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Cooper leads Forest by double digits in potential 2020 matchup

BY RAY NOTHSTINE



In a preview of the likely matchup for North Carolina governor in 2020, current Gov. Roy Cooper leads Lt. Gov. Dan Forest by 10 points. The Civitas Poll found that if the election were held today, 47 percent said they would vote for Cooper, while 37 percent chose Forest. Sixteen percent of voters declared themselves undecided in a race that is more than a year away.

Lt. Gov. Dan Forest was the top vote getter on the statewide ballot in 2016. Forest received 84,000 more votes than Cooper and a little over 30,000 more votes than President Donald Trump in North Carolina. This is a potential sign of his ability to mobilize a large grassroots turnout across the state. However, the good news for Cooper is that he consistently has a strong showing in the polls conducted by the Civitas Institute.

Gov. Cooper's latest approval rating is at 53 percent, while 34 percent disapprove. Cooper has consistently polled over 50 percent.

"Given Gov. Cooper's greater relative visibility and above water approval ratings, this result is not a great surprise this early in the election cycle," said Civitas Institute President Donald Bryson. "However, both campaigns should be wary of what the cross-tab tea leaves show. This race could be very close, and both candidates could easily take crossover votes from the other's party."

Voters were evenly split on the question if they would vote for a Republican or Democrat for Congress (36/36 percent) and the 2020 state legislative races (38/38 percent). While not a surprise to political prognosticators, the polling continues to suggest close elections as well as a politically divided state.

According to the poll, Sen. Thom Tillis continues to see his favorability ratings plunge. Only 23 percent of those polled had a positive view of the current Republican senator. That number is down 11 points since November of last year.

Thirty-one percent view Tillis unfavorably, while 30 percent have no opinion and 15 percent have never heard of him. Former Civitas board member Garland Tucker has already announced a challenge to Tillis.

In the Democratic Presidential Primary in North Carolina, former Vice President Joe Biden fared better than Sen. Elizabeth Warren. Biden has a 42 percent approval rating and Warren is at 32 percent. Warren, who has been surging in national polls among Democrats of late, is at 41 percent disapproval. Most polls for Democrats nationally list Biden in the lead with Sen. Bernie Sanders in second, and Warren just behind Sanders.

Readers can find the entire poll at NCCivitas.org.

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From the editor

As lawmakers debate our budget and entitlements like Medicaid expansion, it's always essential to keep first principles in mind. Political parties change, occasionally for the better, but too often they drift from the people for the sake of power. Bill Clinton, a relatively recent president, once declared that "The era of big government is over." The current crop of candidates running for that party's nomination are constantly evoking expensive government programs, even using absurd terms like "free." Of course, Republicans in Washington seem more than comfortable with current spending levels, continuing on with the same policies that could cripple future generations.

It's my hope that North Carolina can increase its voice for conservative ideals and principles. It's important that our state pushes back on the perpetual threat of those that believe the best ideas and solutions come from Washington and the centralized planners. If we truly believe that "the government that governs least governs best," we should demand that of our lawmakers. We should champion it in the culture.

A lot of this issue's content looks forward to our next elections. Particularly towards the potential race between incumbent Gov. Roy Cooper and Lt. Gov. Dan Forest. Despite the current polling lead by Cooper, it's almost certain that the race will tighten and end up close, like most statewide races in North Carolina over the past few years. Civitas will keep you informed on the latest in our elections and all of the policy proposals and debates in Raleigh.

Our president, Donald Bryson, penned an op-ed on corporate tax incentives that was recently published by Fox News. That piece, included in this issue, is a great reminder that the state should not be in the business of picking winners and losers. As Bryson noted, taxpayers shouldn't have to subsidize companies "that detest their values." There is a lot of talk on the campaign trail about what is "just" and what is "fair," but I can't think of too much that is more unfair than government propping up one company or product at the expense of another. A level playing field sends a strong signal to all businesses that North Carolina is not only unique, but that it values entrepreneurs and consumers alike in a competitive marketplace.

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CYAN MAGENTA YELLOW BLACK

Time to stop subsidizing Hollywood moguls who detest our values

BY DONALD BRYSON

As the state legislative season winds down, many Southeastern states have passed strong pro-life legislation.

Many of these states are also locations for dozens of film and television projects. Due to these laws, some of the largest media conglomerates in the world, such as Netflix, Disney, and Warner, have threatened to cease production in Georgia. Given that Louisiana passed similar legislation, similar threats seem certain.

Both Louisiana and Georgia should be so lucky if the companies follow through on their threats.

Since 2009 Georgia has given an astounding $4 billion in subsidies for the honor of production crews pretending that Wakanda (Black Panther) is in Georgia. Not far behind, Louisiana has given $1.5 billion while my home state of North Carolina has provided nearly $400 million in handouts to Hollywood, through tax credits and direct subsidies.



If you have ever wondered why any of these states were being thanked at the end of a Marvel film, it wasn't out of the goodness of Hollywood's heart, but rather it's an obligation to be eligible for the millions of dollars doled out by the states.

Why have politicians been so eager to give taxpayer dollars to billion-dollar studios? Hollywood has long promised that these credits would boost tourism, spur economic activity, and lead to a permanent film infrastructure in whatever state was buying what they were selling.

The studies that haven't been doctored with Hollywood special effects have found the benefits from these Hollywood handouts to be sorely lacking, returning only roughly 30 cents on the dollar. Furthermore, the swift willingness and ability to move from state to state indicates a lack of long-term infrastructure investment by studios into those states that give so generously with the public's money.

