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Judicial activism strikes again over voter ID law

BY RAY NOTHSTINE

Despite a voter ID amendment being approved by a little over 55 percent of North Carolina voters in 2018, a federal judge halted its implementation in late December.

The ruling blocks any implementation of the law passed by the General Assembly until the NAACP's lawsuit is resolved.

U.S. District Court Judge Loretta Biggs cited race among other objections to the legislation, declaring that North Carolina has a "sordid history of racial discrimination and voter suppression." Except for North Carolina, every other state in the South now has some form of voter ID, while Mississippi, Georgia, Tennessee, and Virginia have strict forms of voter



ID. In total, 34 states currently have some form of voter ID laws.

It's unclear why other Southern states, particularly in the Deep South, are considered to possess a less objectionable history on voting rights than North Carolina given their legal clearance in favor of voter ID laws. Still,

Biggs noted that North Carolina's "racial discrimination and racial polarization" is not just part of the past, but "pervades" the state today. Eighty-two of North Carolina's 100 counties had a majority support at the polls for a voter ID amendment.

"Judge Biggs acknowledges in her injunction that North Carolina's voter ID

law is similar to ID laws passed in South Carolina and Virginia, going so far as to say on page 44 of her injunction that the General Assembly's action had the effect of 'distancing itself from any lingering discriminatory motives,'" declared Civitas Elections Policy Analyst Andy Jackson.

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From the editor

In the late 1980s, I can remember being an elementary school child and thinking the year 2000 would never come. As we get older, we tend to fully comprehend the truth behind the popular saying “time flies.” It makes our goals and priorities all the more important as we toil for a better future for our family, community, and nation.

Fortunately, in our state, there are many positive conservative policies to build upon for 2020 and beyond. Fiscal responsibility, less regulation, and a lower tax climate have helped to propel North Carolina once again as Forbes

top state for business for the third year in a row. The distance North Carolina has traveled just over the last decade, particularly from the uncertainty and pains of the Great Recession, demands more coverage.

Greater economic expansion means higher paying jobs and stability for individuals and families across the state. It should also mean continued commitment to conservative reform. Unfortunately, ideologues are insistent that North Carolina morph into the kind of state many are now fleeing, meaning penalizing wealth creation, expanding regulations, and greater govern-

ment control over all aspects of life. These kinds of policies were tried before in North Carolina resulting in all too predictable results.

A lot of new residents don't know the political history of the state and all of us are apt to get caught up in the moment. With your help, one of the things we want to do at Civitas is remind people of the progress being made while aggressively calling for policy improvements that guarantee your freedom.

More educational choice, reducing the cost of healthcare, lower taxes, and axing corporate welfare are just a few of the areas we are

confident we can make inroads in for 2020. Those areas are promising, not only because we know they will improve the state, but there is a strong desire for freedom in those areas.

Ultimately, we exist to break down barriers to freedom so that all North Carolinians can enjoy a better life. Our hope is that new generations will look forward to the future instead of being less hopeful because their government and the politicians see them merely as cogs to be managed by overseers of stale policies that continually fail whenever and wherever they are enacted.



Democrats just betrayed working-class Americans to appease environmentalists

BY DONALD BRYSON

The House recently passed a series of bills banning offshore energy development, a significant source of employment for blue-collar Americans. Fueled by environmental fervor, these lawmakers are willing to sacrifice opportunities for their most important constituents.

There could be up to 90 billion barrels of oil and 328 trillion cubic feet of gas buried beneath federally owned sections of the ocean floor. That's

enough oil and natural gas to power the United States for over a decade. Ideally, energy companies would lease these underwater lands from the government and extract this bounty.

Unfortunately, the Obama administration outlawed energy development in over 90 percent of federal offshore territories. This policy prevents companies from accessing energy riches in the Arctic, Pacific, and Atlantic Oceans — as well as the Gulf of Mexico.

Soon after taking office, President Trump vowed to lift this ban and revamp offshore energy production. But House Democrats are doing their best to stop him. The bills they passed last month would ban energy development off of the Atlantic, Pacific, and Alaskan coasts.

These policies deny working-class Americans prime employment opportunities. Jobs in the offshore sector often don't require a college degree, are largely immune to outsourcing, and pay an average salary north of \$110,000. Even under existing federal constraints, offshore development supports 300,000 jobs.

Opening up offshore territory would create 730,000 additional jobs over the next 20 years. Coastal states

like Virginia, Georgia, Florida, and the Carolinas would particularly benefit. Increased offshore development would bring 25,000 additional jobs to Virginia and 50,000 jobs to North Carolina within 20 years.

Still, Democrats claim it's an environmental imperative to ban offshore drilling. Rep. Joe Cunningham, a South Carolina Democrat and lead sponsor of one of the recently passed bills said that offshore drilling would "ruin our vibrant natural resources." Beto O'Rourke recently echoed that point on the presidential campaign trail, when he told a crowd that "offshore drilling threatens the local wildlife."

