

North Carolina FreeEnterprise Foundation
2010 Questionnaire
Candidates for North Carolina General Assembly

Please complete and return
by March 19 Deadline

SECTION I. Candidate Personal Profile Information

Name: Kelly E. Hastings Office Sought (circle): Senate House District #: 110
Party (circle): Democrat Republican Other: _____
Address: 405 Jane St. City: Cherryville State: NC Zip: 28021
County of Residence: Gaston Length of Residence in County: Nov. 1, 2007
Home Phone: _____ Work Phone: _____ Mobile Phone: (704) 473-3468
Email: Kelly@KellyHastings.com Fax: (704) 802-4237
Gender: Male Race/Ethnicity: White Religion: Christian
Place of Birth (city/state): Boone / NC Date of Birth: 6/16/1961
Marital Status (circle): Married Single Divorced Separated Number of Children: 1 (one)
Occupation: REALTOR Employer: Self
Military Service: USMC-Honorable High School: Shelby High School
Colleges/Universities Attended: Appalachian State
Degrees: B.S. in Communication w/ minors in Marketing/Management
Previous Elected/Appointed Offices: None

SECTION II. Candidate Campaign Information

Name of Campaign Committee: Friends of Kelly Hastings
Campaign Email: Kelly@KellyHastings.com Campaign Website: www.KellyHastings.com
Campaign Phone: Above Campaign Fax: _____
Campaign Address: 405 Jane St. City: Cherryville State: NC Zip: 28021
Campaign Treasurer: William Helms Campaign Treasurer Phone: _____
Political Consultants: The people of House District 110

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Considering your personal and professional associations, how likely are you to receive support from each of the following groups?

	Very Likely	Likely	Unknown	Unlikely	Very Unlikely
A. North Carolina Advocates for Justice (formerly the Academy of Trial Lawyers)	1	2	(3)	4	5
B. Medical Groups (ex. Doctors, Hospital Administrators)	(1)	2	3	4	5
C. Banking & Finance Industry	(1)	2	3	4	5
D. Utility/Telecommunications Companies	(1)	2	3	4	5
E. Real Estate & Construction Industry	(1)	2	3	4	5
F. Labor Unions	1	2	3	4	(5)
G. Retail/Wholesale Businesses	(1)	2	3	4	5
H. State Employees Association of N.C. (SEANC)	1	2	(3)	4	5
I. Insurance Industry	(1)	2	3	4	5
J. N.C. Association of Educators (NCAE)	1	2	(3)	4	5
K. Business Professionals (ex. Architects, Accountants, Engineers)	(1)	2	3	4	5
L. Transportation Industry	(1)	2	3	4	5
M. Agri-business Interests	(1)	2	3	4	5
N. Legislative Leadership Committees	1	2	(3)	4	5

Are there other groups not listed that you would expect to receive a campaign contribution or endorsement from? (Ex. Lillian's List, Anti-Tax Groups)

Most conservative and pro-business groups
will probably support me.

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SECTION III. CANDIDATE ISSUE QUESTIONS & STATEMENTS

Instructions: Please respond to the following questions and statements by circling the response that best represents your position or opinion. You are invited to provide additional comments or explanations for your answers on a separate page. Please be sure to identify which question you are commenting on by noting the appropriate question number with your additional comments.

GENERAL BUSINESS

1. For every \$100.00 of sales, about how much profit do you believe the average North Carolina business nets? (Circle one response)

Under \$1 \$1-5 \$5-10 \$10-25 \$25-50 Over \$50

2. The current level of taxes paid by North Carolina businesses is too high, too low, or about right? (Circle one response)

Too high Too low About right

3. Have you owned or managed a business? (If so, please describe below.)

Yes No

See attached

4. Do you believe that environmental laws and regulations in North Carolina are too strict, about right, or too lenient?

Too Strict About Right Too Lenient Undecided

BUDGET & TAXES

5. Reducing taxes on businesses in North Carolina will stimulate economic activity resulting in the creation of more jobs and increased tax revenue.

Agree Disagree Undecided

6. Reducing taxes on businesses in North Carolina will reduce state revenues and cause substantial harm to critical government programs and services.