As far as any non-economic benefit, Georgia is currently experiencing firsthand how much goodwill they have bought with their billions of taxpayer dollars. Georgia is being bullied by the very corporations that lawmakers tried to lure there through various subsidies.

It seems Hollywood was happy to lobby for more and more of citizens hard earned money. But the second those very same citizens decided that protecting life was important to them, Hollywood has gone out of their way to denounce the very people who built their beach houses.

If that hypocrisy wasn't bad enough, the shock that Hollywood is feigning over southern states being pro-life is richer than Bob Iger. While these bills are aggressive about protecting life anyone with even basic political knowledge isn't surprised by them. Majorities of the population of states which have enacted such legislation are pro-life, some overwhelmingly so. Thus, it's no shock that the elected officials they send to their state House are also pro-life. And this pro-life attitude cuts beyond partisan politics as Louisiana's bill was signed by Democrat Gov. John Bel Edwards and sponsored by an African American Democrat Katrina Jackson.

Were these beliefs of the elected officials perfectly fine as long as they were shoveling money to Hollywood and not acting on their pro-life beliefs?

What Georgia is currently experiencing and what Louisiana may soon experience is unfortunately nothing new to the people of North Carolina.

While North Carolina has currently avoided the wrath of Hollywood, it wasn't so long ago that similar things were happening to the Tar-Heel state. The NCAA and the NBA pulled events from North Carolina, and PayPal withdrew plans for a corporate expansion over legislation these organizations deemed anti-LGBT.

This whole saga goes to show the folly of trying to buy favor with liberal corporations and organizations with taxpayer dollars. These organizations are happy to fly in, hire expensive lobbyists, and tout the benefits of giving them millions of taxpayer dollars to grace your state with their presence. But the minute your state's politics differ from their liberal orthodoxy; you'll be met with threats and accusations while they simultaneously continue to cash their checks.

States have been funding those that detest their values with taxpayer dollars for too long. Here's hoping Georgia calls Hollywood's bluff and starts acting fiscally responsible at the same time.

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Civitas and the Cato Institute unite with experts to promote school choice

BY RAY NOTHSTINE



A joint sponsored event by the Cato and Civitas Institute in Raleigh on June 5 helped to elevate school choice as a defining issue in North Carolina. A January Civitas poll showed that 92 percent of North Carolinians believe parents should have the ability to choose what school their child or children attend.

School choice has gained recent notoriety and attention with some residents and lawmakers given Gov. Roy Cooper's hardline opposition to educational choice. Cooper has declared that charter schools promote segregation and vouchers drain money from public schools.

The four-person panel was hosted at the downtown Holiday Inn in Raleigh and featured former Democrat Sen. Joel Ford, Sen. Joyce Krawiec (R-Forsyth,) Neal McCluskey, director of the Cato Institute's Center for Educational Freedom; Anna Egalite, assistant professor for the N.C. State University Department of Educational Leadership, Policy and Human Development; and Paul "Skip" Stam, an attorney and former North Carolina House Majority Leader. Stam is a board member of the Civitas Institute.

McCluskey spoke to the popularity of school choice and why it has become more difficult for opponents to roll back progress on the issue nationally:

"It's incorporated in the assumptions of Americans that families should have school choice… each kid is unique, situations are different. It doesn't make sense to have only one school option."

McCluskey noted that pushback against charters is declining across the country because parents simply want more choice and options.

Joel Ford, former state senator, countered Cooper's frequent condemnation of charter schools by noting, "We have so many issues in our state. I wish our governor would focus on those, like getting relief to the eastern half of the state still suffering from hurricane damage." Ford's line was popular with attendees of the forum.

"It's incorporated in the assumptions of Americans that families should have school choice...each kid is unique, situations are different."

A day after the school choice event, Ford wrote on social media, pushing back against Cooper's claim that charters promote segregation, saying "public schools are more segregated now, than any time in history." Ford added that "It has been proven that Charter schools are more diverse and less segregated."

Sen. Joyce Krawiec says she hopes the General Assembly will continue to grow the Opportunity Scholarship Program and noted that the strict income limits prevent access for many families.

Krawiec was critical of many North Carolina Democrats who are thwarting more progress on school choice, but all the speakers were in agreement that more bipartisan voices are needed for greater reforms to advance and allow more parents and students to move beyond the entrenched power of the traditional educational bureaucracy.

The title of the event was "Improving School Outcomes Through Choice: North Carolina Leads the Way" and was moderated by Christopher Hanson, director of state relations for the Cato Institute.

CYAN MAGENTA YELLOW BLACK

Why 'pre-recession' spending levels make for a dangerous goal

BY BRIAN BALFOUR

In 2009, North Carolina progressives joined leftists across the country in cheering the passage of the Affordable Care Act, more popularly known as Obamacare. This law was necessary, they insisted, because healthcare costs were skyrocketing at such an alarming rate, a major overhaul of one-eighth of our economy was needed.

