



N.C. CENTER FOR  
PUBLIC POLICY  
RESEARCH

# From The Center Out

The Newsletter of the North Carolina Center for Public Policy Research  
*Your source for nonpartisan research and analysis on state policy issues*  
Spring 2012

## 49 LEGISLATORS ALREADY NOT RETURNING, COULD SET TURNOVER RECORD, SAYS N.C. CENTER

Even before Primary Election Day, almost a third of the state's legislators will not return to their seats in 2013. Of the 170 legislators in the 2011-12 N.C. General Assembly, 49 members – including 26 Republicans and 23 Democrats – will not return next year. Due to redistricting, three of these are incumbents who will not return because they face another incumbent in the primaries, and three of those six will lose.

In the 2011-12 legislature, there were already 46 freshman legislators (27 percent). With 49 more legislators (29 percent) not returning in 2013, freshman and sophomore legislators will make up more than half of the 2013 General Assembly. “With this much turnover, a combined 481 years of institutional memory and policy expertise will be lost. On the other hand, there will be room for lots of new ideas,” said Ran Coble, executive director of the N.C. Center for Public Policy Research.

### Potential for Record-Setting Turnover

The modern records for highest legislative turnover were set in 1973 and 1975, when 65 and 70 new legislators, respectively, came to the General Assembly. Depending on the outcomes of the May 8<sup>th</sup> primary and November 6<sup>th</sup> general election, North Carolina's legislative turnover in 2013 could approach or surpass the record turnover of the mid-1970s.

In 1973, the Republican Party became a force in North Carolina with the victories of Republican U.S. Senator Jesse Helms and Republican Governor Jim Holshouser. By 1975, the record-setting turnover swung the opposite direction as many Democrats were elected to the N.C. General Assembly as part of the nationwide backlash against the Watergate scandal involving President Richard Nixon and Republican Party campaign officials.



**Retiring from the N.C. Legislature:** Sen. Richard Stevens (R-Wake), left, and Rep. Joe Hackney (D-Orange), right

### The Reasons for Legislators' Departures

The Center says there are four reasons for this year's legislative turnover – retirements, runs for higher office, accepting other jobs, and, most of all, redistricting. “Departing legislators have different reasons for leaving, but all returning legislators will have a lot of new faces to meet in the 2013 session,” said Coble.

Examples of retiring legislators are nine-term Senator Charlie Dannelly (D-Mecklenburg), 87, who is retiring to care for his ailing wife, and nine-term Representative Larry Womble (D-Forsyth), 70, who is retiring after a serious auto accident. Another departure resulted from the death of Sen. James Forrester (R-Gaston) last October. In addition, three of the five Democratic Representatives who joined Republicans to override Democratic Gov. Beverly Perdue's veto of the Republicans' budget are retiring – Dewey Hill (D-Columbus), Bill Owens (D-Pasquotank), and Timothy Spear (D-Washington).

Several legislators are leaving the General Assembly to run for higher office. These include Rep. Bill Faison (D-Orange), who is running for Governor; Sen. Eric Mansfield (D-Cumberland), Rep. Dale Folwell (R-Forsyth), and Rep. Grey Mills (R-Iredell), who all are running for Lieutenant Governor; and Sen. David Rouzer (R-Johnston), Rep. Ric Killian (R-Mecklenburg), Rep. Fred Steen (R-Rowan), and Rep. Patsy Keever (D-Buncumbe), who all are running for Congressional seats. Representatives Glen Bradley (R-Franklin), Bill Cook (R-Beaufort), Earline Parmon (D-Forsyth), and Norman Sanderson (R-Pamlico) are all leaving the N.C. House to run for the state Senate.

New job opportunities also pulled members away from the legislature. Sen. Debbie Clary (R-Cleveland) and Rep. Jeff Barnhardt (R-Cabarrus) left the legislature for careers in lobbying and Rep. David Guice (R-Transylvania) accepted a position as Director of the N.C. Division of Community Corrections .

