



Civitas Action Releases 2018 Legislative 'Freedom' Scorecard

BY RAY NOTHSTINE

Civitas Action ranked North Carolina legislators on ten votes in the House and eight votes in the Senate for 2018. House and Senate members are ranked on an effectiveness scale from zero to 100, with zero being the least conservative and 100 being most conservative.

Three of those grades were for constitutional amendment votes that North Carolina voters will ultimately decide on during November's midterm election. Civitas Action or the Civitas Institute did not take a position on three of the six amendments. The right to hunt and fish, capping the state income tax at 7 percent, and voter ID are the three amendment votes scored by Civitas Action.

North Carolina and Florida are the only states in the Southeast without language protecting the right to hunt and fish in their state constitution.

In addition to the three amendments, Civitas Action scored:

SB 325, "The Uniform & Expanded Early Voting Act"

HB 933, "Reciprocity/School Psychologist Licensure"

HB 998, "Improving NC Rural Health"

HB 379, "Recodification Working Group"

SB 758, "Build NC Bond Act"

Civitas Action deemed the conservative vote yes on all these bills except for the "Build NC Bond Act." Civitas Action believes that



North Carolinians should be allowed to vote directly on all new issuances of state debt.

HB 933, Reciprocity/School Psychologist Licensure, also scored by Civitas Action, directed the State Board of Education to grant licensure as a school psychologist to any individual who holds the Nationally Certified School Psychologist credential. This would enable school psychologists moving to North

Carolina to bypass specific state licensing hurdles, making it easier for them to practice their profession and easier for NC schools to fill these positions. The legislation did not become law.

"The Unified & Expanded Early Voting Act," "Improving NC Rural Health," "Recodification Working Group," and the "Build NC Bond Act" all became law in June. Besides the "Build NC Bond Act," the other pieces of legislation helped break

down barriers to freedom, particularly in regard to deregulation.

Civitas Action is a 501(c)(4) nonprofit that educates and informs North Carolinians on policy issues and the actions of their elected officials. The N.C. Freedom Ranking is modeled on a similar system of scoring Congressional votes. Civitas selects bills and amendments based on a commitment to conservative ideals that are derived from free-market economic policies, lim-

Continued on page 7

www.nccapitolconnection.com

NON-PROFIT ORG.
US POSTAGE
PAID
Permit #2483
Raleigh, NC

CIVITAS INSTITUTE
805 Spring Forest Rd Ste. 100
Raleigh, NC 27609
Vol. 10, No. 7

FROM THE EDITOR

In this issue you will find the Civitas Action NC Freedom legislative scores for 2018. Many voters find scorecards beneficial for educational purposes so we hope you find value in what Civitas Action has compiled this year. The methodology is centered upon conservative ideals and free-market principles. You can find more information on the legislative rankings and methodology at Civitasaction.org.

Besides the upcoming midterm elections, national politics will be very

much focused on Donald Trump's nomination of Circuit Court Judge Brett Kavanaugh to the U.S. Supreme Court. Senate hearings for Kavanaugh are expected to begin in September and given the unified opposition from the Left it should be explosive. Campbell Law Professor Gregory Wallace offers some insight into the nominee and the importance of originalism as a judicial philosophy.

Bob Luebke adds important historical context for the constitutional amend-

ment voting process in North Carolina. He notes that 37 of 45 amendments have been approved by voters. Numerous times voters rejected giving lawmakers the ability to issue certain debt without voter approval. "History suggests that the public wants tight control on state and municipal spending," writes Luebke. He notes too that this may bode well for decreasing the maximum allowable state income tax bracket from 10 percent to seven.

I offer up some thoughts on the partisan pettiness

of the "nix all six" campaign currently being championed by many on the Left. The saner point obviously is that voters should think critically on each proposed amendment. Fortunately, most voters will see through the ploy of lumping all of the amendments together as some sort of partisan power grab. Marsey's Law, just one of the amendments, is on the ballot in five other states and has already been added to other state constitutions. North Carolina and Florida are the only states

in the Southeast without the right to hunt and fish in their constitutions and over 20 states already have constitutional amendments adding this protection.

Civitas supports three of the six: lowering the state income tax cap, the right to hunt and fish, and photo identification for voting.

There is much more content in this issue pertinent to what is occurring in our capital and across the state. Thank you for your continued support of the Civitas Institute.

Subscribe today..it's FREE!

Check the address label. If the word "subscriber" is not included on the address label of this issue, you must subscribe to ensure you continue to receive *NC Capitol Connection* each month.

NAME

ADDRESS

CITY STATE ZIP

EMAIL

PHONE CELL HOME BUSINESS

Mail to: 805 Spring Forest Rd Ste 100 Raleigh, NC 27609 | web: nccivitas.org/getnews | phone: 919.747.8052

CYAN MAGENTA YELLOW BLACK

Kavanaugh as a Supreme Choice

BY E. GREGORY WALLACE

The nomination of Brett Kavanaugh to be the next Supreme Court justice was both smart and shrewd. Judge Kavanaugh is a brilliant, experienced, and widely-respected jurist who will be more conservative than Anthony Kennedy, the justice he will replace. His impeccable credentials virtually assure his confirmation, despite the Republicans' razor-thin majority in the Senate. One Yale law professor called it President Trump's "finest hour, his classiest move."

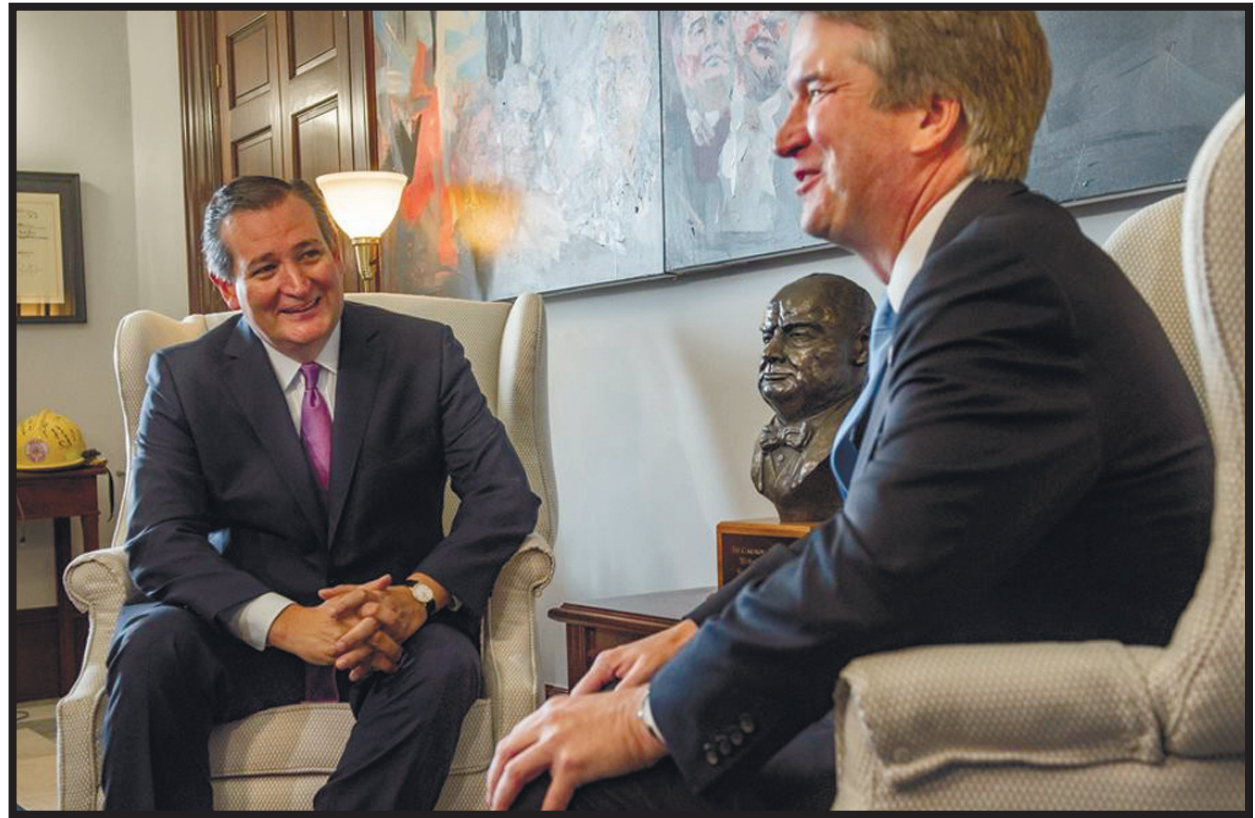
Kavanaugh has written more than 200 opinions in his 12 years as judge on the U.S. Court of Appeals for the District of Columbia Circuit. They are

