

GENERAL ASSEMBLY OF NORTH CAROLINA. FILED

SESSION 1995

1201 MAY 15 96

H

HOUSE PRINCIPAL CLERK D

HOUSE DRH5196*-LTZ136(3.21)

Short Title: Revise Consent to Rate.

(Public)

Sponsors: Representatives Cocklereece and Dockham.

Referred to:

1 A BILL TO BE ENTITLED
2 AN ACT TO PROVIDE THAT INSURERS ARE NOT REQUIRED TO OBTAIN
3 WRITTEN CONSENT TO RATE ON EACH POLICY RENEWAL AS
4 RECOMMENDED BY THE LEGISLATIVE RESEARCH COMMISSION'S
5 COMMITTEE ON INSURANCE AND INSURANCE-RELATED ISSUES.
6 The General Assembly of North Carolina enacts:
7 Section 1. G.S. 58-36-30 reads as rewritten:
8 "§ 58-36-30. Deviations.
9 (a) No insurer, officer, agent or representative thereof shall knowingly issue or
10 deliver or knowingly permit the issuance or delivery of any policy of insurance in this
11 State which does not conform to the rates, rating plans, classifications, schedules,
12 rules and standards made and filed by the Bureau. However, an insurer may deviate
13 from the rates promulgated by the Bureau provided the insurer has filed the
14 deviation to be applied both with the Bureau and the Commissioner, and provided
15 the ~~said~~ deviation is uniform in its application to all risks in the State of the class to
16 which ~~such~~ the deviation is to apply; and provided such deviation is approved by the
17 Commissioner. The Commissioner shall approve proposed deviations if ~~the same~~ they
18 do not render the rates excessive, inadequate or unfairly discriminatory. If approved,
19 the deviation may thereafter be amended, subject to the provisions of this subsection.
20 The deviation may be terminated only if the deviation ~~will have~~ has been in effect for
21 a period of six months before the effective date of the termination and the insurer
22 notifies the Commissioner of the termination no later than 15 days before the
23 effective date of the termination.
24 (b) A rate in excess of that promulgated by the Bureau may be charged by an
25 insurer on any specific risk ~~provided such~~ if the higher rate is charged in accordance

EV

NORTH CAROLINA

HOUSE OF REPRESENTATIVES



6/06/96
1:30 PM

IN CHAIR: SPEAKER

1915
LEGISLATIVE DAY 125
H1201HCS
READING 2
COCKLEREECE

REVISE CONSENT TO RATE

AYES - 112

ADAMS	CULPEPPER	HUNTER, R.	PULLEY
ALDRIDGE	CUMMINGS	HURLEY	RAMSEY
ALEXANDER	CUNNINGHAM	IVES	RAYFIELD
ALLRED	DAUGHTRY	JUSTUS	REDWINE
ARNOLD	DAVIS	KISER	REYNOLDS
BAKER	DECKER	LEE	RICHARDSON
BARBEE	DICKSON	LEMMOND	ROBINSON, J.
BARNES	DOCKHAM	LOCKE	ROGERS
BEALL	EARLE	LUEBKE	RUSSELL
BERRY	EASTERLING	MCALLISTER	SEXTON
BLACK	EDDINS	MCCOMAS	SHARPE
BLUE	EDWARDS	MCCOMBS	SHAW
BOWEN	ELLIS	MCCRARY	SHERRILL
BOWIE	ESPOSITO	MCLAUGHLIN	SHUBERT
BOYD-MCINTYRE	FITCH	MCMAHAN	SUTTON
BRASWELL	GAMBLE	MERCER	TALLENT
BRAWLEY	GARDNER	MICHAUX	THOMPSON
BROWN, J.	GRADY	MILLER, G.	TOLSON
BROWN, W.	HACKNEY	MILLER, K.	WAINWRIGHT
BUCHANAN	HAYES	MINER	WARNER
CANSLER	HENSLEY	MITCHELL	WATSON
CAPPS	HIATT	MORGAN	WEATHERLY
CARPENTER	HIGHTOWER	NEELY	WILKINS
CHURCH	HILL	NYE	WILSON, C.
COCKLEREECE	HOLMES	OLDHAM	WILSON, G.
CRAWFORD	HOWARD	OWENS	WOMBLE
CREECH	HUNT	PATE	WRIGHT
CULP	HUNTER, H.	PRESTON	YONGUE

NOES - 0

CLARY	EXCUSED ABSENCE - 5	
FOX	GRAY	NICHOLS
		ROBINSON, G.

EXCUSED VOTE - 0

	NOT VOTING - 3	
SPEAKER	LINNEY	WOOD

H1201HCS

NORTH CAROLINA GENERAL ASSEMBLY
SENATE

RECORDED VOTE

1995 SESSION
SECOND REGULAR SESSION

SEQ. 1810/23-- 3:24 PM

JUNE 21, 1996

LEGISLATIVE DAY 134

LT. GOVERNOR WICKER

-- Presiding

COCKLEREECE
REVISE CONSENT TO RATE
COM SUB/2ND EDITION

HOUSE BILL 1201
READING 2

AYE	43	ALBERTSON	DANNELLY	KERR	PLEXICO
		BALLANCE	DAVIS	KINCAID	RAND
		BALLANTINE	EAST	LEDBETTER	SHAW
		BLACKMON	EDWARDS	LITTLE	SHERRON
		BLUST	FORRESTER	LUCAS	SIMPSON
		CARPENTER	FOXX	MARTIN R.	SOLES
		CARRINGTON	GULLEY	MARTIN W.	SPEED
		CLARK	HARTSELL	MCDANIEL	WARREN
		COCHRANE	HOBBS	MCKOY	WEBSTER
		CONDER	HORTON	PAGE	WINNER
		COOPER	HOYLE	PARNELL	

NO 0

EXCUSED 0

NOT CAST 3 ALLRAN BASNIGHT JORDAN

ABSENT 4 ODOM PERDUE PLYLER SMITH

PAIRS 0
AYE
NO

(COPY)

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1995

H.B. FILED

1202

MAY 15 96

HOUSE PRINCIPAL CLERK

H

D

HOUSE DRH5187*-LTZ142(3.21)

Short Title: Small Employer Health Plans.

(Public)

Sponsors: Representatives Cocklereece and Dockham.

Referred to:

- 1 A BILL TO BE ENTITLED
2 AN ACT TO CONFORM THE LAW GOVERNING SMALL EMPLOYER
3 HEALTH BENEFIT PLANS TO 1995 LEGISLATION AS RECOMMENDED BY
4 THE LEGISLATIVE RESEARCH COMMISSION'S COMMITTEE ON
5 INSURANCE AND INSURANCE-RELATED ISSUES.
6 The General Assembly of North Carolina enacts:
7 Section 1. G.S. 58-50-130(a)(2) reads as rewritten:
8 "(2) In determining whether a preexisting-conditions provision applies
9 to an eligible employee or to a dependent, all health benefit plans
10 shall credit the time the person was covered under a previous
11 ~~group~~ health benefit plan if the previous coverage was continuous
12 to a date not more than 60 days before the effective date of the
13 new coverage, exclusive of any applicable waiting period under the
14 plan. As used in this subdivision with respect to previous coverage,
15 'health benefit plan' is not limited to plans subject to this act under
16 G.S. 58-50-115."
17 Sec. 2. This act is effective upon ratification.

EV

NORTH CAROLINA

HOUSE OF REPRESENTATIVES

ROLL CALL

1916
LEGISLATIVE DAY 125
H1202HCS
READING 2
COCKLEREECE

6/06/96
1:36 PM
IN CHAIR: SPEAKER

SMALL EMPLOYER HEALTH PLANS

AYES - 110

ADAMS	CULPEPPER	HURLEY	RAMSEY
ALDRIDGE	CUMMINGS	IVES	RAYFIELD
ALEXANDER	CUNNINGHAM	JUSTUS	REDWINE
ALLRED	DAUGHTRY	KISER	REYNOLDS
ARNOLD	DAVIS	LEE	RICHARDSON
BAKER	DECKER	LEMMOND	ROBINSON, J.
BARBEE	DOCKHAM	LOCKE	ROGERS
BARNES	EARLE	LUEBKE	RUSSELL
BEALL	EASTERLING	MCALLISTER	SEXTON
BERRY	EDDINS	MCCOMAS	SHARPE
BLACK	EDWARDS	MCCOMBS	SHAW
BLUE	ELLIS	MCCRARY	SHERRILL
BOWEN	ESPOSITO	MCLAUGHLIN	SHUBERT
BOWIE	FITCH	MCMAHAN	TALLENT
BOYD-MCINTYRE	GAMBLE	MERCER	THOMPSON
BRASWELL	GARDNER	MICHAUX	TOLSON
BRAWLEY	GRADY	MILLER, G.	WAINWRIGHT
BROWN, J.	HACKNEY	MINER	WARNER
BROWN, W.	HAYES	MITCHELL	WATSON
BUCHANAN	HENSLEY	MORGAN	WEATHERLY
CANSLER	HIATT	NEELY	WILKINS
CAPPS	HIGHTOWER	NYE	WILSON, C.
CARPENTER	HILL	OLDHAM	WILSON, G.
CHURCH	HOLMES	OWENS	WOMBLE
COCKLEREECE	HOWARD	PATE	WOOD
CRAWFORD	HUNT	PRESTON	WRIGHT
CREECH	HUNTER, H.	PULLEY	YONGUE
CULP	HUNTER, R.		

NOES - 0

CLARY
FOX

EXCUSED ABSENCE - 5
GRAY NICHOLS

ROBINSON, G.

EXCUSED VOTE - 0

SPEAKER
DICKSON

NOT VOTING - 5
LINNEY MILLER, K.

SUTTON

H1202HCS

NORTH CAROLINA GENERAL ASSEMBLY
SENATE

RECORDED VOTE

1995 SESSION
SECOND REGULAR SESSION

SEQ. 1811/24-- 3:26 PM

JUNE 21, 1996

LEGISLATIVE DAY 134

LT. GOVERNOR WICKER

-- Presiding

COCKLEREECE
SMALL EMPLOYER HEALTH PLANS
COM SUB/2ND EDITION

HOUSE BILL 1202
READING 2

AYE	41	ALBERTSON	DANNELLY	JORDAN	PAGE
		BALLANCE	EAST	KERR	PARNELL
		BALLANTINE	EDWARDS	KINCAID	PLEXICO
		BLACKMON	FORRESTER	LEDBETTER	RAND
		BLUST	FOXX	LITTLE	SHERRON
		CARPENTER	GULLEY	LUCAS	SIMPSON
		CARRINGTON	HARTSELL	MARTIN R.	SOLES
		CLARK	HOBBS	MARTIN W.	SPEED
		COCHRANE	HORTON	MCDANIEL	WEBSTER
		CONDER	HOYLE	MCKOY	WINNER
		COOPER			

NO 0

EXCUSED 0

NOT CAST	5	ALLRAN	DAVIS	SHAW	WARREN
		BASNIGHT			

ABSENT	4	ODOM	PERDUE	PLYLER	SMITH
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PAIRS 0
AYE
NO

(CONTINUED)

NORTH CAROLINA GENERAL ASSEMBLY
SENATE

RECORDED VOTE

1995 SESSION
SECOND REGULAR SESSION

SEQ. 1861/74-- 4:55 PM

JUNE 21, 1996

LEGISLATIVE DAY 134

LT. GOVERNOR WICKER

-- Presiding

COCKLEREECE
SMALL EMPLOYER HEALTH PLANS
COM SUB/2ND EDITION

HOUSE BILL 1202
READING 2

RECORDED
AYE 2 SHAW
ADJUSTED TOTAL
AYE 43
NO 0
NOT CAST 3
ABSENT 4
(COPY)



NORTH CAROLINA GENERAL ASSEMBLY
SENATE

RECORDED VOTE

1995 SESSION
SECOND REGULAR SESSION

SEQ. 1861/74-- 4:55 PM

JUNE 21, 1996

LEGISLATIVE DAY 134

LT. GOVERNOR WICKER

-- Presiding

COCKLEREECE
SMALL EMPLOYER HEALTH PLANS
COM SUB/2ND EDITION

HOUSE BILL 1202
READING 2

AYE

43

ALBERTSON
BALLANCE
BALLANTINE
BLACKMON
BLUST
CARPENTER
CARRINGTON
CLARK
COCHRANE
CONDER
COOPER

DANNELLY
EAST
EDWARDS
FORRESTER
FOXX
GULLEY
HARTSELL
HOEBS
HORTON
HOYLE
JORDAN

KERR
KINCAID
LEDBETTER
LITTLE
LUCAS
MARTIN R.
MARTIN W.
MCDANIEL
MCKOY
PAGE
FARNELL

PLEXICO
RAND
SHAW
SHERRON
SIMPSON
SOLES
SPEED
WARREN
WEBSTER
WINNER

NO

0

EXCUSED

0

NOT CAST

3

ALLRAN

BASNIGHT

DAVIS

ABSENT

4

ODOM

PERDUE

PLYLER

SMITH

PAIRS

0

AYE

NO

COPY)

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1995

H

HOUSE DRH8243*-RRZ051E(5.8)

H.B. FILED

1203

MAY 15 96

HOUSE PRINCIPAL CLERK

Short Title: Countywide Pollworkers.

(Public)

Rayfield and
Sponsors: Representative Cansler. (Co-sponsors)

Referred to:

- 1 A BILL TO BE ENTITLED
2 AN ACT TO ALLOW THE APPOINTMENT IN CERTAIN CIRCUMSTANCES
3 OF PRECINCT OFFICIALS AND BALLOT COUNTERS FOR A PRECINCT
4 WHO ARE NOT REGISTERED TO VOTE IN THAT PRECINCT.
5 The General Assembly of North Carolina enacts:
6 Section 1. G.S. 163-41(a) reads as rewritten:
7 "(a) Appointment of Chief Judge and Judges. -- At the meeting required by G.S.
8 163-31 to be held on the Tuesday following the third Monday in August of the year
9 in which they are appointed, the county board of elections shall appoint one person
10 to act as chief judge and two other persons to act as judges of election for each
11 precinct in the county. Their terms of office shall continue for two years from the
12 specified date of appointment and until their successors are appointed and ~~qualified.~~
13 qualified, except that if a nonresident of the precinct is appointed as chief judge or
14 judge for a precinct, that person's term of office shall end if the board of elections
15 appoints a qualified resident of the precinct of the same party to replace the
16 nonresident chief judge or judge. It shall be their duty to conduct the primaries and
17 elections within their respective precincts. Persons appointed to these offices must be
18 registered voters and residents of the ~~precinct for which appointed,~~ county in which
19 the precinct is located, of good repute, and able to read and write. Not more than
20 one judge in each precinct shall belong to the same political party as the chief judge.
21 The term 'precinct official' shall mean chief judges and judges appointed pursuant
22 to this section, and all assistants appointed pursuant to G.S. 163-42, unless the context
23 of a statute clearly indicates a more restrictive meaning.

EV

NORTH CAROLINA
HOUSE OF REPRESENTATIVES
ROLL CALL

1937
LEGISLATIVE DAY 126
H1203HCS
READING 2
CANSLER

6/10/96
4:51 PM
IN CHAIR: SPEAKER

COUNTYWIDE POLLWORKERS

AYES - 103

ADAMS	CULPEPPER	HUNTER, R.	RAMSEY
ALDRIDGE	CUMMINGS	HURLEY	RAYFIELD
ALEXANDER	CUNNINGHAM	IVES	REDWINE
ALLRED	DAUGHTRY	JUSTUS	RICHARDSON
ARNOLD	DAVIS	KISER	ROBINSON, J.
BAKER	DECKER	LEMMOND	ROGERS
BARBEE	DICKSON	LUEBKE	RUSSELL
BARNES	DOCKHAM	MCALLISTER	SHARPE
BEALL	EARLE	MCCOMAS	SHAW
BERRY	EASTERLING	MCCOMBS	SHERRILL
BOWEN	EDDINS	MCCRARY	SHUBERT
BOWIE	EDWARDS	MCLAUGHLIN	SUTTON
BOYD-MCINTYRE	ELLIS	MCMAHAN	TALLENT
BRASWELL	ESPOSITO	MERCER	THOMPSON
BRAWLEY	FOX	MICHAUX	TOLSON
BROWN, J.	GARDNER	MILLER, G.	WAINWRIGHT
BROWN, W.	GRADY	MITCHELL	WARNER
BUCHANAN	HACKNEY	MORGAN	WATSON
CANSLER	HAYES	NEELY	WEATHERLY
CAPPS	HENSLEY	NICHOLS	WILKINS
CARPENTER	HIATT	NYE	WILSON, C.
CLARY	HIGHTOWER	OLDHAM	WILSON, G.
COCKLEREECE	HILL	OWENS	WOMBLE
CRAWFORD	HOLMES	PATE	WRIGHT
CREECH	HOWARD	PRESTON	YONGUE
CULP	HUNTER, H.	PULLEY	

NOES - 1

LEE

EXCUSED ABSENCE - 7

CHURCH	HUNT	LOCKE	ROBINSON, G.
FITCH	LINNEY	MINER	

EXCUSED VOTE - 0

NOT VOTING - 9

SPEAKER	GAMBLE	MILLER, K.	SEXTON
BLACK	GRAY	REYNOLDS	WOOD
BLUE			

H1203HCS

NORTH CAROLINA GENERAL ASSEMBLY
SENATE

RECORDED VOTE

1995 SESSION
SECOND REGULAR SESSION

SEQ. 1778/20-- 5:02 PM

JUNE 20, 1996

LEGISLATIVE DAY 133

SENATOR BASNIGHT

-- Presiding

RAYFIELD
COUNTYWIDE POLL WORKERS
COM SUB/2ND EDITION

HOUSE BILL 1203
READING 2

AYE	45	ALBERTSON ALLRAN BALLANCE BALLANTINE BASNIGHT BLACKMON BLUST CARPENTER CARRINGTON CLARK COCHRANE CONDER	COOPER DANNELLY DAVIS EAST EDWARDS FORRESTER FOXX GULLEY HARTSELL HOBBS HORTON	HOYLE JORDAN KINCAID LEDBETTER LITTLE LUCAS MARTIN R. MARTIN W. MCDANIEL MCKOY ODOM	PAGE PARNELL PERDUE PLEXICO PLYLER RAND SHERRON SOLES SPEED WEBSTER WINNER
NO	1	SIMPSON			

EXCUSED 0

NOT CAST 3 KERR

SHAW

WARREN

ABSENT 1 SMITH

PAIRS 0

AYE
NO

(COPY)

NORTH CAROLINA GENERAL ASSEMBLY
SENATE

RECORDED VOTE

1995 SESSION
SECOND REGULAR SESSION

SEQ. 1795/8-- 2:37 PM

JUNE 21, 1996

LEGISLATIVE DAY 13

SENATOR BASNIGHT

-- Presiding

RAYFIELD
COUNTYWIDE POLL WORKERS
COM SUB/2ND EDITION

HOUSE BILL 1203
READING 3

MOTION 6
TO RECONSIDER

AYE	46	ALBERTSON ALLRAN BALLANTINE BASNIGHT BLACKMON BLUST CARPENTER CARRINGTON CLARK COCHRANE COOPER DANNELLY	DAVIS EAST EDWARDS FORRESTER FOXX GULLEY HARTSELL HOBBS HORTON HOYLE JORDAN KERR	KINCAID LEDBETTER LITTLE LUCAS MARTIN R. MARTIN W. MCDANIEL MCKOY ODOM PAGE PARNELL	PERDUE PLEXICO RAND SHAW SHERRON SIMPSON SOLES SPEED WARREN WEBSTER WINNER
-----	----	--	---	---	--

NO 0

EXCUSED 0

NOT CAST 3 BALLANCE CONDER PLYLER

ABSENT 1 SMITH

PAIRS 0

AYE

NO

(COPY)



NEW

NORTH CAROLINA GENERAL ASSEMBLY
AMENDMENT
House Bill 1203

AMENDMENT NO. 1 (ONE)
(to be filled in by
Principal Clerk)
Page 1 of 3

H1203-ALB-2

Date 6/21/ 1996

Comm. Sub. [YES]
Amends Title [YES]
Second Edition

Sen. Golley

- 1 moves to amend the bill on page 1, line 3,
- 2 by inserting after the word "OFFICIALS" the term ", OBSERVERS,"; and
- 3
- 4 on page 2, line 32,
- 5 by adding the following language immediately after the word:
- 6 "precinct", ", provided that where possible the county board shall
- 7 seek and adopt the recommendation of the county chairman of the
- 8 political party affected"; and
- 9
- 10 on page 6, line 28,
- 11 by deleting the term "163-45" and substituting "163-41 or 163-42";
- 12 and
- 13
- 14 further moves to amend the bill on page 6, line 36, by adding the
- 15 following between lines 36 and 37:
- 16 Sec. 4.1. G.S. 163-45 reads as rewritten:
- 17 "§ 163-45. Observers; appointment.
- 18 The chairman of each political party in the county shall have the
- 19 right to designate two observers to attend each voting place at each
- 20 primary and election and such observers may, at the option of the
- 21 designating party chairman, be relieved during the day of the
- 22 primary or election after serving no less than four hours and
- 23 provided the list required by this section to be filed by each
- 24 chairman contains the names of all persons authorized to represent
- 25 such chairman's political party. Not more than two observers from
- 26 the same political party shall be permitted in the voting enclosure
- 27 at any time. This right shall not extend to the chairman of a
- 28 political party during a primary unless that party is participating
- 29 in the primary. In any election in which an unaffiliated candidate
- 30 is named on the ballot, he or his the candidate or the candidate's
- 31 campaign manager shall have the right to appoint two observers for
- 32 each voting place consistent with the provisions specified herein.
- 33 Persons appointed as observers must be registered voters of the



NORTH CAROLINA GENERAL ASSEMBLY
AMENDMENT
House Bill 1203

AMENDMENT NO. 1 (ONE)
(to be filled in by
Principal Clerk)

H1203-ALB-2

Page 2 of 3

1 precinct county for which appointed and must have good moral
2 character. Observers shall take no oath of office.