These concerns are entirely unwarranted. Offshore drilling is getting safer by the year. And energy development is tightly regulated to protect the environment. Every rig

employs at least one "species observer" who is empowered to stop development if marine animals come too close to operations.

If anything, this anti-offshore campaign could damage the environment by choking off funding for a critical federal conservation program. A slice of tax revenue from offshore operations is earmarked for the Land and Water Conservation Fund, which helps finance environmental preservation and national parks. Offshore operations contribute \$900 million to this fund every year. If Democrats have their way, that money will vanish.

Now more than ever, the United States needs access to its domestic oil and gas resources. A drone attack on a major Saudi oil facility recently wiped out 5 percent of the world's

daily crude oil production. Tapping our offshore resources will help insulate Americans from supply shocks like this in the future.

Luckily, these bills won't get far. The Republican-controlled Senate will never go for such an extreme plan and President Trump has promised to veto any offshore bans that cross his desk.

Still, actions speak louder than words. By moving this legislation, House Democrats have shown that they aren't serious about improving the lives of the working class. If they were, they wouldn't pursue policies that make it harder for Americans to find good, stable jobs.

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Long past time for 'North Carolina governed by chaos' narrative to die

BY RAY NOTHSTINE

State Rep. Deb Butler's epic September 11 outburst on the floor of the General Assembly is a reminder—to some at least—that North Carolina is governed in a perpetual state of chaos. Even before HB2 legislation raised the ire of many celebrities, activists, and media members, the state has been shoveled up a steady dose of “What the hell” is going on in North Carolina? The constant barrage of criticism and outrage leaves one to believe that the state is being run by “backward” or “rural minded rubes,” whose only intent is to “turn black the clock.” Yet, despite a steady flow of meltdowns, North Carolina's economic vitality and spending restraint is a national model.

A 2013 Blueprint NC leaked memo telegraphed the “chaos” strategy where the stated goal was to “eviscerate the [GOP] leadership and weaken their ability to govern.” HB2 created a national frenzy propelled by celebrity outrage and a barrage of calling some elected leaders in the state “bigots.” Public hysteria and arrest over policy disagreements—often modeled by the Moral Monday movement—is an effort to sanctify not only government largesse, but outrage. The Rev. William



Barber simply tags policies he disagrees with as “racist.” “Sue till blue” is another concerted attempt to normalize a narrative of chaos, often using courts to usurp the power of the representatives closest to the people.

Yet, progress does not inherently translate to the need for more spending or government. Decades

of pitiful stewardship and mismanagement in Washington has resulted in a federal debt now over \$23 trillion. Washington is broken and must start looking to states like North Carolina for policy reforms and spending restraint. It seems unwise to look to many cities in America for policy guidance, given they have become “pro-

gressive” tax and spend bastions detrimental to the middle class.

When you cut through the incessant political noise, North Carolina offers up a healthy alternative to the spending binge. As Civitas colleague Brian Balfour noted: “After two decades of ramping up of state debt, new conservative leadership in 2011 ushered in a policy of fiscal restraint that has resulted in a notable reduction in the state's debt burden.”

In a 2017 Forbes article, Patrick Gleason called North Carolina a model for tax reform. “Since they began cutting taxes in 2013, North Carolina

legislators have kept annual increases in state spending below the rate of population growth and inflation,” wrote Gleason. “As a result, at the same time North Carolina taxpayers have been allowed to keep billions more of their hard-earned income, the state has experienced repeated budget surpluses.”

The dire predictions

from left-leaning groups and the current governor concerning record budget shortfalls never materialized. Instead pro-growth policies recently produced five budget surpluses in a row and most recently a \$900 million surplus, while the state's rainy-day fund could hit \$2 billion by 2021.

On top of that, North Carolina ascended to the top of the Forbes ranking for the best state to do business for the last three years. Now, almost everybody in the state directly knows someone who has moved to North Carolina for work. Another constant reminder that if things really are as bad as some say, why do people keep moving here?

While these policies are certainly never an excuse for bad behavior in government or lack of transparency—more credit should be given to legislative leaders in North Carolina for putting taxpayers and fiscal discipline ahead of bureaucracy and incessant cries for more government.

The chaos that remains most damaging is the repeated, strategic outbursts by the party desperate to once again regain power—merely to return to the tax and spend policies of the past.

This article originally appeared in the Greenville Daily Reflector.

Corporate cronyism a losing issue for Republicans and Democrats alike

BY LEAH BYERS

The holiday season is over, which is another reminder that political conflict is back to normal in North Carolina.

Most aspects of the current political climate remain divisive. However, one recurring issue is rising above the rest as an opportunity for bipartisan cooperation: the ending of corporate welfare in North Carolina.

The Civitas Action Freedom Rankings is an annual scorecard that measures the commitment of state legislators to the cause of freedom. Representatives and senators are graded on a scale of 1 to 100 based on their votes on key bills or amendments. Votes represent an opportunity to expand or defend freedom in North Carolina.

