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GUEST EDITORIAL

Workers' Compensation Reform Is Finally Passed

BY MICHAEL LOWRY

In a year of legislative irresponsibility and seemingly endless disagreement over the state budget, the General Assembly managed to get something basically right: workers' compensation reform.

The breakthrough came as the various groups arguing over how the program should be reformed—including businesses, insurance companies, worker groups and unions, and trial lawyers—got together and worked out their differences. Accusations that last year's bill favored business and insurers at the expense of workers helped to kill it.

There has been general consensus for some time that some sort of worker's compensation reform was needed. Worker's compensation premiums have soared in recent years, climbing from a total of \$550 million paid by all firms in the state in 1990 to more than \$1 billion last year. This, in turn, discourages business from relocating to the state or expanding plants already here. The question was *how* to reform the program.

In the end, the competing groups—prodded on by Speaker of the House Dan Blue (D-Wake) and Howard Bunn, chairman of the N.C. Industrial Commission, which runs the state's worker's compensation program—have agreed to compromise. Each group gains something important to it. Labor and trial lawyers are happy that the compromise includes a provision allowing employers to make payments to certain injured workers even before the Industrial Commission makes a ruling on their cases. The impending law would also establish a nine-month trial period, so that injured employees could return to work and still be eligible for benefits if they found they were not well yet, and an ombudsman to help make the unrepresented aware of their rights.

Business would benefit as the compromise restores a provision that lets an employer terminate benefits after two years unless a worker applies for future medical benefits or the Industrial Commission orders continued benefits. Last year the state Supreme Court ruled that the traditional two-year statute of limitations does not apply. That ruling costs North Carolina business an estimated \$200 million a year in higher premiums.

The compromise would also change how medical care is handled. Health care costs now account for half of all worker's compensation payments and have risen in recent years at rates 50 percent higher than the generally high rate of medical inflation in the country. One major reason for this is that workers and employers have no incentive to hold down costs: someone else—typically the insurer—is directly paying every cent of the bill. The coming law will allow managed care approaches to be applied to worker's compensation. It would also grant the Industrial Commission the authority to set maximum fee schedules and adopt utilization rules and guidelines for medical care.

All sides seem fairly happy with the outcome. For example, Randall Avram, a Raleigh lawyer working for an employers group, told *The News & Observer* of Raleigh, "It took a lot of work from a lot of folks from very diverse interests to come up with this bill. It makes good progress towards reducing worker's comp costs." Chris Scott, president of the N.C. chapter of the AFL-CIO, was no less sanguine, "There are some provisions where a particular worker might not get as much as he would have before. But it's not unfair to workers' interests."

The worker's compensation bill addresses the key issue driving up costs: medical expenses. By allowing a managed care approach to be applied, businesses and insurance companies should be able to control costs and hold down premiums, although a better cost-control technique would have been to allow larger deductibles (up to \$1 million) and employee medical savings from which small claims could be paid.

Large-deductible plans, available in some 30 states, allow for a more efficient administration of claims. And three states allow all firms to opt out of the system altogether, setting up other financial mechanisms to cover worker injuries.

But so far, so good. Further reform of workers' comp is now possible because of the General Assembly's laudable first step. *Lowry is an economist and fellow at the John Locke Foundation.*

LETTERS TO THE EDITOR

Aldermen's Rejection Of VFD License Plates Said 'Appalling'

To the editor:
 I'm writing this letter addressing the appalling rejection by the Shallotte alderman for the purchase of 20 firefighter (front license plate) tags requested by the Shallotte Volunteer Fire Department.

I think these firefighters, as well as firefighters everywhere, deserve a little, if not a lot, of thanks for being there when you need them. As a Brunswick County firefighter, I serve 200 to 250 volunteer hours a year in the fire service.

Firefighting is America's number-one most admired job. Let R.D. White's company catch on fire and see who stays and see who runs.

Every call, firefighters risk their lives to save life and property.

Asking for everything and giving nothing is a sure way to bust a fire department. Remember: what if volunteers didn't volunteer?

There is a special camaraderie about belonging to the fire service. I absolutely love it. My department gave me my tag, which I am very proud to display. These tags cost only a very small fraction of a department's budget. This would be one way of saying, "Thank you for being there—a job well done."

Kelly Hewett
 Brunswick County Firefighter
 (More Letters, Following Page)

Even In Video Age, Nothing Beats A Good Story

We hear a great deal of talk about kids' fascination with the tube. We've seen the statistics on how many hours were spent with eyes glued to the television set. We hear commentators mourn the loss of the oral tradition in a second-paced video age.