Redistricting of the state's 170 legislative districts – 50 Senate and 120 House Districts – had the biggest impact on legislative turnover. The legislative maps drawn by Republicans put at least 10 Senators into districts with other incumbents, usually with a Republican advantage. The maps put 28 House incumbents into districts with other incumbents. Putting two incumbents in one district in called “double bunking.” Some legislators, such as Rep. Grier Martin (D-Wake), were double bunked with another veteran legislator and chose not to run. Other legislators like Democratic Representatives Jim Crawford (D-Granville) and Winkie Wilkins (D-Person) are competing against each other in the May 8<sup>th</sup> primary, and one of the two will lose his seat in the state House.

The new legislative maps shift political clout to urban areas and to Republicans. John Rustin, director of the N.C. Free Enterprise Foundation, says that the new Senate redistricting maps create:

- 16 strong Democratic districts,
- 2 that lean Democratic,
- 13 strong Republican districts,
- 14 that lean Republican, and
- 5 swing districts.

With 50 members in the N.C. Senate, 26 seats are needed for a majority. In the House, the new redistricting maps create:

- 34 strong Democratic districts,
- 10 that lean Democratic,
- 48 strong Republican districts,
- 18 that lean Republican, and
- 10 swing districts.

With 120 legislators in the N.C. House, 61 seats are needed for a majority.

The redistricting maps have been challenged in a lawsuit, and a three-judge panel of Superior Court judges will hear motions and have attorneys file briefs in mid-August 2012. A trial and decision are not expected before September.

### **Some Legislative Seats Already Won for Their Political Party**

In legislative districts across the state, 34 incumbent legislators are running unopposed in both the primary and general elections. Additionally, 31 other legislators have opposition only in their party's primary and not in the general election. These seats will be a victory for their party, regardless of the candidate elected. Finally, there are 3 legislators whose only opposition in the fall general election comes from Libertarian Party candidates. Libertarian Party candidates have never won a legislative race in North Carolina. Combining unopposed races, races with opposition only in the same party's primary, and races only with Libertarian Party opposition, 19 seats are likely already determined in the Senate – 12 will be Republicans and 7 will be Democrats. More than a third of the makeup of the N.C. House is set as 26 will be Republicans and 23 will be Democrats. This research on legislative turnover is available free online at the Center's website at [www.nccppr.org](http://www.nccppr.org).

## REPUBLICANS TOP LATEST EFFECTIVENESS RANKINGS

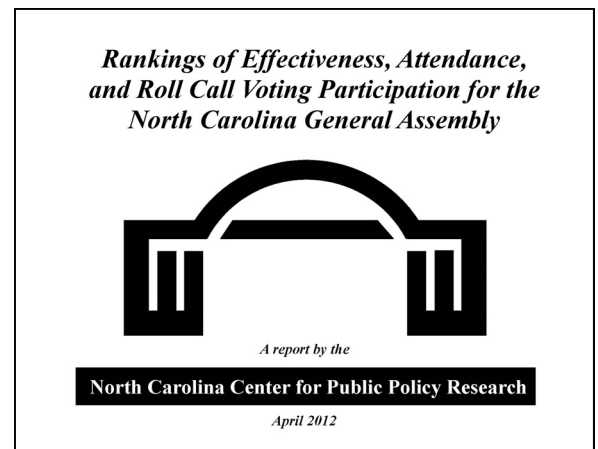
Republicans claimed all 10 of the highest effectiveness rankings in the state Senate and 12 of the top 15 spots in the state House, according to the latest rankings of legislators' effectiveness released in April by the N.C. Center for Public Policy Research. President Pro Tem of the Senate Phil Berger (R-Rockingham) and Speaker of the House Thom Tillis (R-Mecklenburg) topped the rankings. The effectiveness rankings are based on responses to surveys from the legislators themselves, from registered lobbyists, and from the capital news media who cover state government. The Center also released new rankings of legislators' attendance and participation in roll call votes.