This year, no state senator attained a perfect score, largely due to two bills; one that dealt with targeted tax breaks to certain companies or industries; and another that dealt with pork barrel spending. House Bill 399 extended existing tax breaks for the motorsports and airline industries while Senate Bill 505 extended the Jobs Maintenance and Capital Development Fund (JMAC). The proposed legislation was targeted to make a specific business eligible for the program.

These bills are blatant examples of corporate cronyism, meaning that the

government hand-picks the businesses or industries for which it provides special tax relief. The tax breaks may help some businesses, but they leave other businesses to bear a higher tax burden. Non-favored businesses are essentially forced to subsidize their competition by paying higher taxes so that their competitors can benefit from government handouts.

Politicians of both major political parties participate in this blatant political favoritism. All five of the top five scoring senators in this year's Freedom Rankings had an excused absence on the day of the graded vote for HB399. When the vote came back through the Senate two weeks later, all 50 senators were present and voted to pass the bill into law.

Civitas Institute asked voters about this issue in a question on December's special poll on the upcoming GOP primary election. Only 15 percent of likely GOP primary voters preferred targeted tax breaks as a strategy to expand the state's economy. By contrast, 60 percent of respondents favored across the



board tax cuts for all businesses.

Republicans should know corporate incentives are not a winning electoral issue. Recent competition for companies like Amazon has drawn the issue back into the political narrative. This is certainly not a new occurrence, and we've seen the negative consequences come to fruition. One would think that the situation with Dell from the mid-2000s would've been enough to end the practice in North Carolina. Dell received tax incentives on the basis of expansion then closed their plant to relocate in Mexico. Now, the window for policy change is open, again, as public awareness and opposition to the issue

has been revived.

It's not just Republicans who recognize the injustice of corporate cronyism. Many within the progressive base, who tend to vote Democrat, are also taking a stand against corporate incentives.

Congresswoman Alexandria Ocasio-Cortez (D-NY) spoke out against tax breaks for Amazon in 2018 when the company announced it was seeking to locate in New York. If the Democrat Party wants to "fight for the little guy," opposing corporate welfare is a perfect avenue.

Despite recent pushback from the political Left against the practice, corporate handouts and tax breaks have been a trade-

mark of Democrat Gov. Roy Cooper's first term. In a pinnacle of hypocrisy, the governor has touted bringing jobs to the state through corporate handouts while simultaneously vetoing the state budget on the basis of its "tax breaks for corporations." The irony is that the studies have shown corporate handouts are actually a relatively unimportant factor in business location decisions. On the other hand, the vetoed tax reduction would actually help the state's economy.

Even if progressives and conservatives disagree on the need to cut taxes across the board, both sides can stand against targeted tax

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Changes represent the difference in voter registration between November 16, 2019 and January 4, 2020

