



North Carolina General Assembly Legislative Services Office

George R. Hall, Legislative Services Officer
Legislative Services Office
16 W. Jones Street Room 2129
Raleigh, NC 27601-1030 Tel. (919) 733-7044

Tony C. Goldman, Director
Administrative Division
16 W. Jones Street Room 9
Raleigh, NC 27601-1030
(919) 733-7500

Gerry F. Cohen, Director
Bill Drafting Division
300 N. Salisbury St. Rm 401
Raleigh, NC 27603-5925
(919) 733-6660

James D. Johnson, Director
Fiscal Research Division
300 N. Salisbury St. Rm 619
Raleigh, NC 27603-5925
(919) 733-4910

Dennis W. McCarty, Director
Information Systems Division
300 N. Salisbury St. Rm 400
Raleigh, NC 27603-5925
(919) 733-6834

Terrence D. Sullivan, Director
Research Division
300 N. Salisbury St. Rm 545
Raleigh, NC 27603-5925
(919) 733-2578

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MEMORANDUM

FROM: Cathy L. Martin, Legislative Librarian
Research Division

RE: Bills Eligible for Consideration by the General Assembly During the 2006 Regular Session of the 2005 General Assembly (the "Short Session")

The 2005 Regular Session of the 2005 General Assembly adjourned on September 2, 2005. The adjournment resolution (Resolution 2005-58, SJR 1184) provides that both houses will reconvene for the 2006 Session of the 2005 General Assembly (the "Short Session") at 12:00 noon on Monday, May 9, 2006. (Appendix A).

As in the past, only certain measures may be considered during the Short Session – primarily those relating to appropriations, finance, pensions and retirement, and localities; certain legislation from the 2005 Regular Session; and legislation proposed by study commissions. Any measure, however, may be introduced and considered if authorized by a joint resolution passed by a two-thirds vote of each chamber's members present and voting. Blank bills (those having no substantive provisions) cannot be introduced in the House of Representatives during the Short Session.

Only the following matters may be considered during the Short Session:

1. **Budget bills.** Bills directly and primarily affecting the State budget for fiscal year 2006-2007, including the budget of an occupational licensing board, provided that any such bill must be submitted to the Bill Drafting Division of the Legislative Services Office no later than 4:00 P.M. Thursday, May 18, 2006, and must be introduced in the House of Representatives or filed for introduction in the Senate no later than 4:00 P.M. Thursday, May 25, 2006.
2. **Crossover bills.** Senate bills and resolutions introduced in 2005 that passed third reading in the Senate and were received by the House in 2005; and House bills and resolutions introduced in 2005 that passed third reading in the House and were received in the Senate by June 2, 2005. Further, any bill otherwise meeting these deadlines is not eligible for consideration if it:

- a. Violates the rules of the receiving chamber; and
- b. Is disposed of in the other house by tabling, unfavorable committee report, indefinite postponement, or failure to pass any reading.

Attached is a list of bills (Appendix B) that appear to be eligible for consideration during the Short Session under the criteria listed in this section. This list does not include all eligible appropriations and finance bills, but only those bills that have passed one house and been received in the other and which are "still alive" under the terms of this section. The list also includes S130 and H706 which were vetoed by the Governor, returned to the originating house, and referred to committee. These vetoed bills remain eligible for consideration during the Short Session. The list of bills was generated by the Information Systems Division of the Legislative Services Office.

3. **Study committee bills.** Bills and resolutions implementing the recommendations of:
 - a. Study commissions, authorities, and statutory commissions authorized or directed to report to the 2006 Session;
 - b. The General Statutes Commission, the Courts Commission, or any commission created under Chapter 120 of the General Statutes that is authorized or directed to report to the General Assembly;
 - c. The House Ethics Committee;
 - d. Select committees; or
 - e. The Joint Legislative Ethics Committee or its Advisory Subcommittee.

To be eligible, study committee bills must be submitted to the Bill Drafting Division of the Legislative Services Offices no later than 4:00 P.M. Wednesday, May 10, 2006, and must be filed for introduction in the Senate or introduced in the House of Representatives no later than 4:00 P.M. Wednesday, May 17, 2006.

4. **Local bills.** Any local bill that has been submitted to the Bill Drafting Division of the Legislative Services Office by 4:00 P.M. Wednesday, May 17, 2006, is introduced in the House of Representatives or filed for introduction in the Senate by 4:00 P.M. Wednesday, May 24, 2006, and is accompanied by a certificate signed by the principal sponsor stating that no public hearing will be required or asked for by a member on the bill, the bill is noncontroversial, and that the bill is approved for introduction by each member of the House of Representatives and Senate whose district includes the area to which the bill applies.

5. **Appointment bills.** Selection, appointment, or confirmation of members of State boards and commissions as required by law, including the filling of vacancies of positions for which the appointees were elected by the General Assembly upon recommendation of the Speaker of the House of Representatives, President of the Senate, or President Pro Tempore of the Senate.
6. **Bills authorized by a joint resolution that passed by a two-thirds vote.** Any matter authorized by joint resolution passed during the 2006 Regular Session by a two thirds majority of the members of the House of Representatives present and voting and by a two thirds majority of the members of the Senate present and voting. A bill or resolution filed in either house under the provisions of this subdivision shall have a copy of the ratified enabling resolution attached to the jacket before filing for introduction in the Senate or introduction in the House of Representatives.
7. **Joint resolutions authorizing introduction of a bill.** A joint resolution authorizing the introduction of a bill. See Section 6 above.
8. **Pension or retirement bills.** Any bills primarily affecting any State or local pension or retirement system, provided that the bill has been submitted to the Bill Drafting Division of the Legislative Services Office no later than 4:00 P.M. Wednesday, May 17, 2006, and is introduced in the House of Representatives or filed for introduction in the Senate no later than 4:00 P.M. Wednesday, May 24, 2006.
9. **Memorializing resolutions or resolutions pertaining to administrative reorganization.** Joint resolutions, House resolutions, and Senate resolutions authorized for introduction under Senate Rule 40(b) or House Rule 31(g) or pertaining to Section 5(10) of Article III of the Constitution of North Carolina (see Appendix C).
10. **Adjournment resolutions** A joint resolution adjourning the 2005 Regular Session, sine die.
11. **Bills disapproving rules.** Bills to disapprove rules under G.S. §150B-21.3. (See Appendix D).
12. **Bills containing constitutional amendments.**

Attachments:

- Appendix A** Adjournment Resolution (S.L. 2005-58, SJR 1184)
- Appendix B** Bills Eligible List (provided by ISD)
- Appendix C** North Carolina Constitution, Article III, § 5(10)
- Appendix D** G.S. § 150B-21.3. Effective date of rules.