In 2009, Democrats held a 30-20 majority in the Senate and a 68-52 majority in the House. The 2010 elections shifted power to Republicans, who now hold a 31-19 majority in the Senate and a 68-52 majority in the House. In 2011, Republican legislators with previous legislative service dramatically improved their rankings. On average, Republican Senators moved up 20 spots in the rankings, while Democratic Senators dropped an average of 14 spots in the rankings. Sen. Andrew Brock (R-Davie) moved up 38 spots to 12<sup>th</sup>, the most of any Senator. House Republicans improved their rankings an average of 49 spots, while House Democrats fell an average of 37 places. In the House, Rep. Marilyn Avila (R-Wake) improved her ranking the most by moving up 90 spots to 21<sup>st</sup>.

“Being a member of the political party which has a majority in the legislature is one of four factors that historically lead to a higher effectiveness ranking – but only one factor,” said the Center’s director, Ran Coble. “The other factors are how long someone serves in the legislature, whether they chair a committee, and their personal skills in moving bills successfully through the legislature.”

### **Holders of Committee Chairmanships Rank High**

Sixteen of the Senate’s 20 most effective members and 18 of the House’s top 20 serve as committee chairs. In 2011, Republicans held all but three Committee chairmanships, appointing only Democrats Rep. Jim Crawford (D-Granville), former Speaker Joe Hackney (D-Orange), and Sen. Michael Walters (D-Robeson) as committee chairs. Crawford was one of five Democrats who crossed party lines in 2011 to help override Democratic Governor Beverly Perdue’s veto of the Republican budget. By contrast, in 2009, the Democratic majority appointed Republicans to six committee chairmanships. In 2005, when the Democrats had slim majorities in the House and Senate, they appointed Republicans to 31 committee chairmanships.



In 2009, no freshmen legislators were appointed as chairs of any standing committees. However, with 46 freshmen in the 2011 legislature, 11 freshmen Republican Senators were appointed to chair 15 committees. The Center said this is why freshmen were not clustered at the bottom of the rankings this year, as has traditionally been the case.

### **Some Legislators Consistently Rank Highly Whether Their Party Is in Control or Not**

Over the years, the Center says some skilled legislators have done well in the rankings regardless of whether their party was in power. For example, Republican Senators Richard Stevens (R-Wake) and Fletcher Hartsell (R-Cabarrus) and Democratic Representatives Joe Hackney (D-Orange) and Bill Owens (D-Pasquotank) have all finished in the top 14, whether their party was in the majority or not.

### **Democrats Siding with Republicans on Veto Overrides Rank Highly, But Not All Returning in 2013**

The five Democrats who joined Republicans in the House in overriding Gov. Beverly Perdue's veto of the Republicans' budget received high effectiveness rankings. The five are Representatives Jim Crawford (D-Granville, who ranked 7<sup>th</sup>), Bill Owens (D-Pasquotank, ranked 14<sup>th</sup>), William Brisson (D-Bladen, at 25<sup>th</sup>), Timothy Spear (D-Washington, at 31<sup>st</sup>), and Dewey Hill (D-Columbus, at 33<sup>rd</sup>). However, three of them are not running for re-election (Hill, Owens, and Spear), and two face opposition in their May Democratic primary (Brisson and Crawford).

### **Most Effective Women and African Americans**

Sen. Debbie Clary (R-Cleveland) was the highest ranking female in the Senate at 15<sup>th</sup>, but she resigned in January 2012 and will not return in 2013. Rep. Julia Howard (R-Davie), a 12-term legislator, was the House's highest ranking female at 9<sup>th</sup>. Sen. Dan Blue (D-Wake) at 17<sup>th</sup> and Rep. Mickey Michaux (D-Durham) at 38<sup>th</sup> were the top ranked African-American legislators in the Senate and House, respectively.

### **Legislators with Perfect Attendance**

This marks the sixth time the Center has tabulated rankings of attendance and participation in roll call votes, using official records from the General Assembly. In the state Senate, eight members earned perfect attendance records – Senators Bob Atwater (D-Chatham), Andrew Brock (R-Davie), Jim Davis (R-Macon), Kathy Harrington (R-Gaston), Ralph Hise (R-Mitchell), Neal Hunt (R-Wake), Martin Nesbitt (D-Buncombe), and Buck Newton (R-Wilson).