3 Individuals authorized to appoint observers must submit in writing
4 to the chief judge of each precinct a signed list of the observers
5 appointed for that precinct. Individuals authorized to appoint
6 observers must, prior to 10:00 A.M. on the fifth day prior to any
7 primary or general election, submit in writing to the chairman of
8 the county board of elections two signed copies of a list of
9 observers appointed by them, designating the precinct for which each
10 observer is appointed. Before the opening of the voting place on
11 the day of a primary or general election, the chairman shall deliver
12 one copy of the list to the chief judge for each affected precinct.
13 He shall retain the other copy. The chairman, or the chief judge
14 and judges for each affected precinct, may for good cause reject any
15 appointee and require that another be appointed. The names of any
16 persons appointed in place of those persons rejected shall be
17 furnished in writing to the chief judge of each affected precinct no
18 later than the time for opening the voting place on the day of any
19 primary or general election, either by the chairman of the county
20 board of elections or the person making the substitute appointment.

21 An observer shall do no electioneering at the voting place, and he
22 shall in no manner impede the voting process or interfere or
23 communicate with or observe any voter in casting his ballot, but,
24 subject to these restrictions, the chief judge and judges of
25 elections shall permit him to make such observation and take such
26 notes as he may desire.



NORTH CAROLINA GENERAL ASSEMBLY
AMENDMENT
House Bill 1203

AMENDMENT NO. 1 (ONE)
(to be filled in by
Principal Clerk)

H1203-ALB-2

Page 3 of 3

1 Whether or not the observer attends to the polls for the requisite
2 time provided by this section, each observer shall be entitled to
3 obtain at times specified by the State Board of Elections, but not
4 less than three times during election day with the spacing not less
5 than one hour apart, a list of the persons who have voted in the
6 precinct so far in that election day. Counties that use an
7 'authorization to vote document' instead of poll books may comply
8 with the requirement in the previous sentence by permitting each
9 observer to inspect election records so that the observer may create
10 a list of persons who have voted in the precinct so far that
11 election day; each observer shall be entitled to make the inspection
12 at times specified by the State Board of Elections, but not less
13 than three times during election day with the spacing not less than
14 one hour apart."; and

15
16 on page 7, line 18,
17 by inserting after the word "official" the following: "observer,
18 "
19

SIGNED W. R. S.
Amendment Sponsor

SIGNED _____
Committee Chair if Senate Committee Amendment

ADOPTED 6/21/96 FAILED _____ TABLED _____

43-2

S. Fink

NORTH CAROLINA GENERAL ASSEMBLY
SENATE

RECORDED VOTE

1995 SESSION
SECOND REGULAR SESSION

SEQ. 1796/9-- 2:39 PM

JUNE 21, 1996

LEGISLATIVE DAY 13

SENATOR BASNIGHT

-- Presiding

RAYFIELD
COUNTYWIDE POLL WORKERS
COM SUB/2ND EDITION

HOUSE BILL 1203

AMEND 1

AYE	43	ALBERTSON ALLRAN BALLANTINE BASNIGHT BLACKMON BLUST CARPENTER CARRINGTON CLARK COCHRANE COOPER	DAVIS EAST EDWARDS FORRESTER FOXX GULLEY HARTSELL HOBBS HORTON HOYLE JORDAN WINNER	KERR KINCAID LEDBETTER LITTLE LUCAS MARTIN R. MARTIN W. MCDANIEL MCKOY ODOM PAGE	PARNELL PERDUE RAND SHAW SHERRON SIMPSON SOLES SPEED WARREN WEBSTER
NO	2	DANNELLY			

EXCUSED	0				
NOT CAST	4	BALLANCE	CONDER	PLEXICO	PLYLER
ABSENT	1	SMITH			
PAIRS	0				
AYE					
NO					

(COPY)

NORTH CAROLINA GENERAL ASSEMBLY
SENATE

RECORDED VOTE

1995 SESSION
SECOND REGULAR SESSION

SEQ. 1797/10-- 2:39 PM

JUNE 21, 1996

LEGISLATIVE DAY 13

SENATOR BASNIGHT

-- Presiding

RAYFIELD
COUNTYWIDE POLL WORKERS
COM SUB/2ND EDITION

HOUSE BILL 1203
READING 3

AYE	46	ALBERTSON ALLRAN BALLANCE BALLANTINE BASNIGHT BLACKMON BLUST CARPENTER CARRINGTON CLARK COCHRANE COOPER	DANNELLY DAVIS EAST EDWARDS FORRESTER FOXX GULLEY HARTSELL HOBBS HORTON HOYLE JORDAN	KERR KINCAID LEDBETTER LITTLE LUCAS MARTIN R. MARTIN W. MCDANIEL MCKOY ODOM PAGE	PARNELL PERDUE PLEXICO RAND SHAW SHERRON SOLES SPEED WARREN WEBSTER WINNER
NO	0				

EXCUSED 0

NOT CAST 3 CONDER PLYLER SIMPSON

ABSENT 1 SMITH

PAIRS 0

AYE
NO

(COPY)



NORTH CAROLINA GENERAL ASSEMBLY
AMENDMENT
House Bill 1203

AMENDMENT NO. 1 (ONE)
(to be filled in by
Principal Clerk)
Page 1 of 3

H1203-ALB-2

Date 6/21/, 1996

Comm. Sub. [YES]
Amends Title [YES]
Second Edition

Sen. Gokey

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- 2 by inserting after the word "OFFICIALS" the term ", OBSERVERS,"; and
- 3
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- 20 primary and election and such observers may, at the option of the
- 21 designating party chairman, be relieved during the day of the
- 22 primary or election after serving no less than four hours and
- 23 provided the list required by this section to be filed by each
- 24 chairman contains the names of all persons authorized to represent
- 25 such chairman's political party. Not more than two observers from
- 26 the same political party shall be permitted in the voting enclosure
- 27 at any time. This right shall not extend to the chairman of a
- 28 political party during a primary unless that party is participating
- 29 in the primary. In any election in which an unaffiliated candidate
- 30 is named on the ballot, he or his the candidate or the candidate's
- 31 campaign manager shall have the right to appoint two observers for
- 32 each voting place consistent with the provisions specified herein.
- 33 Persons appointed as observers must be registered voters of the



NORTH CAROLINA GENERAL ASSEMBLY
AMENDMENT
House Bill 1203

AMENDMENT NO. 1 (ONE)
(to be filled in by
Principal Clerk)
Page 2 of 3

H1203-ALB-2

1 precinct county for which appointed and must have good moral
2 character. Observers shall take no oath of office.

3 Individuals authorized to appoint observers must submit in writing
4 to the chief judge of each precinct a signed list of the observers
5 appointed for that precinct. Individuals authorized to appoint
6 observers must, prior to 10:00 A.M. on the fifth day prior to any
7 primary or general election, submit in writing to the chairman of
8 the county board of elections two signed copies of a list of
9 observers appointed by them, designating the precinct for which each
10 observer is appointed. Before the opening of the voting place on
11 the day of a primary or general election, the chairman shall deliver
12 one copy of the list to the chief judge for each affected precinct.
13 He shall retain the other copy. The chairman, or the chief judge
14 and judges for each affected precinct, may for good cause reject any
15 appointee and require that another be appointed. The names of any
16 persons appointed in place of those persons rejected shall be
17 furnished in writing to the chief judge of each affected precinct no
18 later than the time for opening the voting place on the day of any
19 primary or general election, either by the chairman of the county
20 board of elections or the person making the substitute appointment.

21 An observer shall do no electioneering at the voting place, and he
22 shall in no manner impede the voting process or interfere or
23 communicate with or observe any voter in casting his ballot, but,
24 subject to these restrictions, the chief judge and judges of
25 elections shall permit him to make such observation and take such
26 notes as he may desire.



NORTH CAROLINA GENERAL ASSEMBLY
AMENDMENT
House Bill 1203

AMENDMENT NO. 1 (ONE)
(to be filled in by
Principal Clerk)

H1203-ALB-2

Page 3 of 3

1 Whether or not the observer attends to the polls for the requisite
2 time provided by this section, each observer shall be entitled to
3 obtain at times specified by the State Board of Elections, but not
4 less than three times during election day with the spacing not less
5 than one hour apart, a list of the persons who have voted in the
6 precinct so far in that election day. Counties that use an
7 'authorization to vote document' instead of poll books may comply
8 with the requirement in the previous sentence by permitting each
9 observer to inspect election records so that the observer may create
10 a list of persons who have voted in the precinct so far that
11 election day; each observer shall be entitled to make the inspection
12 at times specified by the State Board of Elections, but not less
13 than three times during election day with the spacing not less than
14 one hour apart."; and
15
16 on page 7, line 18,
17 by inserting after the word "official" the following: "observer,
18 "
19

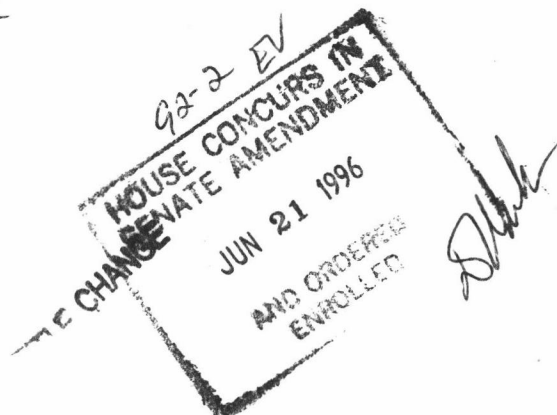
SIGNED W.P. S.
Amendment Sponsor

SIGNED _____
Committee Chair if Senate Committee Amendment

ADOPTED 6/21/96 FAILED _____ TABLED _____

43-2

S. Fink



NORTH CAROLINA

HOUSE OF REPRESENTATIVES

ROLL CALL

2216
LEGISLATIVE DAY 135
H1203HCS

6/21/96

IN CHAIR: RUSSELL

CANSLER

AMEND #1-*Small amendment*

COUNTYWIDE POLLWORKERS

MOTION #11-*Rep. Rayfield moves to amend*

AYES - 92

ADAMS	CUMMINGS	JUSTUS	RAMSEY
ALEXANDER	CUNNINGHAM	KISER	RAYFIELD
ALLRED	DAVIS	LEE	REYNOLDS
ARNOLD	DOCKHAM	LEMOND	RICHARDSON
BAKER	EARLE	LINNEY	ROBINSON, J.
BARBEE	EASTERLING	LOCKE	SEXTON
BARNES	EDDINS	LUEBKE	SHARPE
BERRY	ELLIS	MCCALLISTER	SHAW
BOWEN	ESPOSITO	MCCOMAS	SHERRILL
BOWIE	FITCH	MCCOMBS	SHUBERT
BOYD-MCINTYRE	GARDNER	MCCRARY	SUTTON
BROWN, J.	GRADY	MCMAHAN	TALLENT
BROWN, W.	HACKNEY	MERCER	THOMPSON
CANSLER	HAYES	MILLER, G.	TOLSON
CAPPS	HENSLEY	MINER	WAINWRIGHT
CARPENTER	HIATT	MITCHELL	WATSON
CHURCH	HILL	NEELY	WILKINS
CLARY	HOLMES	NICHOLS	WILSON, C.
COCKLEREECE	HOWARD	NYE	WILSON, G.
CRAWFORD	HUNTER, H.	OWENS	WOMBLE
CREECH	HUNTER, R.	PATE	WOOD
CULP	HURLEY	PRESTON	WRIGHT
CULPEPPER	IVES	PULLEY	YONGUE

NOES - 2

HIGHTOWER REDWINE

EXCUSED ABSENCE - 9

ALDRIDGE	DICKSON	HUNT	ROBINSON, G.
BEALL	FOX	OLDHAM	WARNER
BLUE			

EXCUSED VOTE - 0

NOT VOTING - 17

SPEAKER	DAUGHTRY	GRAY	MORGAN
BLACK	DECKER	MCLAUGHLIN	ROGERS
BRASWELL	EDWARDS	MICHAUX	RUSSELL
BRAWLEY	GAMBLE	MILLER, K.	WEATHERLY
BUCHANAN			

H1203HCS

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1995

H.B. FILED
1204 MAY 15 96
HOUSE PRINCIPAL CLERK

H

HOUSE DRH6207-LHZ226C(4.22)

Short Title: Assault Law Officer/Firefighter.

(Public)

Sponsors: Representatives Decker, Brawley, Kiser, Lee, Neely, Sexton, and Sutton.

Referred to:

1 A BILL TO BE ENTITLED
2 AN ACT TO MAKE IT A CLASS F FELONY OFFENSE TO ASSAULT A LAW
3 ENFORCEMENT OFFICER AND INFLICT SERIOUS BODILY INJURY AND
4 TO CREATE A NEW CRIMINAL OFFENSE OF ASSAULTING A
5 FIREFIGHTER AS RECOMMENDED BY THE LEGISLATIVE RESEARCH
6 COMMISSION'S STUDY COMMITTEE ON CRIMINAL LAWS,
7 PROCEDURES, AND SENTENCING.

8 The General Assembly of North Carolina enacts:

9 Section 1. Article 8 of Chapter 14 of the General Statutes is amended by
10 adding a new section to read:

11 "§ 14-34.7. Assault on a law enforcement officer.

12 Unless covered under some other provision of law providing greater punishment, a
13 person is guilty of a Class F felony if the person assaults a law enforcement officer
14 while the law enforcement officer is discharging or attempting to discharge his or her
15 official duties and inflicts serious bodily injury on the law enforcement officer."

16 Sec. 2. G.S. 143-34.6 reads as rewritten:

17 "§ 14-34.6. Assault or affray on a firefighter; an emergency medical technician,
18 ambulance attendant, emergency department nurse, or emergency department
19 physician.

20 (a) A person is guilty of a Class A1 misdemeanor if the person commits an assault
21 or an affray on any of the following persons who are discharging or attempting to
22 discharge their official duties:

23 (1) an An emergency medical technician; technician.

24 (2) An ambulance attendant; attendant.

NORTH CAROLINA

HOUSE OF REPRESENTATIVES

ROLL CALL

EV

2096
LEGISLATIVE DAY 134
H1204HCS
READING 2
DECKER

6/20/96
4:32 PM
IN CHAIR: SPEAKER

ASSAULT LAW OFFICER/ FIREFIGHTER

AYES - 98

ADAMS	DAVIS	IVES	RAMSEY
ALDRIDGE	DECKER	JUSTUS	RAYFIELD
ALEXANDER	DICKSON	KISER	REDWINE
ALLRED	DOCKHAM	LEE	REYNOLDS
BAKER	EARLE	LOCKE	RICHARDSON
BARBEE	EASTERLING	LUEBKE	ROBINSON, J.
BERRY	EDDINS	MCALLISTER	ROGERS
BOYD-MCINTYRE	EDWARDS	MCCOMAS	RUSSELL
BRASWELL	ELLIS	MCCOMBS	SEXTON
BRAWLEY	ESPOSITO	MCCRARY	SHARPE
BROWN, J.	FITCH	MCMAHAN	SHERRILL
BROWN, W.	GARDNER	MERCER	SHUBERT
BUCHANAN	GRADY	MICHAUX	SUTTON
CANSLER	GRAY	MILLER, G.	TALLENT
CAPPS	HACKNEY	MINER	THOMPSON
CARPENTER	HAYES	MITCHELL	TOLSON
CHURCH	HENSLEY	MORGAN	WATSON
CLARY	HIATT	NEELY	WEATHERLY
COCKLEREECE	HIGHTOWER	NICHOLS	WILKINS
CRAWFORD	HILL	NYE	WILSON, G.
CREECH	HOLMES	OWENS	WOMBLE
CULP	HOWARD	PATE	WOOD
CULPEPPER	HUNTER, H.	PRESTON	WRIGHT
CUMMINGS	HUNTER, R.	PULLEY	YONGUE
CUNNINGHAM	HURLEY		

NOES - 0

EXCUSED ABSENCE - 7

BEALL	FOX	OLDHAM	WARNER
BLUE	HUNT	ROBINSON, G.	

EXCUSED VOTE - 0

NOT VOTING - 15

SPEAKER	BOWEN	LEMOND	SHAW
ARNOLD	BOWIE	LINNEY	WAINWRIGHT
BARNES	DAUGHTRY	MCLAUGHLIN	WILSON, C.
BLACK	GAMBLE	MILLER, K.	

H1204HCS

GENERAL ASSEMBLY OF NORTH CAROLINA FILED

SESSION 1995

1205

MAY 15 96

H

HOUSE PRINCIPAL CLERK

D

HOUSE DRH2217-LR204(3.26)

Short Title: Dare School Property Acquisitions.

(Local)

Sponsors: Representative Culpepper.

Referred to:

1 A BILL TO BE ENTITLED
2 AN ACT TO ALLOW THE COUNTY OF DARE TO ACQUIRE PROPERTY
3 FOR USE BY THE COUNTY BOARD OF EDUCATION.
4 The General Assembly of North Carolina enacts:
5 Section 1. G.S.153A-158.1(e) reads as rewritten:
6 "(e) Scope. -- This section applies to Alleghany, Ashe, Avery, Bladen, Brunswick,
7 Cabarrus, Carteret, Chowan, Columbus, Currituck, Dare, Duplin, Edgecombe,
8 Forsyth, Franklin, Greene, Halifax, Harnett, Haywood, Iredell, Jackson, Johnston,
9 Lee, Macon, Madison, Moore, Nash, Orange, Pasquotank, Pender, Randolph,
10 Richmond, Rowan, Sampson, Scotland, Stanly, Union, Wake, and Watauga
11 Counties."
12 Sec. 2. This act is effective upon ratification.

S. # 2011
LEGISLATIVE DAY 132
H1205
READING 2
CULPEPPER

NORTH CAROLINA
HOUSE OF REPRESENTATIVES
ROLL CALL

RC
6/18/96
5:50 PM
IN CHAIR: SPEAKER

DARE SCHOOL PROPERTY ACQUISITIONS

AYES - 102

ADAMS	CUNNINGHAM	HURLEY	RAYFIELD
ALDRIDGE	DAUGHTRY	JUSTUS	REDWINE
ALEXANDER	DECKER	KISER	REYNOLDS
ARNOLD	DICKSON	LEE	RICHARDSON
BAKER	DOCKHAM	LINNEY	ROBINSON, G.
BARBEE	EARLE	LOCKE	ROBINSON, J.
BARNES	EASTERLING	LUEBKE	ROGERS
BEALL	EDDINS	MCALLISTER	RUSSELL
BERRY	EDWARDS	MCCOMAS	SEXTON
BOWEN	ELLIS	MCCOMBS	SHARPE
BOYD-MCINTYRE	ESPOSITO	MCCRARY	SHAW
BRASWELL	FITCH	MCPAHAN	SHERRILL
BRAWLEY	FOX	MERCER	SHUBERT
BROWN, J.	GARDNER	MICHAUX	SUTTON
BROWN, W.	GRADY	MINER	TALLENT
BUCHANAN	GRAY	MITCHELL	THOMPSON
CANSLER	HACKNEY	MORGAN	TOLSON
CARPENTER	HAYES	NEELY	WARNER
CHURCH	HENSLEY	NYE	WATSON
CLARY	HIATT	OLDHAM	WILKINS
COCKLEREECE	HIGHTOWER	OWENS	WILSON, C.
CRAWFORD	HILL	PATE	WILSON, G.
CREECH	HOLMES	PRESTON	WOOD
CULP	HOWARD	PULLEY	WRIGHT
CULPEPPER	HUNT	RAMSEY	YONGUE
CUMMINGS	HUNTER, R.		