APPENDIX A

GENERAL ASSEMBLY OF NORTH CAROLINA SESSION 2005 RATIFIED BILL

RESOLUTION 2005-58 SENATE JOINT RESOLUTION 1184

A JOINT RESOLUTION SETTING THE TIME FOR ADJOURNMENT OF THE 2005 GENERAL ASSEMBLY TO MEET IN 2006 AND LIMITING THE SUBJECTS THAT MAY BE CONSIDERED IN THAT SESSION.

Be it resolved by the Senate, the House of Representatives concurring:

SECTION 1. When the Senate and the House of Representatives adjourn on the date this resolution is ratified, they stand adjourned to reconvene on Tuesday, May 9, 2006, at 12:00 noon.

SECTION 1.1. It is the sense of the Senate that no Senator should accept per diem on account of the 2005 Regular Session after August 24, 2005, until it reconvenes in 2006.

SECTION 2. During the regular session that reconvenes on Tuesday, May 9, 2006, only the following matters may be considered:

- (1) Bills directly and primarily affecting the State budget, including the budget of an occupational licensing board, for fiscal year 2006-2007, provided that the bill must be submitted to the Bill Drafting Division of the Legislative Services Office no later than 4:00 P.M. Thursday, May 18, 2006, and must be introduced in the House of Representatives or filed for introduction in the Senate no later than 4:00 P.M. Thursday, May 25, 2006.
- (2) Bills and resolutions introduced in 2005 and having passed third reading in 2005 in the house in which introduced, received in the other house in accordance with Senate Rule 41 or House Rule 31.1(d) as appropriate, and not disposed of in the other house by tabling, unfavorable committee report, indefinite postponement, or failure to pass any reading, and which do not violate the rules of the receiving house.
- (3) Bills and resolutions implementing the recommendations of:
 - a. Study commissions, authorities, and statutory commissions authorized or directed to report to the 2006 Session;

- b. The General Statutes Commission, the Courts Commission, or any commission created under Chapter 120 of the General Statutes that is authorized or directed to report to the General Assembly;
- c. The House Ethics Committee;
- d. Select committees; or
- e. The Joint Legislative Ethics Committee or its Advisory Subcommittee.

A bill authorized by this subdivision must be submitted to the Bill Drafting Division of the Legislative Services Office no later than 4:00 P.M. Wednesday, May 10, 2006, and must be filed for introduction in the Senate or introduced in the House of Representatives no later than 4:00 P.M. Wednesday, May 17, 2006.

- (4) Any local bill that has been submitted to the Bill Drafting Division of the Legislative Services Office by 4:00 P.M. Wednesday, May 17, 2006, is introduced in the House of Representatives or filed for introduction in the Senate by 4:00 P.M. Wednesday, May 24, 2006, and is accompanied by a certificate signed by the principal sponsor stating that no public hearing will be required or asked for by a member on the bill, the bill is noncontroversial, and that the bill is approved for introduction by each member of the House of Representatives and Senate whose district includes the area to which the bill applies.
- (5) Selection, appointment, or confirmation of members of State boards and commissions as required by law, including the filling of vacancies of positions for which the appointees were elected by the General Assembly upon recommendation of the Speaker of the House of Representatives, President of the Senate, or President Pro Tempore of the Senate.
- (6) Any matter authorized by joint resolution passed during the 2006 Regular Session by a two-thirds majority of the members of the House of Representatives present and voting and by a two-thirds majority of the members of the Senate present and voting. A bill or resolution filed in either house under the provisions of this subdivision shall have a copy of the ratified enabling resolution attached to the jacket before filing for introduction in the Senate or introduction in the House of Representatives.
- (7) A joint resolution authorizing the introduction of a bill pursuant to subdivision (6) of this section.
- (8) Any bills primarily affecting any State or local pension or retirement system, provided that the bill has been submitted to the Bill Drafting Division of the Legislative Services Office no later than 4:00 P.M. Wednesday, May 17, 2006, and is introduced in the House of

Representatives or filed for introduction in the Senate no later than 4:00 P.M. Wednesday, May 24, 2006.

- (9) Joint resolutions, House resolutions, and Senate resolutions pertaining to Section 5(10) of Article III of the Constitution of North Carolina or authorized for introduction under Senate Rule 40(b) or House Rule 31.
- (10) A joint resolution adjourning the 2005 Regular Session, sine die.
- (11) Bills to disapprove rules under G.S. 150B-21.3.
- (12) Constitutional amendments.

SECTION 3. A bill containing no substantive provisions may not be introduced in the House of Representatives during the 2006 Regular Session.

SECTION 4. The Speaker of the House of Representatives or the President Pro Tempore of the Senate may authorize appropriate committees or subcommittees of their respective houses to meet during the interims between sessions to:

- (1) Review matters related to the State budget for the 2005-2007 biennium,
- (2) Prepare reports, including revised budgets, or
- (3) Consider any other matters as the Speaker of the House of Representatives or the President Pro Tempore of the Senate deems appropriate,

except that no committee or subcommittee of a house may consider, after the date of adjournment provided in Section 1 of this resolution and before the date of reconvening provided in Section 2 of this resolution, any bill, or proposed committee substitute for such bill, which originated in the other house. A conference committee may meet in the interim upon approval by the Speaker of the House of Representatives or the President Pro Tempore of the Senate.

SECTION 5. This resolution is effective upon ratification.

In the General Assembly read three times and ratified this the 2nd day of September, 2005.