In the state House, 32 members tied for 1<sup>st</sup> with 100 percent attendance. This is the highest number of House members garnering perfect attendance records since the Center began tabulating the attendance rankings in 2002.

Representative Mickey Michaux (D-Durham) has had perfect attendance for five consecutive sessions, and Representative Phillip Frye (R-Mitchell) has had perfect attendance for four consecutive sessions. Representatives Hugh Blackwell (R-Burke), Nelson Dollar (R-Wake), Elmer Floyd (D-Cumberland), Julia Howard (R-Davie), Shirley Randleman (R-Wilkes), and Tim Spear (D-Washington) all had perfect attendance for the second session in a row.

The Center praised the dedication of most legislators in attending the session last year. Forty-seven of the 50 members of the Senate and 118 of the 120 members of the House attended more than 90 percent of the days in session. Center director Ran Coble said, "That's an impressive attendance record for part-time legislators who have full-time jobs back home, especially when many have to drive a great distance to Raleigh each week."

### **Legislators with Perfect Records in Participating in All Roll Call Votes**

Four Senators voted in all 947 electronically-recorded roll call votes with no absences or excuses from voting last year – Andrew Brock (R-Davie), Rick Gunn (R-Alamance), Kathy Harrington (R-Gaston), and Neal Hunt (R-Wake). Brock also cast a vote every time in the 2003, 2005, 2007, and 2009 sessions, and Hunt participated in all roll call votes in the 2009 session.

Four members of the House of Representatives voted in all 1,326 electronically recorded votes in that chamber – Nelson Dollar (R-Wake), Mark Hollo (R-Alexander), Pat Hurley (R-Randolph), and Bert Jones (R-Rockingham). Dollar also participated in every vote in the 2005, 2007, and 2009 sessions, and Hurley in every vote in the 2009 session.

## **Why the Center Does the Rankings**

The N.C. Center compiles the three sets of rankings to give citizens different ways to evaluate the performance of their legislators. Coble said, “The rankings of attendance and voting participation tell citizens how often their legislator was there to represent them. The effectiveness rankings tell citizens how effective their legislator was when he or she was there. The surveys hold a mirror up to the legislature, and the rankings are the reflection.”

In odd-numbered years, the Center publishes additional evaluations of legislative performance. *Article II: A Citizen’s Guide to the Legislature* includes data on how many bills each legislator introduced and how many of those he or she got passed. The guide also includes all members’ votes on what legislators said were the 12 most important bills of the session. The Center now publishes a total of five different legislative performance indicators: effectiveness, attendance, voting participation, success in getting bills passed, and votes on the most significant bills of the session.

## **How the Effectiveness Rankings Are Done**

The Center’s effectiveness rankings are based on surveys completed by the legislators themselves, by registered lobbyists who are based in North Carolina and who regularly work in the General Assembly, and by capital news reporters. These three groups are asked to rate each legislator’s effectiveness on the basis of participation in committee work, skill at guiding bills through committee and in floor debates, and general knowledge or expertise in special fields. The survey respondents also are asked to consider the respect legislators command from their peers, his or her ethics, the political power they hold (by virtue of office, longevity, or personal skills), their ability to sway the opinions of fellow legislators, and their aptitude for the overall legislative process. This year’s rankings mark the 18<sup>th</sup> time the Center has undertaken this comprehensive survey.

## **National Praise for the Center’s Rankings**

Several states – including Arkansas, California, Florida, North Carolina, Texas, and Washington – have ranked the effectiveness of their legislators using different methods. California has ranked legislators in terms of effectiveness, integrity, energy, and even intelligence. “It is hard to deny that the ratings, when done responsibly, serve a legitimate public purpose,” said a report about state legislative rankings in *Governing* magazine, published by Congressional Quarterly, Inc. “The ratings issued by the North Carolina Center for Public Policy Research are perhaps the most straightforward and most widely respected.”