carefully reasoned and well within mainstream current legal thought. He has a long track record of supporting free speech, religious freedom, and Second Amendment rights. He also is a strong proponent of separation of powers and has worked to reign in the vast power of federal administrative agencies. He has written

or joined opinions in at least 75 cases finding agency action to be unlawful.

Kavanaugh's judicial opinions, speeches, and articles suggest that his approach to judging most closely resembles that of the late Justice Antonin Scalia, who championed originalism as the best approach to constitutional interpretation.

Originalists believe that the only authoritative meaning of the Constitution is the *rati-fied* meaning—the meaning that was approved by super-majority vote when the constitutional text was adopted. The originalist judge thus seeks to understand the meaning that an ordinary reader placed on the constitutional text at the time of its enactment (i.e., the public meaning



that was approved when ratified).

For originalists, the meaning of the constitutional text was fixed at the time of its adoption and establishes the rule of law going forward. That meaning, of course, must be applied to a myriad of modern circumstances, but the meaning itself does not change. This approach is not radical or extreme; in fact, it's the way judges typically construe the meaning of other legal texts such as contracts, wills, or property deeds.

Say you enter into a contract to buy a parcel of land for \$100,000. The contract specifies that you will pay the seller \$10,000 a year over 10 years. In year five, the value of the land suddenly increases tenfold. The seller takes you to court, claiming that

you now owe him a total of \$1,000,000 for the land. He asks the judge to interpret the contract's purchase price according to the value of the land today, not what it meant five years earlier. The judge rightfully would reject the seller's claim on the ground that the contract language means what the parties understood it to mean at the time the contract was signed, not what it should mean five years later.

Nonoriginalist judges—sometimes called “living constitutionalists”—seek to determine the meaning of Constitution for our time, not what it meant when adopted. They believe that judges have the power to change the meaning of constitutional language to reflect modern values and circumstances. Because there is no con-

sensus on what meaning should replace the original meaning, these judges are free to impose on the rest of us their own personal values and political views under the guise of constitutional decision-making. In short, they can make up constitutional law as they go along.

The nonoriginalist approach transforms judges into policy makers, and those policies almost always reflect the views of the political Left. Nonoriginalist judges have expanded federal powers to advance statist policies and devalued constitutional rights essential to individual liberty (e.g., free speech, religious freedom, right to arms). They have created rights that promote sexual autonomy, such as abortion and gay marriage,

(Continued on page 7)

www.nccapitolconnection.com

All contents may be reproduced if used in context and if credit is given to the Civitas Institute

NC Capitol Connection

PUBLISHER
Civitas Institute

MANAGING EDITOR
Ray Nothstine

EDITORIAL & ADVERTISING
805 Spring Forest Rd. Ste 100
Raleigh, NC 27609

phone: 919.834.2099
fax: 919.834.2350

NC Capitol Connection is a publication
of the Civitas Institute

The Civitas Institute is a 501(c)(3)
non-profit dedicated to advancing con-
servative and free-market principles in
the state of North Carolina.

© 2018 by Civitas Institute



N.C. Freedom 2018 Full Rankings

A list of all NC senate and house members that voted in the 2018 legislative session.

House

Rank	District	Legislator	Score
1	86	Hugh Blackwell	100
1	6	Beverly Boswell	100
1	14	George G. Cleveland	100
1	25	Jeff Collins, Jr.	100
1	104	Andy Dulin	100
1	76	Carl Ford	100
1	20	Holly Grange	100
1	110	Kelly E. Hastings	100
1	79	Julia C. Howard	100
1	64	Dennis Riddell	100
1	90	Sarah Stevens	100
12	10	John R. Bell, IV	90
12	62	John M. Blust	90
12	52	Jamie L. Boles, Jr.	90
12	22	William D. Brisson	90
12	55	Mark Brody	90
12	109	Dana Bumgardner	90
12	119	Mike Clampitt	90
12	74	Debra Conrad	90
12	61	John Faircloth	90
12	87	Destin Hall	90

12	91	Kyle Hall	90
12	59	Jon Hardister	90
12	113	Cody Henson	90
12	17	Frank Iler	90
12	65	Bert Jones	90
12	46	Brenden Jones	90
12	93	Jonathan C. Jordan	90
12	75	Donny Lambeth	90
12	53	David R. Lewis	90
12	35	Chris Malone	90
12	82	Larry G. Pittman	90
12	118	Michele D. Presnell	90
12	112	David Rogers	90
12	97	Jason Saine	90
12	51	John Sauls	90
12	3	Michael Speciale	90
12	1	Bob Steinburg	90
12	28	Larry Strickland	90
12	45	John Szoka	90
12	108	John A. Torbett	90
12	26	Donna McDowell White	90
12	37	Linda Hunt Williams	90

12	37	<u>Linda Hunt Williams</u>	90
44	69	<u>Dean Arp</u>	88.9
44	103	<u>William Brawley</u>	88.9
44	85	<u>Josh Dobson</u>	88.9
44	94	<u>Jeffrey Elmore</u>	88.9
44	8	<u>Susan Martin</u>	88.9
44	84	<u>Rena W. Turner</u>	88.9
50	9	<u>Gregory Murphy</u>	87.5
51	96	<u>Jay Adams</u>	85.7
51	98	<u>John Bradford</u>	85.7
51	83	<u>Linda P. Johnson</u>	85.7
51	13	<u>Pat McElraft</u>	85.7
51	15	<u>Phil Shepard</u>	85.7
51	105	<u>Scott Stone</u>	85.7
51	80	<u>Sam Watford</u>	85.7
58	120	<u>Kevin Corbin</u>	80
58	4	<u>Jimmy Dixon</u>	80
58	36	<u>Nelson Dollar</u>	80
58	95	<u>John Fraley</u>	80
58	70	<u>Pat B. Hurley</u>	80
58	117	<u>Chuck McGrady</u>	80
58	78	<u>Allen McNeill</u>	80
58	16	<u>Bob Muller</u>	80
58	81	<u>Larry Potts</u>	80
58	77	<u>Harry Warren</u>	80
58	73	<u>Lee Zachary</u>	80
69	67	<u>Justin P. Burr</u>	77.8
69	19	<u>Ted Davis, Jr.</u>	77.8
69	111	<u>Tim Moore</u>	77.8