Beverly E. Perdue
President of the Senate

Richard T. Morgan
Speaker Pro Tempore of the House of Representatives

APPENDIX B
North Carolina General Assembly
Research Division

1. **House Bills & Resolutions Not Ratified, But Received By Crossover Deadline & Not Defeated In Senate**
 2. **Senate Bills & Resolutions Introduced & Received By House In 2005, Not Ratified & Not Defeated In House**
 3. **Vetoed Bills Returned to the Originating Chamber and Referred to Committee**
- Updated October 12, 2005

LEGEND:

Bill information in normal typeface refers to the first (left most) bill on the line.
***Bold-faced** information refers where appropriate to the second bill from the left.*
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BILL	SHORT TITLE	PRIME SPONSOR	ACT	DATE	LATEST ACTION
H0007	URBAN MOBILITY NEEDS STUDY COMMITTEE.	Saunders	S	05-12-2005	Conf Com Appointed
H0016	SCH. CURRICULUM SHALL INCLUDE FINANCIAL LIT.	Miller	S	05-11-2005	Ref To Com On Education/Higher Education
H0022	ZONING/WILMINGTON PERMITTED USES.	Wright	S	06-22-2005	Re-ref Com On Rules and Operations of the Senate
H0023	FIRE AND RESCUE PENSION ELECTION.	Howard	S	05-18-2005	Ref To Com On Pensions & Retirement and Aging
H0092=S0401	UNC/BOG STUDENT MEMBER VOTE.	Adams	S	05-19-2005	Ref To Com On Rules and Operations of the Senate
H0126	SCHS BEVERAGE/SNACK VENDING	Insko Preston	S	06-02-2005	Ref To Com On Judiciary I
H0127	PUBLIC EMPLOYEE POLL WORKERS.	Insko	S	04-11-2005	Ref To Com On Appropriations/Base Budget
H0128	ELECTION CHANGES.	Preston Preston	H	08-18-2005	Ref To Com On Election Law and Campaign Finance Reform
H0140= S0081/R	FRANKLIN 150TH ANNIVERSARY.	Insko West	S	05-31-2005	Ref To Com On Rules and Operations of the Senate
H0252	HIGHWAY PATROL ANNIVERSARY.	Haire Setzer	S	04-04-2005	Ref To Com On Rules and Operations of the Senate
H0267	8-YEAR DRIVERS LICENSE/INTERNET DL RENEWAL.	Sutton	S	06-01-2005	Ref To Com On Transportation
H0327	2005 TECHNICAL CORRECTIONS ACT.	Culpepper	H	08-29-2005	Conf Com Appointed
H0347	AG DEVELOPMENT/FARMLAND PRESERVATION	Hill	S	06-01-2005	Ref To Com On Agriculture/Environment/Natural Resources
H0350	HOLDEN BEACH CANAL DREDGING FEE.	Glazier Sauls	S	04-14-2005	Ref To Com On Finance
H0387	SOCIAL SECURITY # CAN'T BE STUDENT ID #.	Stiller Barnhart	S	04-27-2005	Ref To Com On Education/Higher Education

Bills Eligible 2006

H0413	THE STUDIES ACT OF 2005	Tolson	H	08-29-2005	Re-ref Com On Rules, Calendar, and Operations of the House
H0447	LEO CREDITABLE SERVICE/WORKERS' COMPENSATION.	Eddins	S	05-02-2005	Ref to Pensions & Retirement and Aging. If fav, re-ref to Appropriations/Base Budget
H0448	COMPLAINTS AGAINST SCHOOL BOARD MEMBERS.	Glazier Yongue	S	06-01-2005	Ref To Com On Education/Higher Education
H0449	GIFT TAX CHANGES.	Johnson Glazier Stam Gibson	S	04-18-2005	Ref To Com On Finance
H0458= S0210/R	EXTEND SUNSET/ANIMAL DISEASE PREVENTION.	Hill	S	03-21-2005	Ref To Com On Agriculture/ Environment/Natural Resources
H0511	CORNELIUS' 100TH ANNIVERSARY.	Rhodes	S	03-23-2005	Ref To Com On Rules and Operations of the Senate
H0550	SBE/COMM. COLLEGE/RULEMAKING.	Sauls	S	06-02-2005	Ref To Com On Education/Higher Education
H0577	REPEAL ERRONEOUSLY ENACTED LAW	England Tolson England	H	08-30-2005	Re-ref Com On Rules, Calendar, and Operations of the House
H0629	OPTION TO FREEZE CREDIT REPORT.	Sauls Yongue Tolson	S	05-31-2005	Ref To Com On Judiciary I
H0637	SALARY OF TEACHERS AT RESIDENTIAL SCHOOLS.	Adams Nye	S	04-14-2005	Ref to Education/Higher Education. If fav, re-ref to Appropriations/ Base Budget
H0643	SPEED AND TRAFFIC DEFEATING DEVICES.	Miller	S	08-22-2005	Re-ref Com On Transportation
H0657	PRODUCER COMP. TRANSPARENCY AND BROKER DUTY.-AB	Holliman	S	05-31-2005	Ref To Com On Commerce
H0666	HOV LANE PENALTIES.-AB	Cole	S	08-10-2005	Conf Com Appointed
H0671	REGULATION OF GENETICALLY ALTERED PLANTS.	Hill	S	08-23-2005	Conf Com Appointed
H0677	TREASURER'S DESIGNEE ON COMM. COLL. BD.	Sauls	S	06-23-2005	Re-ref Com On Education/Higher Education
H0683	INSTRUCTION/INFO. TO PROTECT NEWBORN	England Tolson Fisher	S	05-17-2005	Ref To Com On Education/Higher Education
H0706	FACILITATE HIRING OF TEACHERS.	Haire Justice Carney Preston	H	09-29-2005	Vetoed AND
		Yongue	H	10-12-2005	Ref to Com on Rules, Calendar, and Operations of the House
H0725	REAL ESTATE RESALE DEALERS.-AB	Johnson Goforth Ross Howard	S	06-06-2005	Ref To Com On Judiciary I