County	Total Voters	Total Change	Democrats	Democrat Change	Republicans	Republican Change	Libertarians	Libertarian Change	Unaffiliated Voters	Unaffiliated Change
Totals	6,857,264	75,113	2,507,338	14,531	2,054,969	20,868	39,751	820	2,255,206	38,894
Alamance	101,290	1,130	36,433	229	33,020	296	553	9	31,284	596
Alexander	23,519	109	5,324	-18	10,744	73	88	-1	7,363	55
Alleghany	7,052	4	2,238	-11	2,627	4	32	0	2,155	11
Anson	15,991	213	10,159	66	2,461	64	28	0	3,343	83
Ashe	18,159	230	4,600	11	7,944	95	78	4	5,537	120
Avery	11,463	118	1,339	12	6,679	56	52	1	3,393	49
Beaufort	32,210	153	11,925	-22	10,921	79	98	0	9,266	96
Bertie	12,729	20	8,669	-20	1,412	4	25	-1	2,623	37
Bladen	21,826	216	11,032	4	4,231	71	50	2	6,513	139
Brunswick	104,633	1,658	25,902	236	40,379	698	456	14	37,896	710
Buncombe	193,386	1,755	73,188	578	44,343	226	1,521	22	74,334	929
Burke	54,447	957	15,538	11	20,195	349	291	16	18,423	581
Cabarrus	136,532	1,221	40,902	356	48,338	235	895	11	46,397	619
Caldwell	51,273	914	11,633	34	23,950	416	368	20	15,322	444
Camden	7,647	154	1,849	5	2,561	65	59	2	3,178	82
Carteret	51,975	1,089	10,688	38	22,840	490	244	13	18,203	548
Caswell	14,643	192	6,914	31	3,359	78	35	1	4,335	82
Catawba	101,682	1,929	22,657	210	43,732	655	454	6	34,839	1,058
Chatham	53,532	787	20,166	200	13,025	200	271	6	20,070	381
Cherokee	21,234	208	4,317	6	9,831	132	126	0	6,960	70
Chowan	9,785	90	4,204	-2	2,654	42	31	4	2,896	46
Clay	8,598	135	1,639	5	3,793	67	54	0	3,112	63
Cleveland	62,194	473	23,150	6	21,289	240	279	4	17,476	223
Columbus	34,698	371	17,180	-28	7,876	245	72	4	9,570	150
Craven	68,081	718	21,300	82	24,405	267	405	14	21,971	355
Cumberland	207,629	3,167	91,853	877	47,187	634	1,312	36	67,277	1,620
Currituck	19,983	294	3,586	20	7,833	128	172	5	8,392	141
Dare	29,258	233	7,967	4	9,414	84	224	3	11,653	142
Davidson	105,409	1,038	23,333	7	49,938	481	477	7	31,661	543
Davie	29,546	560	4,977	47	15,155	284	133	3	9,281	226
Duplin	28,847	442	12,453	74	8,107	140	104	0	8,183	228
Durham	223,974	1,231	121,937	517	25,850	68	1,146	17	75,041	629
Edgecombe	34,341	539	23,188	155	5,779	122	81	3	5,293	259
Forsyth	253,938	2,350	100,909	575	72,895	427	1,381	16	78,753	1,332
Franklin	43,390	984	16,601	174	13,463	327	240	14	13,086	469
Gaston	138,620	2,027	40,808	349	53,351	720	823	32	43,638	926
Gates	7,799	12	3,833	-14	1,710	7	28	0	2,228	19
Graham	5,734	49	1,503	4	2,644	14	26	0	1,561	31
Granville	37,365	461	17,294	123	9,317	127	159	8	10,595	203
Greene	10,906	27	5,737	-23	2,155	22	20	1	2,994	27
Guilford	358,960	4,084	158,510	1,228	90,016	618	2,016	43	108,418	2,195
Halifax	35,918	166	22,818	19	4,442	52	96	6	8,562	89
Harnett	74,444	522	24,664	62	26,236	162	553	4	22,991	294
Haywood	43,217	486	14,558	-6	13,896	238	275	4	14,488	250
Henderson	81,481	989	16,809	122	30,343	276	488	4	33,841	587
Hertford	14,360	139	10,156	47	1,384	25	31	-1	2,789	68
Hoke	30,201	288	13,779	53	6,402	104	225	6	9,795	125
Hyde	3,027	7	1,585	-2	522	6	14	0	906	3

Iredell	119,731	867	28,295	83	49,656	310	641	0	41,139	474
Jackson	27,229	81	9,261	1	7,474	58	191	2	10,303	20
Johnston	130,157	1,597	37,722	239	49,865	462	823	11	41,747	885
Jones	7,053	65	3,146	10	1,906	18	24	0	1,977	37
Lee	35,902	514	13,460	56	10,397	143	206	8	11,839	307
Lenoir	37,022	457	18,649	36	9,602	122	109	2	8,662	297
Lincoln	57,427	898	12,210	67	26,222	464	296	8	18,699	359
Macon	25,553	340	5,901	6	10,742	174	150	9	8,760	151
Madison	16,290	223	5,842	22	4,315	44	111	4	6,022	153
Martin	15,960	163	8,930	-14	3,221	56	40	1	3,769	120
Mcdowell	27,737	357	7,010	-1	11,124	177	152	4	9,451	177
Mecklenburg	736,168	10,171	317,986	3,513	163,535	1,300	5,001	101	249,646	5,257
Mitchell	10,312	131	1,050	6	6,141	81	35	1	3,086	43
Montgomery	15,923	338	6,322	43	5,133	142	71	6	4,397	147
Moore	68,818	1,190	15,898	179	28,229	421	431	32	24,260	558
Nash	65,462	716	31,561	172	18,570	179	228	2	15,103	363
New Hanover	165,275	1,177	49,954	179	51,813	244	1,234	22	62,274	732
Northampton	13,346	68	9,165	-19	1,473	41	25	0	2,683	46
Onslow	105,524	2,256	24,752	256	39,126	808	1065	50	40,581	1,142
Orange	109,099	994	50,579	414	14,861	97	694	-1	42,965	484
Pamlico	9,127	-20	3,243	-14	3,233	-4	43	-1	2,608	-1
Pasquotank	26,773	145	11,262	-55	6,120	63	163	6	9,228	131
Pender	40,759	718	11,398	59	15,708	286	270	14	13,383	359
Perquimans	9,330	-27	3,481	-10	2,671	-9	38	0	3,140	-8
Person	25,796	196	11,035	33	6,689	82	104	1	7,968	80
Pitt	119,033	1,061	51,606	220	30,538	261	745	18	36,144	562
Polk	15,453	248	3,917	22	5,585	123	83	6	5,868	97
Randolph	88,255	1,180	16,797	98	45,119	582	509	11	25,830	489
Richmond	27,940	202	14,111	-4	5,926	100	83	1	7,820	105
Robeson	72,573	661	43,125	157	9,629	198	201	9	19,618	297
Rockingham	57,873	485	19,988	48	20,977	223	259	9	16,649	205
Rowan	90,606	801	24,671	95	37,537	367	431	6	27,967	333
Rutherford	43,097	401	12,357	-14	17,077	225	208	4	13,455	186
Sampson	35,710	471	14,336	120	13,492	141	124	6	7,758	204
Scotland	20,786	73	11,205	5	3,586	29	66	2	5,929	37
Stanly	40,799	396	9,757	15	18,567	189	149	1	12,326	191
Stokes	29,527	145	6,476	-25	14,759	86	158	2	8,134	82
Surry	44,033	498	11,633	-9	19,167	229	129	1	13,104	277
Swain	9,473	203	3,407	31	2,642	67	39	0	3,385	105
Transylvania	25,245	442	6,200	44	8,129	111	118	3	10,798	284
Tyrrell	2,223	9	1,177	4	355	-1	9	0	682	6
Union	154,622	1,067	37,773	105	63,556	363	822	19	52,471	580
Vance	28,412	316	18,178	59	4,207	70	73	3	5,954	184
Wake	742,382	5,810	271,694	1,702	183,406	740	5,424	59	281,858	3,309
Warren	12,941	85	8,576	29	1,859	24	40	0	2,466	32
Washington	8,124	49	5,251	0	1,114	26	23	1	1,736	22
Watauga	45,482	231	11,886	-13	13,449	79	500	-1	19,647	166
Wayne	71,846	387	29,486	27	23,295	105	356	5	18,709	250
Wilkes	40,818	332	8,378	-23	21,403	157	143	1	10,894	197
Wilson	54,509	508	27,367	116	13,164	174	175	6	13,803	212
Yadkin	23,338	334	3,542	20	13,115	169	97	2	6,584	143
Yancey	13,465	164	4,528	10	4,842	59	53	2	4,042	93