69	63	<u>Stephen M. Ross</u>	77.8
69	89	<u>Mitchell S. Setzer</u>	77.8
69	2	<u>Larry Yarborough</u>	77.8
75	68	<u>Craig Horn</u>	75
76	107	<u>Kelly M. Alexander, Jr.</u>	50
76	43	<u>Elmer Floyd</u>	50
78	60	<u>Cecil Brockman</u>	44.4
78	54	<u>Robert Reives</u>	44.4
78	44	<u>William Richardson</u>	44.4
78	23	<u>Shelley Willingham</u>	44.4
82	115	<u>John Ager</u>	40
82	92	<u>Chaz Beasley</u>	40
82	21	<u>Larry M. Bell</u>	40
82	24	<u>Jean Farmer-Butterfield</u>	40
82	47	<u>Charles Graham</u>	40
82	12	<u>George Graham</u>	40
82	11	<u>Duane Hall</u>	40
82	5	<u>Howard Hunter, III</u>	40
82	50	<u>Graig R Meyer</u>	40
82	48	<u>Garland E. Pierce</u>	40
82	7	<u>Bobbie Richardson</u>	40
82	116	<u>Brian Turner</u>	40
82	27	<u>Michael H. Wray</u>	40
95	72	<u>Edward Hanes, Jr.</u>	37.5
95	58	<u>Amos Quick</u>	37.5
97	114	<u>Susan C. Fisher</u>	33.3
97	32	<u>Terry Garrison</u>	33.3
97	38	<u>Yvonne Lewis Holley</u>	33.3
97	56	<u>Verla Insko</u>	33.3

97	40	<u>Joe John</u>	33.3
102	100	<u>John Autry</u>	30
102	49	<u>Cynthia Ball</u>	30
102	18	<u>Deb Butler</u>	30
102	39	<u>Darren G. Jackson</u>	30
102	34	<u>Grier Martin</u>	30
102	30	<u>Marcia Morey</u>	30
102	71	<u>Evelyn Terry</u>	30
109	88	<u>Mary Belk</u>	28.6
109	102	<u>Becky Carney</u>	28.6
109	106	<u>Carla D. Cunningham</u>	28.6
109	33	<u>Rosa U. Gill</u>	28.6
109	66	<u>Ken Goodman</u>	28.6
114	29	<u>MaryAnn Black</u>	25
114	101	<u>Beverly M. Earle</u>	25
114	57	<u>Pricey Harrison</u>	25
114	42	<u>Marvin W. Lucas</u>	25
118	41	<u>Gale Adcock</u>	22.2
118	31	<u>Mickey Michaux, Jr.</u>	22.2
120	99	<u>Rodney W. Moore</u>	20

Senate

Rank	District	Legislator	Score
1	13	<u>Danny Earl Britt</u>	100
1	29	<u>Jerry W. Tillman</u>	100
3	34	<u>Dan Barrett</u>	87.5
3	26	<u>Phil Berger</u>	87.5
3	39	<u>Dan Bishop</u>	87.5
3	6	<u>Harry Brown</u>	87.5

3	1	<u>Bill Cook</u>	87.5
3	33	<u>Cathy Dunn</u>	87.5
3	48	<u>Chuck Edwards</u>	87.5
3	24	<u>Rick Gunn</u>	87.5
3	43	<u>Kathy Harrington</u>	87.5
3	47	<u>Ralph Hise</u>	87.5
3	11	<u>Rick Horner</u>	87.5
3	10	<u>Brent Jackson</u>	87.5
3	31	<u>Joyce Krawiec</u>	87.5
3	36	<u>Paul Newton</u>	87.5
3	12	<u>Ronald J. Rabin</u>	87.5
3	8	<u>Bill Rabon</u>	87.5
3	30	<u>Shirley B. Randleman</u>	87.5
3	2	<u>Norman W. Sanderson</u>	87.5
3	27	<u>Trudy Wade</u>	87.5
22	15	<u>John Alexander</u>	85.7
22	45	<u>Deanna Ballard</u>	85.7
22	46	<u>Warren Daniel</u>	85.7
22	9	<u>Michael Lee</u>	85.7
22	25	<u>Tom McInnis</u>	85.7
22	19	<u>Wesley Meredith</u>	85.7
22	41	<u>Jeff Tarte</u>	85.7
22	42	<u>Andy Wells</u>	85.7
30	18	<u>Chad Barefoot</u>	83.3
31	7	<u>Louis Pate</u>	75
31	35	<u>Tommy Tucker</u>	75
33	17	<u>Tamara Barringer</u>	71.4
33	3	<u>Erica Smith-Ingram</u>	71.4
35	44	<u>David L. Curtis</u>	66.7
35	50	<u>Jim Davis</u>	66.7

Senate continued

37	21	Ben Clark	62.5
37	5	Don Davis	62.5
39	14	Dan Blue	60
40	38	Joel D.M. Ford	50
40	40	Joyce Waddell	50
42	23	Valerie Foushee	40
43	16	Jay Chaudhuri	37.5

43	4	Toby Fitch	37.5
43	37	Jeff Jackson	37.5
43	32	Paul Lowe	37.5
43	22	Mike Woodard	37.5
48	28	Gladys A. Robinson	28.6
49	20	Floyd McKissick	25
49	49	Terry Van Duyn	25

Freedom Scorecard

CONTINUED FROM PAGE 1

ited government, personal responsibility and civic engagement. Civitas analyzes each member’s vote on important legislation, amendments and motions to decipher a member’s ideological stance on issues. Unexcused absences for votes count against lawmakers, while excused absences only lessen the number of votes that are scored.

CIVITAS POLL LUNCH

September 20

Hilton North Raleigh Midtown

3415 Wake Forest Road, Raleigh, NC 27609

11:45 a.m.

Kavanaugh as a Supreme Choice

CONTINUED FROM PAGE 3

despite those rights not being mentioned in the constitutional text or deeply rooted in our nation’s history and tradition.

To be sure, originalism isn’t perfect. It does not completely eliminate judicial subjectivity, the original public meaning cannot reliably be ascertained in every case, and originalism has not always been applied consistently by the judges who espouse it. Still, originalism is better than nonoriginalism in determining the real meaning of the Constitution and constraining judicial mischief.

That’s why Judge Kavanaugh’s adherence to originalism is so important. During his confirmation hearing for appointment to the D.C. Circuit, he explained that “I believe very much in interpreting text as it is written and not seeking to impose one’s own personal policy preferences into the text of the document.” At another venue, he highlighted former Chief Justice William Rehnquist’s opposition to the “free-wheeling judicial creation of unenumerated rights.”

Perhaps the greatest insight into Judge Kavanaugh’s judicial philosophy is found in a 2016 address he gave at the Antonin Scalia School of Law at George Mason University. Kavanaugh confessed that he considers Justice Scalia to be “a hero and a role model” —

What did Justice Scalia stand for as a judge? It’s not complicated, but it is profound and worth repeating often. The judge’s job is to interpret the law, not to make the law or make policy.

So read the words of the statute as written. Read the text of the Constitution as written, mindful of history and tradition. Don’t make up new constitutional rights that are not in the text of the Constitution. Don’t shy away from enforcing constitutional rights that are in the text of the Constitution. Changing the Constitution is for the amendment process. Changing policy within constitutional bounds is for the legislatures. Remember that the structure of the Constitution—the separation of powers and federalism—are not mere matters of etiquette or architecture, but are at least as essential to protecting individual liberty as the individual rights guaranteed in that text. And remember that courts have a critical role, when a party has standing, in enforcing those separation of powers and federalism limits. Simple but profound.

Kavanaugh’s appointment should give the Supreme Court greater legitimacy in its constitutional decision-making and help move policy-making back to the political branches where it belongs.

He will be a first-rate justice.

E. Gregory Wallace is a Professor of Law at Campbell University School of Law in Raleigh, North Carolina. The views expressed are his own.