Another independent review of state rankings reached the same conclusion. “Most attempts at reputational rankings of state legislators don’t deserve much credibility because of three problems: (1) no precise definition of who is being polled, (2) a low response rate among those polled because legislators and lobbyists don’t want to risk getting caught making statements suggesting people they work with are ineffective, or (3) definitions of effectiveness that equate effectiveness with helping to enact an interest group’s agenda,” said *State Policy Reports*. “Over the years, *Reports* has seen many of these ... that fail one or another of these tests. The exception is the rankings that have been done since 1978 by the North Carolina Center.”

## **How To Get Your Electronic or Printed Copy**

Printed copies of the latest effectiveness rankings released on April 10<sup>th</sup> are available from the Center for \$10. Current Center E-Members Plus, Regular Members Plus, and *Article II* subscribers have free access to a digital copy at [www.nccppr.org](http://www.nccppr.org). Others may download a digital copy from the Center’s website at [www.nccppr.org](http://www.nccppr.org) for \$10. You also may order an entire set of online publications for \$40 – including *Article II: A Citizen’s Guide to the 2011-2012 N.C. Legislature*, the effectiveness rankings, and rankings of the most influential lobbyists (to be released in August). To order just the printed rankings booklet, write the Center at P.O. Box 430, Raleigh, NC 27602, call (919) 832-2839; fax (919) 832-2847; or email Tammy Bromley at [tbromley@nccppr.org](mailto:tbromley@nccppr.org). To subscribe to *Article II* online, which includes both sets of rankings, visit [www.nccppr.org](http://www.nccppr.org).

## CENTER WELCOMES 8 NEW BOARD MEMBERS AND OFFICERS FOR 2012

The N.C. Center for Public Policy Research announced the election of eight new members to its 2012 statewide 22-member Board of Directors . The Center also announced its officers for 2012.

### New Center Board Members

Elected to the Center's statewide Board of Directors for three-year terms (2012-2014) were: John Bardo of Cullowhee, Heather Graham of Durham, David Miner of Cary, Cristina Morales of Charlotte, Don Munford of Raleigh, Allen Smart of Winston-Salem, Peggy Valentine of Winston-Salem, and Larry Weiss of Asheville.

Bardo is the former Chancellor of Western Carolina University, and Graham is a consultant with Education First Consulting. Miner is a lobbyist and former state legislator, while Morales is Senior Vice President with Rojo Marketing. Munford is an attorney, CPA, and former state legislator, and Smart is Director of the Health Care Division at the Kate B. Reynolds Charitable Trust. Valentine is the Dean of the School of Health Sciences at Winston-Salem State University, and Weiss is the CFO at Forest Commercial Bank.

“The Center's Board is carefully constructed to be representative of the citizens of North Carolina in terms of race and ethnicity, gender, region of the state, and political party affiliations,” said Board Chair Fred Stang of Chapel Hill. “We are very pleased to welcome these outstanding citizens and leaders to our Board.”

### Officers Elected for 2012

Stang was elected Chair of the Center's Board of Directors for 2012. He is a consultant to nonprofits with Moss & Ross and former Director of Development at the Triangle Community Foundation. Also elected as officers for one-year terms were Leslie Walden of Chapel Hill as Vice Chair and Chair-Elect for 2013, Tina Wilson of Apex as Secretary, and Bob Morrison of Asheboro as Treasurer. Walden is the Senior Public Affairs Director of the N.C. Region for Fidelity Investments, while Wilson is the Manager for Corporate Citizenship and Corporate Affairs for IBM Corporation. Morrison recently retired and is the former President and CEO at Randolph Hospital in Asheboro.

Other members of the Center's 22-member Board of Directors are Brian Buzby of Raleigh, Betty Craven of Chapel Hill, John Davis III of Winston-Salem, Lynn Holmes of Raleigh, Joan Lipsitz of Pittsboro, Tara Sandercock of Greensboro, Jo Anne Sanford of Raleigh, Jack Stanley of Greensboro, Doug Walker of Raleigh, and Johnny Wilson of Greenville.