NOES - 3

ALLRED	CAPPS	DAVIS
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EXCUSED ABSENCE - 4

BLUE	MILLER, G.	MILLER, K.	NICHOLS
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EXCUSED VOTE - 0

NOT VOTING - 11

SPEAKER	GAMBLE	LEMOND	WEATHERLY
BLACK	HUNTER, H.	MCLAUGHLIN	WOMBLE
BOWIE	IVES	WAINWRIGHT	

H1205

RC

NORTH CAROLINA

HOUSE OF REPRESENTATIVES



ROLL CALL

6/19/96

3:51 PM

IN CHAIR: RUSSELL

2034

LEGISLATIVE DAY 133

H1205

READING 3

CULPEPPER

DARE SCHOOL PROPERTY ACQUISITIONS

AYES - 98

ADAMS	CUMMINGS	JUSTUS	PRESTON
ALEXANDER	CUNNINGHAM	KISER	PULLEY
ARNOLD	DECKER	LEE	RAMSEY
BAKER	DOCKHAM	LEMMOND	RAYFIELD
BARBEE	EARLE	LOCKE	REDWINE
BEALL	EDDINS	LUEBKE	RICHARDSON
BERRY	EDWARDS	MCALLISTER	ROBINSON, G.
BLACK	ELLIS	MCCOMAS	ROGERS
BLUE	ESPOSITO	MCCOMBS	SEXTON
BOWEN	FITCH	MCCRARY	SHERRILL
BOWIE	FOX	MCLAUGHLIN	SHUBERT
BOYD-MCINTYRE	GARDNER	MCMAHAN	TALLENT
BRASWELL	GRADY	MERCER	THOMPSON
BRAWLEY	HACKNEY	MICHAUX	TOLSON
BROWN, J.	HAYES	MILLER, G.	WAINWRIGHT
BROWN, W.	HENSLEY	MINER	WARNER
BUCHANAN	HIATT	MITCHELL	WATSON
CANSLER	HILL	MORGAN	WILKINS
CARPENTER	HOLMES	NEELY	WILSON, C.
CHURCH	HOWARD	NICHOLS	WILSON, G.
COCKLEREECE	HUNT	NYE	WOMBLE
CRAWFORD	HUNTER, H.	OLDHAM	WOOD
CREECH	HUNTER, R.	OWENS	WRIGHT
CULP	HURLEY	PATE	YONGUE
CULPEPPER	IVES		

NOES - 4

ALLRED	CAPPS	DAVIS	LINNEY
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EXCUSED ABSENCE - 0

EXCUSED VOTE - 0

NOT VOTING - 18

SPEAKER	DICKSON	MILLER, K.	SHARPE
ALDRIDGE	EASTERLING	REYNOLDS	SHAW
BARNES	GAMBLE	ROBINSON, J.	SUTTON
CLARY	GRAY	RUSSELL	WEATHERLY
DAUGHTRY	HIGHTOWER		

H1205

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1995

H.B. FILED
1-206 MAY 15 96
HOUSE PRINCIPAL CLERK

H

HOUSE DRH4218-LCX212(5.13)

Short Title: Tyrrell Land Transfer Tax.

(Local)

Sponsors: Representative Culpepper.

Referred to:

1 A BILL TO BE ENTITLED
2 AN ACT TO AUTHORIZE TYRRELL COUNTY TO LEVY A ONE PERCENT
3 LOCAL LAND TRANSFER TAX.

4 The General Assembly of North Carolina enacts:

5 Section 1. Chapter 105 of the General Statutes is amended by adding a
6 new Article to read:

7 "ARTICLE 8F.

8 "Local Government Excise Stamp Tax on Conveyances.

9 "§ 105-228.50. Purpose.

10 This Article gives the counties of this State an opportunity to obtain an added
11 source of revenue with which to meet their growing financial needs.

12 "§ 105-228.51. Levy of county conveyance tax.

13 The board of commissioners of a county may by resolution, after not less than 10
14 days' public notice and a public hearing held pursuant thereto, levy an excise tax on
15 instruments conveying interests in real property located in that county at a rate not to
16 exceed one dollar (\$1.00) for each one hundred dollars (\$100.00) of the consideration
17 or value, whichever is greater, of the interest conveyed, including the value of any
18 lien or encumbrance remaining on the property at the time of sale. This tax is in
19 addition to the tax levied by Article 8E of this Chapter. Upon adoption of the
20 resolution, the board of commissioners shall send a certified copy to the register of
21 deeds of the county.

22 Collection of the tax, and liability therefor, shall begin and continue only on and
23 after the first day of a calendar month set by the board of county commissioners in
24 the resolution levying the tax, which may not be earlier than the first day of the
25 second succeeding calendar month after the date the resolution is adopted.

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1995

H.B. FILED

1207

MAY 15 96

HOUSE PRINCIPAL CLERK D

H

HOUSE DRH7263-LTZ150(4.29)

Short Title: Length of Juvenile Commitment.

(Public)

Sponsors: Representative Brawley.

Referred to:

1 A BILL TO BE ENTITLED
2 AN ACT TO CLARIFY THE MAXIMUM PERIOD OF TIME A JUVENILE MAY
3 BE COMMITTED IN ACCORDANCE WITH THE STRUCTURED
4 SENTENCING ACT AS RECOMMENDED BY THE SENTENCING AND
5 POLICY ADVISORY COMMISSION.

6 The General Assembly of North Carolina enacts:

7 Section 1. G.S. 7A-646 reads as rewritten:

8 "§ 7A-646. Purpose.

9 The purpose of dispositions in juvenile actions is to design an appropriate plan to
10 meet the needs of the juvenile and to achieve the objectives of the State in exercising
11 jurisdiction. If possible, the initial approach should involve working with the juvenile
12 and ~~his~~ the juvenile's family in their own home so that the appropriate community
13 resources may be involved in care, supervision, and treatment according to the needs
14 of the juvenile. Thus, the judge should arrange for appropriate community-level
15 services to be provided to the juvenile and ~~his~~ the juvenile's family in order to
16 strengthen the home situation.

17 In choosing among statutorily permissible dispositions for a delinquent juvenile,
18 the judge shall select the least restrictive disposition both in terms of kind and
19 duration, that is appropriate to the seriousness of the offense, the degree of
20 culpability indicated by the circumstances of the particular case and the age and prior
21 record of the juvenile. A juvenile should not be committed to training school or to
22 any other institution if ~~he~~ the juvenile can be helped through community-level
23 resources. Article 81B of Chapter 15A of the General Statutes does not apply to
24 juvenile dispositions, except as provided in G.S. 7A-652(c)."

25 Sec. 2. G.S. 7A-652(c) reads as rewritten:

NORTH CAROLINA GENERAL ASSEMBLY AMENDMENT

(Please type or use ballpoint pen)

H. B. No. 1207

DATE 6-19-96

S. B. No. _____

Amendment No. 1

Second Edition

(to be filled in by
Principal Clerk)

Rep. Baker
Sen.)

moves to amend the bill on page 2, line 32

by deleting the word "shall" "may shall"

and substituting "may".

SIGNED Lex Baker

ADOPTED 6/19/96

FAILED _____

TABLED _____

107-0 EV SW

EV

NORTH CAROLINA
HOUSE OF REPRESENTATIVES
ROLL CALL

2050
LEGISLATIVE DAY 133
H1207HCS
READING 2
BRAWLEY
AMEND #1
LENGTH OF JUVENILE COMMITMENT

6/19/96
6:27 PM
IN CHAIR: SPEAKER

AYES - 107

ADAMS	CUNNINGHAM	HURLEY	RAYFIELD
ALDRIDGE	DAUGHTRY	IVES	REDWINE
ALEXANDER	DAVIS	JUSTUS	REYNOLDS
ALLRED	DECKER	KISER	ROBINSON, G.
ARNOLD	DICKSON	LEE	ROBINSON, J.
BAKER	DOCKHAM	LEMMOND	ROGERS
BARBEE	EARLE	LOCKE	RUSSELL
BARNES	EASTERLING	LUEBKE	SEXTON
BLACK	EDDINS	MCALLISTER	SHARPE
BOWEN	EDWARDS	MCCOMAS	SHERRILL
BOYD-MCINTYRE	ESPOSITO	MCCOMBS	SHUBERT
BRASWELL	FITCH	MCCRARY	SUTTON
BRAWLEY	FOX	MCLAUGHLIN	TALLENT
BROWN, J.	GAMBLE	MCMAHAN	THOMPSON
BROWN, W.	GARDNER	MERCER	TOLSON
BUCHANAN	GRADY	MICHAUX	WAINWRIGHT
CANSLER	GRAY	MILLER, G.	WARNER
CAPPS	HACKNEY	MITCHELL	WATSON
CARPENTER	HAYES	MORGAN	WEATHERLY
CHURCH	HENSLEY	NEELY	WILKINS
CLARY	HIATT	NICHOLS	WILSON, C.
COCKLEREECE	HIGHTOWER	NYE	WILSON, G.
CRAWFORD	HILL	OLDHAM	WOMBLE
CREECH	HOLMES	OWENS	WOOD
CULP	HUNT	PATE	WRIGHT
CULPEPPER	HUNTER, H.	PRESTON	YONGUE
CUMMINGS	HUNTER, R.	RAMSEY	

NOES - 0

EXCUSED ABSENCE - 2

BEALL

HOWARD

EXCUSED VOTE - 0

NOT VOTING - 11

SPEAKER	BOWIE	MILLER, K.	RICHARDSON
BERRY	ELLIS	MINER	SHAW
BLUE	LINNEY	PULLEY	

H1207HCS

NORTH CAROLINA

HOUSE OF REPRESENTATIVES

ROLL CALL

EV

2051
SLATIVE DAY 133
H1207HCS
READING 2
BRAWLEY

6/19/96
6:27 PM
IN CHAIR: SPEAKER

LENGTH OF JUVENILE COMMITMENT

AYES - 108

ADAMS	DAUGHTRY	IVES	RAMSEY
ALEXANDER	DAVIS	JUSTUS	RAYFIELD
ALLRED	DECKER	KISER	REDWINE
ARNOLD	DICKSON	LEE	REYNOLDS
BAKER	DOCKHAM	LEMMOND	ROBINSON, G.
BARBEE	EARLE	LINNEY	ROBINSON, J.
BARNES	EASTERLING	LOCKE	ROGERS
BLACK	EDDINS	LUEBKE	RUSSELL
BOWEN	EDWARDS	MCALLISTER	SEXTON
BOYD-MCINTYRE	ELLIS	MCCOMAS	SHARPE
BRASWELL	ESPOSITO	MCCOMBS	SHERRILL
BRAWLEY	FITCH	MCCRARY	SHUBERT
BROWN, J.	FOX	MCLAUGHLIN	SUTTON
BROWN, W.	GARDNER	MCMAHAN	TALLENT
BUCHANAN	GRADY	MERCER	THOMPSON
CANSLER	GRAY	MICHAUX	TOLSON
CAPPS	HACKNEY	MILLER, G.	WAINWRIGHT
CARPENTER	HAYES	MITCHELL	WARNER
CHURCH	HENSLEY	MORGAN	WATSON
CLARY	HIATT	NEELY	WEATHERLY
COCKLEREECE	HIGHTOWER	NICHOLS	WILKINS
CRAWFORD	HILL	NYE	WILSON, C.
CREECH	HOLMES	OLDHAM	WILSON, G.
CULP	HUNT	OWENS	WOMBLE
CULPEPPER	HUNTER, H.	PATE	WOOD
CUMMINGS	HUNTER, R.	PRESTON	WRIGHT
CUNNINGHAM	HURLEY	PULLEY	YONGUE

NOES - 0

EXCUSED ABSENCE - 2

BEALL

HOWARD

EXCUSED VOTE - 0

NOT VOTING - 10

SPEAKER	BLUE	MILLER, K.	RICHARDSON
ALDRIDGE	BOWIE	MINER	SHAW
BERRY	GAMBLE		

H1207HCS

NORTH CAROLINA GENERAL ASSEMBLY
SENATE

RECORDED VOTE

1995 SESSION
SECOND REGULAR SESSION

SEQ. 1776/18-- 4:56 PM

JUNE 20, 1996

LEGISLATIVE DAY 133

SENATOR BASNIGHT

-- Presiding

BRAWLEY
LENGTH OF JUVENILE COMMITMENT
COM SUB/3RD EDITION

HOUSE BILL 1207
READING 2

AYE 47 ALBERTSON
ALLRAN
BALLANCE
BALLANTINE
BASNIGHT
BLACKMON
BLUST
CARPENTER
CARRINGTON
CLARK
COCHRANE
CONDER

COOPER
DAVIS
EAST
EDWARDS
FORRESTER
FOXX
GULLEY
HARTSELL
HOBBS
HORTON
HOYLE
JORDAN

KERR
KINCAID
LEDBETTER
LITTLE
LUCAS
MARTIN R.
MARTIN W.
MCDANIEL
MCKOY
ODOM
PAGE
PARNELL

PERDUE
PLEXICO
PLYLER
RAND
SHAW
SHERRON
SIMPSON
SOLES
SPEED
WEBSTER
WINNER

NO 0

EXCUSED 0

NOT CAST 2 DANNELLY

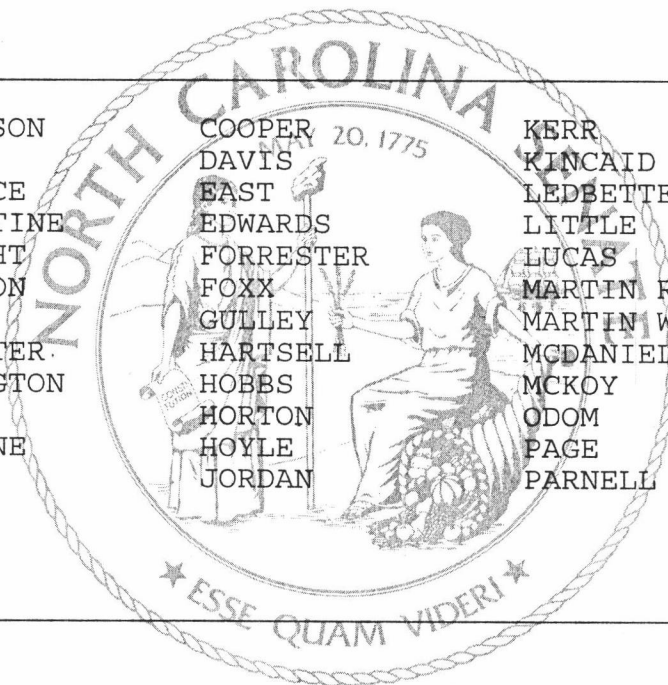
WARREN

ABSENT 1 SMITH

PAIRS 0

AYE

NO



(COPY)

GENERAL ASSEMBLY OF NORTH CAROLINA H.B. FILED

SESSION 1995

1208 MAY 15 96

HOUSE PRINCIPAL CLERK D

H

HOUSE DRH2213-LE175(4.25)

Short Title: Snow Days Offset/Certain Schools.

(Local)

Sponsors: Representatives R. Hunter and Buchanan.

Referred to:

1 A BILL TO BE ENTITLED

2 AN ACT TO PERMIT THE LOCAL BOARDS OF EDUCATION IN CERTAIN
3 COUNTIES TO SCHEDULE LONGER SCHOOL DAYS SO AS TO OFFSET
4 DAYS LOST DUE TO INCLEMENT WEATHER.

5 The General Assembly of North Carolina enacts:

6 Section 1. A local board of education may schedule school days longer
7 than the minimum required instructional hours so as to offset days lost due to
8 inclement weather. For the purposes of computing the length of the school term and
9 determining pay of school personnel, every additional hour scheduled may be used to
10 offset one hour of a school day lost due to inclement weather.

11 Sec. 2. This act applies only to the McDowell, Yancey, and Mitchell
12 County School Administrative Units. The local board of education in each of these
13 counties shall evaluate the educational effectiveness of this type of scheduling and
14 shall report the results of this evaluation to the State Board of Education for the first
15 two years following the ratification of this act.

16 Sec. 3. This act is effective upon ratification and applies to school years
17 beginning with the 1996-97 school year.



NORTH CAROLINA GENERAL ASSEMBLY
AMENDMENT
House Bill 1208

H1208-ASA-011

AMENDMENT NO. 1
(to be filled in by
Principal Clerk)
Page 1 of 1

Date June 13, 1996

Comm. Sub. ☐
Amends Title ☐

REP. IVES

- 1 moves to amend the bill on page 1, lines ¹¹ ~~12~~ & ¹² ~~13~~,
2 by
3
4 deleting the language "McDowell, Yancey and Mitchell" and
5 substituting "Avery, Graham, Haywood, Jackson, Jones, Lenoir,
6 Madison, McDowell, Swain, Wake, Watauga and Yancey";
7
8 and on page 1, lines 16-17 by
9 adding between the lines a new section to read:
10 "Sec. 3. Chapter 703 of the 1983 Session Laws is repealed."
11 and by renumbering the remaining sections accordingly.
12

SIGNED [Signature]
Amendment Sponsor

SIGNED _____
Committee Chair if Senate Committee Amendment

ADOPTED 6/13/96 FAILED _____ TABLED _____

~~[Signature]~~ SWain

NORTH CAROLINA GENERAL ASSEMBLY AMENDMENT

(Please type or use ballpoint pen)

H. B. No. HD 1208

DATE 6-13-96

S. B. No. _____

Amendment No. 2

(to be filled in by
Principal Clerk)

Rep.)

Buckham

Sen.)

moves to amend the bill on page 1, line 3

by Moses to amend amendment #1 on page 1

Line 5 By inserting Gaston, between Avery &
Graham. and on line 6 By inserting

folk between McDowell & Swain Counties.

SIGNED

C Buckham

ADOPTED

6/13/96

FAILED

TABLED



NORTH CAROLINA GENERAL ASSEMBLY
AMENDMENT
House Bill 1208

H1208-ARC-001

AMENDMENT NO. 1 (CONE)
(to be filled in by
Principal Clerk)
Page 1 of 1

Date June 20, 1996

Comm. Sub. ☐
Amends Title ☐
Second Edition

Senator Winner

- 1 moves to amend the bill on page 1, lines 10-11
2 by inserting between the lines a new section to read:
3 " Sec. 2. A local board of education may schedule longer
4 school days under Section 1 of this act only after all extra
5 calendar days required under G.S. 115C-84(c) have been scheduled to
6 be used as instructional days."
7
8 and by renumbering the remaining sections accordingly.

SIGNED Debbie Winner
Amendment Sponsor

SIGNED [Signature]
Committee Chair if Senate Committee Amendment

ADOPTED 6/21/96

FAILED _____

TABLED _____

V

[Signature]



NORTH CAROLINA GENERAL ASSEMBLY
AMENDMENT
House Bill 1208

AMENDMENT NO: 1 (CONE)
(to be filled in by
Principal Clerk)
Page 1 of 1

H1208-ARC-001

Date June 20, 1996

Comm. Sub. ☐
Amends Title ☐
Second Edition

Senator Winner

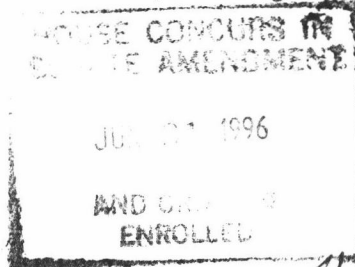
- 1 moves to amend the bill on page 1, lines 10-11
2 by inserting between the lines a new section to read:
3 " Sec. 2. A local board of education may schedule longer
4 school days under Section 1 of this act only after all extra
5 calendar days required under G.S. 115C-84(c) have been scheduled to
6 be used as instructional days.";
7
8 and by renumbering the remaining sections accordingly.

SIGNED Debbie Winner
Amendment Sponsor

SIGNED Cliff Hefley
Committee Chair if Senate Committee Amendment

ADOPTED 6/21/96 FAILED _____ TABLED _____

V



NORTH CAROLINA

HOUSE OF REPRESENTATIVES

ROLL CALL

6/21/96

IN CHAIR: SPEAKER

2208
LEGISLATIVE DAY 135
H1208

HUNTER, R.

AMEND #1- *Senate amendment*

SNOW DAYS OFFSET/ CERTAIN SCHOOLS

MOTION #11 *Rep. R. Hunter moves to amend*

AYES - ⁹⁵~~94~~ *DW*

ADAMS
ALEXANDER
ALLRED
ARNOLD
BARBEE
BARNES
BERRY
BLACK
BOWEN
BOYD-MCINTYRE
BRASWELL
BRAWLEY
BROWN, J.
BUCHANAN
CANSLER
CAPPS
CARPENTER
CHURCH
CLARY
COCKLEREECE
CRAWFORD
CREECH
CULP
CULPEPPER

CUMMINGS
CUNNINGHAM
DAVIS
DECKER
DOCKHAM
EARLE
EASTERLING
EDDINS
ELLIS
ESPOSITO
FITCH
GAMBLE
GARDNER
GRADY
HACKNEY
HAYES
HENSLEY
HIATT
HIGHTOWER
HILL
HOLMES
HOWARD
HUNTER, H.
HUNTER, R.