Changes represent the difference in voter registration between July 7, 2018 and August 4, 2018

County	Total Voters	Total Change	Democrats	Democrat Change	Republicans	Republican Change	Libertarians	Libertarian Change	Unaffiliated Voters	Unaffiliated Change
Totals	6,970,461	7,622	2,659,443	-564	2,086,122	-268	35,851	149	2,188,518	8,188
ALAMANCE	101,123	140	38,019	-17	33,063	-5	499	5	29,539	156
ALEXANDER	24,312	-10	6,153	-15	10,765	-3	86	1	7,307	7
ALLEGHANY	7,432	1	2,623	-11	2,612	2	35	0	2,162	10
ANSON	17,336	-14	11,599	-27	2,460	1	19	0	3,234	1
ASHE	18,991	20	5,286	4	8,097	1	71	0	5,536	15
AVERY	11,828	19	1,404	1	6,961	9	48	0	3,415	9
BEAUFORT	33,174	22	13,178	-31	10,788	12	88	-2	9,117	43
BERTIE	14,140	53	10,039	1	1,550	9	25	0	2,526	43
BLADEN	22,903	-3	12,537	-44	3,936	19	40	1	6,389	21
BRUNSWICK	100,778	162	27,287	-40	37,726	70	368	-2	35,392	132
BUNCOMBE	194,663	-112	74,899	-75	45,961	-87	1,427	-3	72,351	51
BURKE	58,157	52	18,153	-22	20,715	25	266	-3	19,016	48
CABARRUS	135,814	24	41,344	-40	49,296	-52	777	1	44,384	109
CALDWELL	54,802	-1	14,101	-29	24,629	8	360	2	15,708	16
CAMDEN	7,844	-1	2,216	-6	2,472	1	46	1	3,110	3
CARTERET	52,322	-18	11,943	-30	22,277	-11	239	0	17,863	23
CASWELL	15,673	0	7,890	-9	3,294	-5	36	1	4,452	13
CATAWBA	104,565	92	25,292	-23	44,709	17	407	2	34,154	95
CHATHAM	52,982	96	20,791	37	12,921	16	233	-1	19,032	42
CHEROKEE	23,200	-5	5,574	-29	9,978	1	127	0	7,520	23
CHOWAN	10,256	0	4,822	1	2,644	0	23	1	2,767	-2
CLAY	8,575	-22	1,856	-10	3,579	-4	46	1	3,093	-9
CLEVELAND	64,394	-68	25,779	-79	21,008	-16	241	2	17,362	25
COLUMBUS	37,271	-38	20,572	-81	7,173	-1	58	0	9,466	44
CRAVEN	69,039	153	23,003	17	24,124	29	362	5	21,545	100
CUMBERLAND	216,403	538	98,306	56	49,387	-3	1175	16	67,523	466
CURRITUCK	19,754	52	3,939	-7	7,312	30	158	1	8,344	28
DARE	29,776	32	8,738	-9	9,216	26	216	1	11,604	14
DAVIDSON	107,975	69	25,786	-49	50,466	-5	450	5	31,269	116
DAVIE	29,699	-14	5,412	-26	15,083	-19	109	0	9,095	31
DUPLIN	30,126	-16	13,954	-34	8,106	-10	121	-2	7,944	30
DURHAM	223,362	-339	122,981	-344	27,663	-136	1,103	6	71,590	130
EDGECOMBE	38,302	4	26,670	-43	6,217	-2	83	1	5,330	48
FORSYTH	257,493	-86	104,871	-12	75,745	-108	1,253	2	75,601	28
FRANKLIN	43,965	11	18,044	-24	13,320	-6	198	-2	12,400	43
GASTON	143,783	188	44,643	-6	54,453	9	708	10	43,976	174
GATES	8,680	15	4,582	4	1,767	3	29	0	2,302	8
GRAHAM	6,406	9	1,892	-2	2,824	5	27	1	1,663	5
GRANVILLE	38,491	171	18,640	11	9,389	28	143	-1	10,318	133
GREENE	11,448	4	6,498	-19	2,091	-3	21	0	2,836	26
GUILFORD	370,504	488	168,242	102	95,015	-82	1,782	22	105,435	439
HALIFAX	38,711	153	25,348	71	4,632	23	90	4	8,639	55
HARNETT	74,915	195	26,330	24	26,050	40	495	1	22,037	130
HAYWOOD	44,405	21	16,453	-28	13,501	10	248	-2	14,196	39
HENDERSON	84,379	-22	17,953	-9	31,626	-52	437	2	34,354	36
HERTFORD	15,461	25	11,212	9	1,470	-2	36	0	2,743	18
HOKE	32,429	111	15,225	8	6,804	2	196	2	10,203	99
HYDE	3,417	-3	1,962	-2	529	-2	13	1	913	0

IREDELL	119,547	52	30,186	-19	49,315	-11	576	4	39,462	77
JACKSON	28,381	-22	10,127	-28	7,559	12	172	-3	10,520	-3
JOHNSTON	126,372	444	38,698	75	48,291	47	709	1	38,665	320
JONES	7,294	8	3,532	1	1,832	-1	22	0	1,908	8
LEE	36,401	48	14,611	-39	10,348	22	171	1	11,268	63
LENOIR	38,513	18	20,776	-10	9,559	6	115	0	8,062	22
LINCOLN	57,319	14	13,672	-28	25,171	13	261	2	18,215	27
MACON	25,898	9	6,478	-12	10,467	-12	129	1	8,822	32
MADISON	16,972	21	6,518	-12	4,419	9	105	-3	5,929	27
MARTIN	17,052	25	10,065	-27	3,305	5	38	2	3,642	44
MCDOWELL	29,402	25	8,286	-9	11,133	4	153	3	9,830	27
MECKLENBURG	728,062	1,423	318,847	489	170,535	-170	4,432	19	234,195	1,074
MITCHELL	11,048	14	1,146	1	6,652	7	28	0	3,222	6
MONTGOMERY	16,465	17	7,075	-8	5,045	16	59	1	4,283	8
MOORE	67,326	97	16,400	-9	27,296	21	341	-2	23,285	86
NASH	66,418	92	33,148	4	18,725	-18	213	5	14,329	100
NEW HANOVER	169,103	238	52,925	6	53,152	15	1,180	-3	61,833	218
NORTHAMPTON	14,600	19	10,437	-3	1,439	2	25	1	2,697	19
ONslow	107,350	365	27,580	2	38,826	117	948	12	39,990	231
ORANGE	113,266	-76	52,333	-88	16,324	-38	717	-8	43,881	58
PAMLICO	9,711	-1	3,797	-12	3,169	9	39	0	2,706	2
PASQUOTANK	28,899	10	13,092	-20	6,140	4	171	3	9,491	22
PENDER	41,078	39	12,559	-6	15,447	26	238	0	12,830	19
PERQUIMANS	10,040	33	4,028	-5	2,728	20	30	-2	3,253	20
PERSON	26,651	23	11,966	0	6,630	0	96	-1	7,959	24
PITT	123,053	160	55,755	81	31,801	-29	716	6	34,763	98
POLK	15,954	-15	4,357	-7	5,557	-4	79	-1	5,958	-4
RANDOLPH	91,519	26	18,664	-39	45,861	-14	478	-1	26,509	80
RICHMOND	30,327	-7	16,428	-39	5,954	9	74	0	7,870	23
ROBESON	76,534	277	48,543	46	9,493	39	192	5	18,301	184
ROCKINGHAM	59,944	0	22,363	-45	20,762	12	217	-2	16,599	35
ROWAN	94,669	119	27,728	-49	38,281	11	395	4	28,259	149
RUTHERFORD	44,969	-14	14,318	-29	16,926	-7	220	3	13,499	15
SAMPSON	38,088	294	16,252	55	13,911	75	110	2	7,811	158
SCOTLAND	22,643	27	12,768	9	3,729	0	49	0	6,096	17
STANLY	41,511	-24	10,960	-37	18,300	-1	137	-3	12,111	16
STOKES	31,053	-12	7,619	-22	15,017	-11	155	1	8,257	20
SURRY	45,747	24	13,486	-23	19,316	12	118	-1	12,824	36
SWAIN	10,405	22	3,972	-1	2,712	12	31	0	3,689	11
TRANSYLVANIA	25,773	22	6,677	2	8,272	2	119	3	10,705	15
TYRRELL	2,425	5	1,377	0	354	-1	9	1	685	5
UNION	154,407	11	39,582	-32	63,807	-64	684	8	50,324	96
VANCE	30,103	-22	19,719	-52	4,367	1	67	-1	5,948	30
WAKE	727,223	1,192	269,252	236	188,322	-197	4,733	13	264,851	1,133
WARREN	13,540	15	9,234	-5	1,821	-2	36	2	2,449	20
WASHINGTON	8,780	31	5,861	24	1,146	4	25	-1	1,748	4
WATAUGA	45,648	-22	12,024	-37	14,009	-10	495	-4	19,117	29
WAYNE	74,887	128	32,165	-25	23,867	1	304	4	18,549	147
WILKES	42,715	7	9,752	-11	21,989	-5	141	3	10,832	20
WILSON	55,898	282	29,127	96	13,475	21	156	-2	13,138	166
YADKIN	24,009	4	4,042	-6	13,246	-12	75	-3	6,644	23
YANCEY	14,011	9	5095	-11	4,916	3	50	0	3,950	17