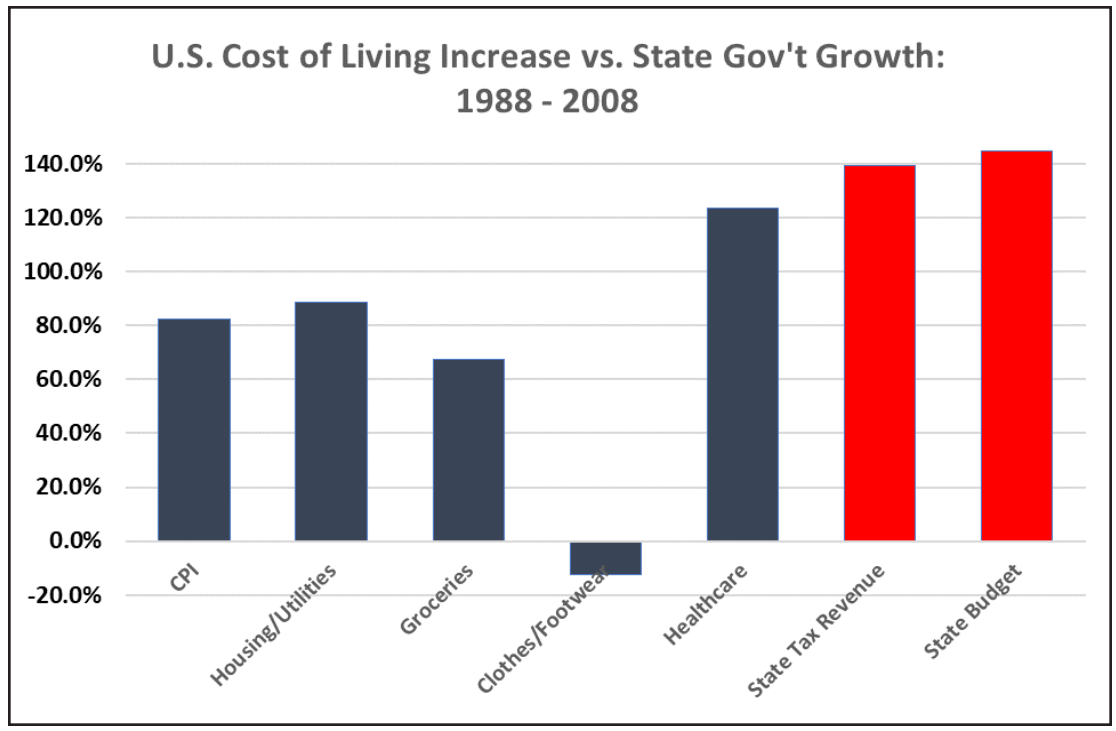
But what if I told you at the time Obamacare was passed, the cost of North Carolina state government was rising at an even faster rate than healthcare costs?

North Carolina progressives will never be satisfied with the size of state government or the budget. One of their most oft-repeated talking points over the last few years is their insistence that state spending needs to return to "pre-recession levels."

What they conveniently leave out of such pleas is any evaluation of how "pre-recession" levels were a decades-long high-water mark in spending, the culmination of an eye-popping spending binge that nearly bankrupted the state when recession hit.

One other way to look at these trends is to measure the cost of state government per person and compare that "cost of living" to overall inflation rates as well as the rising cost of common items like housing and utilities, groceries, clothing – and yes, even healthcare.

We can examine the cost of state government leading up to the Great Recession by tracking per capita state budget growth from 1988 to 2008. During that time, state spending per person rose a total of 144.6 percent. Similarly, the growth of state General Fund tax revenue during that time totaled 139.3 percent.



Compare this growth rate to the cumulative growth rate of the Consumer Price Index (CPI) – a measure intended to reflect the overall cost of living for the average citizen – of just 82.4 percent during that time.



In other words, the cost of state government leading up to "pre-recession" levels grew at a rate about 1.7 times the overall growth rate of the cost of living.

Moreover, the cost of North Carolina state government rose dramatically faster than the (national) cost of "housing and utilities" (88.6 percent), groceries (67.4 percent) and "clothes and footwear" whose costs actually fell by 12.5 percent during that time.

Think your utility and grocery bills had been taking a bigger bite of your family budget over the years? Your North Carolina state government was growing its bite of your budget at a significantly faster clip.

Finally, let's compare North Carolina state government's 'cost of living' growth to healthcare costs. From 1988 to 2008, national average healthcare costs grew by a total of 123.4 percent – still well short of the growth of state government.

Let this be clear: North Carolina progressives argued that healthcare costs were rising at such a dramatic rate that the nation's healthcare industry needed an historic overhaul. But those same progressives were increasing state government's costs at an even faster pace.

And its today's progressives that insist we need to return to such reckless and oppressive state budget growth to satisfy their insatiable desire for spending other people's money. Don't be fooled.