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Bills Eligible 2006

H0734	NAVASSA ZONING JURISDICTION.	Holliman	H	07-21-2005	Ref To Com On Rules, Calendar, and Operations of the House
H0767	ENHANCE MIGRANT HOUSING ACT.-AB	Wright Howard	S	05-16-2005	Ref To Com On Agriculture/Environment/Natural Resources
H0771	UNC/DUAL OFFICE HOLDING.-AB	Dickson	S	05-03-2005	Ref To Com On Education/Higher Education
H0818	WORKERS COMP./DRIVERS' STATUS.	Sutton	S	05-18-2005	Ref To Com On Commerce
H0826	ANSONVILLE WEEDED LOT ORDINANCE.	Gibson	S	05-16-2005	Re-ref Com On Rules and Operations of the Senate
H0833	ADD'L. STANDARDS FOR COMM. COLL. ADMISSION.	Sauls	S	05-17-2005	Ref To Com On Education/Higher Education
H0836	DUTIES OF SCHOOL COUNSELORS.	Tolson England Bell	S	05-02-2005	Ref To Com On Education/Higher Education
H0859=S0787	CONTINUING EDUCATION OF MORTGAGE BROKERS.	LaRoque	S	04-05-2005	Ref To Com On Commerce
H0864	MAYO STATE PARK CONDEMNATION.	Brubaker Church Cole	S	04-20-2005	Ref To Com On Finance
H0877	FORECLOSURE NOTICE OF SALE/DISP. OF PROCEEDS.	Holloway Justus	S	06-01-2005	Ref To Com On Judiciary II
H0882	ROBESON-TAX CERTIFICATIONS BEFORE FILINGS.	Sutton	S	04-21-2005	Ref To Com On Finance
H0914	STATE BUDGET ACT.	Crawford	S	05-02-2005	Ref To Com On Appropriations/Base Budget
H0944	ADOPT THE SALUTE TO THE NC FLAG.	Goodwin	S	05-18-2005	Ref To Com On State and Local Government
H0949	CURRITUCK BEAR HUNTING.	Owens	S	05-11-2005	Ref To Com On State and Local Government
H0966	DURHAM PRECINCTS.	Luebke	S	05-18-2005	Re-ref Com On Rules and Operations of the Senate
H1000	GREENE DEEDS/PROPERTY TAX CERTIFICATION.	Miller LaRoque	S	04-20-2005	Ref To Com On Finance
H1019	TROUTMAN 100TH.	Ray	S	05-26-2005	Ref To Com On Rules and Operations of the Senate
H1024	INSTANT RUNOFF VOTING.	Luebke	S	05-19-2005	Ref To Com On Judiciary I
H1025	WINEMAKING ON PREMISES PERMIT.	Luebke	S	08-12-2005	Re-ref Com On Finance
H1037	INCREASE WRIGHTSVILLE BEACH MOTOR VEHICLE TAX.	McComas	S	05-03-2005	Ref To Com On Finance
H1059	PUBLIC SCHOOL HEALTH CURRICULUM.	Wright	S	07-06-2005	Re-ref Com On Education/Higher Education
H1069	OAK ISLAND HEIGHT LIMITS.	B. Allen Stiller	S	05-12-2005	Ref To Com On State and Local Government
H1074	CLARIFY SCHOOL ADMISSIONS PROCEDURES.	Daughtry	S	06-06-2005	Ref To Com On Education/Higher Education

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Bills Eligible 2006

H1077	BIRTH CERTIFICATE/STILLBORN INFANTS.	Sherrill	S	04-20-2005	Ref To Com On Health Care
H1087	CLARIFY DEFINITION OF SOCIAL WORKER.	Culpepper	S	06-06-2005	Ref To Com On Mental Health & Youth Services
H1093=S1132	AMEND ENVIRONMENTAL LAWS -1.	McComas	S	06-01-2005	Ref to Agriculture/Environment/ Natural Resources. If fav, re-ref to Appropriations/Base Budget
		Gibson Justice Harrell			
H1094=S1122	RENAME WRP/CODIFY ECOSYSTEM ENHANCEMENT PRGM.	McComas	S	06-01-2005	Ref To Com On Agriculture/ Environment/Natural Resources
		Justice Harrell Gibson			
H1099	BROWNFIELDS PROPERTY REUSE ACT AMENDMENTS	Gibson	S	06-01-2005	Ref To Com On Agriculture/ Environment/Natural Resources
H1101	PROMPT RELEASE OF ELECTION RESULTS.	Allred	S	06-06-2005	Ref To Com On Judiciary I
H1103	HONOR FRANK RHODES.	Folwell	S	04-05-2005	Ref To Com On Rules and Operations of the Senate
		Brown Womble Parmon			
H1120	STRENGTHEN NEIGHBORHOOD WATCH PROGRAMS.	Frye	S	08-12-2005	Re-ref Com On Appropriations/Base Budget
H1133	COUNTY GOV'T. CRIMINAL RECORDS CHECKS.	Dickson	S	05-12-2005	Ref To Com On Judiciary I
		Glazier Lucas McAllister			
H1146	FORECLOSURE REFORM.	Michaux	S	06-06-2005	Ref To Com On Judiciary I
H1151	PLANNING TIME & DUTY-FREE LUNCH FOR TEACHERS.	Jeffus	S	06-06-2005	Ref To Com On Education/Higher Education
H1155	SAFE TRANSPORTATION FOR SCHOOL STUDENTS.	Sherrill	S	06-06-2005	Ref To Com On Education/Higher Education
H1178	HONOR TAR HEELS.	Crawford	S	04-12-2005	Ref To Com On Rules and Operations of the Senate
		Owens Hackney Insko			
H1194	PHYSICAL THERAPISTS/PROFESSIONAL CORPORATIONS.	Weiss	S	05-09-2005	Ref To Com On Rules and Operations of the Senate
		Insko			
H1230	LOCAL GOVERNMENT OBSOLETE PROPERTY DONATIONS.	Faison	S	06-08-2005	Re-ref Com On Education/Higher Education
H1237	CHANGE LOCAL GOVERNMENTAL RETIREMENT BOARD.	Tucker	S	05-12-2005	Ref To Com On Pensions & Retirement and Aging
H1248	IDENTITY THEFT PROTECTION ACT OF 2005.	Sutton	S	05-24-2005	Ref To Com On Judiciary I
		Goforth Kiser			

