



LEGISLATIVE UPDATE FROM  
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**NC House**

**District 64 – Alamance County**

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**Reset**

This past week an agreement was reached that allows North Carolina to ‘reset’ back to the policies governing bathrooms, showers, locker rooms etc. to the days before Charlotte took us all down the road to madness. I voted in favor of the reset.

**Timeline**

**March 2015**

The Charlotte City Council considers an ordinance to allow individuals to enter any bathroom, changing room, or shower facility at any time based on how they subjectively identified themselves, either as a man or woman on that particular day.

The ordinance failed to pass and immediately there were protests, economic boycotts were announced, threats from the NCAA.....actually that did not happen in March of 2015. HmMMM

**February 2016**

With a new Mayor and several new Council members on board in Charlotte, and despite repeated warnings from then Governor McCrory and legislative leaders that the General Assembly would have to act against this unconstitutional overreach of their limited authority in such matters, Charlotte passed their ordinance.

**March 2016**

The General Assembly is called into special session in response to Charlotte’s actions. With a bipartisan vote HB2 was enacted as a direct and necessary response to the City of Charlotte.

HB2 overrode the Charlotte ordinance. It clarified the law for: single-sex multiple occupancy bathroom and changing facilities, statewide consistency in laws related to employment and contracting, and protection of rights in employment and public accommodations.

Now the protests, economic boycotts, threats by the NCAA and others begin. HmMMM.

**Summer and Winter of 2016**

Multiple attempts were made to resolve some of the controversy stirred up by the passage of HB2. A few

were worthy of consideration - the rest would have made matters much worse. All failed.

**March 2017**

After sundry bills were introduced, working group drafts drawn up, false starts, hours spent discussing various recommendations agreement could still not be reached. Speaker Moore and President Pro-Temp Berger eventually came forward with a series of proposals that they had been working on over the past several weeks. These proposals were debated in caucus meetings at length over a period of days. They were rolled into **House Bill 142** and passed 70-48 in the House and 32-16 in the Senate with, again, bipartisan support.

**Bottomline**

1. HB2 is repealed
2. From the bill itself - "***Preemption of regulation of access to multiple occupancy restrooms, showers, or changing facilities. State agencies, boards, offices, departments, institutions, branches of government, including The University of North Carolina and the North Carolina Community College System, and political subdivisions of the State, including local boards of education, are preempted from regulation of access to multiple occupancy restrooms, showers, or changing facilities, except in accordance with an act of the General Assembly.***"

The effect of this clarity is that the General Assembly will not have to constantly react to the next city attempting to write state law. This wording clearly reasserts the authority of the State to regulate bathroom, shower, and changing facility policy.

It stops the threat of another wild ride due to some entity passing another ordinance or policy that they lack the necessary delegated authority to do in the first place.

It also takes us back to bathroom policies that have been consistent for decades and take only common sense to enforce: laws that deal with 'peeping toms', indecent exposure, and trespass.

**Criminal Laws that Still Apply:**

Second Degree Trespassing Law in North Carolina – G.S. 14-159

Indecent Exposure in North Carolina- G.S. 14-190.9

Peeping in North Carolina G.S. 14-202

3. *"No local government in this state may enact or amend an ordinance regulating private employment practices or regulating public accommodations."*

These prohibitions should prevent cities and counties from engaging in rewriting state law in the areas of employment and public accommodations. They are set to expire on December 1, 2020, which will allow current federal litigation to be resolved ultimately either by an act of Congress or a Supreme Court decision.

## More Good Economic News

- Tourism thrived in 2016. Hotel occupancy, room rates and demand for rooms set records in 2016, according to the year-end hotel lodging report issued recently by VisitNC, part of the Economic Development Partnership of North Carolina.



**Elon College Republicans on the House floor. Happy to welcome this group of future leaders to the NCGA.**

- Meanwhile, North Carolina ranked fourth in the nation for attracting and expanding businesses with the arrival of 289 major projects, and seventh in projects per capita — the same as in 2015, according to Site Selection magazine, which released its 2016 rankings in the March edition.

- North Carolina finished first for drawing corporate facilities in the eight-state South Atlantic region, said Site Selection, which uses figures tracked by the Conway Projects Database.
- Hotel and motel occupancy increased last year by 3.4 percent over 2015, and “each month of 2016 experienced the highest occupancy on record,” according to the lodging report.
- The average room rate of \$98.88 per night represented a 3.6 percent jump from 2015, which also set a state record and exceeded the national increase of 3.1 percent.



**Lunch with Burlington City Mngr. Hardin Watkins, Dir. of Public Policy Rachel Kelly and Water Resources Dir. Bob Patterson.**

## Other Legislation

I have been attending to legislative duties besides dancing with HB2. Here is an update on some bills of which I am a primary sponsor .

**H516 Results First Framework** – will establish in North Carolina an evidence based policy making standard throughout state gov't. It is based upon an initiative sponsored by the Pew Charitable Trust. Policy decisions must be based on data not 'we have always done it this way.' Currently in a committee.



**Selfie time with Blessed Sacrament students attending the Alamance Youth Leadership Academy**

**H458 School Annual Report Card** – this education bill would change the school performance grade system. Currently a summary score based on 80% student achievement and 20% student growth is the standard. This bill will create two separate grades one for student achievement and one for student growth. I believe two full grades, equal in their standing for achievement and growth is a more fair and accurate presentation of what is being accomplished in our schools. Passed the House on 3/30/17 by a vote of 95-22



Jordan Hohm ABSS Teacher of the Year was in Raleigh and stopped by for a visit. I have visited his classroom and saw firsthand why he was chosen TOTY – fantastic work.

### **H258 Amend Medical Health Care Provider**

**Definition** – this bill will include our wonderful Paramedics across NC into the statutory definition of a health care provider. This will give to these First Responders the same higher level of liability protection currently enjoyed by physicians, nurses and others in health care. It will help protect them from frivolous medical malpractice law suits. Passed the House 118-0 on 3/30/17.



Enjoyed a good visit with Mayor Lenny Williams and City Mgr Ben Baxley from Gibsonville on Town Hall Day.



I was present at a town hall meeting in Graham Thursday hosted by the Alamance County Civic Affairs Committee. Good turnout of around 45 people. Good discussions, some agreement, much disagreement but no disagreeableness. I appreciate that very much. I will be back.

**H379 Task Force on Regulatory Reform** – sets up an interim task force to travel the state and hear from citizens, and business men and women regarding concerns on regulatory matters here in NC. Passed the House 113-0 on 3/28/17

**H44 Application for an Article V Convention of States** – resolution would have North Carolina join 10 other states calling for a Convention of States as provided in Article V of our Constitution for the express purpose of limiting the power of the federal gov't. (e.g a balanced budget amendment or term limits).

*I had someone ask me this past week in the midst of the many heated debates regarding HB2 if I still like my job. Without hesitation I said 'yes absolutely.' We have accomplished a lot of things over the past 4 ½ years I have been in the General Assembly. . . .and most of them are good – very good.*

*Thank you for the opportunity to serve as your Representative in the State House.*

*Dennis*