CYAN MAGENTA YELLOW BLACK

Changes represent the difference in voter registration between May 18 and June 22, 2019										
County	Total Voters	Total Change	Democrats	Democrat Change	Republicans	Republican Change	Libertarians	Libertarian Change	Unaffiliated Voters	Unaffiliated Change
Totals	6,653,938	22,490	2,470,114	3,185	2,003,702	5,243	37,407	313	2,139,585	13,527
Alamance	97,924	381	35,746	95	32,187	58	522	3	29,434	224
Alexander	23,099	46	5,407	-17	10,524	31	84	1	7,076	30
Alleghany	6,897	18	2,265	-7	2,557	13	30	0	2,044	12
Anson	15,610	56	10,117	-12	2,325	21	26	0	3,116	47
Ashe	17,773	31	4,616	-17	7,763	16	73	-1	5,317	33
Avery	11,164	51	1,320	9	6,518	14	48	0	3,275	28
Beaufort	31,286	-86	11,971	-51	10,467	-21	88	0	8,751	-14
Bertie	12,537	1	8,673	-22	1,387	7	25	-1	2,450	17
Bladen	21,447	113	11,084	-5	4,052	54	43	1	6,263	60
Brunswick	100,286	576	25,347	71	38,525	243	425	4	35,957	254
Buncombe	188,518	507	71,827	82	43,687	50	1,474	23	71,374	346
Burke	52,794	191	15,625	-9	19,497	68	272	2	17,370	127
Cabarrus	131,645	510	39,588	135	47,326	79	850	7	43,801	285
Caldwell	49,696	71	11,623	-47	23,193	49	345	-1	14,504	69
Camden	7,297	-5	1,888	-1	2,381	-3	56	0	2,970	-1
Carteret	49,594	-117	10,702	-35	21,705	-36	226	-2	16,955	-44
Caswell	14,318	18	6,902	-9	3,188	16	33	0	4,191	11
Catawba	98,384	378	22,387	12	42,666	88	430	6	32,868	269
Chatham	52,018	383	19,918	112	12,676	96	249	11	19,143	164
Cherokee	20,631	135	4,339	6	9,422	88	127	1	6,731	39
Chowan	9,416	-40	4,226	-26	2,518	-6	25	0	2,645	-8
Clay	8,302	37	1,644	10	3,612	10	49	-1	2,993	18
Cleveland	60,676	112	23,151	-23	20,504	49	272	2	16,730	83
Columbus	33,866	73	17,359	-52	7,318	62	70	4	9,109	58
Craven	65,968	-20	21,173	-23	23,658	7	372	-2	20,743	-3
Cumberland	201,310	1,808	90,143	535	45,886	353	1,234	23	63,943	886
Currituck	18,817	-13	3,511	-4	7,260	-6	160	0	7,876	-3
Dare	28,193	80	7,909	7	8,997	32	216	3	11,061	38
Davidson	102,774	325	23,220	1	48,851	136	440	3	30,227	184
Davie	28,471	129	4,904	10	14,633	54	121	0	8,801	64
Duplin	28,099	86	12,375	-6	7,854	37	104	1	7,755	54
Durham	217,762	731	119,003	337	25,591	24	1,098	6	71,942	350
Edgecombe	33,714	-20	23,134	-79	5,593	7	78	-1	4,899	53
Forsyth	246,986	486	99,109	81	71,922	-2	1,295	8	74,545	394
Franklin	41,983	176	16,476	26	12,939	56	220	5	12,325	87
Gaston	134,059	532	40,037	97	51,756	169	754	9	41,452	252
Gates	7,638	11	3,839	-5	1,648	5	29	0	2,120	11
Graham	5,671	25	1,528	-4	2,618	21	26	0	1,498	8
Granville	36,527	150	17,162	18	9,042	52	144	1	10,165	78
Greene	10,776	-10	5,880	-10	2,062	-8	19	0	2,812	8
Guilford	350,144	1,369	156,100	376	88,969	195	1,903	10	102,999	779
Halifax	35,343	79	22,764	18	4,251	16	85	0	8,234	43
Harnett	72,070	355	24,326	39	25,434	97	514	7	21,762	207
Haywood	41,789	161	14,610	-3	13,245	76	260	1	13,652	87
Henderson	79,571	715	16,549	120	29,948	194	474	16	32,559	379
Hertford	14,138	17	10,113	-15	1,341	10	34	-1	2,642	23
Hoke	29,213	97	13,552	3	6,140	37	197	-3	9,303	58
Hyde	2,997	1	1,629	-4	497	1	14	0	857	4