HURLEY
IVES
JUSTUS
KISER
LEE
LEMMOND
LINNEY
LOCKE
LUEBKE
MCALLISTER
MCCOMAS
MCCOMBS
MCCRARY
MCLAUGHLIN
MCMAHAN
MERCER
MICHAUX
MILLER, G.
MINER
MITCHELL
NEELY
NICHOLS
NYE

OWENS
PRESTON
PULLEY
RAMSEY
RAYFIELD
REDWINE
REYNOLDS
RICHARDSON
SHARPE
SHERRILL
SHUBERT
SUTTON
TALLENT
TOLSON
WAINWRIGHT
WATSON
WILKINS
WILSON, C.
WILSON, G.
WOMBLE
WOOD
WRIGHT
YONGUE
~~SEXTON~~ *DW*

NOES - 0

EXCUSED ABSENCE - 9

ALDRIDGE
BEALL
BLUE

DICKSON
FOX

HUNT
OLDHAM

ROBINSON, G.
WARNER

EXCUSED VOTE - 0

NOT VOTING - ~~11~~ 10 *DW*

SPEAKER
BAKER
BOWIE
BROWN, W.
DAUGHTRY

EDWARDS
GRAY
MILLER, K.
MORGAN

PATE
ROBINSON, J.
ROGERS
RUSSELL

~~SEXTON~~
SHAW
THOMPSON
WEATHERLY

Rep. Sexton votes "aye"

DW

H1208

H.B. FILED
1209 MAY 11
HOUSE PRINCIPAL CLERK

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1995

H

D

HOUSE DRHA173-LL235(5.3)

Short Title: White Squirrel Sanctuaries.

(Local)

Sponsors: Representative Ives.

Referred to:

1 A BILL TO BE ENTITLED
2 AN ACT TO AUTHORIZE THE CITIES OF BREVARD AND
3 HENDERSONVILLE TO CREATE SQUIRREL SANCTUARIES FOR THE
4 PRESERVATION OF THE "BREVARD WHITE SQUIRREL".
5 The General Assembly of North Carolina enacts:
6 Section 1. A city may by ordinance create a squirrel sanctuary within the
7 corporate limits of that city to regulate activities within the sanctuary which may or
8 will harm any species of squirrel (family Sciuridae), and in particular the "Brevard
9 White Squirrel". Any ordinance adopted for this purpose shall be consistent with the
10 ordinance powers found in G.S. 160A-174 or any other law, and shall not protect any
11 squirrel classified as a pest by the General Statutes, except that the "Brevard White
12 Squirrel" may be protected regardless of such a classification. It is unlawful for any
13 person to harm any species of squirrel in violation of such an ordinance.
14 Sec. 2. This act applies only to the cities of Brevard and Hendersonville.
15 Sec. 3. This act is effective upon ratification. Any ordinance authorized
16 by this act but enacted by the city of Brevard prior to the effective date of this act is
17 validated and shall be effective on and after that date.

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1995

H.B. FILED

1210

MAY 15 96

HOUSE PRINCIPAL CLERK

H

D

HOUSE DRH4219-LK229C(3.7)

Short Title: Dare County ABC Profits.

(Local)

Sponsors: Representative Culpepper.

Referred to:

- 1 A BILL TO BE ENTITLED
2 AN ACT CLARIFYING THE DISTRIBUTION OF PROFITS FROM THE
3 OPERATION OF THE DARE COUNTY ALCOHOLIC BEVERAGE
4 CONTROL BOARD.
5 The General Assembly of North Carolina enacts:
6 Section 1. Section 1 of Chapter 202 of the 1977 Session Laws reads as
7 rewritten:
8 "Section 1. ~~After deducting the amounts required to be expended for enforcement~~
9 ~~and paying salaries and expenses, After making the distributions provided in~~
10 ~~subsections (b) and (c) of G.S. 18B-805, the Dare County Alcoholic Beverage Control~~
11 ~~Board shall determine and retain from gross profits the remaining gross receipts a~~
12 ~~sufficient and proper amount necessary to be retained as working capital; capital,~~
13 ~~within the limits set by rules of the Commission.~~
14 The entire remaining ~~net profits~~ gross receipts shall be paid over to the Dare
15 County Board of County Commissioners ~~which shall allocate said funds to be~~
16 allocated as follows:
17 (1) an amount equal to forty-two and one-half percent (42.5%) ~~of the~~
18 ~~amount of funds shall be allocated to the remaining after the Dare~~
19 ~~County Alcoholic Beverage Control Board's determination of the~~
20 ~~amount necessary to be retained for working capital shall be~~
21 ~~allocated to the Dare County Tourist Bureau to be used for~~
22 ~~publicity and promotional purposes in building the tourist industry~~
23 ~~of Dare County, thereby benefiting the economy and citizens of~~
24 ~~said county; County of Dare to be administered by the Dare~~
25 County Department of Social Services, through use of a special

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1995

H.B. FILED
1211 MAY 15
HOUSE PRINCIPAL CLED

H

HOUSE DRH7268-LBX405A(3.28)

Short Title: Kill Devil Hills Charter Rewrite.

(Local)

Sponsors: Representative Culpepper.

Referred to:

1 A BILL TO BE ENTITLED

2 AN ACT TO REVISE AND CONSOLIDATE THE CHARTER OF THE TOWN
3 OF KILL DEVIL HILLS.

4 The General Assembly of North Carolina enacts:

5 Section 1. The Charter of the Town of Kill Devil Hills is revised and
6 consolidated to read as follows:

7 "THE CHARTER OF THE TOWN OF KILL DEVIL HILLS.

8 "ARTICLE I. INCORPORATION, CORPORATE POWERS AND BOUNDARIES.

9 "Section 1.1. **Incorporation.** The Town of Kill Devil Hills, North Carolina in
10 Dare County and the inhabitants thereof shall continue to be a municipal body
11 politic and corporate, under the name of the 'Town of Kill Devil Hills', hereinafter at
12 times referred to as the 'Town'.

13 "Sec. 1.2. **Powers.** The Town shall have and may exercise all of the powers,
14 duties, rights, privileges and immunities conferred upon the Town of Kill Devil Hills
15 specifically by this Charter or upon municipal corporations by general law. The term
16 'general law' is employed herein as defined in G.S. 160A-1.

17 "Sec. 1.3. **Corporate Limits.** The corporate limits of the Town of Kill Devil Hills
18 are as follows:

19 An official map of the Town, showing the current municipal boundaries, shall be
20 maintained permanently in the office of the Town Clerk and shall be available for
21 public inspection. Upon alteration of the corporate limits or wards pursuant to law,
22 the appropriate changes to the official map shall be made and copies shall be filed in
23 the office of the Secretary of State, the Dare County Register of Deeds and the
24 appropriate board of elections.

25 "ARTICLE II. GOVERNING BODY.

NORTH CAROLINA
HOUSE OF REPRESENTATIVES
ROLL CALL

2001
LEGISLATIVE DAY 132
SR 10
READING 2

6/18/96
4:48 PM
IN CHAIR: SPEAKER

RC

H1211

AYES - 115

ADAMS	CUNNINGHAM	HURLEY	RAYFIELD
ALDRIDGE	DAUGHTRY	IVES	REDWINE
ALEXANDER	DAVIS	JUSTUS	REYNOLDS
ALLRED	DECKER	KISER	RICHARDSON
ARNOLD	DICKSON	LEE	ROBINSON, G.
BAKER	DOCKHAM	LEMMOND	ROBINSON, J.
BARBEE	EARLE	LINNEY	ROGERS
BARNES	EASTERLING	LOCKE	RUSSELL
BEALL	EDDINS	LUEBKE	SEXTON
BERRY	EDWARDS	MCALLISTER	SHARPE
BLACK	ELLIS	MCCOMAS	SHAW
BOWEN	ESPOSITO	MCCOMBS	SHERRILL
BOWIE	FITCH	MCCRARY	SHUBERT
BOYD-MCINTYRE	FOX	MCLAUGHLIN	SUTTON
BRASWELL	GAMBLE	MCMAHAN	TALLENT
BRAWLEY	GARDNER	MERCER	THOMPSON
BROWN, J.	GRADY	MICHAUX	TOLSON
BROWN, W.	GRAY	MINER	WAINWRIGHT
BUCHANAN	HACKNEY	MITCHELL	WARNER
CANSLER	HAYES	MORGAN	WATSON
CAPPS	HENSLEY	NEELY	WEATHERLY
CARPENTER	HIATT	NICHOLS	WILKINS
CLARY	HIGHTOWER	NYE	WILSON, C.
COCKLEREECE	HILL	OLDHAM	WILSON, G.
CRAWFORD	HOLMES	OWENS	WOMBLE
CREECH	HOWARD	PATE	WOOD
CULP	HUNT	PRESTON	WRIGHT
CULPEPPER	HUNTER, H.	PULLEY	YONGUE
CUMMINGS	HUNTER, R.	RAMSEY	

NOES - 0

EXCUSED ABSENCE - 3

BLUE

MILLER, G. MILLER, K.

EXCUSED VOTE - 0

NOT VOTING - 2

SPEAKER

CHURCH

SHORT ROLL: H1115
S1176 H 1145

H1211HCS

H1306

H1314HCS

H1370HCS

H1379

H1412

H1366

Blush

RC

NORTH CAROLINA
HOUSE OF REPRESENTATIVES
ROLL CALL

SEQ. # 2028
LEGISLATIVE DAY 133
SR12
READING 3

6/19/96
2:37 PM
IN CHAIR: SPEAKER

H1211

AYES - 114

ADAMS	CULPEPPER	HUNTER, R.	PRESTON
ALDRIDGE	CUMMINGS	HURLEY	PULLEY
ALEXANDER	CUNNINGHAM	IVES	RAMSEY
ALLRED	DAUGHTRY	JUSTUS	RAYFIELD
ARNOLD	DAVIS	KISER	REDWINE
BAKER	DECKER	LEE	REYNOLDS
BARBEE	DICKSON	LEMMOND	RICHARDSON
BARNES	DOCKHAM	LINNEY	ROBINSON, G.
BEALL	EARLE	LOCKE	ROGERS
BERRY	EASTERLING	LUEBKE	SEXTON
BLACK	EDDINS	MCALLISTER	SHARPE
BLUE	EDWARDS	MCCOMAS	SHERRILL
BOWEN	ELLIS	MCCOMBS	SHUBERT
BOWIE	ESPOSITO	MCCRARY	SUTTON
BOYD-MCINTYRE	FITCH	MCLAUGHLIN	TALLENT
BRASWELL	FOX	MCMAHAN	THOMPSON
BRAWLEY	GAMBLE	MERCER	TOLSON
BROWN, J.	GARDNER	MICHAUX	WAINWRIGHT
BROWN, W.	GRADY	MILLER, G.	WARNER
BUCHANAN	HACKNEY	MINER	WATSON
CANSLER	HAYES	MITCHELL	WEATHERLY
CAPPS	HENSLEY	MORGAN	WILKINS
CARPENTER	HIATT	NEELY	WILSON, C.
CHURCH	HIGHTOWER	NICHOLS	WILSON, G.
CLARY	HILL	NYE	WOMBLE
COCKLEREECE	HOLMES	OLDHAM	WOOD
CRAWFORD	HOWARD	OWENS	WRIGHT
CREECH	HUNT	PATE	YONGUE
CULP	HUNTER, H.		

NOES - 0

EXCUSED ABSENCE - 0

EXCUSED VOTE - 0

NOT VOTING - 6

SPEAKER	MILLER, K.	RUSSELL	SHAW
GRAY	ROBINSON, J.		

SHORT ROLL:	H1115	H1145	H1211HCS	H1289	H1379	H1272
	H1306	H1366	H1370HCS	H1412	S1176	

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1995

H.B. FILED

1212

MAY 15 96

HOUSE PRINCIPAL CLERK

H

HOUSE DRH7259-LB427(5.3)

Short Title: Greensboro Claims Settlements.

(Local)

Sponsors: Representative Adams.

Referred to:

- 1 A BILL TO BE ENTITLED
2 AN ACT TO AMEND THE CHARTER OF THE CITY OF GREENSBORO WITH
3 RESPECT TO SETTLEMENT OF CLAIMS.
4 The General Assembly of North Carolina enacts:
5 Section 1. Section 7.03 of the Charter of the City of Greensboro, as set
6 forth in Section 1 of Chapter 1137 of the 1959 Session Laws, as amended in Chapter
7 686 of the 1961 Session Laws, Chapter 55 of the 1963 Session Laws, Chapter 213 of
8 the 1973 Session Laws, Chapter 159 of the 1981 Session Laws, and Chapter 4 of the
9 1991 Session Laws, is amended by deleting "twenty-five thousand dollars (\$25,000)",
10 and substituting "fifty thousand dollars (\$50,000)" in subdivisions (1) and (2).
11 Sec. 2. Section 7.21 of the Charter of the City of Greensboro, as set forth
12 in Section 24, Chapter 686 of the Session Laws of 1961, as amended by Section 8 of
13 Chapter 159 of the 1981 Session Laws, and by Chapter 6 of the 1993 Session Laws is
14 amended by striking out "twenty-five thousand dollars (\$25,000)" and substituting
15 "fifty thousand dollars (\$50,000)".
16 Sec. 3. This act is effective upon ratification.



NORTH CAROLINA GENERAL ASSEMBLY
AMENDMENT
House Bill 1212

AMENDMENT NO. 1
(to be filled in by
Principal Clerk)
Page 1 of 1

H1212-ASA-013

Date June 17, 1996

Comm. Sub. ☐
Amends Title ☐

- 1 moves to amend the bill on page 1, line 14,
2 by
3
4 rewriting the line to read:
5 "in Chapter 55 of the 1963 Session Laws, Chapter 85 of the 1977
6 Session Laws, Chapter 159 of the 1981 Session Laws, and Chapter 6
7 of".
8

SIGNED L. Pate
Amendment Sponsor

SIGNED _____
Committee Chair if Senate Committee Amendment

ADOPTED _____

FAILED 6/17/96

TABLED _____

(rv)
DW



NORTH CAROLINA GENERAL ASSEMBLY
AMENDMENT
House Bill 1212

H1212-ASA-015

AMENDMENT NO. 2
(to be filled in by
Principal Clerk)
Page 1 of 1

Date June 17, 1996

Comm. Sub. ☐
Amends Title ☐

- 1 moves to amend the bill on page 1, line 12,
2 by
3
4 deleting the phrase "Section 8 of" and inserting "Chapter 55 of
5 the 1963 Session Laws, Chapter 85 of the 1977 Session Laws,".
6

SIGNED L Pate
Amendment Sponsor

SIGNED _____
Committee Chair if Senate Committee Amendment

ADOPTED 6-17-96 FAILED _____ TABLED _____

(rv) SWick

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1995

H.B. FILED

1213

MAY 15 95

H

HOUSE PRINCIPAL CLERK

D

HOUSE DRH5219-LDZ226C(5.15)

Short Title: Animal Waste Funds.

(Public)

Sponsors: Representative J. Brown.

Referred to:

- 1 A BILL TO BE ENTITLED
2 AN ACT TO APPROPRIATE FUNDS TO SUPPORT CERTAIN
3 RECOMMENDATIONS OF THE BLUE RIBBON STUDY COMMISSION ON
4 AGRICULTURAL WASTE.
5 The General Assembly of North Carolina enacts:
6 Section 1. (a) There is appropriated from the General Fund to the
7 Division of Soil and Water Conservation, Department of Environment, Health, and
8 Natural Resources, the sum of three million eight hundred thousand dollars
9 (\$3,800,000) for the 1996-97 fiscal year for the Agriculture Cost Share Program for
10 Nonpoint Source Pollution Control to be used for the costs associated with obtaining
11 an approved animal waste management plan.
12 (b) G.S. 143-215.74(b)(5) reads as rewritten:
13 "(5) Funding may be provided to assist practices including conservation
14 tillage, diversions, filter strips, field borders, critical area plantings,
15 sediment control structures, sod-based rotations, grassed waterways,
16 strip-cropping, terraces, cropland conversion to permanent
17 vegetation, grade control structures, water control structures,
18 emergency spillways, riparian buffers or equivalent controls, odor
19 control best management practices, insect control best management
20 practices, and animal waste managements systems and application.
21 Funding for animal waste management shall be allocated for
22 projects in river basins such that the funds will have the greatest
23 impact in improving water quality."
24 (c) G.S. 143-215.74(b)(6) reads as rewritten:

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1995

H.B. FILED

1214 MAY 15 96

H

HOUSE PRINCIPAL CLERK D

HOUSE DRH2202-RNZ001.4(5.8)

Short Title: Forester Registration.

(Public)

Sponsors: Representative Weatherly.

Referred to:

1 A BILL TO BE ENTITLED
2 AN ACT TO STRENGTHEN THE REGISTRATION REQUIREMENT FOR
3 FORESTERS.

4 The General Assembly of North Carolina enacts:

5 Section 1. Chapter 89B of the General Statutes reads as rewritten:

6 "Chapter 89B.

7 "Foresters

8 "§ 89B-1. General provisions.

9 (a) No person ~~shall, in connection with his name or otherwise, assume, shall use or~~
10 ~~advertise any title or description tending the designation 'forester', 'registered~~
11 ~~forester', or any other descriptive terms that tend to convey, directly or indirectly, the~~
12 ~~impression that he the person is a registered forester without first having been~~
13 ~~registered as a registered forester as hereinafter provided. under this Chapter.~~

14 (b) ~~It is the intention of this~~ This Chapter ~~to benefit and protect~~ benefits and
15 protects the public by improving the standards ~~relative to~~ for the practice of
16 professional forestry in North Carolina.

17 "§ 89B-2. Definitions.

18 As used in this Chapter:

19 (1) 'Board' ~~shall mean~~ means the State Board of Registration for
20 Foresters, provided for by this Chapter.

21 (2) 'Forester' means a person who by reason of ~~his~~ special knowledge
22 and training in natural sciences, mathematics, silviculture, forest
23 protection, forest mensuration, forest management, forest
24 economics, and forest utilization is qualified to engage in the
25 practice of ~~forestry as hereinafter defined.~~ forestry.

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1995

1215 MAY 15 96

HOUSE PRINCIPAL CLERK D

H

HOUSE DRH6205-LC348(5.8)

Short Title: Rockingham E & R Board Meetings.

(Local)

Sponsors: Representatives Sexton, Allred, and Reynolds.

Referred to:

- 1 A BILL TO BE ENTITLED
2 AN ACT TO AUTHORIZE THE ROCKINGHAM BOARD OF EQUALIZATION
3 AND REVIEW TO MEET AFTER ITS FORMAL ADJOURNMENT.
4 The General Assembly of North Carolina enacts:
5 Section 1. G.S. 105-322(e) reads as rewritten:
6 "(e) Time of Meeting. -- Each year the board of equalization and review shall
7 hold its first meeting not earlier than the first Monday in April and not later than the
8 first Monday in May. In years in which a county does not conduct a real property
9 revaluation, the board shall complete its duties on or before the third Monday
10 following its first meeting unless, in its opinion, a longer period of time is necessary
11 or expedient to a proper execution of its responsibilities. In no event shall the board
12 sit later than July 1 except to hear and determine requests made under the provisions
13 of subdivision (g)(2), below, when such requests are made within the time prescribed
14 by law. In the year in which a county conducts a real property revaluation, the board
15 shall complete its duties on or before December 1, except that it may sit after that
16 date to hear and determine requests made under the provisions of subdivision (g)(2),
17 below, when such requests are made within the time prescribed by law. From the
18 time of its first meeting until its adjournment, the board shall meet at such times as it
19 deems reasonably necessary to perform its statutory duties and to receive requests and
20 hear the appeals of taxpayers under the provisions of subdivision (g)(2), below.
21 Following its adjournment upon completion of its duties under subdivisions (g)(1)
22 and (2) of this section, the board shall continue to meet to carry out its duties under
23 G.S. 105-312(d) and (k)."
24 Sec. 2. This act applies to Rockingham County only.
25 Sec. 3. This act is effective upon ratification.

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1995

H.B. FILED

1216

MAY 15 96

H

HOUSE PRINCIPAL CLERK

D

HOUSE DRH1320-LC342(5.10)

Short Title: Refund Illegal Taxes.

(Public)

Sponsors: Representative Redwine.

Referred to:

1 A BILL TO BE ENTITLED

2 AN ACT TO REFUND THE UNCONSTITUTIONAL INTANGIBLES TAX PAID
3 ON STOCK AND TO REFUND THE INCOME TAX PAID BY FEDERAL
4 RETIREES ON THEIR PENSIONS PRIOR TO 1989.

5 The General Assembly of North Carolina enacts:

6 Section 1. This act provides for the refund of the unconstitutional
7 intangibles tax on stock and the refund of State income tax paid by federal retirees
8 on their pensions prior to the 1989 tax year. Funds to pay for the refunds are derived
9 from the credit balance remaining in the General Fund at the end of the 1995-96 and
10 1996-97 fiscal years. The General Fund will include sufficient funds to pay for these
11 refunds by the end of the 1997-98 fiscal year because:

- 12 (1) Funds that would otherwise be reserved to the Savings Reserve
13 Account pursuant to G.S. 143-15.2 and G.S. 143-15.3 will become
14 available beginning this year when the Savings Reserve Account
15 reaches its cap of five percent (5%) of the prior year's General
16 Fund operating budget; and
17 (2) Funds that would otherwise be reserved to the Repairs and
18 Renovations Reserve Account pursuant to G.S. 143-15.2 and G.S.
19 143-15.3A will become available beginning this year when the
20 reserve requirement is returned to its pre-1995 level of one and
21 one-half percent (1.5%) of the replacement value of all State
22 buildings supported from the General Fund, as provided in Section
23 2 of this act.