'Nix All Six' on State Constitutional Amendments or Think Critically on Each One?

BY RAY NOTHSTINE

The saying “nix all six” is gaining traction from ideologues on the Left who value partisan victories and power over all else. What does it mean? “Nix the six” refers to voting against all the state constitutional amendments on the November midterm ballots. Regardless if any amendment makes sense for you, your family, or community, apparently.

It's better to “nix all six” they say rather than even pondering support for possibly just one. No need to think outside the collective, we've prepared this ready-made slogan for you!

One could follow the advice of activists and ideologues and be guided by a simplistic political slogan, and no doubt some will, but it doesn't seem like a very wise and informed choice given that there are diverse and even bipartisan amendments for voters to choose from.

The Right to Hunt and Fish amendment is not controversial and will most likely have broad support from various political factions in the state. Don't believe me? Check out the lopsided vote totals by state lawmakers.

Additionally, Florida and North Carolina are the only states in the Southeast without this language in their constitution. It has never been voted down in any state when placed on the ballot. Sure, some uber urbanized Lefties

or extreme anti-firearms folks may be hostile to the amendment, but then they only reinforce its need. Just over 20 states have this language in their constitution, and more states are in the process of trying to add it to their own constitutions.

Capping the income tax at 7 percent offers voters an opportunity to place additional constitutional limits on state government and spending. This to me is not fundamentally pro-Republican or anti-Democrat, but rather gets to the basic question about what is the role and purpose of government? It's a detriment to our state when one party is primarily seen as more competent or responsible when it comes to managing revenue and the state budget.

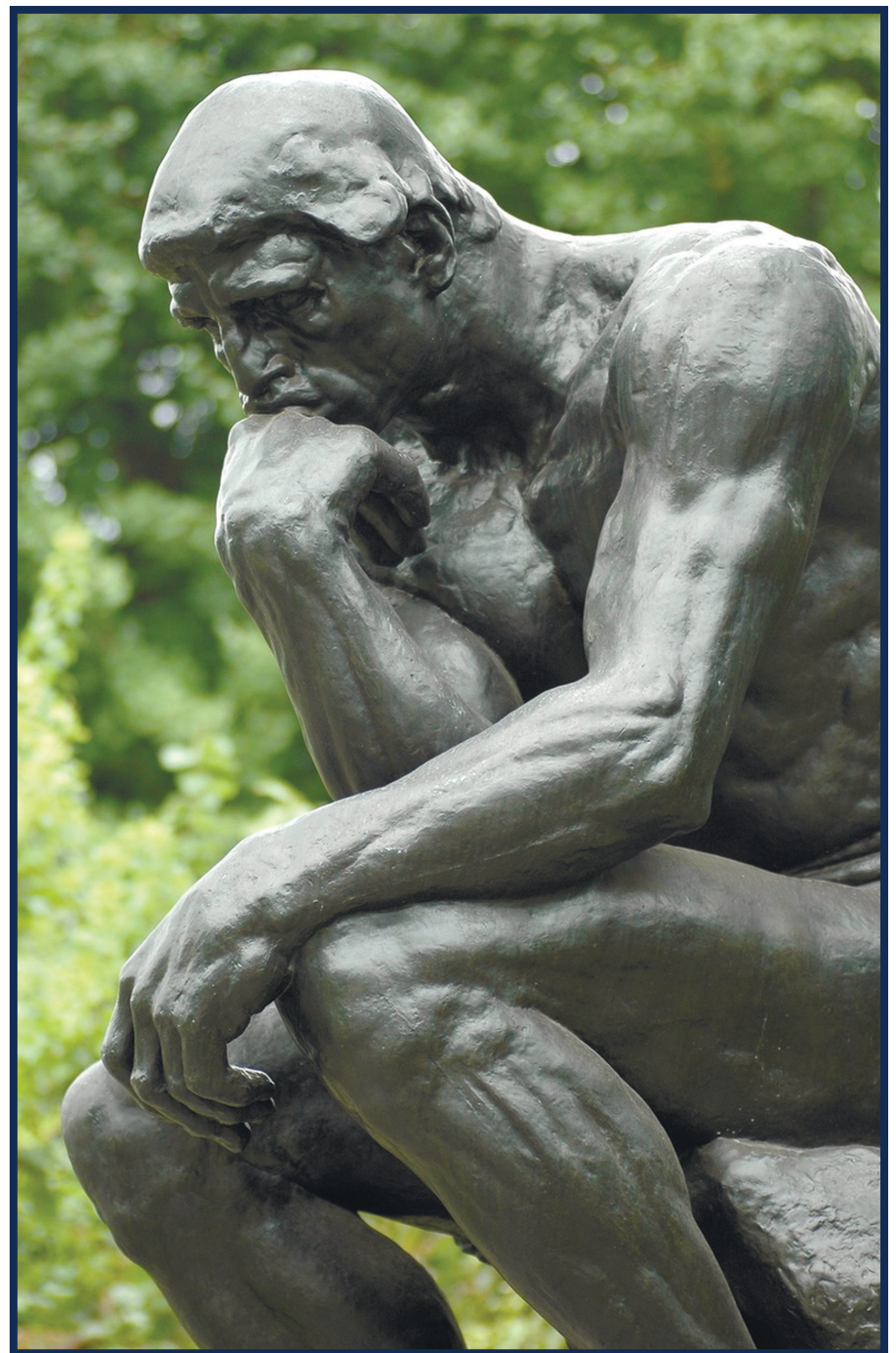
While most Democrats are pushing back aggressively on voter ID, it has broad support from the electorate, not just in North Carolina but across the nation. And when it is implemented in other states, the hysteria immediately dies down. The crisis crowd just moves on to their next pet issue.

Marsy's Law will probably prove to have broad support from voters and it's virtually impossible to make the case that it's a partisan power grab or ploy to turn out the vote. It's a victims rights bill that started in California and has been adopted by

other states already. Most of the money is provided by Henry T. Nicholas, whose sister was murdered by an ex-boyfriend. It will be on the 2018 ballot in five other states besides North Carolina.