Iredell	115,645	586	27,845	81	48,253	156	612	6	38,884	336
Jackson	26,762	11	9,241	-17	7,271	3	176	-1	10,060	24
Johnston	124,820	765	36,842	120	48,287	230	757	7	38,865	404
Jones	6,908	-10	3,218	-7	1,825	-2	21	0	1,843	-1
Lee	34,801	273	13,419	2	10,065	62	192	6	11,114	202
Lenoir	35,705	-113	18,672	-70	9,194	-24	102	0	7,734	-19
Lincoln	54,881	171	12,047	-24	24,948	87	271	6	17,592	99
Macon	24,773	91	5,914	7	10,315	41	138	0	8,392	41
Madison	15,935	33	5,814	-13	4,240	21	105	1	5,769	25
Martin	15,748	53	9,016	2	3,153	15	38	1	3,536	35
Mcdowell	26,943	22	7,048	-25	10,698	10	147	1	9,035	37
Mecklenburg	713,664	2,178	309,978	705	161,604	93	4,786	31	236,955	1,317
Mitchell	10,080	32	1,035	4	6,046	14	26	-1	2,972	15
Montgomery	15,500	44	6,348	-26	4,926	34	67	1	4,149	33
Moore	66,706	298	15,626	47	27,466	112	385	9	23,207	127
Nash	63,965	195	31,331	34	18,190	53	220	2	14,202	103
New Hanover	161,439	542	49,387	56	51,022	136	1,168	9	59,785	341
Northampton	13,176	33	9,195	7	1,382	14	25	1	2,571	11
Onslow	98,970	-68	23,989	-50	36,805	-22	938	-1	37,168	4
Orange	105,941	196	49,244	51	14,664	12	678	5	41,310	125
Pamlico	8,931	-17	3,291	-6	3,094	-4	41	0	2,505	-7
Pasquotank	25,753	58	11,206	21	5,791	9	150	0	8,595	28
Pender	39,345	113	11,362	-19	15,126	46	237	-3	12,596	87
Perquimans	9,122	-61	3,446	-28	2,620	-12	32	0	3,018	-21
Person	25,203	55	10,966	-12	6,458	22	93	0	7,678	42
Pitt	114,628	-377	51,077	-184	29,697	-93	686	-3	33,098	-97
Polk	15,033	46	3,907	-8	5,389	29	76	1	5,643	23
Randolph	86,106	228	16,619	-4	44,158	91	493	3	24,801	136
Richmond	27,446	118	14,183	-24	5,688	47	77	1	7,477	88
Robeson	70,342	308	43,080	-29	9,127	117	184	2	17,919	214
Rockingham	56,800	186	20,023	-20	20,457	46	233	4	16,063	153
Rowan	88,193	241	24,404	4	36,664	90	398	8	26,685	136
Rutherford	42,062	115	12,451	-20	16,469	66	204	-1	12,919	70
Sampson	34,836	99	14,144	1	13,222	47	117	-1	7,344	51
Scotland	20,461	105	11,236	8	3,450	34	65	-1	5,694	63
Stanly	39,824	117	9,848	25	18,090	43	143	4	11,724	42
Stokes	29,037	4	6,552	-33	14,483	7	153	0	7,836	30
Surry	42,712	49	11,698	-19	18,598	-8	123	2	12,284	74
Swain	9,175	41	3,390	6	2,515	12	40	1	3,227	22
Transylvania	24,552	109	6,131	3	7,991	38	116	3	10,310	65
Tyrrell	2,189	-5	1,189	-2	339	-1	8	0	653	-2
Union	150,605	1,113	37,111	190	62,284	382	755	13	50,398	520
Vance	27,662	51	17,993	-1	4,023	22	61	1	5,574	28
Wake	719,204	3,199	264,771	835	181,349	366	5,100	47	267,629	1,927
Warren	12,720	4	8,548	-15	1,767	2	38	1	2,364	15
Washington	8,006	17	5,280	-9	1,053	6	21	0	1,652	20
Watauga	43,127	-28	11,299	-22	13,093	-21	477	-2	18,244	17
Wayne	70,351	237	29,356	-19	22,833	85	347	6	17,779	163
Wilkes	40,017	135	8,487	3	21,028	65	145	1	10,349	65
Wilson	53,002	57	27,022	-41	12,795	0	171	-3	12,985	100
Yadkin	22,724	48	3,521	-4	12,831	30	89	1	6,273	21
Yancey	13,217	83	4,543	10	4,733	26	49	0	3,887	47

Forest trails Cooper in governor's race poll – implications for 2020

BY LEAH BYERS

Lt. Gov. Dan Forest on July 9 announced his intention to run for governor, making him the presumptive Republican nominee to face off against incumbent Democrat Gov. Roy Cooper in the 2020 gubernatorial contest. The June Civitas poll asked respondents who they would vote for if the 2020 election were held today, and found Cooper had a significant lead over Forest.

In the hypothetical race, Cooper received 47 percent support while Forest trailed at 37 percent, with 16 percent undecided. The poll surveyed 500 likely voters and the 10-point difference is well outside of the poll's 4.38 percent margin of error.

Do these results tell us that Cooper has the race in the bag? Not quite, but we can draw some takeaways.

Takeaway 1: Cooper enjoys the image of a moderate, despite his far-left policy stances

Civitas Polling has consistently found Cooper's approval rating to be in the mid-50s. Cooper could be benefitting from the thriving state and national economies, although state economy-boosting tax reforms were Republican policies that Cooper seems to oppose.

Cooper seems to be overcoming some earlier problems of anonymity. In September of 2018, only 59 percent of Civitas Poll respondents (in a survey of likely voters) could name Cooper as governor. By October, that number had risen to 70 percent, likely due to Cooper's hurricane response efforts.

The executive in North Carolina is relatively weak in the legislative process, giving Cooper cover to remain silent on controversial issues while only speaking on popular ones. There are two areas, though, that reveal Cooper's true policy positions: his recommended budgets and his vetoes.

Cooper's proposed budgets have slashed the scholarship program for low-income children and called for unsustainable borrowing and spending (although that element is no surprise, given his legislative career).

Cooper has vetoed expansions of school choice and protections for babies born alive after a failed abortion.

In addition, Cooper's first term has had its share of scandals, including the Atlantic Coast Pipeline slush fund debacle and his failure to distribute federal aid to Hurricane Matthew victims from 2016.

Does Cooper's polled approval and electoral success suggest that North Carolinians agree with his policy positions? I would argue that it means they do not know about them, as evidenced by the next takeaway.

Takeaway 2: Forest faces an uphill battle for positive coverage

It is no secret that a majority (although not all) of the mainstream media, nationally and in North Carolina, is left-leaning. That could be why many of Cooper's scandals have not gotten the attention that a similar scandal from a Republican may have garnered.

Forest's six and a half years as lieutenant governor have done little to define his public image. The November 2018 Civitas Poll found that Forest had a 21 percent favorable image, with 11 percent unfavorable. A full 33 percent of respondents said they had never heard of him. As a reminder, this is a poll of likely voters, and Forest was halfway through his second four-year term as lieutenant governor at that point.

