



# LEGISLATIVE *Update*

State Employees Association of North Carolina • www.seanc.org

P.O. Drawer 27727 • Raleigh, NC 27611 • 888-732-6242/919-833-1616 (Press 1)

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## **Ethics Bill and Employee Protections Take Center Stage in Final Days of Session**

The week of July 5 began with a war of words between SEANC, joined by the Office of State Personnel, and the N.C. Press Association. The N.C. Press Association convinced a Senate Judiciary Committee to include a provision in the Ethics Bill that would open state employees' personnel files to the public—including disciplinary actions under investigation. However, the House passed an amendment limiting what personnel records could be made public after actions were complete.

Friday, July 9, was the last day and the longest day of the General Assembly 2010 session—more than 20 hours—that ended after 5:00 a.m. on Saturday. In this marathon day, lawmakers worked on the ethics bill and budget technical corrections.

In the ethics bill, conferees were never appointed to settle the differences, but in an unconventional move, leadership sent some legislators to participate in a “working group” to decide the issue. SEANC noticed that some key lawmakers were not invited to join the meeting, such as Rep. Skip Stam (R-Wake) who was an outspoken critic of opening personnel files. After SEANC learned of the first meeting, lobbyists questioned Sen. Martin Nesbitt (D-Buncombe) about his secret meeting to discuss ethics and transparency in government. Nesbitt stated that no one had been “excluded” and anyone could attend. Taking him at his word, SEANC invited employee-friendly legislators to join the second meeting. The final legislation allows for due process and only gives the public access to promotions and the date and type of completed disciplinary actions.

The other major fight on the final day of session involved the technical corrections bill to the budget. SEANC sought a technical correction that would require agencies to exhaust all other budget line items before implementing furloughs or reductions-in-force (RIFs). When the bill was released, the provision SEANC requested was there, however one word had been changed. The word “required” to exhaust other resources had been change to “encouraged.” Rep. Nelson Dollar (R-Wake) filed an amendment on the floor to change the back word to “required.” The amendment passed 61-45. However, Speaker of the House Joe Hackney (D-Orange) and Majority Leader Hugh Holliman (D-Davidson) had another Democrat file a motion to reconsider the amendment. After two more votes in support of state employee jobs, the bill was sent over to the Senate, where a different battle was waged over the amendment. The North Carolina Association of Educators started lobbying senators to vote against the House's position because they mistakenly believed that it would cost teachers' jobs. In the end, there were 12 senators that voted to support the amendment...not enough to win the vote.

What became very clear to SEANC after the two biggest events of the final week – House leadership is not with state employees and retirees. And when push came to shove, the Senate leadership did not stand up for state employees or retirees either. This confirms that there are no permanent friends, just permanent issues. SEANC will continue to look for accountability from our elected officials.

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