The who's who in political campaigns

BY CIVITAS STAFF

At noon on Friday, December 20, 2019, many of North Carolina's schoolchildren began finishing school for the year and started counting the hours until Santa's surprises are ready to be opened. Meanwhile, incumbent officeholders were refreshing their web browsers to see if they attracted an opponent, or if by merely filing for office, they were functionally elected at the deadline.

As candidate filing closed, many exciting races and storylines began to take shape in federal and statewide races.

U.S. Senate

Republican U.S. Sen. Thom Tillis failed to avoid primary challengers, but not the challengers have that have been the subject of much discussion in the past few months.

Sharon Hudson, who lists herself as board secretary of a group opposed to tolls on Interstate 77, has filed as a primary challenger. Two other candidates, Larry Holmquist and Paul Wright have also filed.

Garland Tucker had been widely cited as a serious challenger to Sen. Thom



Tillis. However, Tucker declined to run as candidate filing opened. Sandy Smith who also had announced a challenge to Tillis, instead filed for the 1st Congressional District.

Regarding a public letter by Tucker, on his reasons for not running, the Raleigh News & Observer wrote:

“The letter cited the attention on the ongoing impeachment inquiry into

President Donald Trump as well as Tillis' role as one of his defenders in the Senate as a reason for Tucker's decision to end his campaign.”

Senator Tillis will face a tough challenge from one of five Democrats who have filed for U.S. Senate, perhaps led by former state Sen. Cal Cunningham, who is being supported by U.S. Senate Minority Leader Chuck Schumer (D-NY).

While Cunningham has racked up endorsements from the Democrat establishment, look for a spirited challenge from current state Senator Erica Smith, who has served in the General Assembly's upper chamber since 2015.

U.S. House of Representatives

No candidate filing news was bigger across North Carolina that the unexpect-

ed news that key Trump supporter Mark Meadows is retiring from Congress.

Meadows's late announcement set off a mad scramble to file in the 11th Congressional District, which covers the western reaches of North Carolina. Jim Davis, a former state senator, has filed for the office along with Lynda Bennett from Haywood County, who is a

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realtor and involved in the county Republican Party. This list includes longtime Meadows staffer Wayne King of Cleveland County, a former vice-chair of the North Carolina Republican Party.

In total, 12 Republicans, five Democrats, one Libertarian, and one Green Party candidate have filed to run for the seat in North Carolina's 11th Congressional District. Democrats will host competitive primaries in the newly created 2nd and 6th Congressional Districts that are now expected to elect Democrats in the general election. Former state legislator and U.S. Senate candidate Deborah Ross is the most commonly known candidate in the 2nd Congressional District.

Democrat Kathy Manning, who ran an unsuccessful campaign for the 13th Congressional District seat in 2018 and former state representative, Ed Hanes, a Democrat who represented state House District 72 for three terms, will be the most familiar names to voters in the 6th.

Governor

Lt. Governor Dan Forest will meet state Rep. Holly Grange (R-New Hanover) in the Republican primary for governor. According to a recent Civitas Poll of Republican Primary voters, Lt. Governor Forest has a wide lead over Rep. Grange.