This can be both a blessing and a curse for Forest going into 2020. He essentially has a blank slate to define his image. However, the media is not likely to let us forget his strong support of House Bill 2, North Carolina's infamous 2016 "bathroom bill." Bill sponsor Dan Bishop, now running for Congress, has seen the media try to define him by that legislation in his current race. Bishop has since won two elections for state Senate and one GOP primary for the ninth congressional district. The outcome of his general election for that race could be a foreshadow of how the issue could be at play in the 2020 gubernatorial race.

Unlike Bishop, though, Forest will be running for a statewide office. Many speculate that former Gov. Pat McCrory's stance on HB2 cost him his reelection bid. However, McCrory seemed to flip-flop on the issue, whereas Forest thus far has retained the conservative position on the bill. In fact, Forest got more votes than Cooper in the 2016 election, although the two obviously were not head-to-head in their contests (Forest also received more votes than President Donald Trump).

Forest may have a battle ahead, but he tends to align more with voters on issues such as voter ID, lowering taxes, and school choice – IF he can get his message out there.

Takeaway 3: Anything can happen

Being just under the 18-month mark until the election, I would by no means count Forest out of the race.

This contest falls during a presidential election year, with no shortage of feelings on both political sides about Pres. Trump's reelection bid that can get people out to the polls. But, as we saw with a Trump-Cooper victory in North Carolina, the races are distinct and can have varied outcomes.

I would not say that these initial results indicate a "blue wave" in North Carolina. Civitas Polling on ideology and policy issues suggests that North Carolina is a center-right state. Civitas Elections Policy Analyst Andy Jackson recently explained that the voter registration and election outcome data does not, in fact, suggest that North Carolina is turning blue. His findings suggest unaffiliated voters are the key for 2020. The August 2018 Civitas Poll found that unaffiliated voters tend to be center-right, as well, which could help Forest if he is able to brand himself that way.

CYAN MAGENTA YELLOW BLACK

A cure worse than the disease: Internet speech regulations hurt more than they help

BY MATT NESE AND DONALD BRYSON

Would elections be more secure if it was harder for Americans to speak about them? That bizarre proposition has been put into legislation in North Carolina, in the form of H.B. 700.

At first glance, the bill may look like a simple effort to define technical terms like "electioneering communication" and "qualified digital communication." The devil is in the details, however. H.B. 700 is a modified version of failed congressional legislation called the "Honest Ads Act." It would expand restrictions on online political speech, including on social media, limiting North Carolinians' ability to air their opinions about government and hear the views of others.

Under H.B. 700, more speech about politics would be regulated, and the regulations would be harder to follow. The bill would likely reach beyond advocacy or even real discussion of a candidate and encompass posts on Facebook, pictures on Instagram, and even tweets. If a farmer's market posts a photo of the governor on Facebook and thanks him for taking time off the campaign trail to visit the market, it could be regulated. The group would have to include a disclaimer like the ones found on televised campaign ads and send a copy of the post to the state, along with additional information about the group. If it fails to do so, it would be fined.

In addition to regulating speech that isn't campaign-related, H.B. 700 would burden political speakers with unnecessary red tape. Raising the cost of speech will discourage many from speaking. That's a loss for democracy, not a win. This is particularly true for the Internet, where cash-strapped and grassroots organizations often thrive.

Internet speech bills like H.B. 700 are a bait-and-switch. They promise voters more ethical campaigns but merely restrict their ability to speak about them. They promise a solution to foreign interference in elections, specifically Russian efforts to influence the 2016 presidential election, despite the fact that paid advertising was a small and likely ineffective part of their strategy.

Hackers, meme factories, and foreign agents won't be deterred or even affected by new rules on paid ads. Serious efforts to respond to foreign meddling take place in federal intelligence agencies, not state elections boards. Meanwhile, the burdens created by H.B. 700 would fall on the shoulders of Americans, not foreigners.

"Americans are smart enough to decide whether they like a candidate or a policy position."

The so-called "Honest Ads Act" on which the bill is based was later incorporated as a key component of the House Democrats' premier legislation, H.R. 1. That 700-page bill's overhaul of campaign finance, voting, and ethics laws was pilloried by critics and Republicans in Congress as a power grab that harmed free speech. H.R. 1 passed the House but is not expected to receive a vote in the Senate.

Other states' efforts to expand regulations for online political communications have been a debacle. Maryland and Washington both passed their own Internet speech laws in 2018. Maryland even sought the input of Facebook lobbyists, but their insider expertise did not help. Both states' laws were so impossible to follow that Google stopped selling state and local political ads there. Imagine how smaller platforms without Google's immense resources will react when faced with the same hurdles.

Making matters worse, Maryland's law attracted a lawsuit from a coalition of press organizations, including The Washington Post and The Baltimore Sun, for violating their First Amendment rights. In January, a federal court stopped the state from enforcing the law against the publishers, indicating it was likely unconstitutional. If North Carolina legislators succeed in passing similar regulations, it's a safe bet the courts will wind up resolving the issue in a long and costly fight.

