



## Retirements and Republicans' Redistricting Bring High Legislative Turnover for 2013

by Ran Coble

*"If you have lower than a ten percent turnover, there is a problem. And if you have higher than, say 20 percent, there is a problem."*

— Former U.S. President Richard M. Nixon, 1969–74

**E**ven before the November elections in 2012, 34 percent of the state's legislators who began the 2011–12 session will not return to their seats in 2013. Of the 170 legislators in the 2011–12 N.C. General Assembly, 57 members—including 29 Republicans and 28 Democrats—will not return next year. In addition, four more legislators will not return to the same chamber, as four House members won election to the Senate.

In the 2011–12 legislature, there were 46 freshman legislators (27 percent). Sixty-one more legislators are not returning at all or to the same chamber in 2013. In the 2013–14 General Assembly, 102 legislators (60 percent) will not have been there just three years ago. A combined 652 years of institutional memory and policy expertise will be lost with this much turnover. On the other hand, there will be room for lots of new ideas.

### 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. After the general elections on November 6, 2012, North Carolina's legislative turnover in 2013 approached but did not 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<sup>1</sup> scandal involving President Richard Nixon and Republican Party campaign officials.

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## New Political Landscape

In addition to this influx of newcomers, Republicans took majority control of both the state House and Senate in North Carolina in 2011 for the first time since 1897. In the 2011 Senate, Republicans held 31 of the 50 seats, compared to 20 in the prior session. In the 2011 House, Republicans held 68<sup>2</sup> of the 120 seats, compared to 52 in the prior session. In 2013, the Republicans increased their majority to 32–18 in the Senate and 77–43 in the House.

It is unusual for freshmen to be appointed as committee chairmen, but nine Republican freshmen in the Senate were chosen as Co-Chairs of standing committees in 2011.<sup>3</sup> By contrast, in 2009 no freshman chaired any standing committees in either chamber of the General Assembly.



*Sen. Charlie Dannelly (D-Mecklenburg): Retiring after more than nine terms*



*Sen. Linda Garrou (D-Forsyth): Retiring after seven terms*

## The Reasons for Legislators' Departures

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.

Examples of **retiring** legislators are Senator Charlie Dannelly (D-Mecklenburg), 87, who is retiring after more than nine terms to care for his ailing wife, and nine-term Representative Larry Womble (D-Forsyth), 70, who is retiring after a serious auto accident. Other departures resulted from the deaths of Sen. James Forrester (R-Gaston), Sen. Don East (R-Surry), Rep. Larry Brown (R-Forsyth), and Rep. William Wainwright (D-Craven). In addition, four of the five Democratic Representatives who joined Republicans to override Democratic Gov. Beverly Perdue's veto of the Republicans' budget will not be back. Representatives Dewey Hill (D-Columbus), Bill Owens (D-Pasquotank), and Timothy Spear (D-Washington) are retiring, and Rep. Jim Crawford, Jr. (D-Granville) lost in the May 2012 Democratic primary.

Several legislators left the General Assembly to **run for higher office**. These include Rep. Bill Faison (D-Orange), who ran for Governor but lost in the primary; Sen. Eric Mansfield (D-Cumberland), Rep. Dale Folwell (R-Forsyth), and Rep. Grey Mills (R-Iredell), who all ran for Lieutenant Governor but lost in their party primary; and Sen. David Rouzer (R-Johnston), Rep. Ric Killian (R-Mecklenburg), Rep. Fred Steen (R-Rowan), and Rep. Patsy Kever (D-Buncumbe), who all ran for Congressional seats. Rouzer and Kever won their party primary in May but lost in November, while Killian and Steen lost in May primaries. Representatives Glen Bradley (R-Franklin), Bill Cook (R-Beaufort), Earline Parmon (D-Forsyth), Shirley Randleman (R-Wilkes), and Norman Sanderson (R-Pamlico) all ran for the state Senate instead of running for re-election to their House seats. All but Bradley won in November.



*Sen. Don East (R-Surry): Passed away October 2012*



*Sen. William Wainwright (D-Craven): Passed away July 2012*



*Rep. Dale Folwell (R-Forsyth): Ran for Lt. Governor but lost in the primary*



*Rep. Martha Alexander (D-Mecklenburg): Lost election after 10 terms*



*Rep. G.L. Pridgen (R-Robeson): Lost election after one term*

**New job opportunities** also pulled members away from the legislature. Sen. Debbie Clary (R-Cleveland), Sen. Richard Stevens (R-Wake), Rep. Jeff Barnhardt (R-Cabarrus), and Rep. Harold Brubaker (R-Randolph) 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 in the Department of Public Safety.

**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 is called “double bunking.” Some legislators, such as Rep. Grier Martin (D-Wake), were double-bunked with other veteran legislators and chose not to run. Other legislators, such as Democratic Representative Jim Crawford, Jr. (D-Granville) and Republican Representatives Darrell McCormick (R-Yadkin) and Efton Sager (R-Wayne) were double-bunked and lost in the May 8<sup>th</sup> primary elections in their own party. In addition, Representatives Stephen LaRoque (R-Lenoir) and Trudi Walend (R-Transylvania) lost in the May Republican primary elections.