Lieutenant Governor

Both Republicans and Democrats are likely headed to run-offs in their primary elections for lieutenant governor as both parties fielded a bevy of candidates, with Republicans and Democrats fielding nine and six candidates, respectively. The December Civitas Republican primary election poll showed no Republican candidate for lieutenant governor above single digits.

Secretary of State

The same poll showed former professional baseball player Chad Brown with a slight edge in the Republican primary for secretary of state, with 7

a Republican, told WRAL that Mumma's candidacy, "seems like a game-changer."

Commissioner of Labor

One of the most pressing questions in all of state government is whose name and photograph will be on display in the state's 28,000 elevators.

The state labor department promotes safe workplaces and fair labor practices while also investigating violations. Current Labor Commissioner Cherie Berry, a Republican who is best known as the "elevator lady," after elevator inspection documents began featuring her name and likeness, announced

served on the University of North Carolina Board of Governors since 2015 and was the first and only African American to ever serve on the Gaston County Board of Commissioners.

Burris-Floyd went on to serve one term in N.C. House, representing District 110 from 2009-2011. Dobson and Burris-Floyd will also face Chuck Stanley of Clarendon. The GOP winner will face Democrat Jessica Holmes of Raleigh.

Superintendent of Public Instruction

Republicans fielded two quality candidates in the race to succeed Mark

could also be headed for a run-off. Despite Republican Mark Johnson's improbable 2016 victory, this is an elected office that historically favors Democrats. This elected position with few delegated and specific constitutional duties has been the subject of constant power struggles between the State Board of Education and other elected officials, leading some to call for the position to be eliminated.

State Supreme Court

Chief Justice Cheri Beasley, who was appointed to the post after the retirement of Chief Justice Mark Martin, will face the court's senior associate justice and Republican Paul Newby for the eight-year term as chief justice.

North Carolina Court of Appeals Judge Phil Berger, Jr. will try to join the state's highest court and will take on fellow Court of Appeals Judge Lucy Inman. Former Republican state Sen. Tamara Barringer will challenge Democrat incumbent Supreme Court Justice Mark Davis for the third state supreme court seat in 2020.

North Carolina's 2020 elections will not fail to excite, evoke debate, and garner national attention. Hold on for the ride!

**Several members of the Civitas Institute staff contributed to this article.*

"According to a recent poll of Republican Primary voters, Lt. Gov. Forest has a wide lead over Rep. Grange."

out of 10 voters undecided. Michael LaPaglia and E.C. Sykes have also filed in that race.

Attorney General

Christine Mumma, head of the North Carolina Center on Actual Innocence, jumped into what is now a three-way Republican race with Forsyth County District Attorney Jim O'Neill and Sam Hayes, general counsel at the state treasurer's office. They are vying to take on Attorney General Josh Stein. Former North Carolina Supreme Court Justice Barbara Jackson,

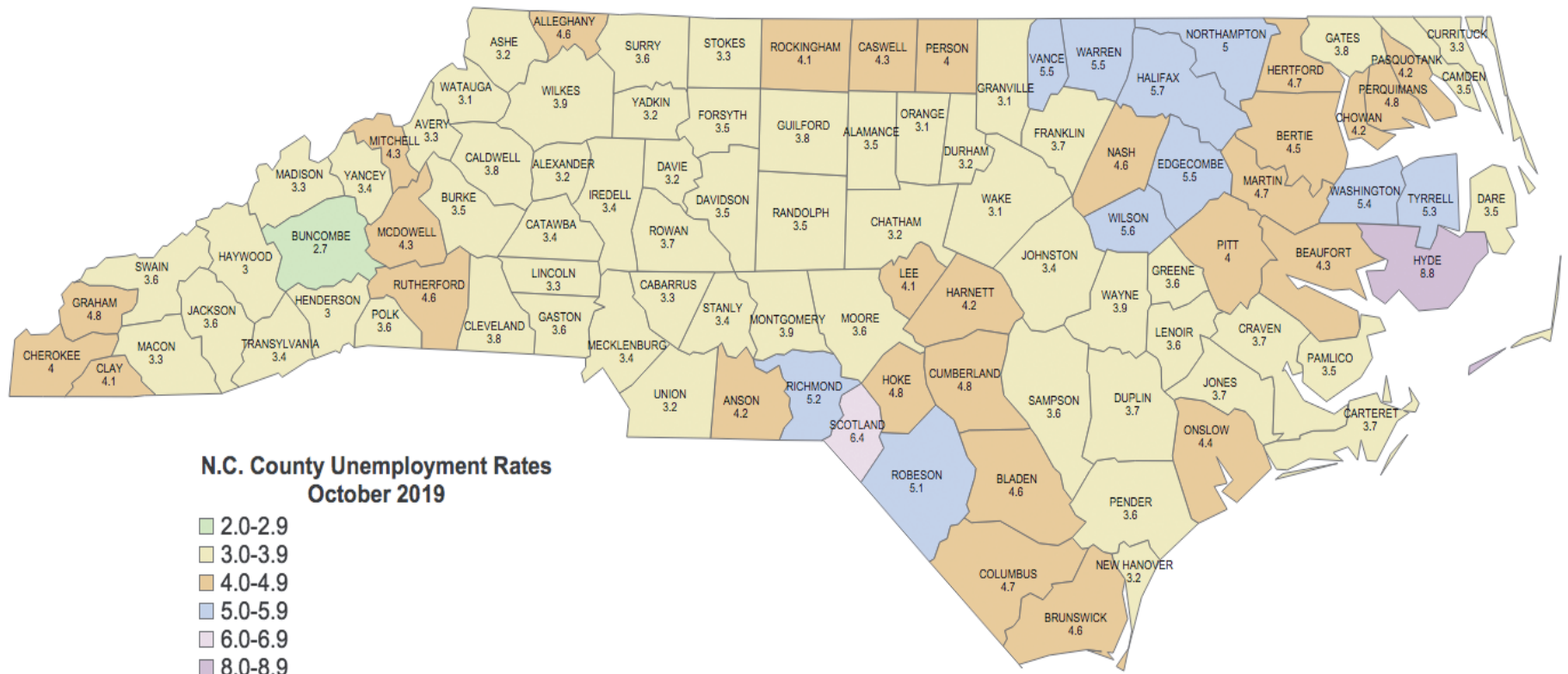
earlier this year that she would not run for a sixth term after holding office since 2001.