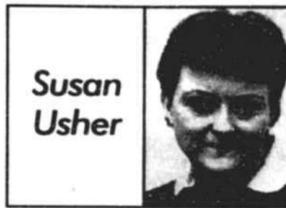
Well, let me tell you, the oral tradition is alive, well and experiencing a resurgence in popularity across the United States.

In every culture, in every language, the National Storytelling Association reminds us, stories weave their way from one generation to the next. Around camp fires, coffee shop counters and family dinner tables, a story well told captivates our imaginations.

Maybe Willa Cather said it best in *O Pioneers!*: "There are only two or three human stories, and they go on repeating themselves as fiercely as if they had never happened before."

Those stories are told and retold, imbued freshly in each retelling with a richness of color, detail, texture and local application. Our tale-tellers remember the past, comment on the present, and imagine the future.

My cousin Margaret Usher Southerland, who lives in Jacksonville, Fla., these days, used to frighten us Usher girls to silence with her tales of horror people with men with golden arms and hooks, long-dead people who periodically reappeared and a glowing cigarette that took on life-like characteristics. She came by her skills naturally.



Susan Usher

Family members used to gather 'round her father, my "Uncle Bill" who was old enough to be my grandfather, and listen as he shared his family stories.

Stories, tall tales, fables, myths, parables, folklore.

Whatever we call them, they collectively tickle our funny bone with laughter, provoke our intellect, inspire our souls, teach us wisdom, help us to understand ourselves and others. They are a time-honored venue for passing on important information from one generation to the next. Aesop's and Anderson's work, like the B'r'er Rabbit and Jack tales of the southern coastal and mountain traditions, all convey morals that reflect the values of a family or a society. The Bible is perhaps the classic example, as both the written record of an oral tradition, and as the primary source of a continuing oral tradition, the Bible story.

Here in North Carolina we're fortunate to have home grown a slew of fine storytellers, each with a distinctive style and repertoire. Ray Hicks, a Banner Elk farmer, regales listen-

ers with his Appalachian tales every summer at the storytelling fest at Beech Mountain. He's also the only storyteller invited every year to the national festival. Some Tar Heel tellers, like Mike Cross and David Holt, blend musical and storytelling skills. Then there's Charles Kuralt, collaborator with Loonis McGlohon on *I Like Calling North Carolina Home*.

The Coastal Cohorts—Bland Simpson, Jim Wann and Don Dixon—blend writing, storytelling, drama and music. Local audiences will get to see and hear this trio present a revival of their coastal Carolina revue "King Mackerel and the Blues Are Running" Sept. 8 in Wilmington during the Year of the Coast Conference.

In "King Mack," they capture and celebrate life on the Carolina coast: Joy rides on the beach, shagging in the sand, riding out a hurricane, ghost stories (the Maco Light), the thrill of catching a king, and the quiet savoring of an indescribable day, the kind that makes us never want to leave. ("Oh, it's a beautiful day...Lord, you don't make too many this way.")

My favorite Tar Heel storyteller, though, is Jackie Torrence, a black woman from High Point with an incredible gift. She began telling the wise and colorful stories told her by her parents and grandparents while working in the children's department at the municipal library. As her popularity grew she shared them with

school children across the state. Today she has a national and probably international following and is a recurring hit at the National Storytelling Festival held each fall in Jonesborough, Tenn., the town that at one time served as the last outpost of civilization for explorers.

I first experienced Jackie's gift in the late 1970s. A group of Burke County primary school students sat spellbound in the corner of the recreation center, as Jackie Torrence became the snake whose African tale she told.