24 Refunds of intangibles tax to those who paid under protest and have a
25 right to a refund without regard to this act will be paid from these funds during the

GENERAL ASSEMBLY OF NORTH CAROLINA H.B. FILED

SESSION 1995

1217 MAY 16 96

HOUSE PRINCIPAL CLERK D

H

HOUSE DRH5215-LC355(5.13)

Short Title: Phase Down Corporate Income Tax.

(Public)

Sponsors: Representatives R. Hunter, Wilkins, and Yongue.

Referred to:

1 A BILL TO BE ENTITLED

2 AN ACT TO REDUCE THE CORPORATE INCOME TAX FROM SEVEN AND
3 THREE-FOURTHS PERCENT TO SIX AND THREE-FOURTHS PERCENT
4 OVER A FOUR-YEAR PERIOD.

5 The General Assembly of North Carolina enacts:

6 Section 1. G.S. 105-130.3 reads as rewritten:

7 "**§ 105-130.3. Corporations.**

8 A tax is imposed on the State net income of every C Corporation doing business in
9 this State at seven and seventy five one hundredths percent (7.75%) of the
10 corporation's State net income. State. An S Corporation is not subject to the tax
11 levied in this section. The tax is a percentage of the taxpayer's State net income
12 computed as follows:

13 <u>Income Years Beginning</u>	<u>Tax</u>
14 <u>In 1997</u>	<u>7.5%</u>
15 <u>In 1998</u>	<u>7.25%</u>
16 <u>In 1999</u>	<u>7%</u>
17 <u>After 1999</u>	<u>6.25%"</u>

18 Sec. 2. G.S. 115C-546.1 reads as rewritten:

19 "**§ 115C-546.1. Creation of Fund; administration.**

20 (a) There is created the Public School Building Capital Fund. The Fund shall be
21 used to assist county governments in meeting their public school building capital
22 needs.

23 (b) Each calendar quarter, the Secretary of Revenue shall remit to the State
24 Treasurer for credit to the Public School Building Capital Fund an amount equal to
25 ~~two thirty firsts (2/31)~~ the applicable proportion provided in the table below of the

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1995

1218

MAY 16 96

HOUSE PRINCIPAL CLERK

H

D

HOUSE DRH1321*-LK247(5.13)

Short Title: Fire Pensions Increased.

(Public)

Sponsors: Representative Mercer.

Referred to:

- 1 A BILL TO BE ENTITLED
2 AN ACT TO INCREASE THE MONTHLY PENSION PAYMENTS FOR
3 QUALIFIED FIREMEN AND ELIGIBLE RESCUE SQUAD WORKERS.
4 The General Assembly of North Carolina enacts:
5 Section 1. G.S. 58-86-55 reads as rewritten:
6 "**§ 58-86-55. Monthly pensions upon retirement.**
7 Any member who has served 20 years as an 'eligible fireman' or 'eligible rescue
8 squad worker' in the State of North Carolina, as provided in G.S. 58-86-25 and G.S.
9 58-86-30, and who has attained the age of 55 years is entitled to be paid a monthly
10 pension from this fund. The monthly pension shall be in the amount of one hundred
11 ~~thirty-five dollars (\$135.00)~~ forty dollars (\$140.00) per month. Any retired fireman
12 receiving a pension of one hundred ~~ten dollars (\$110.00)~~ thirty-five dollars (\$135.00)
13 per month shall, effective July 1, ~~1995~~, 1996, receive a pension of one hundred
14 ~~thirty-five dollars (\$135.00)~~ forty dollars (\$140.00) per month.
15 Members shall pay ten dollars (\$10.00) per month as required by G.S. 58-86-35
16 and G.S. 58-86-40 for a period of no longer than 20 years. No 'eligible rescue squad
17 member' shall receive a pension prior to July 1, 1983. No member shall be entitled to
18 a pension hereunder until the member's official duties as a fireman or rescue squad
19 worker for which the member is paid compensation shall have been terminated and
20 the member shall have retired as such according to standards or rules fixed by the
21 board of trustees.
22 A member who is totally and permanently disabled while in the discharge of the
23 member's official duties as a result of bodily injuries sustained or as a result of
24 extreme exercise or extreme activity experienced in the course and scope of those
25 official duties and who leaves the fire or rescue squad service because of this

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1995

H.B. FILED
1219 MAY 16 96
HOUSE PRINCIPAL CLERK

H

HOUSE DRH1328-LR195D(2.21)

Short Title: Alamance Bicycles for Charity.

(Local)

Sponsors: Representative Allred.

Referred to:

- 1 A BILL TO BE ENTITLED
2 AN ACT TO ALLOW THE COUNTY OF ALAMANCE AND THE CITIES
3 LOCATED IN THAT COUNTY TO DONATE UNCLAIMED BICYCLES TO
4 CHARITY.
5 The General Assembly of North Carolina enacts:
6 Section 1. Section 2 of Chapter 650 of the 1993 Session Laws, as
7 amended by Chapter 106 of the 1995 Session Laws, reads as rewritten:
8 "Sec. 2. This act applies only to the Cities of Asheville and Hendersonville ~~only~~.
9 and to the cities located in the County of Alamance."
10 Sec. 2. Notwithstanding the provisions of G.S. 153A-176 and Article 2
11 of Chapter 15 of the General Statutes, whenever unclaimed bicycles are in the
12 possession of the sheriff's department, no earlier than 30 days after the date of
13 publication of the notice required by G.S. 15-12, the county may donate the bicycles
14 to a charitable organization exempt under section 501(c)(3) of the Internal Revenue
15 Code rather than selling the bicycles as provided by law. In such case, the notice
16 required by G.S. 15-12 shall state the intended disposition of the bicycles if they are
17 not claimed.
18 Sec. 3. Section 2 of this act applies to the County of Alamance only.
19 Sec. 4. This act is effective upon ratification.

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1995

H.B. FILED
1220 MAY 16 96
HOUSE PRINCIPAL CLERK

H

D

HOUSE DRH1298-RPZ001.5(5.7)

Short Title: Personnel Director Qualifications.

(Public)

Sponsors: Representative Russell.

Referred to:

1 A BILL TO BE ENTITLED
2 AN ACT TO ESTABLISH QUALIFICATIONS FOR THE POSITIONS OF STATE
3 PERSONNEL DIRECTOR AND HUMAN RESOURCES DIRECTORS OF
4 STATE AGENCIES, DEPARTMENTS, AND INSTITUTIONS.
5 The General Assembly of North Carolina enacts:
6 Section 1. G.S. 126-3 reads as rewritten:
7 "**§ 126-3. Office of State Personnel established; administration and supervision;**
8 **appointment, qualifications, compensation and tenure of Director.**
9 There is hereby established the Office of State Personnel (hereinafter referred to as
10 'the Office') which shall be placed for organizational purposes within the Department
11 of Administration. Notwithstanding the provisions of North Carolina State
12 government reorganization as of January 1, 1975, and specifically notwithstanding the
13 provisions of Chapter 864 of the 1971 North Carolina Session Laws [Chapter 143A],
14 the Office of State Personnel shall exercise all of its statutory powers in this Chapter
15 independent of control by the Secretary of Administration and shall be under the
16 administration and supervision of a State Personnel Director (hereinafter referred to
17 as 'the Director') appointed by the Governor and subject to the supervision of the
18 Commission for purposes of this Chapter. The Director shall have business
19 management experience or experience in human resources, personnel management,
20 and public administration and education sufficient to provide a thorough knowledge
21 of human resources, personnel management programs or administrative practices
22 necessary to operate a comprehensive array of human resources, personnel
23 management services. The salary of the Director shall be fixed by the General
24 Assembly in the Current Operations Appropriations Act. The Director shall serve at
25 the pleasure of the Governor."

NORTH CAROLINA

HOUSE OF REPRESENTATIVES

ROLL CALL

6/04/96

1:33 PM

IN CHAIR: SPEAKER

S# 1893
LEGISLATIVE DAY 123
H1220
READING 2
RUSSELL

PERSONNEL DIRECTOR QUALIFICATIONS

ARNOLD
BAKER
BARBEE
BERRY
BRASWELL
BRAWLEY
BROWN, J.
BUCHANAN
CANSLER
CAPPS
CARPENTER
CHURCH
CLARY
COCKLEREECE
CREECH
CULP
CUMMINGS
DAVIS

DECKER
DICKSON
DOCKHAM
EARLE
EDDINS
EDWARDS
ESPOSITO
GAMBLE
GARDNER
GRADY
GRAY
HAYES
HIATT
HILL
HOLMES
HOWARD
IVES
JUSTUS

AYES - ~~70~~ 71
KISER
LEMMOND
LOCKE
LUEBKE
MCCOMAS
MCCOMBS
MCLAUGHLIN
MCMAHAN
MITCHELL
MORGAN
NEELY
NICHOLS
NYE
OLDHAM
OWENS
PATE
PRESTON

BOYD-MCINTYRE
PULLEY
RAYFIELD
REDWINE
REYNOLDS
ROBINSON, G.
ROBINSON, J.
RUSSELL
SEXTON
SHARPE
SHERRILL
SHUBERT
TALLENT
THOMPSON
WATSON
WEATHERLY
WILSON, C.
WILSON, G.

NOES - 38

ADAMS
ALEXANDER
ALLRED
BARNES
BEALL
BLACK
BOWEN
BROWN, W.
CRAWFORD
CULPEPPER

CUNNINGHAM
EASTERLING
FOX
HACKNEY
HENSLEY
HIGHTOWER
HUNT
HUNTER, R.
HURLEY
LEE

LINNEY
MCALLISTER
MCCRARY
MERCER
MICHAUX
MILLER, G.
MILLER, K.
RAMSEY
ROGERS

SHAW
TOLSON
WAINWRIGHT
WARNER
WILKINS
WOMBLE
WOOD
WRIGHT
YONGUE

EXCUSED ABSENCE - 4

DAUGHTRY

FITCH

RICHARDSON

SUTTON

EXCUSED VOTE - 0

NOT VOTING - 87

SPEAKER
ALDRIDGE

BLUE
BOWIE

~~BOYD-MCINTYRE~~
ELLIS

HUNTER, H.
MINER

H1220

Rep. Boyd-McIntyre states her voting equipment malfunctioned and requests to be recorded as voting "no". Speaker so orders.

GENERAL ASSEMBLY OF NORTH CAROLINA H.B. FILED

SESSION 1995

1221

MAY 16 96

HOUSE PRINCIPAL CLERK D

H

HOUSE DRHA174-LK236A(3.28)

Short Title: Elizabeth City Handicapped Parking.

(Local)

Sponsors: Representative Owens.

Referred to:

- 1 A BILL TO BE ENTITLED
2 AN ACT TO PROVIDE THAT THE CITY COUNCIL OF THE CITY OF
3 ELIZABETH CITY MAY DESIGNATE CERTAIN HANDICAPPED PARKING
4 SPACES AS LIMITED TO FOUR HOURS.
5 The General Assembly of North Carolina enacts:
6 Section 1. G.S. 20-37.6(a) reads as rewritten:
7 "(a) General Parking. -- Any vehicle that is driven by or is transporting a person
8 who is handicapped and that displays a distinguishing license plate, a removable
9 windshield placard, or a temporary removable windshield placard may be parked for
10 unlimited periods in parking zones restricted as to the length of time parking is
11 permitted. Provided, however, the governing body that has designated the
12 handicapped parking zones may, by resolution, limit the duration of the parking or
13 may place other limitations on or may permit additional use of handicapped parking
14 zones based on special circumstances and the signs designating these parking zones
15 shall state the limitations or permitted use authorized by the resolution. This
16 provision has no application to those zones or during times in which the stopping,
17 parking, or standing of all vehicles is prohibited or which are reserved for special
18 types of vehicles. Any qualifying vehicle may park in spaces designated as restricted
19 to vehicles driven by or transporting the handicapped."
20 Sec. 2. This act applies to the City of Elizabeth City only.
21 Sec. 3. This act is effective upon ratification.

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1995

FILED 1222 MAY 16 96

HOUSE PRINCIPAL CLERK

H

D

HOUSE DRH8255*-LH228(3.18)

Short Title: Princeville Cemetery/Funds.

(Public)

Sponsors: Representative Mercer.

Referred to:

- 1 A BILL TO BE ENTITLED
2 AN ACT TO PROVIDE THAT THE DEPARTMENT OF CULTURAL
3 RESOURCES SHALL STUDY THE HISTORIC SIGNIFICANCE OF THE
4 PRINCEVILLE CEMETERY AND TO APPROPRIATE FUNDS FOR THE
5 STUDY.
6 Whereas, the town of Princeville, incorporated on February 20, 1885, has
7 the distinction of being not only the oldest incorporated African-American
8 community in North Carolina, but also the oldest incorporated African-American
9 municipality on the North American continent; and
10 Whereas, some of Princeville's most influential citizens included Robert
11 Taylor, a school teacher who served as county justice of peace, a two-term State
12 Senator, and editor of the Edgecombe Watchman and William Mason, a teacher and
13 minister who was elected to the State House of Representatives and the Senate and
14 was a member to the North Carolina Constitutional Convention of 1875; and
15 Whereas, Princeville was named for Turner Prince, who had been born a
16 slave in North Carolina in 1843 and was one of the town's earliest residents; and
17 Whereas, the history of Princeville, its founders, and its earliest citizens is
18 unique and significant; and
19 Whereas, the cemetery in Princeville is the eternal resting place of some
20 of Princeville's early citizens, former slaves whose contribution in establishing the
21 first African-American community in North America is noteworthy; and
22 Whereas, the cemetery of Princeville should be preserved and its
23 historical significance documented; Now, therefore,
24 The General Assembly of North Carolina enacts:

GENERAL ASSEMBLY OF NORTH CAROLINA H.B. FILED

SESSION 1995

1223

MAY 16 96

H

HOUSE PRINCIPAL CLERK

HOUSE DRH4221-LR215(5.1)

Short Title: Person County School Finance.

(Local)

Sponsors: Representative Wilkins.

Referred to:

- 1 A BILL TO BE ENTITLED
2 AN ACT TO ALLOW THE COUNTY OF PERSON TO ACQUIRE PROPERTY
3 FOR USE BY THE COUNTY BOARD OF EDUCATION.
4 The General Assembly of North Carolina enacts:
5 Section 1. G.S. 153A-158.1(e) reads as rewritten:
6 "(e) Scope. -- This section applies to Alleghany, Ashe, Avery, Bladen, Brunswick,
7 Cabarrus, Carteret, Chowan, Columbus, Currituck, Duplin, Edgecombe, Forsyth,
8 Franklin, Greene, Halifax, Harnett, Haywood, Iredell, Jackson, Johnston, Lee, Macon,
9 Madison, Moore, Nash, Orange, Pasquotank, Pender, Person, Randolph, Richmond,
10 Rowan, Sampson, Scotland, Stanly, Union, Wake, and Watauga Counties."
11 Sec. 2. This act is effective upon ratification.

GENERAL ASSEMBLY OF NORTH CAROLINA

H.B. FILED

SESSION 1995

1224

MAY 16 96

H

HOUSE PRINCIPAL CLERK, D

HOUSE DRH5216-LL240(5.10)

Short Title: Beaver Management Funds.

(Public)

Sponsors: Representative Redwine.

Referred to:

1 A BILL TO BE ENTITLED

2 AN ACT TO APPROPRIATE FUNDS TO CONTINUE THE BEAVER
3 MANAGEMENT ASSISTANCE PROGRAM, TO ESTABLISH IT AS A
4 PERMANENT PROGRAM UNDER THE WILDLIFE RESOURCES
5 COMMISSION, AND TO ADD ADDITIONAL COUNTIES TO THE
6 COVERAGE OF THE PROGRAM.

7 The General Assembly of North Carolina enacts:

8 Section 1. Chapter 113 of the General Statutes is amended by adding a
9 new section to read:

10 "§ 113-297. Beaver Management Assistance Program.

11 The Beaver Management Assistance Program is created within the Wildlife
12 Resources Commission. The Program shall be administered by the Beaver
13 Management Assistance Board, which shall consist of nine members, as follows:

- 14 (1) The Executive Director of the North Carolina Wildlife Resources
15 Commission, or his designee, who shall serve as chair;
16 (2) The Commissioner of Agriculture, or a designee;
17 (3) The Director of the Division of Forest Resources of the
18 Department of Environment, Health, and Natural Resources, or a
19 designee;
20 (4) The Director of the Soil and Water Conservation Division of the
21 Department of Environment, Health, and Natural Resources, or a
22 designee;
23 (5) The Director of the North Carolina Cooperative Extension Service,
24 or a designee;
25 (6) The Secretary of Transportation, or a designee;

H 1225

H.B. FILED

GENERAL ASSEMBLY OF NORTH CAROLINA 225

MAY 16

SESSION 1995

HOUSE PRINCIPAL CLERK

H

D

HOUSE DRHA176-LB449(5.14)

Short Title: Public Laws/Budget.

(Public)

Sponsors: Representative Morgan.

Referred to:

- 1 A BILL TO BE ENTITLED
- 2 AN ACT TO AMEND THE PUBLIC LAWS AND DIRECTLY AFFECT THE
- 3 STATE BUDGET.
- 4 The General Assembly of North Carolina enacts:
- 5 Section 1. This act amends the public laws of North Carolina and
- 6 directly affects the State budget for fiscal year 1996-97.
- 7 Sec. 2. This act becomes effective July 1, 1996.

H1226

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1995

H.B. FILED

1226 MAY 16 1995
HOUSE PRINCIPAL CLERK

H

D

HOUSE DRH1332-LB450(5.14)

Short Title: Budget/Public Laws.

(Public)

Sponsors: Representative Morgan.

Referred to:

- 1 A BILL TO BE ENTITLED
2 AN ACT TO DIRECTLY AFFECT THE STATE BUDGET AND AMEND THE
3 PUBLIC LAWS.
4 The General Assembly of North Carolina enacts:
5 Section 1. This act directly affects the State budget for fiscal year 1996-97
6 and amends the public laws of North Carolina.
7 Sec. 2. This act becomes effective July 1, 1996.

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1995

H.B. FILED

H

1227 MAY 16 96

D

HOUSE DRH4224*-LDZ225F(4,17)

HOUSE PRINCIPAL CLERK

Short Title: Animal Waste Csmn. Recommendations.

(Public)

Sponsors: Representative J. Brown.

Referred to:

1 A BILL TO BE ENTITLED
2 AN ACT TO IMPLEMENT RECOMMENDATIONS OF THE BLUE RIBBON
3 STUDY COMMISSION ON AGRICULTURAL WASTE.

4 The General Assembly of North Carolina enacts:

5 PART I. PERMITS/INSPECTIONS/FEEES FOR ANIMAL WASTE MANAGEMENT
6 SYSTEMS.

7 Section 1. G.S. 143-215.1(a) reads as rewritten:

8 "(a) Activities for Which Permits Required. -- No person shall do any of the
9 following things or carry out any of the following activities ~~until or unless such that~~
10 person ~~shall have applied for and shall have~~ has received a permit from the
11 Commission ~~a permit therefor and shall have~~ and has complied with ~~such conditions,~~
12 ~~if any, as are prescribed by such~~ all conditions set forth in the permit:

- 13 (1) Make any outlets into the waters of the ~~State;~~ State.
14 (2) Construct or operate any sewer system, treatment works, or
15 disposal system within the ~~State;~~ State.
16 (3) Alter, extend, or change the construction or method of operation
17 of any sewer system, treatment works, or disposal system within the
18 ~~State;~~ State.
19 (4) Increase the quantity of waste discharged through any outlet or
20 processed in any treatment works or disposal system to any extent
21 ~~which that~~ which that would result in any violation of the effluent standards
22 or limitations established for any point source or ~~which that~~ which that would
23 adversely affect the condition of the receiving waters to the extent
24 of violating any ~~of the standards applicable to such water;~~
25 applicable standards.

H

HOUSE JOINT RESOLUTION DRHJR4227-LG257(5.16)

Sponsors: Representative Russell.

Referred to:

1 A JOINT RESOLUTION AUTHORIZING THE 1995 GENERAL ASSEMBLY,
2 1996 SESSION, TO CONSIDER A JOINT RESOLUTION HONORING THE
3 LIFE AND MEMORY OF NANCY WINBON CHASE, FORMER STATE
4 LEGISLATOR.

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

6 Section 1. The 1995 General Assembly, Regular Session 1996, may
7 consider "A JOINT RESOLUTION HONORING THE LIFE AND MEMORY OF
8 NANCY WINBON CHASE, FORMER STATE LEGISLATOR".