State Rep. Josh Dobson (R-McDowell) has filed to run for the office of the State Commissioner of Labor. Since January 2013, Dobson has served as the state representative for the 85th Legislative District, which comprises McDowell, Mitchell, and Avery counties. He is also a former McDowell County commissioner. Dobson will meet former State Representative Pearl Burris-Floyd from Gaston County. Burris-Floyd has

Johnson as state superintendent of public instruction. State Representative Craig Horn, who led many education issues in the state House, has filed to replace Johnson, who is now running for lieutenant governor.

Rep. Horne will face Catherine Truitt, a former teacher and current chancellor of the non-profit Western Governors University-North Carolina. Truitt previously served as a senior education advisor to Gov. Pat McCrory.

Five Democrats, all with unique regional appeal, have filed in the race, which



The above map shows the October 2019, (not seasonally adjusted) unemployment rates for all 100 North Carolina counties (data from N.C. Department of Commerce). The October statewide unemployment rate was 3.6 percent, a slight increase from September’s 3.5 percent number. The national unemployment rate for October was also 3.6 percent. Nationally, the unemployment rate has been at or below 4 percent for 21 consecutive months.

Hyde County had the highest unemployment rate at 8.8 percent, while Buncombe County had the lowest at 2.7 percent.

When compared to the same month last year, not seasonally adjusted unemployment rates increased in 54 counties, decreased in 24, and remained the same in 22. Four of the state’s metro areas experienced rate increases over the year, seven decreased, and four remained the same. Asheville once again had the lowest metro unemployment rate at 2.8 percent.

The number of workers employed statewide (not seasonally adjusted) increased in October by 24,205 to 4,967,970, while those unemployed increased by 6,774 to 185,142. Since October 2018, the number of workers employed statewide increased 141,652, while those unemployed increased 4,053.

Judicial activism strikes again over voter ID law

CONTINUED FROM PAGE 1

“She also acknowledged North Carolina’s voter ID law likely does not violate Section 2 of the Voting Rights Act,” added Jackson. “So, her injunction is not based on the voter ID law itself but on her animus toward the North Carolina General Assembly.” Jackson believes that Biggs would have found any voter ID bill passed by North Carolina’s General

Assembly discriminatory, regardless of its content.

The final bill passed by the General Assembly was so watered down that the Civitas Institute and other conservative groups criticized it for its lack of teeth. The bill that ultimately was approved, despite a veto from Gov. Roy Cooper, weakened the verification process for student and government worker IDs. In

defending the accommodations for the law, state Senate Leader Phil Berger called the bill “One of the broadest voter ID laws in the nation.” The legislation allows for free government issued IDs, doesn’t require a birth certificate to receive an ID, and allows for voters to bypass ID altogether by swearing who they are at the polls.

Voter ID opponent and

Attorney General Josh Stein will defend the law, but in an apparent compromise, perhaps to appease his Democratic base, Stein will wait until after the March primaries.

Most observers, including Jackson of Civitas, expect the bill to be overturned. The bill is more lenient than other voter ID legislation approved by the U.S. 4th Circuit, which

struck down a more stringent North Carolina voter ID law in 2016.

“It is clear that Briggs’ standard that any voter ID bill that passes the General Assembly without significant Democratic support is racist is unreasonable and will not survive appeal,” noted Jackson. It is expected that the decision will be overturned in time for the general election in 2020.