Again, the larger point is “nix the six” is devoid of any critical thinking when it comes to voting on these amendments. *Full disclosure: I'm probably not voting for all six but I support some of the proposed amendments and voters too should look at all six individually instead of being entrapped by a slogan for the sake of partisan politics.*

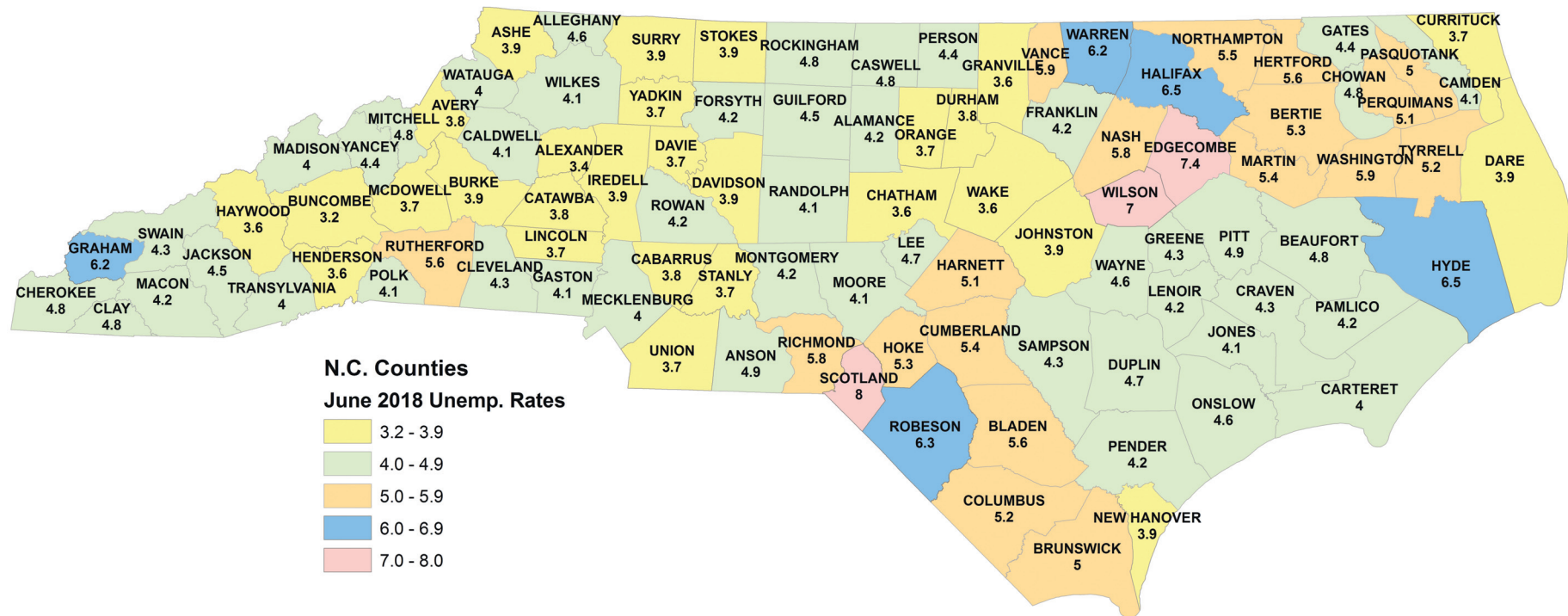
Trying to make a decision about constitutional amendments from a reflexive partisan position is never a good idea. The people and political parties in power inevitably change. Constitutions are meant to be more permanent to pre-



serve our rights and rule of law. They are meant to empower people not government. Even though the two amendments that may appear more partisan on the surface, the judicial vacancies and the state board of Ethics and Election Enforcement reform amendment, your partisan loyalties may not determine your vote. You may feel that having a

weaker governor or stronger legislator is good for North Carolina no matter who holds power. Different states give different levels of power to the governor for good reasons.

Be a smarter voter than a slogan voter. That way you can offer your best vote to North Carolina instead of merely being an automaton enslaved by partisan group-think.



The above map shows the June 2018, (not seasonally adjusted) unemployment rates for North Carolina counties. (data from N.C. Department of Commerce) The June statewide unemployment rate was 4.2 percent. The unemployment rate increased in 97 counties and decreased in three.

Scotland County reported the highest unemployment rate at 8 percent, while Buncombe County had the lowest at 3.2 percent. Asheville at 3.4 percent has the lowest unemployment

rate among metro areas, while Rocky Mount had the highest at 6.3 percent. All of the state’s metro areas experienced increases in unemployment from May.

However, compared to June of last year, all of the metro areas experienced decreases in unemployment. When compared to the same month last year, not seasonally adjusted unemployment rates decreased in 94 counties, increased in one, and remained unchanged in five.

Can Government Be Run ‘Like a Business?’

BY BRIAN BALFOUR

- *Business and bureaucratic management bear no resemblance to each other*
- *Bureaucrats must be loyal to rigid decrees from above, while business management has discretion over how to serve customers and make a profit*
- *Increasing the size and scope of government increases the realm of bureaucratic management that is susceptible to waste and authoritarianism*

For several decades a growing chorus of voices has been insisting that government can become more efficient and effective if it were “run like a business.”

In 2015 the Raleigh News & Observer reported

that “It’s a mantra among North Carolina state lawmakers and Gov. Pat McCrory that government should be ‘run like a business.’”

These are not new ideas, nor ideas native to North Carolina. Former New

York mayor Fiorello La Guardia in 1938 promised to “run [the government] as any honest man attempts to run his business,” while many of us remember 1992 Presidential candidate Ross Perot injecting the “like a business” promise virtu-

ally every time he spoke.

Such notions, however well worn, are completely misguided. Business and government are far too different, and the differences help reveal the dangers of state control growing into further reaches of society.

The most crucial and substantive difference between government and businesses in a competitive, market-based economy is that the government collects its revenue under

Continued on page 16

Changing the Constitution: North Carolina's Interesting History

BY BOB LUEBKE

In addition to casting ballots for local, state and federal candidates, this November North Carolina voters will be asked to vote on six proposed amendments to the state constitution.

Six is the highest number of proposed amendments since the adoption of the North Carolina Constitution of 1971. A quick review of proposed amendments since that time shows it was not unusual to see multiple amendments on the same ballot.

On two separate occasions in the 70s, five amendments appeared on the ballots. In 1982, five amendments appeared on a late June ballot along with two more on the November ballot.

Finally, North Carolina voters were asked to vote on three proposed constitutional amendments three different times between 1986 and 2004.

In total, voters have been asked to approve 45 possible amendments. Of the 45 placed on the ballot, 37 were approved. That works out to a little less than one new amendment per year.

For a bit of perspective, let's look at how this ratio rank compares to other states.

Professor John Dinan of Wake Forest University is an expert on state constitutions and federalism. At a

recent talk on the subject, Dinan said North Carolina ranks in the middle of the 50 states for adopting amendments. On one end is Vermont which adopts a new amendment only once every four years. On the other end is Alabama, which on average adopts eight new amendments per year.

Amendments may be proposed to the state constitution for any number of reasons. Many times, constitutional amendments are the vehicle to get the government to act – or not act.

Likewise, constitutional amendment may provide a way to achieve an end that may not be readily achievable through traditional means. For example, passage of the Defense of Marriage Act in 2012 was a deliberate attempt to limit the influence of federal courts in defining or redefining marriage.

Some amendments delineate who can run for public office and the terms of service. In 1977, voters said yes to an amendment to allow the governor and lieutenant governor to be elected to two consecutive terms. In 1982, by a better than 3-to-1 margin, voters said no to increasing the term lengths of state senators and representatives.

A quick review of proposed amendments reveals that many of the amendments aim to limit govern-

ment power and direct how government can spend or borrow money.

Since 1971, eight amendments have been rejected by voters. In five of the eight amendments, voters rejected the idea of providing state

or local municipalities the ability to issue bonds, finance capital facilities or to issue bonds without voter approval. In 1977, over 80 percent of North Carolina voters supported a constitutional amendment requiring that the state budget remain balanced at all times. In 1993, 76 percent of North Carolinians voted to reject a constitutional amendment authorizing counties and cities to issue tax incremental bonds without voter approval.

Deciding how government spends taxpayer money is a clear theme among North Carolina constitutional amendments. History suggests that the public wants tight control on state and municipal spending.

