death penalty.

Agree

23. North Carolina should eliminate all targeted tax credits and subsidies for businesses and instead tax all businesses the same.

Agree

24. Judges should continue to be elected by the voters.

Agree

25. North Carolina should provide tax credits to individuals and businesses that fund scholarships for K-12 students to attend non-public schools.

Agree

26. State lawmakers should make more laws requiring employers to provide certain benefits to workers (i.e. paid sick leave, lunch breaks, etc.).

Disagree

27. State pensions should be eliminated for elected officials in North Carolina.

Disagree

28. The federal government should provide healthcare under a single-payer system.

Disagree

29. North Carolina should allow collective bargaining for:

No public employees

30. The current K-12 teacher tenure system should be retained.

Disagree

31. Decisions about how to pay for healthcare services should be determined by:

The individual

32. North Carolina needs to continue to aggressively offer targeted tax credits and subsidies to recruit businesses to expand or relocate in the state, thus creating jobs.

Disagree

33. Minimum Wage Laws:

Are an unfair intrusion into the labor market, and hurt the employment opportunities for low-skilled labor

34. North Carolina currently spends about $8,400 per K-12 public school student. This is about the right amount of spending.

Disagree

36. North Carolina should implement a state health insurance exchange to comply with the Patient Protection and Affordable Care Act (Obamacare).

Disagree

Additional comments

Kelly E. Hastings – 2012 Civitas Questionnaire Attachment
3. In 2011, Republicans oversaw a fair and legal redistricting process and the U.S. Department of Justice approved redistricting in North Carolina. A commission is probably not necessary; however, I am not adamantly opposed to a commission. I circled “Disagree” because I think Republicans oversaw a fair and legal process in North Carolina.
4. When other states such as Virginia eventually allow this and there are environmental problems, the problems will affect North Carolina. If we could possibly be affected by another state’s environmental problems, we might as well move forward and receive the benefits from increased production and exploration.
9. I have not fully analyzed the language of the potential amendment, but I agree that we need to limit and cut the growth of government. I circled “Agree” because I agree with the general idea.
10. I have not fully analyzed the language of the potential amendment, but I agree that we need to maintain our right-to-work status.
11. The answer to this question depends on the facts. I am a licensed teacher and my experience is predominantly in

classes where there is an end-of-course (EOC) test requirement. We eliminated some of these tests in 2011, but not all of them. We added the ACT test as an objective assessment.
Some kids are from great homes and they have supportive families and they are not diagnosed with disabilities. Other kids are from broken homes and they move often. Many live in poverty and they are diagnosed with a learning disability or other medical disorders. Many have Individualized Education Plans (IEPs) and some students attend school just to make sure they have a meal that day. Regardless, the students can be placed in classrooms in public schools. Sometimes, a class can have many children with special needs and/or criminal backgrounds.
The difficult part for teachers is that they are required to accommodate kids with special needs and IEPs and they are asked to differentiate instruction for diverse learners who don't have special needs. Due to federal law and other rules and regulations, the burden on teachers is tremendous. They can't necessarily control the type of student admitted to the classroom.
Therefore, it is not right to punish teachers when the students are not on a level playing
field.
It is virtually impossible for a teacher to ensure that each student will perform well and there is a big difference between classes that have EOCs and those that don't. The teachers who have classes where there is less accountability can make the numbers look good. The teachers who are in courses with EOCs have more accountability and they can't manipulate the scores on EOC exams. It would be unfair to pay less to a teacher who has EOC accountability while other teachers don't have the same accountability. Now, if there is a way to eliminate this discrepancy, then maybe academic performance could be utilized.
In a perfect world, teachers could be paid based on academic performance; however, people who sit around and talk about education should not pretend they know it all unless they are willing to work for their license and teach in the public schools. When they actually attempt to teach in public schools, they will really understand the challenges of public education.
12. I don't like same-day registration.
13. I have not fully analyzed the language of the potential amendment, but I agree that we need to limit and cut debt. I circled "Agree" because I agree with the general idea.
14. I voted to cap the gas tax and I support cutting taxes. 18. Government jobs are not the same as private sector jobs.
19. We should cut as many taxes as possible.
20. There are some students with disabilities and other medical conditions that probably should be promoted. Due to health and medical issues, some students will not be able to perform well on some of the required tests.
21. I support term limits as long as they are deemed to be constitutional.
23. Note: All of the answers for the economic development questions were answered after reading the North Carolina and U.S. constitutions and Economic Development Law for North Carolina Local Governments, by David M. Lawrence. This is a complicated area of the law that involves many legislative and constitutional issues.
I am willing to entertain the use of some incentives, especially education, workforce development, and assistance with infrastructure. Incentives must make sense and they need to be available and fair to all legitimate and legal businesses. Tax credits and tax cuts should be general in nature and available to all companies that meet the criteria.
The state constitution, statutes, and legal precedents provide for a number of incentives. If financial incentives remain legal and constitutional, we should make sure that we utilize "clawback" provisions; we need to clearly define the commitments and expectations from all parties. It might even be necessary to require security in the form of liens.
According to David Lawrence, there are constitutional issues that need to be addressed and analyzed. In Article V, Section 2 of our state Constitution, property classification and exemptions are mentioned. If cash grants are offered, it would probably be wise to award cash grants based on sales taxes paid. The constitutional provisions addressing exemptions and classifications apply only to property taxes and not to sales taxes or other forms of taxation.
In other words, and according to Lawrence, the strong constitutional policies of exclusive state-level decision making are irrelevant to a cash grant policy based on amount of sales taxes paid. He also notes statutes levying the sales tax are characterized as privilege taxes imposed on a retailer and that the retailer is a conduit. The tax is to be borne and passed on to the customer and it is not to be borne by the retailer. The customer actually pays the sales tax, but the customer does not receive the cash grant; therefore, it would be difficult to claim that this is an abatement that runs afoul of the state Constitution. Legally, it appears to be a cash grant that happens to be measured by an amount of sales tax generated by the business receiving the grant.

In the final analysis, it would be best not to be required to use incentives; however, North Carolina has utilized incentives since before the Civil War. If they remain legal and constitutional, they should be made available for existing businesses as well as new businesses; the types of businesses allowed to use incentives should be expanded so that every legal and legitimate business has an equal opportunity.

24. I like the interaction with judicial candidates.

27. Legislators receive a low salary and per diem in North Carolina; we only receive 29 cents per mile. Actually, it costs money to serve in the General Assembly. To do away with all pensions for “elected officials” would require further analysis on my part. The question was vague and I am not sure if it is referring to all elected officials. I have not thought about eliminating pensions for judges, clerks of court, and other elected offices.

32. (See No. 23) Tax cuts and tax credits should be general in nature and available to any legal and legitimate business.

35. I have been so focused on jobs, the economy, education, public safety, cutting taxes, and cutting spending that I have not fully analyzed this issue. I am leaning toward restoring party labels. Liberals removed party labels from some races when conservative Republicans started winning.

36. Obama will usurp our state’s rights if we do not comply with federal law; however, I do not support the mandated exchanges and I don’t support the individual mandate or the federal takeover by Obama and the liberals. If Obamacare is ruled unconstitutional by the Supreme Court of the United States, the exchanges probably won’t be required. I think we acted wisely by not implementing an exchange until after the Court’s ruling. If Obamacare survives and we don’t implement an exchange, the federal government will dictate the provisions of an exchange. In the House, we started the process without implementation just in case Obamacare survives. Hopefully, Obamacare will not survive and we won’t have to establish the exchanges.