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Bills Eligible 2006

H1264	BOARD CERT. TEACHERS SERVE AS SCH. LEADERS.	Ray Warren	S	05-24-2005	Ref To Com On Education/Higher Education
H1291	ELIMINATE CONTINUING ED. REQ'S./ LOCKSMITHS.	Jeffus Yongue Johnson Allred	S	06-06-2005	Ref To Com On Commerce
H1301	PHYSICAL THERAPY BD./COMPETENCY OF LICENSEES.	L. Allen	S	05-23-2005	Ref To Com On Health Care
H1305	MAPS/CHARTERS TO SEC. OF STATE.	L. Allen	S	05-31-2005	Ref To Com On State and Local Government
H1342	SPECIAL DIPLOMAS FOR WAR VETERANS.	Sherrill	S	05-12-2005	Ref To Com On Education/Higher Education
H1343	HEALTH INSUR./PROMPT PAY CORRECTION.	Nye	S	06-01-2005	Ref To Com On Rules and Operations of the Senate
H1353	MUNI ELECTRIC SERVICE CUSTOMERS/ LENIOR COUNTY.	LaRoque	S	07-05-2005	Re-ref Com On Rules and Operations of the Senate
H1388	EXCLUDE INTERNET SALES/AUCTION ACTIVITIES.	Cole	S	06-06-2005	Ref To Com On Commerce
H1417	REVISE JUDICIAL STANDARDS COMMISSION.	Gibson Haire	S	07-05-2005	Re-ref Com On Appropriations/Base Budget
H1432	REGISTER OF DEEDS-CERTIFICATIONS.	Stam Ross	S	05-18-2005	Ref To Com On Judiciary II
H1467	ATTORNEYS' FEES/TRANSFERS TO MINORS.	Hackney	S	05-18-2005	Ref To Com On Judiciary II
H1473	CLAWBACK FAILED INCENTIVES.	Luebke Cole Coates	S	06-06-2005	Ref To Com On Finance
H1489	INDECENT EXPOSURE/INCREASE PENALTY.	Johnson	S	06-01-2005	Ref To Com On Judiciary II
H1502	SCHOOLCHILDREN'S HEALTH ACT.	Lucas	S	05-25-2005	Ref To Com On Education/Higher Education
H1516	FALSE CERT. AN UNFAIR AND DECEPTIVE ACT.	Martin McLawhorn Setzer	S	06-06-2005	Ref To Com On Judiciary II
H1522	AMEND STATE PORTS ENABLING LEGISLATION.	McComas	S	06-06-2005	Ref To Com On Commerce
H1523	IMPLEMENT COASTAL HABITAT PROTECTION PLAN.	McComas	S	05-11-2005	Ref To Com On Agriculture/Environment/Natural Resources
H1524	SUPPLEMENTAL INSURANCE/PERS. COMM./ SEIBP	Gibson Harrison Bell	H	08-24-2005	Re-ref Com On Rules, Calendar, and Operations of the House
H1551	PRE-SERV.TRAIN'G EXEMPT./CERTAIN CPS WORKERS.	Wilson Coleman Farmer-Butterfield	S	06-01-2005	Ref To Com On Mental Health & Youth Services
S0002	NO VIOLENT/OBSCENE VIDEO GAME SALES TO MINOR.	Boseman	H	08-23-2005	Re-ref Com On Judiciary II

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Bills Eligible 2006

S0042=H0175	HOME CARE CHANGES.	Swindell	H	06-02-2005	Ref To Com On Aging
S0061	FELONY DEATH BY VEHICLE/SEX OFFENDER AMEND.	Thomas	H	08-31-2005	Passed 2nd & 3rd Reading
S0072	EXPAND COUNTY BOARD OF HEALTH MEMBERSHIP.	Hagan	H	03-01-2005	Ref To Com On Health
S0130= H1061/R	CURRITUCK PROPERTY CONVEYANCE.	Clodfelter	S	03-25-2005	Vetoed AND
S0134	JACKSONVILLE JUNKED/ABANDONED VEHICLES.	Brown	S	03-29-2005	Ref To Com On Judiciary I
S0135	JONES SCHOOL BOARD VACANCIES.	Brown	H	04-26-2005	Ref To Com On Local Government II
S0140=H0817	AMEND FIREMEN'S RELIEF FUND REQUIREMENT.	Smith	H	07-14-2005	Re-ref Com On Insurance
S0171=H0388	ACADEMIC PERFORMANCE AND ATHLETICS ISSUES.	Dalton	H	08-31-2005	Passed 2nd & 3rd Reading
S0185	WINDSHIELD REPLACERS-STICKERS W/O FEE.	Holloman	H	07-20-2005	Re-ref Com On Appropriations Subcommittee on Transportation
S0194	NO ERECTILE DYSFUNCTION DRUGS UNDER MEDICAID.	Garrou	H	08-01-2005	Ref To Com On Health
S0217	DRIVERS LICENSE REVOCATION FOR ABC VIOLATION.	Dalton	H	06-02-2005	Ref To Com On Rules, Calendar, and Operations of the House
S0226=H0128	EARLY PREP FOR ABSENTEE COUNT.	Allran	H	05-03-2005	Ref To Com On Rules, Calendar, and Operations of the House
S0247	REGULATION OF HELIPOINTS.	Snow	H	07-25-2005	Re-ref Com On Judiciary III
S0254= H0415/R	MAKE UP INSTRUCTIONAL DAYS/HURRICANES.	Presnell	H	05-03-2005	Ref To Com On Rules, Calendar, and Operations of the House
S0269	CHILD NUTRITION STANDARDS.	Purcell	H	06-02-2005	Ref To Com On Education
S0271	WILMINGTON RED LIGHT CAMERA PROCEEDS.	Boseman	H	05-31-2005	Ref To Com On Local Government II
S0277	MOTOR VEHICLE SELF-INSURERS.	Dalton	H	06-02-2005	Ref To Com On Insurance
S0294	PILOT MOUNTAIN CHARTER.	East	H	05-16-2005	Re-ref Com On Local Government I
S0320	JURY FEE WAIVER PROGRAM.	Clodfelter	H	05-27-2005	Ref To Com On Appropriations
S0329	PARTNERSHIP FOR CHILDREN/BD. APPT.	Rand	H	08-30-2005	Passed 2nd & 3rd Reading
S0339	OMNIBUS OCCUPANCY TAXES-III	Holloman	S	08-23-2005	Re-ref Com On Finance
S0343	ELECTRICITY FRANCHISE TAX DISTRIBUTION.	Hoyle	H	06-02-2005	Ref To Com On Public Utilities
S0350= H0498/R	TAYLORSVILLE SATELLITE ANNEXATIONS.	Garwood	H	03-23-2005	Ref To Com On Finance
S0353	SUPREME COURT RULE MAKING.	Clodfelter	H	06-02-2005	Ref To Com On Rules, Calendar, and Operations of the House
S0383	AMEND WINSTON-SALEM FIREMEN'S RETIREMENT FUND.	Horton	H	06-02-2005	Ref To Com On Pensions and Retirement
S0386	CABARRUS FIRE DISTRICTS.	Hartsell	S	08-30-2005	Concurred On 2nd Reading
S0402=H0454	WATER/UTILITIES SAVINGS IN GOVT. FACILITIES.	Kinnaird	H	08-18-2005	Ref To Com On State Government
S0488=H1216	EXPLOITATION OF ELDER OR DISABLED ADULTS/POA.	Dannelly	H	05-16-2005	Re-ref Com On Judiciary I
S0489	COSMETIC ART DEFINITIONS/EXAM FACILITIES.	Cowell	H	06-02-2005	Ref To Com On Health
S0491	BURIAL SERVICES AT STATE VETERANS CEMETERIES.-AB	Berger of Franklin	H	05-26-2005	Ref To Com On Military, Veterans and Indian Affairs
S0492	JURY EXHIBITS.	Hagan	H	05-09-2005	Re-ref Com On Judiciary III