Thus, it should not be all that surprising to learn one of the amendments on the ballot this fall reduces the maximum percentage of income tax the state can



charge individuals or corporations from 10 percent to 7 percent. The amendment was last changed in 1936 when voters approved raising the maximum income tax from 6 percent to 10 percent. The first income tax amendment was passed in 1920 and limited the percentage of income taxed to 6 percent.

Another noticeable theme in recent amendments is elections, specifically who can vote in elections, the qualifications of specific offices as well as the terms of service. Since 1971, 16 proposed constitutional amendments addressed at least one of these concerns. This fall, voters will be asked whether they should be required to show photo ID to vote.

Constitutions are important documents that define our relationship with government and how we are to live as a people.

They are also imperfect documents aware of their own shortcomings. Since 1787, over 11,000 amendments have been proposed to the US Constitution. Only 27 amendments have been added to the Constitution in 231 years. North Carolina has had three constitutions. The most recent was adopted in 1971. It has been amended 37 times.

Such realities mirror the enduring struggle to find a constitutional framework that tempers passions yet is also responsive to needed change. This fall North Carolinians will have to determine the outcome of this struggle when they vote on six constitutional amendments. We would do well to give this responsibility the time and attention it deserves.

Civitas Poll Shows Ted Budd with lead in 13th District

BY RAY NOTHSTINE

In a July Civitas Poll, Republican incumbent Rep. Ted Budd leads Democrat Kathy Manning by 5 points. Nearly one-fifth of voters in the district are undecided on the race. The poll, conducted on July 12-16, 2018, surveyed 537 likely voters in North Carolina's 13th Congressional District.

According to the poll, Budd has the support of 40 percent of the electorate while Manning is at 35 percent. Manning has a fundraising advantage and has outraised the incumbent in each of the past three fundraising quarters. Manning has raised \$1.9 million compared to Budd's \$1.2 million. According to Spectrum News, 56 percent of Manning's larger individual donations have come from outside the state, while roughly 28 percent of Budd's larger donations are from outside North Carolina.

"This district will continue to teeter on the edge of competitive, particularly with Democrat Kathy Manning currently holding a fundraising advantage" said Civitas President Donald Bryson. "However, Congressman Budd clearly has a path to victory because his favorability is above water and a plurality of voters support his vote on tax reform." The same poll reported that on the federal tax reform law, 41 percent support the new

law, 33 percent oppose it, and 26 percent are not sure.

Bryson added that "It will be interesting to see how the issues affecting the economy and taxes are handled by the Manning campaign as tax reform appears popular, and unaffiliated voters were split between the economy and healthcare as their top issues of concern."

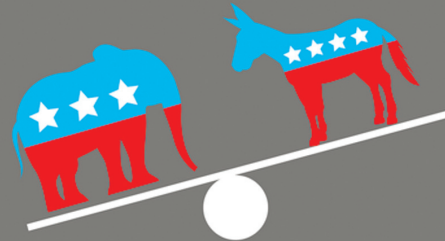
The poll also showed Libertarian Party candidate Tom Bailey and Green Party candidate Robert Corriher each receiving 3 percent support from voters in the district. The Cook Political Report currently has the district as "lean Republican." President Donald Trump won the district by nine points and according to the poll 44 percent approve of his job performance, while 48 percent disapprove.

On the voter ID amendment, 59 percent of respondents in the district supported the measure, while 33 percent are against it and 8 percent are unsure. NBC News online, McClatchy, Daily Kos, and FiveThirtyEight, were just some of the national press who cited this Civitas Poll.

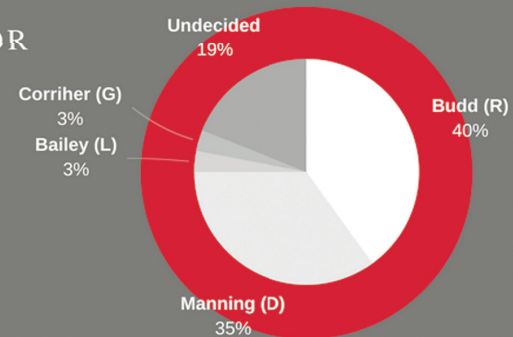
This poll surveyed 537 likely voters from North Carolina's 13th Congressional District from 7/12/18 through 7/16/18 and has a +/- 4.7% margin of error.

A RECENT CIVITAS POLL FOUND

40% OF
LIKELY
NC-13 VOTERS




SAY THEY PLAN TO VOTE FOR U.S. REP. TED BUDD THIS NOVEMBER.



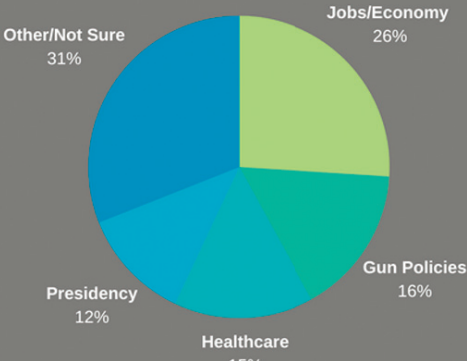
537 REGISTERED VOTERS FROM NC'S 13TH CONGRESSIONAL DISTRICT WERE SURVEYED BETWEEN 7/12/18-7/16/18. CREDIBILITY INTERVAL: +/- 4.7%

DID YOU KNOW...

1 in every 4
Millennial
voters



IN NC-13 SAY JOBS AND THE ECONOMY ARE THE MOST IMPORTANT NATIONAL ISSUE TO THEM?



537 REGISTERED VOTERS FROM NC'S 13TH CONGRESSIONAL DISTRICT WERE SURVEYED BETWEEN 7/12/18-7/16/18. CREDIBILITY INTERVAL: +/- 4.7%

Lowering the Tax Cap is a Step in the Right Direction

BY LEAH BYERS

This November, North Carolina voters will decide on a constitutional amendment to lower the state's cap on income taxes to 7 percent from its current level of 10 percent.

Lowering the cap will not actually result in a tax decrease; the personal income tax is a flat rate of 5.499 percent and the corporate income tax is currently 3 percent. Both rates are scheduled to decrease in 2019. If adopted, the amendment would protect taxpayers from future rate increases past 7 percent.

This is a needed protection; you do not have to go back far into North Carolina's history to see both income tax rates above 7 percent. The highest personal income tax rate was 8.25 percent from 2001 to 2006.

Critics of the proposed amendment say that lowering the cap would threaten the state's fiscal stability during recessions. This assertion is based in part on the flawed premise that a state should raise revenue, instead of cut spending, during recessions. It also overlooks the common-sense measure of setting aside funds during flush economic times in anticipation of the next recession.

Senator Floyd McKissick (D-Durham), at a recent event sponsored by the left-wing blog NC Policy Watch, pointed to the 2008 recession as evidence that the income tax cap "is problematic in terms of giving the flexibility to help the



state of North Carolina out in years to come if we face another recession."

What the Left fails to acknowledge is that liberal Democrats controlled the state government leading up to 2008. Their high-tax, high-spend policies did not position the state to adequately handle the downturn. Indeed, such policies served to make the budget crisis worse.

McKissick goes on to say that it is short-sighted to lower the income tax cap. This could not be further from the truth when you look at how the state has historically handled recessions through not-so-temporary tax increases.

North Carolina's tax history demonstrates that "temporary" tax increases

passed during economic recessions often persist into economic recoveries. As the economy improves, revenue increases dramatically under the heightened tax rates. This drives up spending commitments to unsustainable levels, compounds the next recession's revenue shortfalls, and leads to more tax increases. It is a vicious cycle that comes at the detriment of North Carolina citizens.

