

*****SPAM*** For Immediate Release**

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From the Office of Sen. Joyce Waddell, NC Senate
Mecklenburg County

FOR IMMEDIATE RELEASE

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**Greetings:**

February has flown by and we are quickly coming up on Spring. As the General Assembly continues with the business of creating legislation, we are continuing talks about how to help North Carolinians through this pandemic. Many have suffered job loss, food insecurity and still need assistance. This issue is still at the forefront of our decisions and we hope to provide some relief.

I have been appointed to the Advisory Council on Aging by the Governor. The primary purpose of the advisory committee is to maintain the intent of the Nursing Home and Adult Care Home Resident Bill of Rights within nursing homes and adult care homes across North Carolina and to promote community involvement and cooperation with such homes to ensure quality of care for older adults.

Governor appointments help to maintain and assist the various councils to make sure certain organizations and companies are running properly and making our community strong.

Sincerely,
Joyce Waddell

COVID Restrictions

On Wednesday the Governor eased several statewide coronavirus restrictions as the state's new cases have dropped significantly since the start of 2021. He announced that the modified stay-at-home order that includes a curfew has been lifted; bars will be allowed to reopen indoors; indoor gathering sizes will be increased; and more sports fans will be allowed at games. "We're sticking with the science and the data," the Governor said, "and that is what has told us to ease these restrictions the way we have." The lifting of restrictions comes at the state has been under coronavirus restrictions for nearly a year. The new executive order, Executive Order 195, will start Friday at 5 p.m. and last until March 26. "When it comes to easing some restrictions, we're depending on people to be responsible," he said.

Here's what's new:

- The curfew from 10 p.m. to 5 a.m. will be lifted.
- Bars will be allowed to reopen at 30% capacity, including indoors. Capacity will be capped at 250 people. Alcohol cannot be served after 11 p.m.

- Social gathering size will be 25 people indoors (up from 10 indoors) and 50 people outdoors.
- The cap on alcohol sales will be extended from 9 p.m. to 11 p.m.
- Businesses that were operating at 30% capacity no longer have a 100-person cap. That includes outdoor sports fields and venues, outdoor bars, indoor areas of amusement parks and other outdoor businesses. However, there is still a 250-person cap on indoor spaces.
- More spectators will be allowed at high school, college and professional sports events. The number allowed will depend on the venue size.
- Indoor arenas with a capacity of as many as 5,000 people will be able to open with up to 15% capacity, as long as they follow safety protocols.
- Workers, athletes, entertainers and staff don't count toward the above capacity limits.

There are still 50% capacity restrictions on businesses and retail establishments, including restaurants, breweries and wineries, retail, gyms, museums, aquariums, barbers and personal care venues, pools and outdoor areas of amusement parks. This also affects recreation spaces like bowling, skating rinks and rock climbing facilities.

"Today's action is a show of confidence and trust, but we must remain cautious," the Governor said. "People are losing their loved ones each day. Many of us are weary, but we cannot let the weariness win. Now is the time to put our strength and resilience to work so we can continue to turn the corner."

Prison Release

North Carolina civil right rights groups struck a deal on Thursday with the Governor's administration to allow for the early release of 3,500 inmates in state custody over the next six months. If a Wake County Superior Court judge approves the settlement agreement and the state abides by its commitment to trim about one-eighth of its more than 28,000-person prison population, the North Carolina branch of the National Association for the Advancement of Colored People would dismiss its lawsuit alleging prison conditions during the coronavirus pandemic have violated inmates' rights under the state constitution.

Since the start of the pandemic, at least 47 inmates have died of COVID-19, while more than 9,500 have been infected, according to state Department of Public Safety data. Nearly one-fourth of the 39,000 offenders tested since March 2020 received at least one positive diagnosis. "What's happening in North Carolina prisons is the convergence of two pandemics both fueled by racism and classism – COVID 19 and an unjust criminal legal system," said a statement from the president of the NC NAACP. "Even as we celebrate this monumental step in our efforts through this lawsuit, we must acknowledge that a disproportionate number of those marginalized, oppressed, and put in harm's way by being incarcerated during the pandemic are melanin-rich, working poor, or both." State prison officials did not immediately provide a comment on the agreement. The American Civil Liberties Union of North Carolina, Disability Rights North Carolina and other advocacy groups joined onto the NAACP's complaint filed in Wake County in April 2020. At the time of the complaint, more than 34,000 people were incarcerated. The state has since reported a 16% reduction in the number of incarcerated individuals.

Under the terms of the proposed deal, the Department of Public Safety would have 90 days to release at least 1,500 offenders, and an additional 90 days to release the remaining 2,000. Those who have been given an early release since Feb. 15 would count toward the

3,500 total. The ACLU of North Carolina called Thursday's settlement a "momentous achievement" but urged the Governor and prison officials to return as many inmates as possible to their families.