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Bills Eligible 2006

S0522	EXTEND BUILDING CODE PILOT PROGRAM.	Clodfelter	H	05-16-2005	Ref To Com On Ways and Means
S0523	JUDICIAL APPOINTMENT/VOTER CONFIRMATION/CJ.	Clodfelter	H	08-25-2005	Re-ref Com On Judiciary I
S0540	FRANCHISE TAX LOOPHOLE CLOSING.	Clodfelter	H	04-13-2005	Ref To Com On Finance
S0542	BLAKELY DECISION/AMEND AGGRAVATING FACTORS.	Clodfelter	H	08-15-2005	Re-ref Com On Judiciary I
S0551=H1159	PRESENT-USE VALUE BUYOUT CREDITS.	East	H	05-27-2005	Ref To Com On Finance
S0571=H0793	SCHOOL COUNSELORS & DROP-OUT PREVENTION/STUDY.	Swindell	H	03-29-2005	Ref To Com On Education
S0574	AMEND POST-RELEASE SUPERVISION LAWS.	Hartsell	H	05-24-2005	Ref To Com On Judiciary III
S0600= H0664/R	CRIME TO FALSIFY HIGHWAY INSPECTION REPORTS.-AB	Jenkins	H	04-18-2005	Ref To Com On Rules, Calendar, and Operations of the House
S0602=H0668	TECHNICAL CORRECTIONS ACT-2 - 2005.	Jenkins	H	08-30-2005	Passed 2nd & 3rd Reading
S0603	LIGHT-DUTY ROAD EXEMPTION-BUILDING SUPPLIES.	Jenkins	H	05-05-2005	Ref To Com On Transportation
S0615=H0675	INSURANCE TECHNICAL CORRECTIONS.	Thomas	H	05-16-2005	Ref To Com On Insurance
S0686	METH. LAB PREVENTION ACT.	Dalton	H	08-30-2005	Conf Report Adopted
S0700	CUSTOMIZED INDUSTRY TRAINING PROGRAM.	Nesbitt	H	04-28-2005	Ref To Com On Education
S0701=H0606	CLARIFICATION OF LEGIS. OVERSIGHT OF FEES.	Nesbitt	H	04-26-2005	Ref To Com On Judiciary I
S0724=H0898	NCNG-DEPENDENTS PAY IN-STATE TUITION.	Thomas	H	05-31-2005	Ref To Com On Appropriations
S0729=H1528	CLARIFY USED MV INTEREST CHARGES UNDER RISA.	Hoyle	H	06-02-2005	Ref To Com On Commerce
S0751	STATE HEALTH PLAN/OPTIONS.	Rand	H	06-02-2005	Ref To Com On Health
S0756	REVISE BUILDING COMMISSION MEMBERSHIP.	Nesbitt	H	06-02-2005	Ref To Com On Commerce
S0765	INCREASE AREA MH/DD/SAS BD MEMBERSHIP.	Purcell	H	04-05-2005	Ref To Com On Health
S0774	SEAT BELT USE ENHANCEMENTS.	Purcell	H	08-29-2005	Re-ref Com On Rules, Calendar, and Operations of the House
S0782	STUDY AMENDMENT TO FAIR HOSUING ACT.	Kinnaird	H	06-02-2005	Ref To Com On Rules, Calendar, and Operations of the House
S0797	BAIL BONDS/FORFEITURES & REMITTANCES.	Thomas	H	06-02-2005	Ref To Com On Rules, Calendar, and Operations of the House
S0811	DIVIDE JUDICIAL DISTRICTS 20 AND 29.	Apodaca	H	06-02-2005	Ref To Com On Appropriations Subcommittee on Justice and Public Safety
S0828	AMEND WINE SALES AND PRODUCTION LAWS.	Hagan	H	05-31-2005	Ref to the Com on Alcoholic Beverage Control and, if favorable, to the Com on Finance
S0835	ZONING/JET NOISE ZONES.	Kerr	H	04-21-2005	Ref To Com On Rules, Calendar, and Operations of the House
S0837	STATE HEALTH PLAN/10-YEAR VESTING.	Kerr	H	08-18-2005	Ref To Com On Health
S0846	MODERNIZE BAIL BONDSMAN REGISTRATION.	Swindell	H	05-27-2005	Ref To Com On Judiciary II
S0862	SPECIAL DIPLOMAS TO KOREA AND VIETNAM VETS.	Berger of Franklin	H	05-03-2005	Ref To Com On Education
S0881	LAPSE IN LIABILITY INSURANCE.	Garrou	H	08-15-2005	Ref To Com On Insurance