Agree Disagree Undecided

7. The growth of state spending from year to year should be limited to a specific growth factor such as the rate of inflation.

Agree Disagree Undecided

8. Recurring state budget expenditures should only be funded with existing, recurring revenues.

Agree Disagree Undecided

9. The state sales tax should be expanded to include personal and professional services such as haircuts, automotive repairs, legal services and medical services.

Agree Disagree Undecided

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10. Dedicated sources of revenue (such as the Highway Trust Fund) should not be transferred to the General Fund as a means of balancing the state budget.

Agree Disagree Undecided

11. North Carolina's personal income tax should be increased in order to provide more revenue for state programs and services.

Agree Disagree Undecided

12. The North Carolina General Assembly should make permanent the one-cent sales tax increase that is set to expire on June 30, 2011, in order to secure those revenues for future needs and planning.

Agree Disagree Undecided

EMPLOYMENT

13. North Carolina should remain a "Right to Work" state, meaning that a person cannot be required to join a union in order to get or keep a job.

Agree Disagree Undecided

14. The North Carolina General Assembly should raise the state's minimum wage above the current level of \$7.25 per hour.

Agree Disagree Undecided

15. The North Carolina General Assembly should mandate what specific health benefits coverage private-sector employers provide to their employees, even if it raises the cost of premiums.

Agree Disagree Undecided

16. The North Carolina General Assembly should expand workers' compensation disability payments to workers who suffer from non-physical ailments such as stress and depression, even if it raises the cost of premiums.

Agree Disagree Undecided

17. Associations representing state and local employees and teachers should be allowed to engage in collective bargaining for wages, benefits and working conditions.

Agree Disagree Undecided

18. The North Carolina General Assembly should repeal the ability of state employees and teachers to authorize the payroll deduction of association dues (dues check-off).

Agree Disagree Undecided

19. Employers in North Carolina should be required to provide paid sick leave to all employees.

Agree Disagree Undecided

ECONOMIC DEVELOPMENT

20. State tax dollars should be used as incentives to entice large companies to locate in North Carolina.

Agree Disagree Undecided

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21. The focus of North Carolina's economic development efforts should be on reducing the corporate income tax rate and improving the overall business climate of the state, rather than providing tax incentives to a limited number of large corporations.

Agree Disagree Undecided

ENVIRONMENT & INFRASTRUCTURE

22. North Carolina's environmental regulations should be no stricter than applicable federal requirements.

Agree Disagree Undecided

23. Toll roads are a necessary part of meeting North Carolina's growing transportation needs.

Agree Disagree Undecided

CIVIL JUSTICE

24. It is important for a jury in a civil lawsuit to be informed of health insurance and disability insurance payments already received by a plaintiff before deciding on an award in the case.

Agree Disagree Undecided

25. If there are multiple defendants in a negligence case and one or more of the defendants is unable to pay their share of the damages, the defendant or defendants who can pay should have to pay for 100 percent of the damages awarded.

Agree Disagree Undecided

26. The North Carolina General Assembly should repeal the state's "contributory negligence" law (which prohibits an injured person from collecting damages if the person contributed to his or her own injury) and replace it with "comparative fault" (which allows an injured person the potential to collect damages, depending upon the percentage of fault that is attributable to the person).

Agree Disagree Undecided

GOVERNANCE

27. The state legislature should expand the authority of cities and counties to impose a broader range of taxes and fees at the local level.

Agree Disagree Undecided

If you agree, which of the following taxes or fees would you favor? (Circle all of those that apply)

local sales tax local income tax development impact fees real estate transfer tax prepared meals tax

Other taxes or fees (please list): N/A

28. North Carolina should continue to operate under Dillon's Rule, a legal doctrine providing that municipalities and counties possess only those powers and authorities expressly granted to them by the North Carolina Constitution or the State Legislature.

Agree Disagree Undecided

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29. The North Carolina Constitution should be amended to allow voters the ability to add referenda to the statewide ballot after collecting a required minimum number of signatures (i.e., initiative and referendum).

