

Democracy North Carolina

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TEN MILESTONES IN NORTH CAROLINA POLITICS FOR 2010

The past year has been filled with new achievements, for better or worse, that will help shape politics in North Carolina for the next decade and beyond. Here's a list of ten:

- ***Slap-on-the-Wrist Felony:*** Mike Easley became the state's ***first governor*** convicted of a felony when he accepted a plea deal and a puny \$1,000 fine related to a false campaign finance report filed by his campaign committee. Federal and state prosecutors felt they achieved their goal of sending a message to politicians and the public that political corruption will not be tolerated, but the offense and fine didn't seem to match the lengthy investigation into the governor's many questionable activities. Easley told the judge, "I have to take responsibility for what the campaign does. The buck has to stop somewhere. It stops with me." But he still hasn't paid all of the \$100,000 fine levied against his campaign committee in an earlier hearing by the State Board of Elections. It will be interesting to see what happens when he asks the State Bar to reactivate his law license, which was suspended after the felony conviction.
- ***Money Laundering:*** Two prominent political donors and business leaders – Rusty Carter of Wilmington and Fred Hobbs of Pinehurst – were each caught funneling large amounts of money through their employees to multiple candidates. Hobbs paid \$150,000 to the State Board of Elections – the ***largest civil fine*** it has ever levied; he awaits possible criminal prosecution, a potential story for 2011. Carter was convicted in court of a misdemeanor, and he also paid a \$100,000 fine to the State Board. His case spurred the adoption of a ***new state law*** that makes an intentional violation of the campaign contribution limits involving over \$10,000 a felony offense.
- ***Outside Money:*** Republican candidates got a giant boost from ***a record amount*** of spending in General Assembly contests by outside electioneering groups, spearheaded by Rose's department store owner Art Pope. The US Supreme Court's *Citizens United* decision in January 2010 gave corporations and unions ***new authorization*** to invest in political advertising. In addition, the tight contests and inflated prize for the winners (control of redistricting) made investments by outsiders especially attractive in 2010. Reports by the Institute for Southern Studies and NC FreeEnterprise Foundation linked Art Pope's family and company to \$2.2 million spent against 27 Democratic state legislators; Republicans candidates won 20 of those races.
- ***Republican Reconstruction:*** By blasting Democrats for bad ethics, high taxes, job losses and big government, a well-financed Republican Party rallied core supporters, swing voters, and energized tea partiers to win majority control of both chambers of the General Assembly for the ***first time*** in over 100 years. In the 2006 mid-term, Democrats and Republicans posted identical turnout rates – 39% of their registered voters – but in 2010, the GOP led 50% to the Dems' 44% (turnout was 33% for unaffiliated voters). Unfortunately, as if to copy the Democrats' tactics after Reconstruction, Republicans appear poised to consolidate their power through a partisan redistricting process and a new voter ID barrier aimed at purging the voters they most dislike.
- ***Count All the People:*** In addition to shaping the redistricting process, the numbers from the 2010 Census will influence where businesses expand and where about \$1,500 per person of public funds will be spent yearly by the federal and state government. Communities and states

had a big incentive to count everybody, and North Carolina stepped up to the challenge. It failed to gain a new Congressional district, but it tied with South Carolina to rank as the state with the **biggest increase** in the rate of its residents returning Census forms over the previous Census – a 76% rate of return compared to 69% in 2000 (*rates revised by the Census Bureau, Dec. 2010*).

- **Early Voters, New Voters:** The overall 44% participation rate of registered voters in the 2010 election was not a record for mid-term elections in North Carolina, but the 905,000 voters who used in-person Early Voting set a **record for mid-terms** – and 2010 was the **first time** that white Republican men led all demographic groups in the use of in-person Early Voting (black Democratic women led in 2008). In addition, 2010 was the **first mid-term election** where citizens could register and vote on the same day at an Early Voting center; 60,000 voters participated thanks to Same-Day Registration. North Carolina is the only Southern state, and the largest in the nation, with a form of SDR.

- **Early Registration for Teenagers:** For the **first time** this year, North Carolina is allowing 16 and 17 year olds to pre-register to vote; they can't cast ballots at an earlier age but they can sign up early and be automatically registered when they reach the eligible age to vote. North Carolina is the third state to offer this option for teenagers as young as 16, and it is the **first state** to require local election boards to conduct voter registration and pre-registration drives each year in all high schools. As of December 24, the first year of implementation of this new law has allowed 38,000 16 and 17 year olds from all 100 counties to register early.

- **Public Courts:** Despite talk that public campaign financing would collapse after the Supreme Court's *Citizens United* ruling, the state's voluntary program for statewide judicial candidates flourished in 2010. Now eight years old, the program has finally achieved **the record** of being available in election cycles involving all 22 seats on the NC Supreme Court and NC Court of Appeals. During these years (2003-2010), 77% of the general election candidates across the ideological spectrum have enrolled in the program; its popularity has increased the diversity of judges on the two courts and reduced the role of special-interest money in their elections. When the two courts convene next year, 17 of the 22 members will be judges who qualified for public financing, including all 11 women and three African Americans elected to serve. A majority on Supreme Court justices will be women in 2011 for the **first time** in state history.

- **Instant Runoff Voting:** For the **first time** in US history, Instant Runoff Voting was used in a statewide general election – but, unfortunately, it was a low-profile, nonpartisan contest to fill a late vacancy on the Court of Appeals. Once the State Board of Elections settled on a method for processing ballots, the system worked pretty smoothly, after a four-week break that allowed local officials to settle other election matters. About as many voters participated in the IRV election as in other Court of Appeals contests, and given the higher turnout rate of conservative voters in 2010, it's not surprising that the more conservative candidate ultimately prevailed. The Democrat (Cressie Thigpen) led among first choices, but the Republican (Doug McCullough) was the back-up choice for many more of the voters whose first choice was cut. Just the reverse occurred in Cumberland County with **the first** IRV race for a Superior Court seat; Democrats there posted a higher turnout and the Republican frontrunner lost when all the back-up choices were counted.

- **Radiant Sunshine:** The 2010 legislature adopted a 25-page law requiring **a host of new** public records disclosure and ethics provisions, including: **the first** restrictions on an executive branch official becoming a lobbyist within six months of leaving office; mandates to create **the first** searchable databases of state-level campaign donations and of all state contracts over \$10,000; **the first** requirement that all appointees to policymaking boards must list campaign donations over \$1,000 made for the appointing official's campaign; and **broad new authority** given to the governor to adopt additional ethics standards for gubernatorial appointees and state employees.