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 created:

- 13 strong Republican districts,
- 14 that lean Republican,
- 16 strong Democratic districts,
- 2 that lean Democratic, 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:

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

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

The redistricting maps were challenged in two lawsuits that have now been combined into one case, *Dickson v. Rucho*.<sup>4</sup> The plaintiffs include the N.C. NAACP, the League of Women Voters, and Democracy North Carolina. The defendants include the State of North Carolina, the State Board of Elections, Speaker of the House Thom Tillis (R-Mecklenburg), President Pro Tempore of the Senate Philip Berger (R-Rockingham), and Sen. Bob Rucho (R-Mecklenburg), the Chair of the Senate's Redistricting Committee. Within that overall challenge to the redistricting maps, a question about evidence has been raised concerning whether documents prepared for Republican legislators by outside lawyers are confidential under attorney-client privilege or should be disclosed to the public. This interim issue has been appealed to the N.C. Supreme Court,<sup>5</sup> and that Court held a hearing on July 10, 2012. A three-judge panel of Superior Court judges has yet to hear the overall case challenging the redistricting plan. The 2012 elections were held using the districts drawn in 2011 by the Republican legislative majority.

### **Some of the Most Effective Legislators Won't Be Back**

Some of the most effective legislators in the 2011–12 session also won't be back in 2013. The Center released new rankings of all legislators' effectiveness in April 2012 based on surveys of all legislators, lobbyists based in North Carolina, and capital news media. Sen. Richard Stevens (R-Wake), ranked the 3<sup>rd</sup> most effective in the Senate, is retiring to go into lobbying after serving five terms. Rep. Harold Brubaker



*Sen. Debbie Clary (R-Cleveland): Resigned to go into lobbying*



*Rep. Darrell McCormick (R-Yadkin): Double-bunked in redistricting and lost in Republican primary*



*Rep. Joe Hackney (D-Orange): Retired after being double-bunked in redistricting*

(R-Randolph), ranked 2<sup>nd</sup> most effective in the House, resigned in July also in order to go into lobbying in 2013. A six-month “cooling off” period is required by state law before a legislator can go into lobbying. Rep. Jim Crawford, Jr. (D-Granville), ranked 7<sup>th</sup> most effective, lost his primary election. Rep. Dale Folwell (R-Forsyth), who ranked 8<sup>th</sup> in effectiveness, left the House to run unsuccessfully for Lieutenant Governor. Finally, former Speaker of the House Rep. Joe Hackney (D-Orange), ranked as the 13<sup>th</sup> most effective Representative, retired after being double-bunked in redistricting with Rep. Verla Insko (D-Orange). Hackney served 16 terms in the House.

### The Pros and Cons of Turnover

Keith Jackson, a professor of political science at the University of Canterbury in New Zealand, warned that low turnover can lead to the ever-dangerous three As—“arrogance, apathy, and atrophy.”<sup>6</sup> In legislatures where turnover is low, legislators often are seen as being out of touch.

On the other hand, Professors Yanna Krupnikov, Rebecca Morton, and Charles Shipan say high turnover rates lead to inexperienced legislatures, “which can hurt their ability to deal on an equal footing with governors,”<sup>7</sup> and lead to poor policymaking.<sup>8</sup>

For the public in North Carolina, many of the legislators and committee chairs are new. For many of the legislators, the legislative process and state-level issues are new. With a Republican, Pat McCrory, in the Governor’s office for the first time since 1985–93 (Jim Martin), a Republican majority in both houses of the legislature, and a Republican majority on the 7-member state Supreme Court in 2013, North Carolina is entering a new political era—even if legislative turnover didn’t set a record. ☐☐☐

### Endnotes

<sup>1</sup> “A burglary at a Washington office complex called the Watergate in June 1972 grew into a wide-ranging political scandal that culminated in the resignation of President Richard Nixon two years later. ‘Watergate’ is shorthand for this tumultuous time in America and its enduring impact.” *The Washington Post* Website, online at <http://www.washingtonpost.com/watergate>, accessed on Aug. 29, 2012.

<sup>2</sup> Rep. Bert Jones was elected as an unaffiliated candidate in 2010, but then joined the Republican caucus in 2011, bringing their voting majority to 68. He later officially switched parties to become a Republican.

<sup>3</sup> The nine freshman Senators who chaired committees were: Warren Daniel (R-Burke) as Co-Chair of the Judiciary II Committee; Jim Davis (R-Macon) as Co-Chair of both the Appropriations Committee on General Government and Information Technology and the Committee on State and Local Government; Thom Goolsby (R-New Hanover) as Co-Chair of the Appropriations Committee on Justice and Public Safety; Kathy Harrington (R-Gaston) as Co-Chair of the Appropriations Committee

on the Department of Transportation; Ralph Hise (R-Mitchell) as Co-Chair of the Pensions and Retirement and Aging Committee; Wesley Meredith as Co-Chair of the Insurance Committee; Buck Newton (R-Wilson) as Co-Chair of the Judiciary II Committee; Bill Rabon (R-Brunswick) as Co-Chair of the Transportation Committee; and Dan Soucek (R-Watauga) as Co-Chair of the Education/Higher Education Committee.

<sup>4</sup> *N.C. State Conference of Branches of the NAACP v. Rucho*, No. 11-CVS-16940 (N.C. Superior Ct. Wake Co.) was consolidated into *Dickson et al., v. Rucho et al.*, No. 11-CVS-16896 (N.C. Superior Ct. Wake Co.).

<sup>5</sup> *Dickson et al., v. Rucho et al.*, 201PA12 (N.C. Supreme Ct.).

<sup>6</sup> Keith Jackson, “Stability and Renewal: Incumbency and Parliamentary Composition,” in Albert Somit *et al.*, eds., *The Victorious Incumbent: A Threat to Democracy?*, Ashgate Publishing, Dartmouth, MA, 1994, p. 270.

<sup>7</sup> Yanna Krupnikov *et al.*, “Voter Uncertainty, Political Institutions, and Legislative Turnover,” Working Paper, Oct. 20, 2008, p. 2.

<sup>8</sup> *Ibid.*

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