Unemployment Changes

Employers wouldn't see an increase in unemployment insurance fees under a bill that passed the House Finance Committee on Thursday. That's one of the recommendations from the legislature's unemployment oversight committee included in House Bill 107. The bill would also extend COVID unemployment benefits until either Dec. 31 or whenever the governor's COVID executive order expires. Typical requirements, such as proof that you're searching for jobs, wouldn't be included in the extension for people whose unemployment status isn't related to COVID.

Democrats on the Finance Committee said they'd support the bill, but they lamented that there are no provisions to boost unemployment benefits. The current benefit amount "by no stretch of the imagination is enough for the kinds of expenditures that individuals have to make in housing and in food," said some NC House Representatives, added that "we pay too little, for too short a duration, for too few people ... and that is nothing to be proud of." The bill now goes to the House Rules Committee; a companion bill has been filed in the Senate.

Broadband Access

As the COVID-19 pandemic has laid bare inequities in everything from housing to health care, the need for adequate broadband internet coverage throughout rural and underserved communities in North Carolina has become a major issue. With students learning virtually and many adults working from home, the need for reliable, high-speed internet has become much more than just a luxury for streaming and web surfing. A sponsor of the broadband legislation said "One thing the pandemic has made clear to everyone is in today's world, (broadband) is not an optional service."

The expansion of broadband in this state is a complicated arithmetic of government versus private investment, federal versus local standards, infrastructure capability and end-user affordability. But after almost a year of virtual learning, working from home and telehealth doctor visits, the need to figure out that math has become a pressing concern for many in the state legislature. "What's interesting is, now that the General Assembly has come back, we have heard from almost every single county asking what's going on in their communities or what grant opportunities are available," said the director of the N.C. Broadband Infrastructure Office. "Every single county is experiencing an issue in connectivity — even in some of the most urban or populous counties, we're dealing with issues of affordability."

A major component of making broadband expansion happen in North Carolina's rural communities is partnerships between private providers and government. Earlier this month, Charter Communications — the parent company of Spectrum — announced a multiyear, multibillion-dollar plan to bring gigabit high-speed internet service to more than 1 million underserved locations across 24 states, including North Carolina. Charter said it plans to invest about \$5 billion in the buildout initiative, offset by \$1.2 billion in funds from the Federal Communications Commission's Rural Digital Opportunity Fund auction.

The commission established the \$20.4 billion fund in 2019 to bring high-speed fixed broadband service to rural homes and small businesses.

While COVID has brought many challenges to providing broadband access in North Carolina, the director said, the pandemic also has made it clear to most that this issue can no longer sit on the back burner. “Now we’ve seen the conversation change to ‘this is more necessary than we thought,’” he said. “This isn’t a luxury in addition to your telephone line or cable — it’s all those things, it’s the modern means of communication. And COVID certainly has brought to bear the fact that not only is it necessary, but it also needs to be affordable, and we need to find a way to help those who can’t pay for it.”

COVID Variants

Even as the numbers of cases, hospitalizations and deaths from the novel coronavirus are dropping in North Carolina, there is a potential dark cloud on the horizon. That’s because, as of last week, both the South African and Great Britain variants of SARS CoV2, the virus also known as COVID-19, have been identified in North Carolina. The South African variant, known as B.1.351, appears to render current vaccines less effective, and the British mutation is significantly more contagious than earlier strains of the virus that have emerged over the past year. Due to the limited ability to test and identify variants, the number of people infected with these strains may be higher.

“There are almost certainly more cases than have been identified,” said a professor of epidemiology at the University of North Carolina School of Public Health. “There could really be a sudden burst of more infections, and we need to be ready for that.” The first B.1.351 variant in North Carolina, which was identified on Feb. 18, was found in an adult “in the central part of the state who had not recently traveled,” meaning they likely caught it from another person nearby. The B.1.1.7, which originated in the United Kingdom, was first identified in North Carolina in late January.

Variants are mutations of the original strain of the novel coronavirus, known as SARS-COV-2. Many of these variants lack any discernible difference from the original COVID-19 strain, and don’t make a difference in how sick a person gets from the virus. Sometimes, however, a mutation in the virus’s genomic coding leads it to be more infectious or makes it more difficult for a person to recover from the disease. The U.S. Centers for Disease Control and Prevention predicts the UK strain will become the dominant strain in the U.S. by the end of March. While vaccines are slightly less effective on one of the variants, at this point, they appear to still be successful in preventing severe disease from the virus.

Still, future mutations could lead to variants that render existing vaccines less effective. Reducing spread while allowing states time to get everyone vaccinated — a process that has been slowed by everything from bureaucracy to limited vaccine supply to natural disasters such as last week’s cold weather — is critical to curbing the virus’s ability to further evolve.

Health Care Lawsuit

More than 200,000 retired state workers might soon receive hundreds or even thousands of dollars, if a class action lawsuit goes in their favor at the North Carolina Supreme Court. The case boils down to health care benefits for retired state workers, and who should pay for them. “In retirees’ minds, it’s all about honoring a contract with

the state they had when they retired,” said the leader of the Retired Governmental Employees’ Association and has been following the case for years. But the cost to cover the damages they’re claiming could add up to hundreds of millions of dollars, if the retirees win.

