

## Sexton: Senate override of veto of religious freedom act does matter

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Winston-Salem, you might have noticed, is enjoying a second golden age, a renaissance of construction and growth fueled by companies moving into the Wake Forest Innovation Quarter.

Smokes and socks, God bless 'em, are being replaced by high-tech and health companies as the movers, shakers and drivers of opportunity in an economy in the 21st century.

We're not alone in the pursuit of such companies, though. The competition to lure them is fierce. Ask anybody in business recruitment — elected officials and those tasked with economic development. Local and state governments try and one-up each other every day to attract knowledge-based businesses.

So why is it that the state Senate seems intent on making that job more difficult by attempting to pass narrow-minded, anti-gay legislation?

“That’s a good question,” said Mayor Allen Joines, a pro-business Democrat who has worked hard in transforming Camel City. “I think it does matter, frankly. Companies do notice and those things do come into play.”

### Yes, it matters

The particular piece of legislation is a bill that would allow magistrates to choose not to perform same-sex wedding ceremonies because of deeply held religious convictions.

As written, the bill says that magistrates could recuse themselves from performing any marriages, gay or straight, for six months at a time. It was passed by the House and Senate earlier this month.

Supporters call it a freedom-of-speech issue; critics say it’s an attempt to provide a legal fig leaf to judicial officials opposed to same-sex unions despite federal courts ruling that state laws blocking gay marriage are unconstitutional.

Whatever the case, Gov. Pat McCrory vetoed it, saying that officials sworn to uphold the constitution shouldn’t be allowed to choose which laws they will support. The Senate voted to override Monday and the House may soon follow suit. Whether McCrory acted out of conscience, in deference to his supporters in the business community or was tacking toward the political center with an eye toward



Sexton Column Mug

Scott Sexton

re-election in '16 is an issue for another day.

What does matter — or should — is that passing such laws pushes the state closer to the uncomfortable spotlight — and blowback — that Indiana experienced earlier this year when it passed a law that allowed businesses to refuse services to homosexuals for religious reasons. It's worth noting, too, that Indiana revised its law within days of being ripped across the nation.

“Yes, it does matter,” said John H. Boyd, a principal at The Boyd Co., a corporate site-selection firm based in Princeton, N.J. “Social policy is emerging as a major site-selection criteria, especially for the types of projects that North Carolina is competing for — landing head offices where the company brand is part of the site selection.”

In other words, big companies — especially tech companies — won't want any part of being tagged as homophobes or bigots by association.

### **Making the job hard**

For a look ahead, let's start by taking a brief look back.

Not long after Apple, Salesforce.com, the NCAA and Angie's List lit into Indiana for passing its law — which has since been repealed, by the way — North Carolina seemed about to step into the same pile by passing a similar law called the Religious Freedom Restoration Act.

The state Senate might have passed it, national criticism be damned. But Speaker of the House Tim Moore, R-Kings Mountain, snuffed it in April.

“This bill in its current format, at the current time, is not the proper path to go,” he said, acknowledging that opposition in the business community was a significant factor.

So here we are again, having learned ... what? The Senate overrode the governor's veto Monday. But Moore stepped up again, delaying a vote to override scheduled for Wednesday, a decision that was noted elsewhere.

“The governor was right,” Boyd said. “He's sensing and doesn't want North Carolina to be the recipient of the same type of bad press that Indiana went through.”

And if the state House does follow the lead of the Senate, the work facing such local officials as Joines will become all the more difficult as they work to attract tech companies.

“We'll do our best to assuage (any companies' doubts),” Joines said. “But it'll be out there for the world to see. We saw it happen with Indiana, and our competitors will try to use it against us.

“Just as we were about to get squared away with economic development, companies could say, ‘What's going on down there in Raleigh?’”

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