9 Sec. 2. This resolution is effective upon ratification.

NORTH CAROLINA

HOUSE OF REPRESENTATIVES

ROLL CALL

EV

1933
LEGISLATIVE DAY 126
HJR1228
READING 2
RUSSELL

6/10/96
4:38 PM
IN CHAIR: SPEAKER

LIFE AND MEMORY OF NANCY WINBORN CHASE

AYES - 102

ADAMS	CULPEPPER	IVES	RAYFIELD
ALDRIDGE	CUMMINGS	JUSTUS	REDWINE
ALEXANDER	CUNNINGHAM	KISER	REYNOLDS
ALLRED	DAUGHTRY	LEE	RICHARDSON
ARNOLD	DAVIS	LEMOND	ROBINSON, J.
BAKER	DECKER	LUEBKE	ROGERS
BARBEE	DICKSON	MCALLISTER	RUSSELL
BARNES	DOCKHAM	MCCOMAS	SHARPE
BEALL	EARLE	MCCOMBS	SHAW
BERRY	EASTERLING	MCCRARY	SHERILL
BOWEN	EDDINS	MCLAUGHLIN	SHUBERT
BOWIE	EDWARDS	MCMAHAN	SUTTON
BOYD-MCINTYRE	ESPOSITO	MERCER	TALLENT
BRASWELL	FOX	MICHAUX	THOMPSON
BRAWLEY	GARDNER	MITCHELL	TOLSON
BROWN, J.	GRADY	MORGAN	WAINWRIGHT
BROWN, W.	GRAY	NEELY	WARNER
BUCHANAN	HACKNEY	NICHOLS	WATSON
CANSLER	HAYES	NYE	WEATHERLY
CAPPS	HIATT	OLDHAM	WILKINS
CARPENTER	HIGHTOWER	OWENS	WILSON, C.
CLARY	HILL	PATE	WILSON, G.
COCKLEREECE	HOLMES	PRESTON	WOMBLE
CRAWFORD	HOWARD	PULLEY	WRIGHT
CREECH	HUNTER, R.	RAMSEY	YONGUE
CULP	HURLEY		

NOES - 0

EXCUSED ABSENCE - 8

CHURCH	HUNT	LOCKE	MINER
FITCH	LINNEY	MILLER, G.	ROBINSON, G.

EXCUSED VOTE - 0

NOT VOTING - 10

SPEAKER	ELLIS	HUNTER, H.	SEXTON
BLACK	GAMBLE	MILLER, K.	WOOD
BLUE	HENSLEY		

HJR1228

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1995

H.B. FILED

1229

MAY 16 96

HOUSE PRINCIPAL CLERK

H

HOUSE DRH7271*-LLZ227(4.3)

Short Title: Extend CCPS Study.

(Public)

Sponsors: Representative Thompson.

Referred to:

- 1 A BILL TO BE ENTITLED
2 AN ACT TO EXTEND THE STUDY COMMISSION ON THE DEPARTMENT OF
3 CRIME CONTROL AND PUBLIC SAFETY.
4 The General Assembly of North Carolina enacts:
5 Section 1. Section 20.4(d) of Chapter 324 of the 1995 Session Laws reads
6 as rewritten:
7 "(d) The Study Commission shall make an interim report to the 1996 Regular
8 Session of the 1995 General Assembly by May 1, 1996, and shall submit a final
9 written report of its findings and recommendations to the ~~General Assembly by May~~
10 ~~1, 1996.~~ 1997 General Assembly. All reports shall be filed with the Speaker of the
11 House of Representatives and the President Pro Tempore of the Senate. Upon filing
12 its final report, the Commission shall terminate."
13 Sec. 2. This act becomes effective April 30, 1996.

GENERAL ASSEMBLY OF NORTH CAROLINA H.B. FILED

SESSION 1995

1230 MAY 16 36

HOUSE PRINCIPAL CLERK D

H

HOUSE DRH1335-LB441(5.13)

Short Title: Maggie Valley Charter.

(Local)

Sponsors: Representatives Beall and Ramsey.

Referred to:

- 1 A BILL TO BE ENTITLED
2 AN ACT TO AMEND THE CHARTER OF MAGGIE VALLEY DEALING WITH
3 LAND-USE POWERS AND TO REFLECT THAT THE TOWN HAS
4 ADOPTED THE MANAGER FORM OF GOVERNMENT.
5 The General Assembly of North Carolina enacts:
6 Section 1. Section 1-1 of the Charter of the Town of Maggie Valley,
7 being Chapter 1137 of the 1973 Session Laws, as amended by Section 35.1 of Chapter
8 636 of the 1983 Session Laws, reads as rewritten:
9 "Sec. 1-1. Incorporation and Corporate Powers: The inhabitants of the Town of
10 Maggie Valley are a body corporate and politic under the name of the 'Town of
11 Maggie Valley'. Under that name they have all the powers, duties, rights, privileges,
12 and immunities conferred and imposed on cities by the general law of North
13 Carolina; provided, the Town shall have no authority to exercise beyond its corporate
14 limits any of the powers granted by Article 19 of Chapter 160A of the General
15 Statutes. Carolina."
16 Sec. 2. Section 5-1 of the Charter of the Town of Maggie Valley, being
17 Chapter 1137 of the 1973 Session Laws, reads as rewritten:
18 "Sec. 5-1. Town to operate under ~~mayer-council~~ council-manager plan. The
19 Town of Maggie Valley operates under the ~~mayer-council~~ council-manager plan as
20 provided in ~~G.S. Chapter 160A, Article 7, Part 3.~~ Part 2 of Article 7 of Chapter 160A
21 of the General Statutes."
22 Sec. 3. This act is effective upon ratification.



NORTH CAROLINA GENERAL ASSEMBLY
AMENDMENT
House Bill 1230

AMENDMENT NO. 1
(to be filled in by
Principal Clerk)
Page 1 of 1

H1230-ASA-001

Date 5-28, 1996

Comm. Sub. ☐
Amends Title ☐

REP. ELLIS

- 1 moves to amend the bill on page 1, line 7,
- 2 by
- 3
- 4 deleting "Chapter 1137" and substituting "Chapter 1337";
- 5
- 6 and on page 1, line 17, by deleting "Chapter 1137" and substituting
- 7 "Chapter 1337".

SIGNED [Signature]
Amendment Sponsor

SIGNED _____
Committee Chair if Senate Committee Amendment

ADOPTED 5/29/96 FAILED _____ TABLED _____
(rv) [Signature]

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1995

H.B. FILED

1231

MAY 16 96

HOUSE PRINCIPAL CLERK

H

HOUSE DRH7291-LR220(5.14)

Short Title: Local Consent for Condemnation.

(Local)

Sponsors: Representative Hiatt.

Referred to:

- 1 A BILL TO BE ENTITLED
2 AN ACT TO INCLUDE THE COUNTIES OF ALLEGHANY, SURRY, AND
3 WATAUGA AMONG THOSE COUNTIES THAT REQUIRE CONSENT OF
4 THE BOARD OF COUNTY COMMISSIONERS BEFORE LAND MAY BE
5 CONDEMNED OR ACQUIRED BY A UNIT OF LOCAL GOVERNMENT
6 OUTSIDE THE COUNTY.
7 The General Assembly of North Carolina enacts:
8 Section 1. G.S. 153A-15(c) reads as rewritten:
9 "(c) This section applies to Alleghany, Anson, Ashe, Bertie, Bladen, Brunswick,
10 Burke, Buncombe, Caldwell, Caswell, Catawba, Cleveland, Columbus, Cumberland,
11 Davidson, Davie, Duplin, Durham, Forsyth, Franklin, Gaston, Graham, Granville,
12 Harnett, Haywood, Henderson, Hoke, Iredell, Jackson, Johnston, Lee, Lincoln,
13 Madison, Martin, McDowell, Mecklenburg, Montgomery, New Hanover, Onslow,
14 Pender, Person, Robeson, Rockingham, Rowan, Sampson, Scotland, Stokes, Surry,
15 Swain, Transylvania, Union, Vance, Wake, Warren, Watauga, and Wilkes counties
16 only. This section does not apply as to any:
17 (1) Condemnation; or
18 (2) Acquisition of real property or an interest in real property
19 by a city where the property to be condemned or acquired is within the corporate
20 limits of that city."
21 Sec. 2. This act is effective upon ratification.

NORTH CAROLINA

HOUSE OF REPRESENTATIVES

ROLL CALL

EV

1889
LEGISLATIVE DAY 122
H1231
READING 2
HIATT

6/03/96
7:03 PM
IN CHAIR: SPEAKER

LOCAL CONSENT FOR CONDEMNATION

AYES - 112

ADAMS	CULPEPPER	HUNTER, R.	RAMSEY
ALDRIDGE	CUMMINGS	HURLEY	RAYFIELD
ALEXANDER	CUNNINGHAM	IVES	REDWINE
ALLRED	DAUGHTRY	JUSTUS	REYNOLDS
ARNOLD	DAVIS	KISER	RICHARDSON
BAKER	DECKER	LEE	ROBINSON, J.
BARBEE	DICKSON	LEMOND	ROGERS
BARNES	EASTERLING	LINNEY	RUSSELL
BEALL	EDDINS	LOCKE	SEXTON
BERRY	EDWARDS	LUEBKE	SHARPE
BLACK	ELLIS	MCCOMAS	SHAW
BLUE	ESPOSITO	MCCOMBS	SHERRILL
BOWEN	FITCH	MCLAUGHLIN	SHUBERT
BOWIE	FOX	MCMAHAN	SUTTON
BOYD-MCINTYRE	GAMBLE	MERCER	TALLENT
BRASWELL	GARDNER	MICHAUX	THOMPSON
BRAWLEY	GRADY	MILLER, G.	TOLSON
BROWN, J.	GRAY	MINER	WAINWRIGHT
BROWN, W.	HACKNEY	MITCHELL	WARNER
BUCHANAN	HAYES	MORGAN	WATSON
CANSLER	HENSLEY	NEELY	WEATHERLY
CAPPS	HIATT	NICHOLS	WILKINS
CARPENTER	HIGHTOWER	NYE	WILSON, C.
CLARY	HILL	OLDHAM	WILSON, G.
COCKLEREECE	HOLMES	OWENS	WOMBLE
CRAWFORD	HOWARD	PATE	WOOD
CREECH	HUNT	PRESTON	WRIGHT
CULP	HUNTER, H.	PULLEY	YONGUE

NOES - 0

EXCUSED ABSENCE - 7

CHURCH	EARLE	MCCRARY	ROBINSON, G.
DOCKHAM	MCALLISTER	MILLER, K.	

EXCUSED VOTE - 0

NOT VOTING - 1

SPEAKER

H1231

GENERAL ASSEMBLY OF NORTH CAROLINA H.B. FILED

SESSION 1995

1232 MAY 16 96

HOUSE PRINCIPAL CLERK

H

HOUSE DRH2200*-LKZ243(5.1)

Short Title: Medical Evaluation Reports to D.M.V.

(Public)

Sponsors: Representative Hiatt.

Referred to:

1 A BILL TO BE ENTITLED
2 AN ACT TO PROVIDE LIMITED IMMUNITY FOR MEDICAL CARE
3 PROVIDERS PROVIDING MEDICAL INFORMATION ON DRIVERS TO THE
4 COMMISSIONER OF MOTOR VEHICLES.
5 The General Assembly of North Carolina enacts:
6 Section 1. Article 2 of Chapter 20 of the General Statutes is amended by
7 adding a new section to read:
8 "§ 20-9.1. Medical care providers providing medical information on drivers with
9 physical or mental disabilities.
10 (a) Notwithstanding any other law relating to confidentiality of communications
11 with any medical care provider, any medical care provider in North Carolina may
12 disclose to the Commissioner information about a patient who has a mental or
13 physical disability that the medical care provider believes may affect the patient's
14 ability to safely operate a motor vehicle. This information shall be limited to the
15 patient's name, address, and diagnosis.
16 (b) The information provided to the Commissioner pursuant to this section shall
17 be confidential and shall be used only for the purpose of determining the
18 qualifications of the patient to operate a motor vehicle.
19 (c) A medical care provider disclosing information pursuant to this section is
20 immune from any civil or criminal liability that might otherwise be incurred or
21 imposed based on the disclosure provided that the licensed medical care provider was
22 acting in good faith and without malice. In any proceeding involving liability, good
23 faith and lack of malice is presumed.

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1995

1233 MAY 16 96

H

HOUSE DRH6206*-RLZ(2.22)

HOUSE PRINCIPAL CLERK D

Short Title: High-Voltage Line Safety Act.

(Public)

Sponsors: Representative Dickson.

Referred to:

1 A BILL TO BE ENTITLED

2 AN ACT TO ENACT THE OVERHEAD HIGH-VOLTAGE LINE SAFETY ACT
3 AS RECOMMENDED BY THE JOINT LEGISLATIVE UTILITY REVIEW
4 COMMITTEE.

5 The General Assembly of North Carolina enacts:

6 Section 1. Chapter 95 of the General Statutes is amended by adding the
7 following new Article to read:

8 "ARTICLE 19A.

9 "Overhead High-Voltage Line Safety Act.

10 "§ 95-229.5. Purpose; scope.

11 The purpose of this Article is to promote the safety and protection of persons
12 engaged in work or activity in the vicinity of high-voltage overhead lines. This
13 Article defines the conditions under which work may be carried on safely and
14 provides for the precautionary safety arrangements to be taken when any person
15 engages in work or other activity in proximity to overhead high-voltage lines.

16 "§ 95-229.6. Definitions.

17 As used in this Article, unless the context requires otherwise:

18 (1) 'Covered equipment' or 'covered items' means any mechanical
19 equipment, hoisting equipment, antenna, boat mast, or rigging; any
20 part of which is capable of vertical, lateral, or swinging motion that
21 could cause any portion of the equipment or item to come closer
22 than 10 feet to a high-voltage line during erection, construction,
23 operation, or maintenance; including, but not limited to,
24 equipment such as cranes, derricks, power shovels, backhoes,
25 dump trucks, drilling rigs, pile drivers, excavating equipment, hay-
26 loaders, haystackers, combines, irrigation equipment, portable grain



NORTH CAROLINA GENERAL ASSEMBLY
AMENDMENT
House Bill 1233

AMENDMENT NO. 1
(to be filled in by
Principal Clerk)
Page 1 of 1

H1233-ARL-002

Date June 13, 1996

Comm. Sub. [YES]
Amends Title []
Third Edition

Representative G. MILLER

- 1 moves to amend the bill on page 8, line 4,
2 by deleting the word "negligence." and substituting the words
3 "negligence, nor give rise to any cause of action based upon injury
4 to persons or property.".
5

SIGNED G. Miller
Amendment Sponsor

SIGNED _____
Committee Chair if Senate Committee Amendment

ADOPTED 6/13/96 FAILED _____ TABLED _____
100-0 EV
SMiller

EV

NORTH CAROLINA
HOUSE OF REPRESENTATIVES



1978
LEGISLATIVE DAY 129
H1233HCS#2
READING 2
DICKSON
AMEND #1-*G. Miller*
HIGH-VOLTAGE LINE SAFETY ACT

6/13/96
4:04 PM
IN CHAIR: SPEAKER

AYES - 100

ADAMS	CUMMINGS	HURLEY	PATE
ALDRIDGE	DAUGHTRY	IVES	PRESTON
ALEXANDER	DAVIS	KISER	PULLEY
ALLRED	DECKER	LEE	RAYFIELD
BAKER	DICKSON	LEMMOND	REYNOLDS
BARBEE	DOCKHAM	LINNEY	RICHARDSON
BARNES	EARLE	LOCKE	ROBINSON, J.
BEALL	EASTERLING	LUEBKE	ROGERS
BERRY	EDDINS	MCALLISTER	RUSSELL
BLACK	EDWARDS	MCCOMAS	SEXTON
BLUE	ESPOSITO	MCCOMBS	SHARPE
BOWEN	FITCH	MCCRARY	SHAW
BOWIE	FOX	MCLAUGHLIN	SHERRILL
BOYD-MCINTYRE	GARDNER	MCMAHAN	SHUBERT
BRASWELL	GRADY	MERCER	TALLENT
BROWN, J.	GRAY	MICHAUX	THOMPSON
BROWN, W.	HAYES	MILLER, G.	TOLSON
BUCHANAN	HENSLEY	MINER	WARNER
CAPPS	HIATT	MITCHELL	WATSON
CHURCH	HIGHTOWER	MORGAN	WEATHERLY
CLARY	HILL	NEELY	WILKINS
COCKLEREECE	HOLMES	NICHOLS	WILSON, G.
CRAWFORD	HOWARD	NYE	WOMBLE
CREECH	HUNT	OLDHAM	WOOD
CULPEPPER	HUNTER, R.	OWENS	WRIGHT

NOES - 0

EXCUSED ABSENCE - 7

CANSLER	GAMBLE	REDWINE	WAINWRIGHT
CULP	HACKNEY	ROBINSON, G.	

EXCUSED VOTE - 0

NOT VOTING - 13

SPEAKER	CUNNINGHAM	JUSTUS	SUTTON
ARNOLD	ELLIS	MILLER, K.	WILSON, C.
BRAWLEY	HUNTER, H.	RAMSEY	YONGUE
CARPENTER			

EV

NORTH CAROLINA

HOUSE OF REPRESENTATIVES

ROLL CALL

6/13/96

4:05 PM

IN CHAIR: SPEAKER

1979
LEGISLATIVE DAY 129
H1233HCS #2
READING 2
DICKSON

HIGH-VOLTAGE LINE SAFETY ACT

AYES - 105

ADAMS	DAUGHTRY	IVES	PATE
ALDRIDGE	DAVIS	JUSTUS	PRESTON
ALEXANDER	DECKER	KISER	PULLEY
ALLRED	DICKSON	LEE	RAMSEY
BAKER	DOCKHAM	LEMMOND	RAYFIELD
BARBEE	EARLE	LINNEY	REYNOLDS
BARNES	EASTERLING	LOCKE	RICHARDSON
BEALL	EDDINS	LUEBKE	ROBINSON, J.
BERRY	EDWARDS	MCALLISTER	ROGERS
BLACK	ELLIS	MCCOMAS	RUSSELL
BLUE	ESPOSITO	MCCOMBS	SEXTON
BOWEN	FITCH	MCCRARY	SHARPE
BOWIE	FOX	MCLAUGHLIN	SHAW
BOYD-MCINTYRE	GARDNER	MCMAHAN	SHERRILL
BRASWELL	GRADY	MERCER	SHUBERT
BROWN, J.	GRAY	MICHAUX	TALLENT
BROWN, W.	HAYES	MILLER, G.	THOMPSON
BUCHANAN	HENSLEY	MILLER, K.	TOLSON
CAPPS	HIATT	MINER	WARNER
CARPENTER	HIGHTOWER	MITCHELL	WATSON
CHURCH	HILL	MORGAN	WEATHERLY
CLARY	HOLMES	NEELY	WILKINS
COCKLEREECE	HOWARD	NICHOLS	WILSON, G.
CRAWFORD	HUNT	NYE	WOMBLE
CREECH	HUNTER, R.	OLDHAM	WOOD
CULPEPPER	HURLEY	OWENS	WRIGHT
CUMMINGS			

NOES - 0

EXCUSED ABSENCE - 7

CANSLER	GAMBLE	REDWINE	WAINWRIGHT
CULP	HACKNEY	ROBINSON, G.	