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Bills Eligible 2006

S0893	STATE HEALTH PLAN SUBROGATION.	Rand	H	05-09-2005	Ref To Com On Health
S0897	RESTRUCTURE PAROLE COMMISSION.	Rand	H	04-18-2005	Ref To Com On Judiciary I
S0912	TEACH FINANCIAL LITERACY IN PUBLIC SCHOOLS.	Hagan	H	05-31-2005	Ref To Com On Rules, Calendar, and Operations of the House
S0927=H1385/R	UNDERGROUND STORAGE TANK AMENDMENTS.	Clodfelter	H	08-10-2005	Re-ref Com On Environment and Natural Resources
S0929	PRISON ESCAPE/JUVENILE DETENTION FACILITY.	Clodfelter	H	07-14-2005	Conf Com Appointed
S0932	PUBLIC RECORDS ACT AMENDMENTS.	Clodfelter	H	06-02-2005	Ref To Com On Judiciary I
S0936	AMEND PUBLIC NOTIF. REQS./SMALL RENEWABLE SYS.	Cowell	H	05-05-2005	Ref To Com On Public Utilities
S0951	PUBLIC-PRIVATE SOLID WASTE COLLECTION.	Hoyle	H	06-02-2005	Ref To Com On Commerce
S0960	STUDY CHILD NUTRITION SERVICES INDIR. COSTS.	Purcell	H	05-18-2005	Ref To Com On Children, Youth and Families
S0967=H0899	ONE NORTH CAROLINA SMALL BUSINESS FUND/JDIG.	Dalton	H	05-26-2005	Ref To Com On Appropriations
S0970	LAND-USE PERMIT APPEALS.	Kinnaird	H	06-02-2005	Ref To Com On Rules, Calendar, and Operations of the House
S0991=H0917	AUTHORIZE JUDGE/CONCEALED WEAPON IN CTHS.	Apodaca	H	05-24-2005	Ref To Com On Judiciary III
S1018	ADOPT COUGAR AS STATE CAT.	Brock	H	06-02-2005	Ref To Com On State Government
S1032	STUDY INHERENTLY DANGEROUS ANIMALS.	Garwood	H	07-26-2005	Re-ref Com On Rules, Calendar, and Operations of the House
S1039	INCREASE RAPE PENALTIES/HELPLESS VICTIMS.	Jenkins	H	08-01-2005	Ref To Com On Rules, Calendar, and Operations of the House
S1057	EDUCATION IMPROVEMENT ACT OF 2005.	Dalton	H	06-02-2005	Ref To Com On Education
S1067=H0910	DEFENSE TECHNOLOGY INNOVATION CENTER.	Rand	H	05-31-2005	Ref To Com On Appropriations
S1072	HOSPITAL LICENSE CHANGES.-AB	Rand	H	04-19-2005	Ref To Com On Health
S1074	FACILITY QUALITY AND SAFETY IMPROVEMENTS.	Rand	H	06-02-2005	Ref To Com On Health
S1077	MOTORCYCLE LEARNER'S PERMIT.	Rand	H	06-20-2005	Ref To Com On Finance
S1081	PROCEDURES FOR ADVERTISING TAX LIENS.	Berger of Rockingham	H	06-02-2005	Ref To Com On Finance
S1087	LIMITED DRIVING PRIVILEGES-DWLR.	Kerr	H	08-15-2005	Ref To Com On Judiciary I
S1096	FLAG, PLEDGE, AND SYMBOLS TAUGHT IN SCHOOLS.	Boseman	H	06-02-2005	Ref To Com On Education
S1121=H1099	BROWNFIELDS PROPERTY REUSE ACT AMENDMENTS.	Clodfelter	H	08-10-2005	Re-ref Com On Environment and Natural Resources
S1122=H1094	RENAME WRP/CODIFY ECOSYSTEM ENHANCEMENT PRGM.	Albertson	H	08-10-2005	Re-ref Com On Environment and Natural Resources
S1123=H1095/R	ENVIRONMENTAL REPORTS AMENDMENTS.	Albertson	H	08-10-2005	Re-ref Com On Environment and Natural Resources
S1132=H1093	AMEND ENVIRONMENTAL LAWS -1.	Albertson	H	08-10-2005	Re-ref Com On Environment and Natural Resources
S1143	PROTECT BUILDING INSPECTORS.	Hartsell	H	06-02-2005	Ref To Com On Judiciary III
S1144=H0918	FILM INDUSTRY JOBS INCENTIVES.	Boseman	H	06-22-2005	Ref To Com On Finance
S1156	DAIRY STABILIZATION AND GROWTH PRGM.	Albertson	H	08-01-2005	Ref To Com On Rules, Calendar, and Operations of the House

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Bills Eligible 2006

S1161= H1112/R	CENTRAL LISTING/MH BEDS/INVOL. COMM.	Apodaca	H	08-01-2005	Ref To Com On Health
S1165= H0930/R	HONOR TOWN OF GARNER/100TH ANNIVERSARY.	Stevens	H	04-14-2005	Ref To Com On Rules, Calendar, and Operations of the House
S1168	SOLDIERS OF WW II.	Brock	H	08-24-2005	Ref To Com On Rules, Calendar, and Operations of the House
S1183= H1797/R	TOWN OF ROXBORO.	Kinnaird	H	08-24-2005	Ref To Com On Rules, Calendar, and Operations of the House

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APPENDIX C

CONSTITUTION OF NORTH CAROLINA

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ARTICLE III EXECUTIVE

Sec. 5. Duties of Governor.