Voter ID will be reinstated in time for general election

BY ANDY JACKSON

Loretta Biggs, a federal judge in North Carolina's middle district, issued a preliminary injunction on New Year's Eve in NC NAACP v. Cooper. The injunction means that North Carolina will not be able to enforce the voter ID law it passed over Gov. Roy Cooper's veto in 2018 during the primary on March 3.

A judge's animus toward the NC General Assembly

An interesting part of Biggs' argument is that the current ID law is unconstitutional since many of the legislators who voted for it also voted for an earlier law that federal judges had stuck down.

"It therefore seems 'eminently reasonable to make the State bear the risk of nonpersuasion with respect to intent' when the very same people who passed the old, unconstitutional law passed the new," wrote Biggs in her decision.

This argument is important because Biggs could not dig up persuasive evidence that there was any discriminatory intent behind the passage of SB 824 itself, meaning that she had to create that intent in order to issue a preliminary injunction. Biggs makes that jump even though she had to admit

later in her injunction that the NC General Assembly was seeking to follow procedures approved by earlier court cases when writing SB 824.

"The argument appears to be that, rather than simply re-enacting H.B. 589 to fulfill the voter ID amendment's mandate," wrote Biggs, "the legislature chose instead to assiduously follow pre-approved templates, thereby distancing itself from any lingering discriminatory motives." Biggs then noted the similarity of North Carolina's ID law to Virginia and South Carolina ID laws that had already been approved by federal courts.

So, Biggs was confronted with legal language that had already been ruled constitutional in other federal court cases. That language was part of a bill implementing a voter ID requirement to the NC Constitution that voters approved by a comfortable margin. In addition, she was forced to acknowledge on pages 47-53 that the plaintiffs are not likely to succeed in their argument that North Carolina's voter ID law violates Section 2 of the Voting Rights Act since federal courts have already approved similar

laws from Virginia and South Carolina.

Biggs attempts to get around that by claiming "evidence that discrimination was a motivating factor in this case means that any similarities between S.B. 824 and the voter ID laws of South Carolina and Virginia are of limited value." Her evidence was that most Democrats in the General Assembly opposed the passage of SB 824. Biggs conveniently ignores that the ID law was subsequently liberalized in large bipartisan votes in HB 646 earlier last year.

(NOTE: I opposed HB 646 because I believe it unnecessarily weakens the verification process for student and government worker IDs.)

In short, we are left with the simple fact that Biggs would have found any voter ID bill passed by North Carolina's General Assembly discriminatory, regardless of the intent of the majority of legislators or the language of the bill itself. That is an unreasonable standard that will not survive appeal.

Attorney General Josh Stein will appeal, just not yet

The preliminary injunction left Democratic Attorney General Josh

Stein in a bit of a bind since part of his job is defending state laws in federal court. While the appeal of Biggs' injunction will likely give him an easy win in a high-profile case (something attorneys general tend to covet), Stein also appears to worry about alienating his political base ahead of the 2020 election.

Stein has attempted to resolve the dilemma by deciding to appeal Biggs' injunction, but not in time for voter ID to be implemented in the March 3 primary. The state Department

of Justice announced the decision in a terse media release that avoided mentioning Stein by name and lacked the gratuitous quotes and pictures of Stein that often accompany such releases (as evidenced by the releases immediately before and after the voter ID appeal release).

Desired or not, Stein will likely get his high-profile win on the voter ID appeal and North Carolina will have voter ID in time for the general election in November.



Corporate cronyism a losing issue for Republicans and Democrats alike

CONTINUED FROM PAGE 5

breaks, grants, and incentives for hand-picked corporations or industries.

Some of the more practical elected officials may stand on principle against targeted tax breaks, while supporting them as an unfortunate reality due to their prevalence in other states. If North Carolina is the only state to end incentives, surely, we will lose out on businesses moving to incentive-giving states, they say.

This fear, while intuitive, actually lacks the data

to back it up. Academic research does not support a positive relationship between tax incentives and economic growth. Research has consistently shown that incentive packages are much less important to location or re-location decisions than other factors such as tax and regulatory climate, workforce availability, and quality of life. In many of those categories, North Carolina is leading the nation. Forbes has ranked North Carolina the number one place to

do business for the past three years, and the state is attracting new development largely due to the population and job growth that is happening now. If any state is positioned to be a national leader in ending corporate welfare, it is North Carolina.

Despite a compelling case to end corporate incentives, some lawmakers may be overly-cautious or worried that the business community would make an example out of a lone state taking a stand.

For those that share that concern, the practical policy solution is known as an interstate-compact. North Carolina could pass legislation signifying that it will end its corporate incentive programs only once a designated number of other states in the region or nation also pass legislation to do so. This policy tool is utilized in other areas, such as occupational licensing and education. North Carolina could set the example for other states to follow by

crafting the compact and being the first state to commit to it.

Corporate tax incentives present an opportunity for elected representatives to take a stand in favor of freedom and fairness. In today's volatile political climate, reforms that are bipartisan and make common sense should be embraced by elected officials of all political stripes.