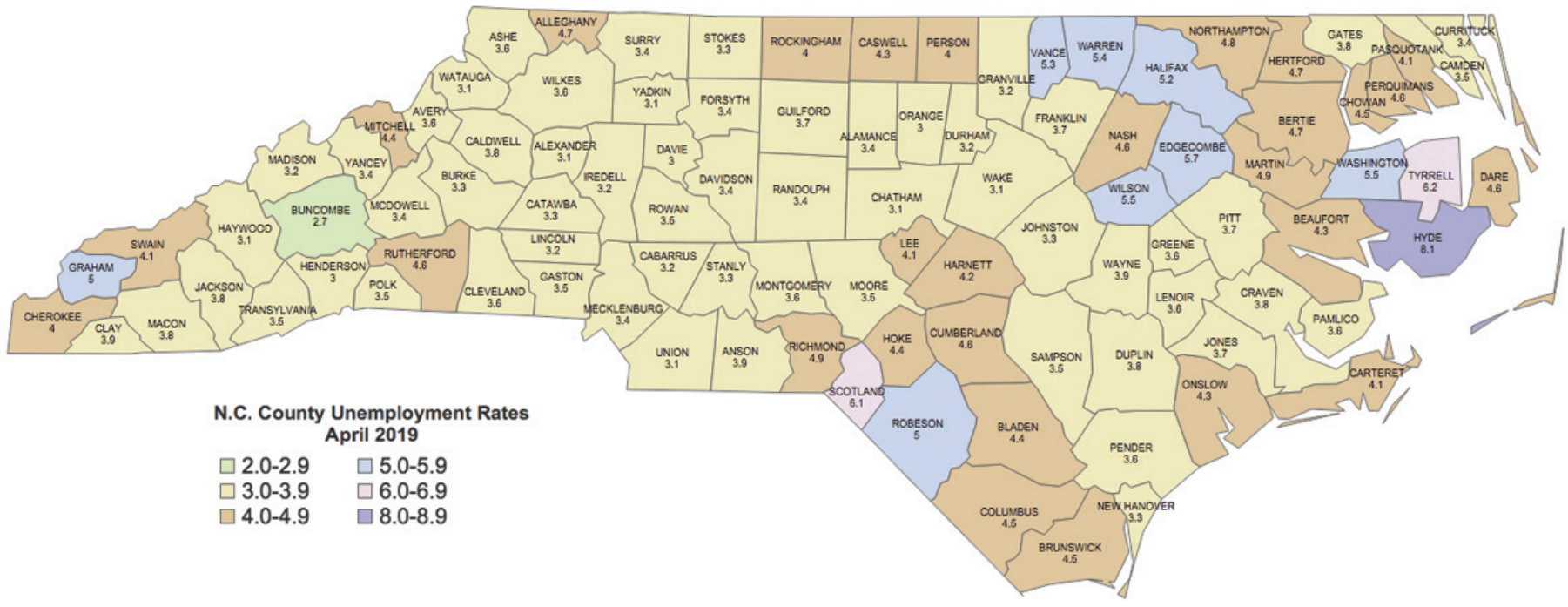
The Internet has long been regarded as a democratizing force in politics. It has reduced the cost of speaking, increased the availability of information about government, and made it easier for like-minded Americans to find each other and organize in support of a cause. These benefits should not be taken for granted and regulated out of existence.

A better path for North Carolina – and the country – is to make it easy for citizens of all beliefs to engage with and speak about politics. Instead of erecting new barriers to speech, we should be removing unnecessary ones and simplifying the rest. Instead of bemoaning the Internet's faults, we should be harnessing its potential.

H.B. 700 is a cure worse than the disease. Americans are smart enough to decide whether they like a candidate or a policy position. Government shouldn't limit their speech out of fear they'll make a choice it doesn't like. The Founding Fathers understood that. We should too.

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The above map shows the April 2019, (not seasonally adjusted) unemployment rates for all 100 North Carolina counties (data from N.C. Department of Commerce). The April statewide unemployment rate was 4 percent. The national unemployment rate is 3.6 percent. March's unemployment rate for North Carolina was initially reported as 4.1 percent, but was later revised to 4 percent, giving the state back to back months with 4 percent unemployment.

When compared to the same month last year, not seasonally adjusted unemployment rates decreased in 41 counties, increased in 28, and remained unchanged in 31. Eight metro areas experienced rate decreases over the year, three increased, and four remained unchanged.

Hyde County had the highest unemployment rate at 8.1 percent, while Buncombe County had the lowest at 2.7 percent. Hyde County was 11.5 percent in March and Buncome County was 3.2 percent in March.

Among the metro areas, Rocky Mount at 4.9 percent had the highest unemployment rate and Asheville had the lowest rate at 2.8 percent.

Teachers continue to leave NCAE

BY BOB LUEBKE

Despite leading high-profile teacher rallies in Raleigh over the last two years, the North Carolina Association of Educators (NCAE) continues to lose members. The latest membership numbers, published in June by veteran teacher union watcher Mike Antonucci, found NCAE had 28,725 total members in 2017-18, a decline of 6 percent from the previous year.

Over the past five years NCAE total membership has fallen 33.5 percent. How bad is the decline? The only other state to experience a greater percentage decline over the same time period was New Hampshire (47.4 percent).

Not all the news was bad for the NCAE. Total membership in the National Education Association, the parent affiliate of NCAE, is up slightly (.6 percent) over last year and up over the past five years but less so (.01 percent).

You can spend a lot of time parsing the results. Suffice it to say the membership results haven't quite been the disaster that many teachers' unions were expecting from the Janus decision, which guaranteed freedoms to opt out of union membership.

Lastly, let's not forget NCAE membership continues to fall well below the 40,000 threshold the legislature approved (G.S.143B-426.40(g)) to permit the state to provide dues payroll deduction services.

The more things change, the more they remain the same.