(10) Administrative reorganization. The General Assembly shall prescribe the functions, powers, and duties of the administrative departments and agencies of the State and may alter them from time to time, but the Governor may make such changes in the allocation of offices and agencies and in the allocation of those functions, powers, and duties as he considers necessary for efficient administration. If those changes affect existing law, they shall be set forth in executive orders, which shall be submitted to the General Assembly not later than the sixtieth calendar day of its session, and shall become effective and shall have the force of law upon adjournment sine die of the session, unless specifically disapproved by resolution of either house of the General Assembly or specifically modified by joint resolution of both houses of the General Assembly.

APPENDIX D

§ 150B-21.3. Effective date of rules.

(a) Temporary and Emergency Rules. – A temporary rule or an emergency rule becomes effective on the date the Codifier of Rules enters the rule in the North Carolina Administrative Code.

(b) Permanent Rule. – A permanent rule approved by the Commission becomes effective on the first day of the month following the month the rule is approved by the Commission, unless the Commission received written objections to the rule in accordance with subsection (b2) of this section, or unless the agency that adopted the rule specifies a later effective date.

(b1) Delayed Effective Dates. – If the Commission received written objections to the rule in accordance with subsection (b2) of this section, the rule becomes effective on the earlier of the thirty-first legislative day or the day of adjournment of the next regular session of the General Assembly that begins at least 25 days after the date the Commission approved the rule, unless a different effective date applies under this section. If a bill that specifically disapproves the rule is introduced in either house of the General Assembly before the thirty-first legislative day of that session, the rule becomes effective on the earlier of either the day an unfavorable final action is taken on the bill or the day that session of the General Assembly adjourns without ratifying a bill that specifically disapproves the rule. If the agency adopting the rule specifies a later effective date than the date that would otherwise apply under this subsection, the later date applies. A permanent rule that is not approved by the Commission or that is specifically disapproved by a bill enacted into law before it becomes effective does not become effective.

A bill specifically disapproves a rule if it contains a provision that refers to the rule by appropriate North Carolina Administrative Code citation and states that the rule is disapproved. Notwithstanding any rule of either house of the General Assembly, any member of the General Assembly may introduce a bill during the first 30 legislative days of any regular session to disapprove a rule that has been approved by the Commission and that either has not become effective or has become effective by executive order under subsection (c) of this section.

(b2) Objection. – Any person who objects to the adoption of a permanent rule may submit written comments to the agency. If the objection is not resolved prior to adoption of the rule, a person may submit written objections to the Commission. If the Commission receives written objections from 10 or more persons, no later than 5:00 P.M. of the day following the day the Commission approves the rule, clearly requesting review by the legislature in accordance with instructions contained in the notice pursuant to G.S. 150B-21.2(c)(9), and the Commission approves the rule, the rule will become effective as provided in subsection (b1) of this section. The Commission shall notify the agency that the

rule is subject to legislative disapproval on the day following the day it receives 10 or more written objections. When the requirements of this subsection have been met and a rule is subject to legislative disapproval, the agency may adopt the rule as a temporary rule if the rule would have met the criteria listed in G.S. 150B-21.1(a) at the time the notice of text for the permanent rule was published in the North Carolina Register. If the Commission receives objections from 10 or more persons clearly requesting review by the legislature, and the rule objected to is one of a group of related rules adopted by the agency at the same time, the agency that adopted the rule may cause any of the other rules in the group to become effective as provided in subsection (b1) of this section by submitting a written statement to that effect to the Commission before the other rules become effective.

(c) Executive Order Exception. – The Governor may, by executive order, make effective a permanent rule that has been approved by the Commission but the effective date of which has been delayed in accordance with subsection (b1) of this section upon finding that it is necessary that the rule become effective in order to protect public health, safety, or welfare. A rule made effective by executive order becomes effective on the date the order is issued or at a later date specified in the order. When the Codifier of Rules enters in the North Carolina Administrative Code a rule made effective by executive order, the entry must reflect this action.

A rule that is made effective by executive order remains in effect unless it is specifically disapproved by the General Assembly in a bill enacted into law on or before the day of adjournment of the regular session of the General Assembly that begins at least 25 days after the date the executive order is issued. A rule that is made effective by executive order and that is specifically disapproved by a bill enacted into law is repealed as of the date specified in the bill. If a rule that is made effective by executive order is not specifically disapproved by a bill enacted into law within the time set by this subsection, the Codifier of Rules must note this in the North Carolina Administrative Code.

(c1) Fees. – Notwithstanding any other provision of this section, a rule that establishes a new fee or increases an existing fee shall not become effective until the agency has complied with the requirements of G.S. 12-3.1.

(d) Legislative Day and Day of Adjournment. – As used in this section:

- (1) A "legislative day" is a day on which either house of the General Assembly convenes in regular session.
- (2) The "day of adjournment" of a regular session held in an odd-numbered year is the day the General Assembly adjourns by joint resolution for more than 10 days.
- (3) The "day of adjournment" of a regular session held in an even-numbered year is the day the General Assembly adjourns sine die.

(e) OSHA Standard. – A permanent rule concerning an occupational safety and health standard that is adopted by the Occupational Safety and Health Division of the Department of Labor and is identical to a federal regulation promulgated by the Secretary of the United States Department of Labor becomes effective on the date the Division delivers the rule to the Codifier of Rules, unless the Division specifies a later effective date. If the Division specifies a later effective date, the rule becomes effective on that date.

(f) Technical Change. – A permanent rule for which no notice or hearing is required under G.S. 150B-21.5(a)(1) through (a)(5) or G.S. 150B-21.5(b) becomes effective on the first day of the month following the month the rule is approved by the Rules Review Commission. (1991, c. 418, s. 1; 1995, c. 507, s. 27.8(e); 1995 (Reg. Sess., 1996), c. 742, s. 43; 1996, 2nd Ex. Sess., c. 18, s. 7.10(f); 1997-34, s. 3; 2001-487, s. 80(b); 2002-97, s. 5; 2003-229, s. 5; 2004-156, ss. 2, 3.)