This pattern was evident during Gov. Roy Cooper's time in the General Assembly in the 1980s and 90s. The trend continued into the 2000s and came to a breaking point with the 2008 recession. Years of undisciplined spending left the state ill-positioned to respond to the financial

downturn. Among the mitigating circumstances was the virtual non-existence of a "Rainy Day" fund, as liberal leaders refused to set aside money in spite of years of significant budget surpluses.

In recent years, the state has shifted away from the progressive cycle of perpetual tax increases and overspending. The General Assembly lowered both income tax rates in 2013 and continues to do so. The state has cultivated its rainy day fund to \$1.8 billion. The state should continue to move forward with fiscal responsibility. This means looking for ways to spend taxpayer money more efficiently on core government services and continuing investment in

the state's rainy day fund to enable budget writers to weather future recessions without resorting to tax hikes.

Far from being short-sighted, the proposed constitutional amendment illustrates the foresight on the part of state policymakers to acknowledge that future legislators could easily fall back into the old cycle if appropriate limitations are not enacted. Lowering the constitutional tax cap is an opportunity for North Carolina citizens to protect themselves against that threat and keep the state moving in the direction of fiscal responsibility.

North Carolina Must Fully Join Energy Revolution

BY DONALD BRYSON

Thanks largely to a series of tax cuts and budgetary restraint over the last several years, North Carolina's economic performance has been outpacing regional and national trends in key categories. But more can still be done, especially for our state's rural areas.

Fortunately, a more vibrant labor market is within reach — but only if our leaders finally embrace the natural gas boom that has transformed the American economy over the last decade.

To date, North Carolina has failed to develop its natural gas resources. Green activists have convinced many people, including some of the state's most prominent politicians, that energy exploration would harm the environment. The opposite is true. By displacing dirtier fuels such as coal, natural gas actually helps reduce carbon emissions.

It's time for North Carolina's leaders to face facts and stop denying residents the economic opportunities that other Americans enjoy.

Domestic natural gas production has skyrocketed in the past two decades. It increased nearly 50 percent between 2005 and 2016. This surge has made the United States the world's leading producer of oil and natural gas — a distinction thought impossible just a

few years ago. The production increase is the direct result of advances in the drilling technique known as fracking. When companies frack a well, they pump water and sand into deep-underground shale rock formations. The water, injected at high pressures, creates small cracks in the shale. The sand props those cracks open, allowing natural gas to escape. As of 2015, fully two-thirds of America's natural gas production came from fracking.

The production increase has dramatically reduced energy prices for American households. Since 2008, residential consumers have seen their natural gas bills drop more than 20 percent. The reduced prices boosted the average family's disposable income by more than \$1,300 in 2015 alone.

Here in North Carolina, the economic benefits of this energy abundance have been considerable. About 113,000 jobs — nearly 3 percent of the workforce — depend on natural gas. Many of those positions are in the pipeline, utility and chemical manufacturing industries. All told, natural gas added \$13.6 billion to the North Carolina economy in 2015.



Yet North Carolina hasn't achieved its full economic potential. More than 300 billion cubic feet of natural gas lie beneath our soil — but it hasn't been touched. Our state lacks natural gas wells because politicians and the courts have effectively prohibited fracking. Tapping these resources would create thousands of jobs and put even more downward pressure on energy prices.

Political pressure from the environmental movement has impeded North Carolina's energy revolution. According to activists, fracking contributes to climate change by releasing large amounts of methane — a greenhouse gas — into the atmosphere.

But these claims simply don't comport with the

facts. Natural gas companies have become far more efficient and environmentally conscious. Methane emissions from natural gas systems fell by more than 16 percent between 1990 and 2016 — a period in which natural gas production rose by nearly 50 percent.

Our increased reliance on natural gas actually reduces greenhouse gas emissions.

Fracking has made natural gas less expensive, thereby enabling power plants to adopt this cleaner fuel in place of coal. Natural gas generates just half the carbon dioxide emissions of coal. In North Carolina, utility companies generated more electricity from natural gas than coal for the first time in 2016.

This trend has led to a historic reduction in our nation's carbon footprint. According to the U.S. Energy Information Administration, America's energy-related carbon emissions fell by nearly 14 percent between 2005 and 2016, in large part due to the transition from coal to natural gas. America is in the midst of a domestic energy boom.

It would be a shame for North Carolinians to miss out on the economic benefits, all because some misinformed activists don't realize that natural gas helps workers and consumers while protecting the planet.

This article was originally published in the Winston Salem Journal.

Can Government Be Run 'Like a Business?'

CONTINUED FROM PAGE 11

threat of punishment, while businesses must earn their revenue through voluntary transactions with customers.

If consumers are not willing to pay a price for a good or service sufficient to exceed the costs of producing that product, the business will fail. Conversely, government doesn't need to earn its revenue from people who value what they receive in return more than what they pay. Force is their motivator, rather than the mutual benefit that exists in the voluntary business/consumer transaction.

The management of a government bureaucracy differs greatly from that of a business. In his 1944 book "Bureaucracy," Austrian economist Ludwig von Mises exposed the stark and unbridgeable differences between the two.

A business manager's main goal, Mises pointed out, is to make profits. That means generating revenue that exceeds expenses. This is very clear, and can be concisely calculated. Because of this ease of calculation, each division in the business can measure whether it has a positive or negative effect on the company's bottom line.

"The only directive that the general manager gives to the men whom he entrusts with the management of the various sections, departments, and branches is: make as much profit as possible," Mises wrote.

As such, the general manager has no need to bother with the intricate details of each section's management, and in turn can "assign to each section's management a great deal of independence."

The result is what matters most, and each department manager can exercise his discretion over how to achieve the best results.

Compare that, as Mises did, to the role of a provincial governor appointed by a king. To prevent the local deputy from enforcing his own arbitrary decisions and rules, Mises noted, "the king tries to limit the governor's powers by issuing directives and instructions."

The local governor's free discretion is severely limited, replaced with a duty to comply with what can quickly develop into numerous complicated decrees and codes. "Their main concern is to comply with the rules and regulations, no matter whether they are reasonable or contrary to what was intended," Mises described. "The first virtue of an administrator is to abide by the codes and decrees. He becomes a bureaucrat."

Bureaucratic management, therefore, becomes first and foremost compliance with legislation – the rules and regulations passed down

from above. Individual discretion and initiative is eliminated. Such a process enables a centralized authority to strengthen its grip over vast numbers of people.

While Mises used a medieval setting for his example, he emphasized that such characteristics defined modern administrative government as well.

Moreover, "success" in bureaucratic management is virtually impossible to define, because there is no economic calculation.

"In public administration there is no connection between revenue and expenditure. Public services are spending money only," Mises observed.

Revenue to bureaucrats comes from taxes, taken thru coercion. There is no market price for "public" goods and services, resulting in no way to know which are most highly

valued. Calculating value and trade-offs in a government bureaucracy becomes impossible in any economic sense.

In a business, however, customers voluntarily pay for the good or service being produced. The market price shows which goods and services are most highly valued by consumers. Because resources can be directed to where they are most urgently desired, waste can be minimized.

It is for these reasons, Mises argued, that it would be vain to seek reforms by electing or appointing businessmen as heads of government agencies. "The quality of being an entrepreneur is not inherent in the personality of the entrepreneur; it is inherent in the position which he occupies in the framework of market society," he wrote. Once a businessman is appointed head of a government agency, he is

no longer an entrepreneur, but a bureaucrat whose main objective becomes "compliance with rules and regulations."

Calls for finding efficiencies in government by electing or appointing people to "run it like a business" are futile. Bureaucratic management necessarily involves rigid adherence to rules and statutes, while individual initiative and creativity are snuffed out. Centralized authority stifles more localized decision making and discretion. Meanwhile, the lack of economic calculation makes waste inevitable.

Citizens need to be vigilant in fighting against the expansion of government largess, in part because it places larger segments of society under bureaucratic management and results in wasteful use of scarce resources and more authoritarian rule.