EXCUSED VOTE - 0

NOT VOTING - 8

SPEAKER	BRAWLEY	HUNTER, H.	WILSON, C.
ARNOLD	CUNNINGHAM	SUTTON	YONGUE

H1233HCS

NORTH CAROLINA GENERAL ASSEMBLY
SENATE

RECORDED VOTE

1995 SESSION
SECOND REGULAR SESSION

SEQ. 1723/12-- 2:28 PM

JUNE 19, 1996

LEGISLATIVE DAY 132

LT. GOVERNOR WICKER

-- Presiding

DICKSON
HIGH-VOLTAGE LINE SAFETY ACT
COM SUB NO. 2/4TH EDITION

HOUSE BILL 1233
READING 2

AYE	42	ALBERTSON ALLRAN BALLANTINE BASNIGHT BLACKMON BLUST CARPENTER CARRINGTON COCHRANE CONDER COOPER	DANNELLY DAVIS EDWARDS FORRESTER FOXX GULLEY HARTSELL HOBBS HORTON HOYLE KERR	KINCAID LUCAS MARTIN R. MARTIN W. MCDANIEL MCKOY ODOM PAGE PARNELL PERDUE	PLEXICO PLYLER RAND SHAW SHERRON SIMPSON SMITH SOLES SPEED WARREN
NO	3	CLARK	LEDBETTER	WEBSTER	

EXCUSED 0

NOT CAST 4 BALLANCE

EAST

JORDAN

WINNER

ABSENT 1 LITTLE

PAIRS 0

AYE

NO

(CONTINUED)

NORTH CAROLINA GENERAL ASSEMBLY
SENATE

RECORDED VOTE

1995 SESSION
SECOND REGULAR SESSION

SEQ. 1757/46-- 7:11 PM

JUNE 19, 1996

LEGISLATIVE DAY 132

LT. GOVERNOR WICKER

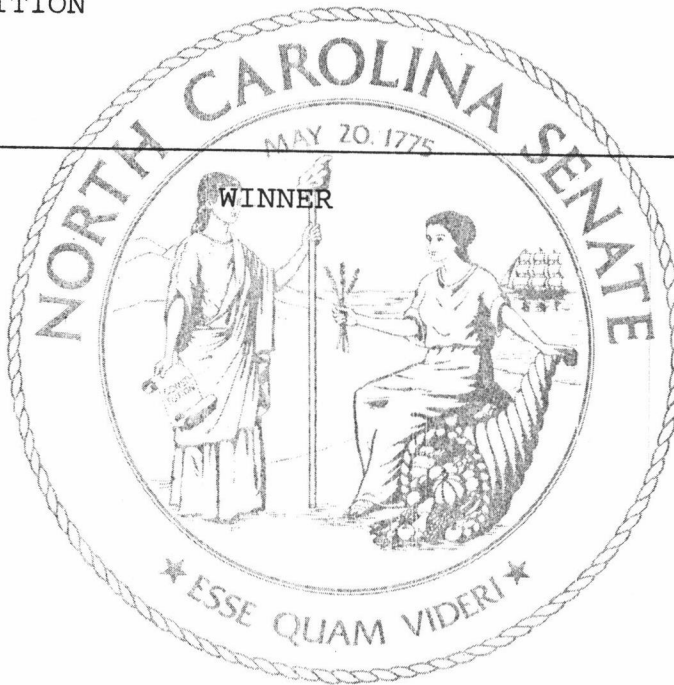
-- Presiding

DICKSON
HIGH-VOLTAGE LINE SAFETY ACT
COM SUB NO. 2/4TH EDITION

HOUSE BILL 1233
READING 2

RECORDED
AYE 2 EAST
ADJUSTED TOTAL
AYE 44
NO 3
NOT CAST 2
PRESENT 1

(PY)



NORTH CAROLINA GENERAL ASSEMBLY
SENATE

RECORDED VOTE

1995 SESSION
SECOND REGULAR SESSION

SEQ. 1757/46-- 7:11 PM

JUNE 19, 1996

LEGISLATIVE DAY 132

LT. GOVERNOR WICKER

-- Presiding

DICKSON
HIGH-VOLTAGE LINE SAFETY ACT
COM SUB NO. 2/4TH EDITION

HOUSE BILL 1233
READING 2

AYE	44	ALBERTSON ALLRAN BALLANTINE BASNIGHT BLACKMON BLUST CARPENTER CARRINGTON COCHRANE CONDER COOPER	DANNELLY DAVIS EAST EDWARDS FORRESTER FOXX GULLEY HARTSELL HOBBS HORTON HOYLE	KERR KINCAID LUCAS MARTIN R. MARTIN W. MCDANIEL MCKOY ODOM PAGE PARNELL PERDUE	PLEXICO PLYLER RAND SHAW SHERRON SIMPSON SMITH SOLES SPEED WARREN WINNER
NO	3	CLARK	LEDBETTER	WEBSTER	

EXCUSED 0

NOT CAST 2 BALLANCE JORDAN

ABSENT 1 LITTLE

PAIRS 0
AYE
NO

(COPY)

GENERAL ASSEMBLY OF NORTH CAROLINA H.B. FILED

SESSION 1995

1234

MAY 16 96

HOUSE PRINCIPAL CLERK

H

HOUSE DRH6210-RC003(5.15)

Short Title: Martin School Acquisition.

(Local)

Sponsors: Representative Rogers.

Referred to:

- 1 A BILL TO BE ENTITLED
2 AN ACT TO ALLOW MARTIN COUNTY TO ACQUIRE PROPERTY FOR USE
3 BY THE COUNTY BOARD OF EDUCATION.
4 The General Assembly of North Carolina enacts:
5 Section 1. G.S. 153A-158.1(e) reads as rewritten:
6 "(e) Scope. -- This section applies to Alleghany, Ashe, Avery, Bladen, Brunswick,
7 Cabarrus, Carteret, Chowan, Columbus, Currituck, Duplin, Edgecombe, Forsyth,
8 Franklin, Greene, Halifax, Harnett, Haywood, Iredell, Jackson, Johnston, Lee, Macon,
9 Madison, Martin, Moore, Nash, Orange, Pasquotank, Pender, Randolph, Richmond,
10 Rowan, Sampson, Scotland, Stanly, Union, Wake, and Watauga Counties."
11 Sec. 2. This act is effective upon ratification.

NORTH CAROLINA

HOUSE OF REPRESENTATIVES

ROLL CALL

2012
LEGISLATIVE DAY 132
H1234HCS
READING 2
ROGERS

6/18/96
5:51 PM
IN CHAIR: SPEAKER

RC

MARTIN SCHOOL ACQUISITION

AYES - 104

ADAMS	CUMMINGS	HUNTER, R.	RAYFIELD
ALDRIDGE	CUNNINGHAM	HURLEY	REDWINE
ALEXANDER	DAUGHTRY	JUSTUS	REYNOLDS
ARNOLD	DECKER	KISER	RICHARDSON
BAKER	DICKSON	LEE	ROBINSON, G.
BARBEE	DOCKHAM	LOCKE	ROBINSON, J.
BARNES	EARLE	LUEBKE	ROGERS
BEALL	EASTERLING	MCALLISTER	RUSSELL
BERRY	EDDINS	MCCOMAS	SEXTON
BOWEN	EDWARDS	MCCOMBS	SHARPE
BOWIE	ELLIS	MCCRARY	SHAW
BOYD-MCINTYRE	ESPOSITO	MCLAUGHLIN	SHERRILL
BRASWELL	FITCH	MCMAHAN	SHUBERT
BRAWLEY	FOX	MERCER	SUTTON
BROWN, J.	GARDNER	MICHAUX	TALLENT
BROWN, W.	GRADY	MINER	THOMPSON
BUCHANAN	GRAY	MITCHELL	TOLSON
CANSLER	HACKNEY	MORGAN	WARNER
CARPENTER	HAYES	NEELY	WATSON
CHURCH	HENSLEY	NYE	WILKINS
CLARY	HIATT	OLDHAM	WILSON, C.
COCKLEREECE	HIGHTOWER	OWENS	WILSON, G.
CRAWFORD	HILL	PATE	WOMBLE
CREECH	HOLMES	PRESTON	WOOD
CULP	HOWARD	PULLEY	WRIGHT
CULPEPPER	HUNT	RAMSEY	YONGUE

NOES - 4

ALLRED	CAPPS	DAVIS	LINNEY
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EXCUSED ABSENCE - 4

BLUE	MILLER, G.	MILLER, K.	NICHOLS
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EXCUSED VOTE - 0

NOT VOTING - 8

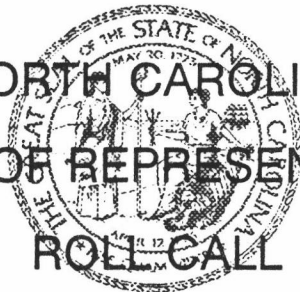
SPEAKER	GAMBLE	IVES	WAINWRIGHT
BLACK	HUNTER, H.	LEMOND	WEATHERLY

H1234HCS

RC

NORTH CAROLINA

HOUSE OF REPRESENTATIVES



6/19/96

3:52 PM

IN CHAIR: RUSSELL

2035

LEGISLATIVE DAY 133

H1234HCS

READING 3

ROGERS

MARTIN SCHOOL ACQUISITION

AYES - 97

ADAMS
ALEXANDER
ARNOLD
BAKER
BARBEE
BARNES
BEALL
BERRY
BLACK
BLUE
BOWIE
BOYD-MCINTYRE
BRASWELL
BRAWLEY
BROWN, J.
BROWN, W.
BUCHANAN
CANSLER
CARPENTER
CHURCH
CLARY
CRAWFORD
CREECH
CULP
CULPEPPER

CUMMINGS
CUNNINGHAM
DECKER
DOCKHAM
EARLE
EDDINS
EDWARDS
ESPOSITO
FITCH
FOX
GARDNER
GRADY
HACKNEY
HAYES
HENSLEY
HIATT
HILL
HOLMES
HOWARD
HUNT
HUNTER, H.
HUNTER, R.
HURLEY
IVES

JUSTUS
KISER
LEE
LEMMOND
LOCKE
LUEBKE
MCALLISTER
MCCOMBS
MCCRARY
MCMAHAN
MERCER
MICHAUX
MILLER, G.
MINER
MITCHELL
MORGAN
NEELY
NICHOLS
NYE
OLDHAM
OWENS
PATE
PRESTON
PULLEY

RAMSEY
RAYFIELD
REDWINE
REYNOLDS
RICHARDSON
ROBINSON, G.
ROBINSON, J.
ROGERS
SEXTON
SHERRILL
SHUBERT
TALLENT
THOMPSON
TOLSON
WAINWRIGHT
WARNER
WATSON
WILKINS
WILSON, C.
WILSON, G.
WOMBLE
WOOD
WRIGHT
YONGUE

NOES - 4

ALLRED

CAPPS

DAVIS

LINNEY

EXCUSED ABSENCE - 0

EXCUSED VOTE - 0

NOT VOTING - 19

SPEAKER
ALDRIDGE
BOWEN
COCKLEREECE
DAUGHTRY

DICKSON
EASTERLING
ELLIS
GAMBLE
GRAY

HIGHTOWER
MCCOMAS
MCLAUGHLIN
MILLER, K.
RUSSELL

SHARPE
SHAW
SUTTON
WEATHERLY

H1234HCS

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1995

H.B. FILED

1235

MAY 16 96

HOUSE PRINCIPAL CLERK

H

HOUSE DRH5221-LT129(1.12)

Short Title: Dry Hydrant Funds.

(Public)

Sponsors: Representative Culp.

Referred to:

1 A BILL TO BE ENTITLED
2 AN ACT TO APPROPRIATE FUNDS FOR THE INSTALLATION OF
3 NONPRESSURIZED DRY FIRE HYDRANTS IN RURAL AREAS OF THE
4 STATE.
5 Whereas, there are approximately 950 Rural Volunteer Fire Departments
6 serving over 4,000 square miles of privately owned land and property in North
7 Carolina; and
8 Whereas, many areas of the State lack water mains and domestic fire
9 hydrants, which causes a delayed response time to fire emergencies; and
10 Whereas, nonpressurized dry hydrants can be placed on existing natural
11 and man-made water sources such as ponds, rivers, creeks, drainage canals, and lakes
12 to provide dependable fire protection in all weather conditions; and
13 Whereas, dry hydrants provide safe water intake points for volunteer fire-
14 fighting personnel; and
15 Whereas, the use of dry hydrants will increase rural fire protection
16 capability and efficiency and may save lives and reduce property loss; Now, therefore,
17 The General Assembly of North Carolina enacts:
18 Section 1. There is appropriated from the General Fund to the
19 Department of Environment, Health, and Natural Resources the sum of one million
20 four hundred thirty-two thousand six hundred twenty dollars (\$1,432,620) for the
21 1996-97 fiscal year for the North Carolina Resource Conservation and Development
22 Association, a nonprofit corporation, to be used to provide all counties of the State
23 with materials and equipment to install approximately 3,411 dry hydrants in rural
24 areas, consisting of at least 10 dry hydrants per county upon application of the
25 county.

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1995

H.B. FILED

1236

MAY 16 96

HOUSE PRINCIPAL CLERK

H

D

HOUSE DRHA178-LG249(5.14)

Short Title: Pesticide Enforcement Funds.

(Public)

Sponsors: Representative Yongue.

Referred to:

- 1 A BILL TO BE ENTITLED
2 AN ACT TO APPROPRIATE FUNDS TO THE DEPARTMENT OF
3 AGRICULTURE FOR PESTICIDE ENFORCEMENT.
4 The General Assembly of North Carolina enacts:
5 Section 1. There is appropriated from the General Fund to the
6 Department of Agriculture the sum of two hundred twenty-eight thousand seventy-
7 five dollars (\$228,075) for the 1996-97 fiscal year for additional personnel for
8 enforcement of federal pesticide laws.
9 Sec. 2. This act becomes effective July 1, 1996.

GENERAL ASSEMBLY OF NORTH CAROLINA

H.B. FILED

SESSION 1995

1237 MAY 16 96

H

HOUSE PRINCIPAL CLERK

HOUSE DRH2215*-LVZ002C(4.2)

Short Title: Area Authority Accountability.

(Public)

Sponsors: Representative Gardner.

Referred to:

- 1 A BILL TO BE ENTITLED
2 AN ACT RECOMMENDED BY THE MENTAL HEALTH STUDY COMMISSION
3 TO ENSURE AREA AUTHORITY FINANCIAL STABILITY AND DELIVERY
4 OF ADEQUATE SERVICES TO CLIENTS.
5 The General Assembly of North Carolina enacts:
6 Section 1. G.S. 122C-115 reads as rewritten:
7 "**§ 122C-115. Powers and duties of counties and cities.**
8 (a) Except as provided in G.S. 153A-77, a county shall provide mental health,
9 developmental disabilities, and substance abuse services through an area authority.
10 (b) Counties and cities may appropriate funds for the support of programs that
11 serve the catchment area, whether the programs are physically located within a single
12 county or whether any facility housing a program is owned and operated by the city
13 or county. Counties and cities may make appropriations for the purposes of this
14 Chapter and may allocate for these purposes other revenues not restricted by law,
15 and counties may fund them by levy of property taxes pursuant to G.S.
16 153A-149(c)(22).
17 (c) Within a catchment area designated by the Commission, a board of county
18 commissioners or two or more boards of county commissioners jointly shall establish
19 an area authority with the approval of the Secretary.
20 (d) A board or boards of county commissioners that establish the area authority
21 shall allow that area authority to maintain an unrestricted fund balance of up to
22 fifteen percent (15%) for the provision of mental health, developmental disabilities,
23 and substance abuse services. The fund balance shall continue forward from year to
24 year, in accordance with the rules of the Secretary.

NORTH CAROLINA

HOUSE OF REPRESENTATIVES



ROLL CALL

6/21/96

IN CHAIR: SPEAKER

S# 2224
LEGISLATIVE DAY 135
H1237HCS
READING 2
GARDNER

AREA AUTHORITY ACCOUNTABILITY

AYES - 89

ADAMS	CUNNINGHAM	HOWARD	RAYFIELD
ALEXANDER	DAUGHTRY	HUNTER, H.	REDWINE
ARNOLD	DAVIS	HURLEY	REYNOLDS
BAKER	DECKER	IVES	RICHARDSON
BARBEE	DOCKHAM	JUSTUS	ROBINSON, J.
BARNES	EARLE	KISER	RUSSELL
BERRY	EASTERLING	LUEBKE	SEXTON
BLACK	EDDINS	MCALLISTER	SHARPE
BOWIE	EDWARDS	MCCOMAS	SHUBERT
BOYD-MCINTYRE	ELLIS	MCCOMBS	SUTTON
BRAWLEY	ESPOSITO	MCPAHAN	TALLEN
BROWN, J.	FITCH	MERCER	THOMPSON
BROWN, W.	GARDNER	MILLER, G.	TOLSON
CANSLER	GRADY	MINER	WAINWRIGHT
CAPPS	GRAY	MITCHELL	WATSON
CARPENTER	HACKNEY	MORGAN	WEATHERLY
CHURCH	HAYES	NEELY	WILKINS
CLARY	HENSLEY	NICHOLS	WILSON, C.
COCKLEREECE	HIATT	NYE	WILSON, G.
CRAWFORD	HIGHTOWER	OWENS	WOMBLE
CREECH	HILL	PATE	WOOD
CULP	HOLMES	PRESTON	WRIGHT
CUMMINGS			

NOES - 0

EXCUSED ABSENCE - 9

ALDRIDGE	DICKSON	HUNT	ROBINSON, G.
BEALL	FOX	OLDHAM	WARNER
BLUE			

EXCUSED VOTE - 0

NOT VOTING - 22

SPEAKER	GAMBLE	MCCRARY	RAMSEY
ALLRED	HUNTER, R.	MCLAUGHLIN	ROGERS
BOWEN	LEE	MICHAUX	SHAW
BRASWELL	LEMMOND	MILLER, K.	SHERRILL
BUCHANAN	LINNEY	PULLEY	YONGUE
CULPEPPER	LOCKE		

H1237HCS

NORTH CAROLINA GENERAL ASSEMBLY
SENATE

RECORDED VOTE

1995 SESSION
SECOND REGULAR SESSION

SEQ. 1856/69-- 4:55 PM

JUNE 21, 1996

LEGISLATIVE DAY 134

LT. GOVERNOR WICKER

-- Presiding

GARDNER
AREA AUTHORITY ACCOUNTABILITY
COM SUB NO. 2/3RD EDITION

HOUSE BILL 1237
READING 2

AYE

43

ALBERTSON
BALLANCE
BALLANTINE
BASNIGHT
BLACKMON
BLUST
CARRINGTON
CLARK
COCHRANE
COOPER
DANNELLY

DAVIS
EAST
FORRESTER
FOXX
GULLEY
HARTSELL
HOEBS
HORTON
HOYLE
JORDAN
KERR

LEDBETTER
LITTLE
LUCAS
MARTIN R.
MARTIN W.
MCDANIEL
MCKOY
ODOM
PAGE
BARNELL
PERDUE

PLEXICO
PLYLER
RAND
SHAW
SHERRON
SOLES
SPEED
WARREN
WEBSTER
WINNER

NO

0

EXCUSED

0

NOT CAST

4

ALLRAN

CONDER

KINCAID

SIMPSON

ABSENT

3

CARPENTER

EDWARDS

SMITH

PAIRS

0

AYE
NO

COPY)

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1995

H.B. FILED

1238

MAY 16 96

HOUSE PRINCIPAL CLERK D

H

HOUSE DRH2221-LG241(5.13)

Short Title: FSU Fine Arts Building Funds.

(Public)

Sponsors: Representative Shaw.

Referred to:

- 1 A BILL TO BE ENTITLED
2 AN ACT TO APPROPRIATE FUNDS TO THE BOARD OF GOVERNORS OF
3 THE UNIVERSITY OF NORTH CAROLINA FOR THE CONSTRUCTION OF
4 A FINE ARTS BUILDING AT FAYETTEVILLE STATE UNIVERSITY.
5 The General Assembly of North Carolina enacts:
6 Section 1. There is appropriated from the General Fund to the Board of
7 Governors of The University of North Carolina the sum of twelve million dollars
8 (\$12,000,000) for the 1996-97 fiscal year for the construction of a fine arts building at
9 Fayetteville State University.
10 Sec. 2. This act becomes effective July 1, 1996.

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1995

H.B. FILED
1239 MAY 17 96
HOUSE PRINCIPAL CLERK

H

HOUSE DRH4226*-RMZ021B(5.15)

Short Title: Consolidation Incentive Funding.

(Public)

Sponsors: Representative Edwards.

Referred to:

1 A BILL TO BE ENTITLED
2 AN ACT TO PROMOTE EFFICIENCY AND EFFECTIVENESS IN THE LOCAL
3 PUBLIC HEALTH DELIVERY SYSTEM BY APPROPRIATING FUNDS TO
4 THE DEPARTMENT OF ENVIRONMENT, HEALTH, AND NATURAL
5 RESOURCES TO CREATE INCENTIVES FOR SMALL COUNTY HEALTH
6 DEPARTMENTS TO FORM DISTRICT HEALTH DEPARTMENTS.
7 The General Assembly of North Carolina enacts:
8 Section 1. (a) Six million dollars (\$6,000,000) is appropriated from the
9 General Fund to the Department of Environment, Health, and Natural Resources and
10 shall be credited to a nonreverting account within the Department. Funds in the
11 account shall establish a local public health infrastructure fund to promote the
12 formation of district public health departments through the provision of incentive
13 funding according to the allocation formula as provided for in this section.
14 (b) Counties with populations of 75,000 or less shall be eligible to
15 receive incentive funding. Counties with populations above 75,000 and district health
16 departments in existence on the effective date of this act shall be eligible for incentive
17 funds only if they district with a county with a population of 75,000 or less. Incentive
18 funds shall be allocated according to the following allocation formula: (i) two dollars
19 (\$2.00) per capita per year shall be allocated for each county or each existing district
20 with a minimum allocation of fifty thousand dollars (\$50,000) per year per county or
21 district and a maximum allocation of one hundred thousand dollars (\$100,000) per
22 year per county or district; (ii) funding shall be limited to three consecutive yearly
23 allocations; (iii) incentive funds shall be granted only after adoption of resolutions to
24 create the new district health department in accordance with G.S. 130A-36.

GENERAL ASSEMBLY OF NORTH CAROLINA

H.B. FILED

SESSION 1995

1240

MAY 17 96

H

HOUSE PRINCIPAL CLERK

HOUSE DRH5202-LBX407A(4.11)

Short Title: Castle Hayne Incorporation.

(Local)

Sponsors: Representative Nye.

Referred to:

1 A BILL TO BE ENTITLED
2 AN ACT TO INCORPORATE THE TOWN OF CASTLE HAYNE, SUBJECT TO
3 A REFERENDUM.
4 The General Assembly of North Carolina enacts:
5 Section 1. A Charter for the Town of Castle Hayne is enacted to read:
6 "CHARTER OF THE TOWN OF CASTLE HAYNE.
7 "CHAPTER I.
8 "INCORPORATION AND CORPORATE POWERS.
9 "Sec. 1.1. **Incorporation and Corporate Powers.** The inhabitants of the Town of
10 Castle Hayne are a body corporate and politic under the name 'Town of Castle
11 Hayne'. Under that name they have all the powers, duties, rights, privileges, and
12 immunities conferred and imposed upon cities by the general law of North Carolina.
13 "CHAPTER II.
14 "CORPORATE BOUNDARIES.
15 "Sec. 2.1. **Town Boundaries.** Until modified in accordance with law, the
16 boundaries of the Town of Castle Hayne are as follows:
17 Lying and being in New Hanover County and beginning at the center of the
18 Northeast Cape Fear River in the northeastern most point where Island Creek
19 intersects the river and is the boundary of Pender County to the East, following said
20 Island Creek southward under Holly Shelter Road, continuing South approximately 1
21 mile where Island Creek departs from the New Hanover/Pender line running West
22 and South to where Island Creek meets Sidbury Road. From the South right-of-way
23 boundary of Sidbury Road and running at a West by West-South Westward direction
24 along said Sidbury Road to where it intersects with Blue Clay Road, thence South by
25 Southwest on Blue Clay Road South right-of-way to where Blue Clay Road intersects

H

HOUSE PRINCIPAL CLERK D

HOUSE DRH7296-LCX337(4.22)

Short Title: Bundled Transactions Sales Tax.