CYAN MAGENTA YELLOW BLACK

Rucho v. Common Cause is not even the beginning of the end of the redistricting fight

BY ANDY JACKSON

The U.S. Supreme Court ruled on June 27 that "(p)artisan gerrymandering claims present political questions beyond the reach of the federal courts." The 5-4 decision followed precedent established in Davis v. Bandemer (1986).

The basic argument, written by Chief Justice John Roberts, is that deciding what is "fair" when drawing district maps is a political, not constitutional, question.

Partisan gerrymandering claims rest on an instinct that groups with a certain level of political support should enjoy a commensurate level of political power and influence. Such claims invariably sound in a desire for proportional representation, but the Constitution does not require proportional representation, and federal courts are neither equipped nor authorized to apportion political power as a matter of fairness. It is not even clear what fairness looks like in this context. It may mean achieving a greater number of competitive districts by undoing packing and cracking so that supporters of the disadvantaged party have a better shot at electing their preferred candidates. But it could mean engaging in cracking and packing to ensure each party its "appropriate" share of "safe" seats. Or perhaps it should be measured by adherence to "traditional" districting criteria. Deciding among those different visions of fairness poses basic questions that are political, not legal. There are no legal standards discernible in the Constitution for making such judgments. And it is only after determining how to define fairness that one can even begin to answer the determinative question: "How much is too much?"

And again, on page 17 of his decision, the court asserts that groups seeking to use the courts to draft districts are trying to utilize a tool that is not appropriate for the job:

Unable to claim that the Constitution requires proportional representation outright, plaintiffs inevitably ask the courts to make their own political judgment about how much representation particular political parties deserve—based on the votes of their supporters—and to rearrange the challenged districts to achieve that end. But federal courts are not equipped to apportion political power as a matter of fairness, nor is there any basis for concluding that they were authorized to do so.

The bottom line is that there is no constitutional requirement for the courts to require proportionality in federal districts. The idea that districts must



be drawn so that political parties must receive the number of legislative seats that they believe is fair has always been legal fiction; Rucho v. Common Cause confirms that.

With the clarity of the ruling and its grounding in precedent, Rucho v. Common Cause should decrease the number of redistricting lawsuits being brought to federal courts.

However, the struggle over redistricting in North Carolina is far from over.

On the political front, the General Assembly is considering several proposals for creating a commission to draft or help draft district maps. Today's decision will increase debate on those proposals. While some of those proposed plans are simply exercises in political fiction and exercises in overreach, others are more realistic and have at least some bipartisan support.

There is also another court case that will potentially have a bigger impact on elections in North Carolina than Rucho v. Common Cause. Common Cause v. Lewis will begin working its way through the North Carolina judicial system next month. It is a lawsuit designed to give more power to the Democratic Party. In fact, the Democratic Party is one of the primary plaintiffs in the suit.

One justice, Anita Earls, has worked with left wing groups on redistricting cases in the past and it is difficult to imagine that her past employment would have no impact on her judgement in the case. Even if she recused herself from Common Cause v. Lewis, the commanding majority that Democrats have on the North Carolina Supreme Court increases the chance that they will toss out the current state legislative districts before the 2020 election. The size of the Democratic majority on the court was increased by a Republican mistake in the 2018 election that allowed for the Republican vote to be split between two candidates and grew even wider with the resignation of Republican former Chief Justice Mark Martin earlier this year, creating an ideal environment for a lawsuit like those Earls once litigated.

The redistricting fight will be continued on those other fronts.

2020 is looking like another close election

BY ANDY JACKSON

Close elections have become as North Carolinian as barbecue. Based on (an admittedly very early) Civitas/Harper poll it appears that we are going to be in store for more of the same in next year's election.

North Carolina likely voters are evenly split between Democrats and Republicans for both the state legislature and Congress. The parties are tied at 38 percent each in a generic ballot question for Congress and 36 percent each in a generic ballot question for the North Carolina State Legislature.

That is a contrast from the last poll before the 2018 election, when Democrats enjoyed a four-percentage point advantage for Congress and a five-percentage point advantage for state legislature. While that dip in support for the Democrats is encouraging for Republican hopes for maintaining control of the state legislature, it is not a surprise. The party in the White House tends to suffer during midterm elections, as Republicans did in 2018. In addition, the loss of the Republican's super-majority in the state legislature (along with Democratic control of the US House of Representatives) means that Democrats will face a larger share of voters' ire when things go wrong with state government, especially given Democratic control of the state's other two branches of government.

While the results in individual districts depend on local political geography and how those districts are drawn, the generic ballot question can be a good barometer of overall voter sentiment.

One race that was not close in the Civitas poll was for governor, where incumbent Gov. Roy Cooper enjoyed a ten-percentage point advantage over Lt. Gov. Dan Forest, 47-37.

I expect that race to tighten as well. With the Republican super-majority in the General Assembly gone, Cooper will have a greater governing responsibility and will likely be held to a higher standard by voters. That process appears to already be under way and Gov. Cooper's current struggles with legislators over the budget make it difficult for him to appear above the partisan fray. While Gov. Cooper's job approval is still relatively high, it has declined from 58 percent in our March poll to 53 percent in June.

I do not think any serious observer of NC politics believes that Cooper will win by ten percentage points, although he seems likely to win at this point. In fact, a Public Policy Polling poll that came out just after the Civitas poll was released only has Cooper up 45-41, which PPP says represents "a significant tightening from PPP's last poll of the race in January when Cooper led 47-35."



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