



LEGISLATIVE NEWSLETTER

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HB 2 Reportedly to be Repealed Tuesday

In a pre-Christmas surprise, Gov. Pat McCrory said today he will call lawmakers back to Raleigh Tuesday so the N.C. General Assembly can repeal HB2, controversial legislation that was attributed to the governor's loss for re-election and brought unwanted national recognition to North Carolina for the so-called bathroom bill.

McCrory's announcement followed approval by the Charlotte City Council this morning to repeal the local nondiscrimination ordinance that resulted in legislative passage in March of HB 2. "Governor McCrory has always publicly advocated a repeal of the overreaching Charlotte ordinance," said Graham Wilson, McCrory's press secretary, blaming Charlotte's mayor and Governor-elect Roy Cooper for blocking previous repeal efforts.

"This sudden reversal with little notice after the gubernatorial election sadly proves this entire issue originated by the political left was all about politics and winning the governor's race at the expense of Charlotte and our entire state. As promised, Governor McCrory will call a special session."

Calculated Move: WRAL-TV reports that the repeal effort is apparently part of a carefully crafted plan. In their [repeal measure](#) this morning, [Charlotte City Council members](#) included language that the local rules would only be repealed if lawmakers rescind HB2 by Dec. 31.

"The Charlotte City Council is deeply dedicated to protecting the rights of all people from discrimination and, with House Bill 2 repealed, will be able to pursue that priority for our community," read a statement issued on behalf of the council.

Early this afternoon, there was no official word from North Carolina House or Senate leadership as to the timing of the session or what exactly will happen, but N.C. Gov.-elect Roy Cooper said Monday a deal had been cut. "Senate Leader Phil Berger and House Speaker Tim Moore assured me that as a result of Charlotte's vote, a special session will be called for Tuesday to repeal HB2 in full. I hope they will keep their word to me and with the help of Democrats in the legislature, HB2 will be repealed in full," Cooper said. "Full repeal will help to bring jobs, sports

and entertainment events back and will provide the opportunity for strong LGBT protections in our state."

Background: Earlier this year, the Charlotte City Council passed the ordinance which would have required that businesses allow people to use the bathroom based on their gender identity. The General Assembly responded with HB2, leading to [loud arguments pro and con across the state](#) and [protest actions by business leaders, musicians who canceled concerts](#) in North Carolina and [the withdrawal of the ACC and NCAA men's basketball tournaments](#), WRAL-TV reports.

Special Session Gives More Influence for State School Superintendent

By now, you have read and seen numerous reports about the two special sessions held last week by the N.C. General Assembly. In addition to the first session approving badly needed funds for water (Hurricane Matthew) and fire (mountains) damage, the second special session, concerning public schools, saw legislators:

- Passing a bill that would shift many administrative powers of the state public school system from the State Board of Education -- its positions filled almost entirely by the governor -- to the statewide elected superintendent of public instruction. Mark Johnson, a Republican, will assume the superintendent's job next month. The measure also would subject the governor to having his Cabinet secretaries confirmed by the state Senate. Democratic Gov.-elect Roy Cooper also would be allowed to designate up to 425 state employees as his political appointees, compared with a cap of 1,500 for McCrory.

Other News

House Minority Leader Update: Democrats in the N.C. House are assessing who best can step in as House Democratic leader when the General Assembly convenes in January. Rep. Larry Hall, D-Durham, who has led the chamber's minority party since 2013, announced last week his plans to give up the position. At least three Democrats are currently eyeing support among the caucus, with a decision scheduled to be made during an organizational meeting this week. day. Among those who have stated an interest are:

- **Rep. Ed Hanes (D-Forsyth):** Hanes said he is exploring a bid. "We obviously have several members in the caucus who are capable of doing a great job," he said. "We're taking a look." Hanes said House Democrats need to move toward being a more moderated caucus with a single focus. "Winning seats," he said. "We have to learn from our mistakes... We have to move away from this I-85 strategy that really backfired on us tremendously during this last race. We really have to focus on people-first legislation, meaning jobs, jobs, jobs, economy, economy, economy."
- **Rep. Darren Jackson (D-Wake):** Jackson said the next minority leader will have the fortune of a Democrat in the governor's mansion: "We are in the minority, so we have

to communicate and work together, pool resources, and use the governor's office to the extent that we can... and to try to do the best we can to support his policies here in the General Assembly."

- **Rep. Rodney Moore (D-Mecklenburg):** Moore described himself as "vetting the process" of seeking the leadership position. "We have a very, very short window of time with the 2020 redistricting coming up," he said. "We only have two to three years to really build some momentum. And since we haven't broken the supermajority, we have a lot of work to do."

Elsewhere...

New Schools Superintendent: Clayton Wilcox, a veteran superintendent who currently leads a small school district in northern Maryland, was named the next superintendent of Charlotte-Mecklenburg Schools last week. An Iowa native who began his teaching career there, Wilcox has spent the last 5 1/2 years as superintendent of Washington County Public Schools, a district of 22,000 students headquartered in Hagerstown, Md.

In an interview with the Charlotte Observer, Wilcox said he and his wife expect to start looking for a home over the holidays. As superintendent, Wilcox said, he'll focus on engaging and educating all students and using technology to open doors to learning. Wilcox will lead the nation's 18th largest school district, with more than 147,000 students, 18,000 employees and a \$1.4 billion annual operating budget.

Quote of the Week

"We'll be out before Christmas."

- House Speaker Tim Moore, joking before adjournment about the potential length of last week's extra legislative sessions of the N.C. General Assembly (The News & Observer, 12/13/16)