**Center Board Officers for 2012**, pictured from left to right: Fred Stang (Chair), Tina Wilson (Secretary), Bob Morrison (Treasurer), and Leslie Walden (Vice-Chair and Chair-Elect for 2013)

## PREVIEW OF COMING ATTACHMENTS

### **Evaluation of the New State Policy To Buy Bed Space in Local Hospitals for Short-Term Inpatient Psychiatric Care** *by John Quintero, Policy Analyst*

North Carolina's ongoing reform of its mental health system is driven by a vision of moving patients out of state mental hospitals and providing comprehensive services locally. Attaining this, however, will require communities to have local hospital beds dedicated to short-term inpatient psychiatric care for patients in crisis. To fill this gap, the state has a new strategy of implementing three-way contracts between the N.C. Department of Health and Human Services, the mental health management entities, and local hospitals to buy bed space in those local hospitals for short-term psychiatric care. The Center is assessing this strategy's progress and effectiveness.

### **What Can We Learn from the Experience of the N.C. Mental Health Study Commission?**

*by Alison Gray, Attorney*

This article will review the history of the now-defunct Mental Health Study Commission, its record in policymaking, statutory background, and role as a national model for other states. The article will explain why it was abandoned during the 2001 legislation on mental health reform. It will assess whether the characteristics that made this commission work so well – inclusion of stakeholders, independent staffing, and long-range planning – would be helpful to the new Joint Legislative Oversight Committee on Health and Human Services that will now oversee implementation of mental health reform.

## CENTER WINS NATIONAL AWARD FOR 8th CONSECUTIVE YEAR

The Center has won another prestigious national award for high-quality policy research from the national Governmental Research Association (GRA). We won an award for Outstanding Policy Achievement, which went to two statewide policy groups whose research led to “tangible improvements in public policy.” The Center was honored for its efforts in improving state policies affecting the aging and elderly in North Carolina.

The six key policy achievements of the Center's work on aging include:

1. Governor's Executive Order Encouraging Volunteerism by Older Adults
2. Campaign Against Medicaid Fraud Saves State Millions
3. Governor's Executive Order Requiring Assessment of the State's Readiness for a Rapidly Growing Aging Population
4. Liaisons on Aging Policy Appointed for All State Agencies
5. Development of a Five-Year State Aging Services Plan
6. State Legislation To Attack Fraud Committed Against the Elderly

### **About the Governmental Research Association**

The national Governmental Research Association is composed of 33 policy organizations in 22 states. GRA organizations span the country – from the Center for Governmental Research in New York and the Massachusetts Taxpayers Foundation to the Washington State Research Council, Texas Taxpayers and Research Association, and Citizens Research Council in Michigan. The GRA holds a national conference each year that focuses on key policy issues facing state and local governments across the country. It also conducts monthly Webinars and gives national awards, selected by independent panels, for policy studies that educate the public and improve public policy at both the state and local levels.

## Special Thanks to Our Foundation, Corporate, and Individual Contributors

The Center greatly appreciates the generous support we receive from foundations. We are very grateful to **The Lumina Foundation for Education of Indianapolis** for their grant of \$245,300 over three years for our study of financial aid for students in North Carolina's public and private colleges and universities and community colleges. We also are grateful to Center Board member Betty Craven and **The Warner Foundation** for their grant of \$20,000 in valuable general operating support. The Center also would like to thank **The Park Foundation, The McMichael Family Foundation, and The A.J. Fletcher Foundation** for their grants of \$15,000, \$10,000, and \$10,000, respectively, in precious general operating support. The Center acknowledges and thanks the **John W. and Anna H. Hanes Foundation** for their grant of \$8,000 for our continuing research on key issues affecting North Carolina's aging population and the **John S. and James L. Knight Foundation** and **Mary Norris Preyer Fund** for grants of \$5,000 and \$4,000, respectively, in general operating support. We express our deep appreciation to all these foundations. The last three years have been tough, but these grants and our corporate and individual supporters have helped us survive the recession and stay productive.

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