Agree Disagree Undecided

30. A nonpartisan redistricting commission should be established to draw North Carolina's congressional and state legislative district maps following the 2010 Census.

Agree Disagree Undecided

31. The North Carolina Constitution should be amended to establish specific limitations on the length of legislative sessions in North Carolina (session limits).

Agree Disagree Undecided

32. State legislative leaders (the President Pro Tempore of the N.C. Senate and the Speaker of the N.C. House) should be limited to serving no more than two consecutive terms at a time.

Agree Disagree Undecided

33. Judges in North Carolina should be appointed by the Governor instead of elected by the people.

Agree Disagree Undecided

EDUCATION

34. State lawmakers should increase taxes in North Carolina in order to raise teacher pay to the national average.

Agree Disagree Undecided

35. The N.C. General Assembly should grant local school boards independent taxing authority.

Agree Disagree Undecided

36. The North Carolina General Assembly should repeal the law requiring public schools to start the school year no earlier than August 25 and instead allow classes to begin in early August even if such a change would negatively impact the state's tourism industry.

Agree Disagree Undecided

BANKING & FINANCE

37. The government should take a greater role in establishing rates and prices for financial products and services.

Agree Disagree Undecided

38. It is necessary for the North Carolina General Assembly to increase regulations on the financial services industry in order to protect the interests of consumers.

Agree Disagree Undecided

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SECTION IV. OPEN-ENDED QUESTION

Statewide surveys indicate the top issue on the minds of voters in North Carolina is the economy and jobs. With that in mind, please explain your vision for economic growth and job creation.

See attached

Candidate Signature:
(signature required)

Kelly E. Hastings

Date:

3-8-2010

Section IV.

Lowering taxes, reducing crime, facilitating an education that prepares us for the 21st century, simplifying rules and regulations, maintaining our right-to-work status, and assisting with infrastructure are very important to our economic development efforts and our ability to attract and retain jobs that aren't susceptible to moving offshore.

1. I can't say what profit margins in every business are; however, in manufacturing our profit margin was in the one to five percent range. Other businesses might have different profit margins.
3. I helped manage and operate a family business that focused on textiles. Later, I became a REALTOR and I eventually started my own real estate company. I have facilitated about 250 sales, lease, and/or exchange transactions. My wife is also a small business owner and I advise her on many of their business decisions.
7. I also believe that wasteful and fraudulent programs should be eliminated. In turn, we might be able to reduce the overall state budget.
8. I understand that we have received stimulus dollars. Stimulus money will not be the solution in the long run. Fiscal responsibility is very important and I will support efforts to correct the errors of past budgetary irresponsibility.
16. I have empathy for employees who are troubled and stressed; however, businesses are having trouble making ends meet and we should not add another financial burden. Employees will be more stressed if political elites continue to increase the burdens on businesses. In fact, people will be more stressed if businesses can't make ends meet and they have to eliminate jobs due to increased burdens.
18. I viewed this question as a question that relates to the ability of union bosses to gain momentum in North Carolina. If "dues check-off" is a mechanism to funnel more money to union bosses, I would favor repealing the ability. I understand the distinction between associations and unions; however, I answered the question as if it were referring to union activity.
19. My wife's business provides many benefits to her employees; however, I don't think the government should mandate more benefits. This type of mandate might drive businesses into bankruptcy and that would not serve anyone well. My wife and her business partner pay their employees well and they only work four days each week. They go out of their way to make life enjoyable for their employees.

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 Government, by David M. Lawrence. This is a complicated area of the law that involves many legislative and constitutional issues.

20. 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 businesses.

The state constitution and statutes provide the authority for a number of incentives. I especially support assistance for infrastructure.

If financial incentives are legal and constitutional, we should make sure that we utilize “clawback” provisions; we need to clearly define the commitments, such as providing employees with health insurance, that companies have made in exchange for the incentives. It might even be necessary to require security in the form of liens.

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, 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 everyone has an equal opportunity.

I do not support taking private property for private purposes and I would support improving economic development laws.

23. I have not studied the financial impact of toll roads and I would want to review the analysis and see whether they will increase taxes and/or harm existing businesses.