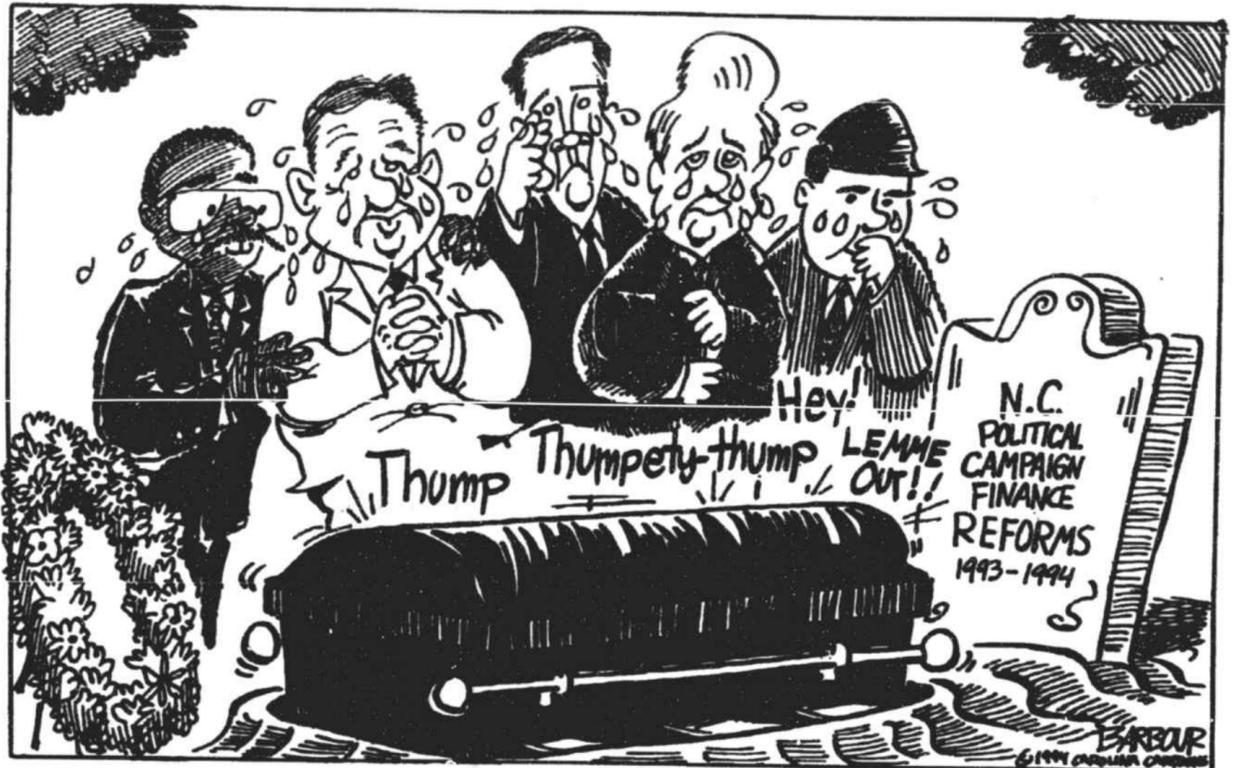
Her tongue flickered, her eyes gleamed. Her neck coiled and her voice flexed like rubber. She sent chills up my spine.

She also gained a lifelong fan of her tapes, books and public appearances. And when there weren't enough of those, I started branching out and listening to the work of other storytellers.

Browsing in The Intimate Bookstore in Chapel Hill last weekend, I ran across her first book, *The Importance of Pot Liquor*. I didn't buy it or even open it; I just looked at the cover and allowed my mind to wander as the imagined aroma of pot liquor triggered an avalanche of memories.

Pot liquor isn't found in too many dictionaries, but we know what it is: Not just the liquid left in a pot after something's been cooked, but its essence, its spirit, its flavors mingled, reduced, concentrated.

Just like a good story, well told.



It's Our Problem Too, And It Won't Go Away

Sometimes you have to take the bull by the tail and face the situation.

—W.C. Fields

Why should we care about Haiti? What does it matter to Americans if over six million citizens of the poorest nation in the hemisphere live under a hopelessly corrupt and repressive military government that shelters cocaine smugglers (for a price) and routinely allows its soldiers to rape, torture and murder anyone who opposes its authority?

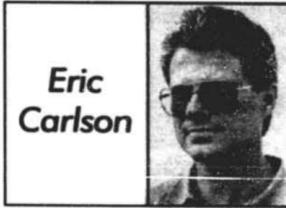
It used to be easy to ignore the problems of Haiti. But not anymore. Not with millions of U.S. tax dollars being spent to control a mass exodus of refugees so desperate that they will pack into leaky boats and cast themselves into the sea on the slimmest hope of drifting towards something—anything—better than what they left behind.

Nowadays there is serious talk of an imminent U.S. invasion to overthrow the Haitian dictatorship. American warships are steaming toward the Caribbean with our sons and daughters (many from North Carolina) aboard. If they are ordered to land, some will never return. Today, the "problem" of Haiti is in our face.