Those costs would fall on the State Health Plan, which also provides health care for current state workers. “The charges would come back against the State Health Plan, which is already insolvent,” said State Treasurer, a Republican whose office oversees the health plan. “It’s not like we have these big reserves.”

The Treasurer said that when he came into office, the state health plan was underfunded by \$33 billion but a recent report put it at \$28 billion. The state health plan has recently been able to freeze premium costs for family plans, he said, and with its improving fiscal health he hoped to pursue lowering those premiums. But losing hundreds of millions of dollars in this lawsuit would put a damper on that. “Obviously it would be impactful,” he said.

The Treasurer is among the state officials fighting the lawsuit, which he inherited from his predecessor, when he took office in 2017. Also potentially standing in the way of the retirees and the money they say they’re owed is a state Supreme Court that has suddenly started questioning if it should even hear the case at all.

That about-face began in January, just after new justices were sworn in following the 2020 elections. Since five of the seven justices now on the court are related to living or dead people who either are or were state retirees, they wrote in January, there might be too many conflicts of interest for them to ethically hear the case. Earlier this month they asked both sides to weigh in on that.

The state agreed with ending the case and said plenty of lawsuits never make it to the Supreme Court. Lawyers for the retirees, however, said the fact that nearly the entire Supreme Court is related to a retiree shows how important their case is. “Because of the number of North Carolinians involved (nearly 5% of the entire state population), it’s no surprise that almost every member of this Court has a relative who could be impacted,” they wrote in a brief earlier this month, urging the court to still hear their arguments. “Given the widespread effect of this case, it’s likely that every North Carolinian has some relative or close acquaintance who will be impacted by a ruling in this matter.”

Regardless of what happens, the end appears near for this lawsuit, which has been trudging its way through the court system for nearly a decade. And in part because of everything surrounding this case, future state government retirees won’t get health care benefits at all, due to a 2017 law that applies to state workers who start their careers this year or later. It’s unclear when the Supreme Court justices will decide on recusing themselves, now that the two sides have had their chance to weigh in. If all five justices do, or even four, the rest would not be allowed to hear the case on their own. A majority of the court, at least four justices, is required to be able to hear a case.

Church Guns

After failing to overcome the Governor’s veto last session, Senate Republicans are trying again to allow guns at churches that also serve as private schools. On Tuesday, the Senate Judiciary Committee approved Senate Bill 43, which would allowed concealed carry permit holders to have guns during church services — as long as the school on the same property isn’t in session. The bill’s sponsor said that concealed weapons are already allowed at churches that don’t host

schools. “It’s eliminating what’s an unintended consequence where we want our churches to have the freedom to decide how they do their own security,” he said.

The committee heard from several church pastors who support the change. They cited shootings at churches in recent years, and said they’re concerned a gun ban means they’re a “soft target” for violence. One senator said she’s concerned guns could get accidentally left behind after a church service and then be in the building during school. She also questioned whether the bill would allow for guns at churches being used as a polling place. The committee approved an amendment that would allow churches to “opt out” of the law by posting signage that bans concealed weapons.

The bill could be headed for another veto. Last year’s version was attached to other gun-related legislation packaged as the “Second Amendment Protection Act,” but the Governor’s veto message only mentioned the church provision. He wrote that it would “threaten the safety of students and teachers.”

The Judiciary Committee had another controversial bill on its agenda Tuesday: Senate Bill 101, which would require law enforcement agencies to carry out detention requests from Immigrations and Customs Enforcement. That bill was removed from the agenda without much explanation.

Hair Discrimination

A newly elected Wake County commissioner doesn’t want county employees to face discrimination for wearing their hair naturally. Thomas recently asked that hair discrimination be added to the county’s non-discrimination ordinance following other North Carolina communities like Durham, Carrboro and Greensboro. “There is discrimination based on hair in employment practices, in hiring practices, in promotions, even profiling,” she said. “And it’s not just women. All Black people. All African-American people who wear natural hair whether that’s dreads or afros, braids or twists, however, your hair grows naturally out of your head.”

The movement has picked up steam with efforts on the national and state level to pass the CROWN act, which stands for Creating a Respectful and Open World for Natural-Hair. It can be time-consuming for Black women and men to make their hair “acceptable” and conform to Eurocentric norms, she said, adding it can also cost a significant amount of money and damage people’s hair. “I think it’s an unfair burden for that kind of expense on Black women when they already don’t make as much as their counterparts,” Thomas said. The Wake County Board of Commissioners was scheduled to hear from the county’s Human Resources Department.

I support this legislation. One should be judged solely on the basis of qualifications not your hairstyle. Sadly, our country has a history of judging others not based on merit and whether they can perform their duties.

Although the Governor has relaxed some of our COVID restrictions, we ought to remain vigilant about wearing masks, washing our hands and socially distancing ourselves. If we stay the course, we can eradicate this virus. The strength of our economy, our physical health, and our mental health depends on it.

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