I would need to see the effects on existing businesses if the new roads divert traffic. I would also want to make sure that private property owners receive just compensation for their property when eminent domain is used.

I would also want to closely monitor the opinions of my constituents and weigh the potential adverse and/or positive effects on House District 110 before I could be a supporter.

If they lead to tax increases, I will not support them.

24. I would not want to violate any aspect of a fair trial or due process, but I do think it is important to know all of the facts surrounding the case.

25. I would not want to violate any aspect of a fair trial or due process, but it does not seem fair to hold liable only the ones with resources. I read the question to mean that each defendant should be responsible for 100 percent of his or her own legal liability.

26. I am in favor of reforming tort law in any manner that will reduce premiums, reduce liability, and enhance the business climate. I will vote in a manner that enhances the ability for businesses to survive. I will follow the advice of the business and medical community on this decision and I will vote in a manner that reduces the ability to abuse the civil justice system. I will look forward to reviewing the analysis and impact so that I can stand behind the business community on this issue. I will also seek advice from members of the bar who are philosophically aligned with me and The Federalist Society.

29. I appreciate opportunities for citizens to seek redress for grievances and to petition for a change of law; however, I am focused on economic development.

30. Frankly, I would like to see conservatives take control of the legislature so that we can ensure that pro-business people are elected. I understand the appeal of a nonpartisan commission; however, the process has been a partisan process for years and maybe it is time for conservatives to control the process.

I am aware that political correctness probably dictates that we establish a nonpartisan commission; however, if socialists or progressives control the process, we need to change to a nonpartisan commission so they can't further a socialist agenda. If conservatives gain control, I would think that they should have their opportunity to lead in the redistricting process before moving to a nonpartisan process. In other words, things good for the goose should be good for the gander.

My final answer will be determined by how the 2010 elections go.

31. I understand the desire to limit sessions, but I don't want to paint ourselves into a corner and be accused of violating the constitution if business is not complete. It is difficult to compromise just to end a session. In other words, there might be issues on which conservatives can't compromise just for the sake of ending a session.

32. I agree with the idea of term limits, but I understand that term limits for politicians, as an issue, has been before the courts. I think that the Supreme Court of the United States (SCOTUS) ruled against term limits. I would have to verify that ruling.

The limits mentioned in the question are different and I would like to see change in the legislative leadership so that power is not concentrated for an eternity.

33. I personally like the personal interaction with judicial candidates. I think electing judges forces them to be closer to the people.

36. My cousin is the former travel and tourism director in North Carolina. I do not want the state to do anything to harm education, tourism, businesses, real estate investors, and/or homeowners.

By diminishing rental income, values on property will go down, especially when using the net operating income method of valuation. This would, in turn, negatively affect assessed values because comparable sales prices would eventually decrease. When this occurs, county revenues will decrease and schools will be harmed from a revenue standpoint.

On the other hand, the constitution spells out the number of months that students must attend school.

There is also a problem with college schedules because some teachers want to pursue further studies in the summer. By starting school later, the school year has to end later.

Instead of changing the law again, maybe leaders can adjust the summer school dates at the universities so educators can pursue their advanced degrees in the summer. Educators might also want to consider online courses. I just received my license to teach in North Carolina and most of my courses were online.

I have to say that I am in favor of enhancing the tourism industry because it is important to the private sector and property values; therefore, I am not in favor of changing the law, but I am in favor of trying to reach a compromise so that the tourism industry and education community can accomplish their goals.

38. I read the question to mean the type of regulations that are so burdensome that they will put legitimate financial institutions out of business. I do support usury laws and other common-sense laws that protect the public. However, I don't support laws and regulations that are so burdensome that they will put legitimate businesses out of business.

Consumers will usually dictate how financial institutions behave. For instance, I quit doing business with a bank due to their actions. I made a financial decision without asking the government to make the decision for me.

I am compassionate for the illiterate, but I don't think our businesses can stand many more unfair regulations at this time.

I do think that all businesses should operate in a fair manner and financial institutions should be proactive in developing products that are fair and transparent. Ultimately, that is how they will attract new customers.