Does that mean we should invade? The exiled president whom our soldiers would die to reinstate is a leftist demagogue who has referred to America in campaign speeches as "the devil." During his brief time in office, his human rights record was undoubtedly better than the military junta's, but far from admirable. Unlike the generals, however, he was legally elected.

I can't say whether we should go to war to reinstate Juan-Bertrand Aristide. I only know that there is reason to care about the people of Haiti.

Watching the scenes of boat people being loaded onto U.S. Coast Guard boats, we are reminded about two types of Haitian refugees: those who fear for persecution under a brutal dictatorship, and those who are simply fleeing their country's perpetual poverty.



Eric Carlson

As a nation that prides itself on freedom, America has proudly accepted refugees from repressive Communist regimes in Cuba, Vietnam and the Soviet bloc. Likewise, we feel morally bound to extend the same hand to those who are at risk for opposing an illegal and murderous government in Haiti.

But with our border states overburdened by a constant influx of economic refugees, we feel less inclined to lay out the welcome mat for those who simply desire a new start in the "land of opportunity."

In the case of Haiti, for all practical purposes, that distinction is irrelevant. The disparity between conditions there and in the United States is so monumental that we can forever expect hordes of people to risk their lives for what they must see as a journey from hell to heaven.

The average income in Haiti is \$300 a year, versus about \$14,000 in America. Out of every 1,000 births, 107 Haitian babies die in infancy, a rate ten times that of the U.S. A male child born in Haiti can look forward to living about 52 years. In America, he could expect to live at least 20 years longer.

With their government in constant turmoil and the richest nation on earth only 600 miles away (downwind), it's no wonder so many Haitians try to escape. What is surprising is the number who are willing to remain.

Haitians are not lazy. Most of those who have jobs are paid a few dollars a day for back-breaking field work. Others toil in factories or eke out a meager existence performing menial tasks for the wealthy elite.

I once drove a delivery truck for a New Jersey lumber company where the assistant yard foreman was a young Haitian man named Gil. He was the hardest working person I have ever met.

Every morning, as the rest of us gathered in the office to sip coffee and ease into the work day, Gil would already be striding around the lumber yard, loading gravel into dump trucks, selecting lengths of wooden molding, weighing nails and rounding up the doors and window units listed on our orders.

Gil's enthusiasm was infectious. His jet-black face wore a perpetual smile of perfect white teeth. He was constantly chattering away with a sing-song accent liberally seasoned with Creole phrases.

He could lift more weight, hustle more materials and keep working longer than anyone in the yard. If he was nearby, Gil would immediately pitch in to help another worker. His energy was inspiring and made us feel guilty about taking a break.

I never heard him complain. Never saw him avoid a task. If another worker dropped something or made a silly mistake, Gil would burst out with a laugh so delightfully childlike that even the surliest grump would wind up chuckling at himself.

Every day when the yard closed and we all headed home exhausted,

Gil would meet his mother and sisters at the gate to begin his second job. The entire family worked six nights a week cleaning local offices. He told me they were saving money to bring other relatives out of Haiti.

One afternoon Gil invited me to a party at his home in the town's low-income housing project. I didn't really feel like going, but we had become good friends and he was insistent.

The gathering turned out to be a huge reunion of Haitian families, mostly from New York City. There were more than 150 people there, stoking barbecue grills and sampling a large buffet of Caribbean dishes.

I was immediately made to forget that I was the only white face in the crowd as mothers stuffed me full of wonderful food and daughters showed me how to dance to the cheerful island rhythms blasting from a cranked-up stereo system.

The men patted me on the back and laughed good-naturedly at my efforts. They spoke mostly in French or Creole among themselves, but always switched to English as a courtesy whenever I was nearby.

It was an evening I can never forget. Nor can I look at the faces staring up from Coast Guard boats without wondering how those people might fare with a little help from a neighbor.

Worth Repeating...

"Government is so tedious that sometimes you wonder if the government isn't being boring on purpose. Maybe they're trying to put us to sleep so we won't notice what they're doing. Every aspect of our existence is affected by government, so naturally we want to keep an eye on the thing. Yes whenever we regular citizens try to read a book on government or watch one of those TV public affairs programs about government or listen to anything anybody who's in the government is saying, we feel like high school students who've fallen two weeks behind in their algebra class. Then we grow drowsy and torpid, and the next thing you know we are snoring like a gas-powered weed-whacker. This could be intentional. Our government could be attempting to establish a Dictatorship of Boredom in this country. The last person left awake gets to spend all the tax money."

—P.J. O'Rourke