(Public)

Sponsors: Representative Shubert.

Referred to:

- 1 A BILL TO BE ENTITLED
2 AN ACT TO CLARIFY THE SALES AND USE TAX LAW THAT APPLIES TO
3 BUNDLED TRANSACTIONS.
4 The General Assembly of North Carolina enacts:
5 Section 1. Article 5 of Chapter 105 of the General Statutes is amended
6 by adding a new section to read:
7 "§ 105-164.12B. Bundled transactions.
8 (a) Bundled Transaction Defined. -- A bundled transaction is a transaction in
9 which all of the following conditions are met:
10 (1) A seller transfers an item of tangible personal property to a
11 consumer on the condition that the consumer enter into an
12 agreement to purchase services on an ongoing basis for a minimum
13 period of at least six months.
14 (2) The agreement requires the consumer to pay a cancellation fee to
15 the service provider if the consumer cancels the contract for
16 services within the minimum period.
17 (3) For the item transferred, the seller:
18 a. Does not charge the consumer;
19 b. Charges the consumer a price below the cost price the seller
20 paid for the item; or
21 c. Rebates to the consumer part or all of the retail price at
22 which the item would sell if no agreement for services were
23 entered into.
24 (b) Bundled Transaction Is a Sale; Sales Price. -- If the seller transfers an item of
25 tangible personal property as part of a bundled transaction, a sale has occurred and

GENERAL ASSEMBLY OF NORTH CAROLINA H.B. FILED

SESSION 1995

1242 MAY 17 96

HOUSE PRINCIPAL CLERK D

H

HOUSE DRH2196-LCXZ284(1.1)

Short Title: Clarify Free Item Sales Tax.

(Public)

Sponsors: Representatives Shubert, Blue, Cansler, Capps, Church, Neely, Robinson, and Shaw.

Referred to:

1 A BILL TO BE ENTITLED
2 AN ACT TO CLARIFY THE SALES TAX TREATMENT OF ITEMS GIVEN
3 AWAY BY MERCHANTS.
4 The General Assembly of North Carolina enacts:
5 Section 1. G.S. 105-164.3(15) reads as rewritten:
6 "(15) 'Sale' or 'selling' ~~shall mean any~~ means the transfer of title or
7 ~~possession, or both, exchange, barter, lease, license to use or~~
8 ~~consume, or rental possession~~ possession of tangible personal property,
9 conditional or otherwise, in any manner or by any means
10 whatsoever, ~~however effected and by whatever name called,~~ for a
11 consideration paid or to be ~~paid, and paid.~~
12 The term includes the fabrication of tangible personal property
13 for consumers by persons engaged in business who furnish either
14 directly or indirectly the materials used in the fabrication ~~work,~~
15 ~~and work.~~ The term also includes the furnishing, preparing, or
16 ~~serving~~ furnishing or preparing for a consideration of any tangible
17 personal property consumed on the premises of the person
18 ~~furnishing, preparing, or serving such tangible personal~~ furnishing
19 ~~or preparing the property or consumed at the place at which such~~
20 ~~the property is prepared, served or sold.~~ furnished or prepared. A
21 ~~transaction whereby~~ The term also includes a transaction in which
22 the possession of the property is transferred but the seller retains
23 title or security for the payment of the ~~price shall be deemed a~~
24 ~~sale.~~ consideration.



NORTH CAROLINA GENERAL ASSEMBLY
AMENDMENT
House Bill 1242

AMENDMENT NO. 1
(to be filled in by
Principal Clerk)
Page 1 of 1

H1242-ALJ-1

Date June 18, 1996

Comm. Sub. [YES]
Amends Title []
2nd Edition

Rep. Shubert

- 1 moves to amend the bill on page 1, line 6, by rewriting that line to
2 read:
3 "(15) "Sale" or "selling"--shall--mean--any selling. --
4 The transfer of title or;
5
6 and on page 2, lines 14 and 15, by inserting a new section between
7 those lines to read:
8 "Sec. 2. G.S. 105-164.3 is amended by adding a new
9 subdivision to read:
10 '(11a) Prepared food and drink. -- Meals, food, and
11 beverages to which a retailer has added value or
12 whose state the retailer has altered (other than
13 solely by cooling) by preparing, combining,
14 dividing, heating, or serving, in order to make
15 them available for immediate human
16 consumption.'";
17
18 and on page 2, line 15, by changing "Sec. 2." to "Sec. 3.".

SIGNED Frank H. Shubert
Amendment Sponsor

SIGNED _____
Committee Chair if Senate Committee Amendment

ADOPTED 6/18/96

FAILED _____

TABLED _____

93-0 EV

DN

S # 2009
LEGISLATIVE DAY 132
H1242HCS
READING 2
SHUBERT

AMEND #1- *shubert*
CLARIFY FREE ITEM SALES TAX

NORTH CAROLINA
HOUSE OF REPRESENTATIVES
ROLL CALL

6/18/96
5:47 PM
IN CHAIR: SPEAKER

EV

AYES - 93

ALDRIDGE	CUMMINGS	HUNTER, R.	RAYFIELD
ALEXANDER	DAUGHTRY	HURLEY	REDWINE
ALLRED	DAVIS	JUSTUS	REYNOLDS
ARNOLD	DECKER	KISER	RICHARDSON
BAKER	DICKSON	LEE	ROBINSON, J.
BARBEE	DOCKHAM	LINNEY	ROGERS
BEALL	EARLE	MCALLISTER	RUSSELL
BERRY	EASTERLING	MCCOMAS	SEXTON
BOWEN	EDDINS	MCCOMBS	SHARPE
BOWIE	ELLIS	MCCRARY	SHAW
BOYD-MCINTYRE	ESPOSITO	MCMAHAN	SHERRILL
BRAWLEY	FITCH	MERCER	SHUBERT
BROWN, J.	FOX	MICHAUX	SUTTON
BROWN, W.	GARDNER	MITCHELL	TALLENT
BUCHANAN	GRADY	MORGAN	THOMPSON
CANSLER	HAYES	NEELY	TOLSON
CAPPS	HENSLEY	NYE	WARNER
CARPENTER	HIATT	OLDHAM	WATSON
CHURCH	HIGHTOWER	OWENS	WILSON, G.
COCKLEREECE	HILL	PATE	WOMBLE
CRAWFORD	HOLMES	PRESTON	WOOD
CREECH	HOWARD	PULLEY	WRIGHT
CULP	HUNT	RAMSEY	YONGUE
CULPEPPER			

NOES - 0

BLUE	EXCUSED ABSENCE - 4	
	MILLER, G.	MILLER, K.
		NICHOLS

EXCUSED VOTE - 0

SPEAKER	CUNNINGHAM	IVES	ROBINSON, G.
ADAMS	EDWARDS	LEMOND	WAINWRIGHT
BARNES	GAMBLE	LOCKE	WEATHERLY
BLACK	GRAY	LUEBKE	WILKINS
BRASWELL	HACKNEY	MCLAUGHLIN	WILSON, C.
CLARY	HUNTER, H.	MINER	

H1242HCS

2010
LEGISLATIVE DAY 132
H1242HCS
READING 2
SHUBERT

NORTH CAROLINA
HOUSE OF REPRESENTATIVES



6/18/96
5:48 PM
IN CHAIR: SPEAKER

CLARIFY FREE ITEM SALES TAX

AYES - 99

ADAMS	CUMMINGS	HUNTER, R.	REDWINE
ALDRIDGE	DAUGHTRY	HURLEY	REYNOLDS
ALEXANDER	DAVIS	JUSTUS	RICHARDSON
ALLRED	DECKER	KISER	ROBINSON, G.
ARNOLD	DICKSON	LEE	ROBINSON, J.
BAKER	DOCKHAM	LINNEY	ROGERS
BARBEE	EARLE	LOCKE	RUSSELL
BARNES	EASTERLING	MCALLISTER	SEXTON
BEALL	EDDINS	MCCOMAS	SHARPE
BERRY	EDWARDS	MCCOMBS	SHERRILL
BOWEN	ELLIS	MCCRARY	SHUBERT
BOWIE	FSPOSITO	MCMAHAN	SUTTON
BOYD-MCINTYRE	FITCH	MERCER	TALLENT
BRAWLEY	FOX	MICHAUX	THOMPSON
BROWN, J.	GARDNER	MITCHELL	TOLSON
BUCHANAN	GRADY	MORGAN	WARNER
CANSLER	GRAY	NEELY	WATSON
CAPPS	HACKNEY	NYE	WILKINS
CARPENTER	HAYES	OLDHAM	WILSON, C.
CHURCH	HENSLEY	OWENS	WILSON, G.
COCKLEREECE	HIATT	PATE	WOMBLE
CRAWFORD	HIGHTOWER	PRESTON	WOOD
CREECH	HILL	PULLEY	WRIGHT
CULP	HOLMES	RAMSEY	YONGUE
CULPEPPER	HOWARD	RAYFIELD	

NOES - 0

BLUE	EXCUSED ABSENCE - 4	
	MILLER, G.	MILLER, K.
		NICHOLS

EXCUSED VOTE - 0

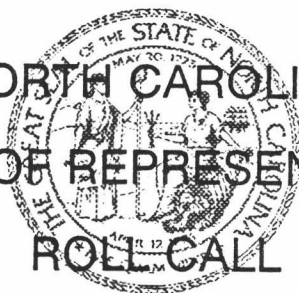
SPEAKER	NOT VOTING - 17	
BLACK	CUNNINGHAM	IVES
BRASWELL	GAMBLE	LEMMOND
BROWN, W.	HUNT	LUEBKE
CLARY	HUNTER, H.	MCLAUGHLIN
		MINER
		SHAW
		WAINWRIGHT
		WEATHERLY

H1242HCS

RC

2033
LEGISLATIVE DAY 133
H1242HCS
READING 3
SHUBERT

NORTH CAROLINA
HOUSE OF REPRESENTATIVES



6/19/96
3:50 PM
IN CHAIR: RUSSELL

CLARIFY FREE ITEM SALES TAX

AYES - 103

ADAMS
ALEXANDER
ALLRED
ARNOLD
BAKER
BARBEE
BEALL
BERRY
BLACK
BLUE
BOWEN
BOWIE
BOYD-MCINTYRE
BRASWELL
BRAWLEY
BROWN, J.
BROWN, W.
BUCHANAN
CANSLER
CAPPS
CARPENTER
CHURCH
CLARY
COCKLEREECE
CRAWFORD
CREECH

CULP
CULPEPPER
CUMMINGS
DAVIS
DECKER
DOCKHAM
EARLE
EASTERLING
EDDINS
EDWARDS
ESPOSITO
FITCH
FOX
GAMBLE
GARDNER
GRADY
HACKNEY
HAYES
HENSLEY
HIATT
HILL
HOLMES
HOWARD
HUNT
HUNTER, H.
HUNTER, R.

IVES
JUSTUS
KISER
LEE
LEMMOND
LINNEY
LOCKE
LUEBKE
MCALLISTER
MCCOMAS
MCCOMBS
MCCRARY
MCMAHAN
MERCER
MILLER, G.
MINER
MITCHELL
MORGAN
NEELY
NICHOLS
NYE
OLDHAM
OWENS
PATE
PRESTON
PULLEY

RAMSEY
RAYFIELD
REDWINE
REYNOLDS
RICHARDSON
ROBINSON, G.
ROBINSON, J.
ROGERS
SEXTON
SHARPE
SHERRILL
SHUBERT
TALLENT
THOMPSON
TOLSON
WAINWRIGHT
WARNER
WATSON
WILKINS
WILSON, C.
WILSON, G.
WOMBLE
WOOD
WRIGHT
YONGUE

NOES - 0

EXCUSED ABSENCE - 0

EXCUSED VOTE - 0

NOT VOTING - 17

SPEAKER
ALDRIDGE
BARNES
CUNNINGHAM
DAUGHTRY

DICKSON
ELLIS
GRAY
HIGHTOWER
HURLEY
MCLAUGHLIN
MICHAUX
MILLER, K.

RUSSELL
SHAW
SUTTON
WEATHERLY

H1242HCS

GENERAL ASSEMBLY OF NORTH CAROLINA H.B. FILED

SESSION 1995

1243 MAY 17 96
HOUSE PRINCIPAL CLERK D

H

HOUSE DRHA180-LHZ238(4.29)

Short Title: Assault/Serious Bodily Injury.

(Public)

Sponsors: Representative Justus.

Referred to:

- 1 A BILL TO BE ENTITLED
2 AN ACT TO CREATE A NEW FELONY OFFENSE OF ASSAULT INFLECTING
3 SERIOUS BODILY INJURY AS RECOMMENDED BY THE NORTH
4 CAROLINA SENTENCING AND POLICY ADVISORY COMMISSION.
5 The General Assembly of North Carolina enacts:
6 Section 1. Chapter 14 of the General Statutes is amended by adding a
7 new section to read:
8 "**§ 14-32.4. Assault inflicting serious bodily injury.**
9 **Unless the conduct is covered under some other provision of law providing greater**
10 **punishment, any person who assaults another person and inflicts serious bodily injury**
11 **is guilty of a Class F felony. 'Serious bodily injury' is defined as bodily injury that**
12 **creates a substantial risk of death, or that causes serious permanent disfigurement,**
13 **coma, a permanent or protracted condition that causes extreme pain, or permanent**
14 **or protracted loss or impairment of the function of any bodily member or organ, or**
15 **that results in prolonged hospitalization.**"
16 Sec. 2. This act becomes effective December 1, 1996, and applies to
17 offenses committed on or after that date.



NORTH CAROLINA GENERAL ASSEMBLY
AMENDMENT
House Bill 1243

AMENDMENT NO. 1
(to be filled in by
Principal Clerk)
Page 1 of 1

H1243-ARL-002

Date , 1996

Comm. Sub. ☐
Amends Title ☐

Representative

- 1 moves to amend the bill on page 1, line 16,
2 by deleting the date "December 1, 1996," and substituting "June 30,
3 1997,".
4

SIGNED *[Signature]*
Amendment Sponsor

SIGNED
Committee Chair if Senate Committee Amendment

ADOPTED 6/20/96 FAILED TABLED

99-0 ✓

[Signature]

NORTH CAROLINA

HOUSE OF REPRESENTATIVES

ROLL CALL

EV

6/20/96

4:27 PM

IN CHAIR: SPEAKER

2093

LEGISLATIVE DAY 134

H1243

READING 2

JUSTUS

AMEND #1-*ELLIS*

ASSAULT/SERIOUS BODILY INJURY

AYES - 99

SPEAKER	CULP	HOWARD	PRESTON
ADAMS	CUMMINGS	HUNTER, H.	RAMSEY
ALDRIDGE	CUNNINGHAM	HUNTER, R.	RAYFIELD
ALEXANDER	DAUGHTRY	HURLEY	REDWINE
ALLRED	DAVIS	IVES	REYNOLDS
ARNOLD	DECKER	JUSTUS	RICHARDSON
BAKER	DICKSON	KISER	ROBINSON, J.
BARBEE	DOCKHAM	LEE	ROGERS
BARNES	EARLE	LINNEY	RUSSELL
BERRY	EASTERLING	LUEBKE	SEXTON
BLACK	EDDINS	MCALLISTER	SHARPE
BOYD-MCINTYRE	ELLIS	MCCOMAS	SHERRILL
BRASWELL	ESPOSITO	MCCOMBS	SHUBERT
BRAWLEY	FITCH	MCCRARY	SUTTON
BROWN, J.	GAMBLE	MCMAHAN	TALLEN
BROWN, W.	GARDNER	MERCER	THOMPSON
BUCHANAN	GRADY	MILLER, G.	TOLSON
CANSLER	GRAY	MINER	WATSON
CAPPS	HACKNEY	MITCHELL	WEATHERLY
CARPENTER	HAYES	MORGAN	WILKINS
CHURCH	HENSLEY	NEELY	WILSON, G.
CLARY	HIATT	NICHOLS	WOMBLE
COCKLEREECE	HIGHTOWER	NYE	WOOD
CRAWFORD	HILL	OWENS	YONGUE
CREECH	HOLMES	PATE	

NOES - 0

EXCUSED ABSENCE - 7

BEALL	FOX	OLDHAM	WARNER
BLUE	HUNT	ROBINSON, G.	

EXCUSED VOTE - 0

NOT VOTING - 14

BOWEN	LEMMOND	MILLER, K.	WAINWRIGHT
BOWIE	LOCKE	PULLEY	WILSON, C.
CULPEPPER	MCLAUGHLIN	SHAW	WRIGHT
EDWARDS	MICHAUX		

H1243

NORTH CAROLINA

HOUSE OF REPRESENTATIVES

ROLL CALL

EV

2094
LEGISLATIVE DAY 134
H1243
READING 2
JUSTUS

6/20/96
4:28 PM
IN CHAIR: SPEAKER

ASSAULT/SERIOUS BODILY INJURY

AYES - 98

SPEAKER	CULP	HUNTER, R.	PULLEY
ADAMS	CUMMINGS	IVES	RAMSEY
ALDRIDGE	DAUGHTRY	JUSTUS	RAYFIELD
ALEXANDER	DAVIS	KISER	REDWINE
ALLRED	DECKER	LEE	REYNOLDS
ARNOLD	DICKSON	LOCKE	RICHARDSON
BAKER	DOCKHAM	LUEBKE	ROBINSON, J.
BARBEE	EARLE	MCALLISTER	RUSSELL
BARNES	EASTERLING	MCCOMAS	SEXTON
BERRY	EDDINS	MCCOMBS	SHARPE
BLACK	EDWARDS	MCCRARY	SHERRILL
BOYD-MCINTYRE	ELLIS	MCMAHAN	SHUBERT
BRASWELL	ESPOSITO	MERCER	SUTTON
BRAWLEY	FITCH	MICHAUX	TALLENT
BROWN, J.	GAMBLE	MILLER, G.	THOMPSON
BROWN, W.	GARDNER	MINER	TOLSON
BUCHANAN	GRADY	MITCHELL	WATSON
CANSLER	GRAY	MORGAN	WEATHERLY
CAPPS	HACKNEY	NEELY	WILKINS
CARPENTER	HAYES	NICHOLS	WILSON, C.
CHURCH	HIGHTOWER	NYE	WILSON, G.
CLARY	HILL	OWENS	WOMBLE
COCKLEREECE	HOLMES	PATE	WOOD
CRAWFORD	HOWARD	PRESTON	YONGUE
CREECH	HUNTER, H.		

NOES - 1

LINNEY

EXCUSED ABSENCE - 7

BEALL	FOX	OLDHAM	WARNER
BLUE	HUNT	ROBINSON, G.	

EXCUSED VOTE - 0

NOT VOTING - 14

BOWEN	HENSLEY	MCLAUGHLIN	SHAW
BOWIE	HIATT	MILLER, K.	WAINWRIGHT
CULPEPPER	HURLEY	ROGERS	WRIGHT
CUNNINGHAM	LEMMOND		

H1243

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1995

H.B. FILED

1244

MAY 17 96

HOUSE PRINCIPAL CLERK

H

HOUSE DRH7299-RGZ007(5.16)

Short Title: Appeal Bond Changes.

(Public)

Sponsors: Representative Culpepper.

Referred to:

1 A BILL TO BE ENTITLED
2 AN ACT TO CLARIFY THAT APPEAL BONDS ARE POSTED WITH THE
3 CLERK OF THE APPELLATE COURT IN CONFORMANCE WITH THE
4 NORTH CAROLINA RULES OF APPELLATE PROCEDURE AND TO
5 CLARIFY THAT THE UNDERTAKING ON APPEAL MUST BE IN WRITING.

6 The General Assembly of North Carolina enacts:

7 Section 1. G.S. 1-285 reads as rewritten:

8 "§ 1-285. Undertaking on appeal.

9 (a) To render an appeal effectual for any purpose in a civil cause or special
10 proceeding, a written undertaking must be executed on the part of the appellant, with
11 good and sufficient surety, in the sum of two hundred fifty dollars (\$250.00), or any
12 lesser sum as might be adjudged by the court, to the effect that the appellant will pay
13 all costs awarded against him on the appeal, and this undertaking must be filed with
14 the clerk by whom the judgment or order was entered; or such sum must be
15 deposited with the appropriate clerk by whom the judgment or order was entered, to
16 abide the event of the appeal, of the appellate division in compliance with the North
17 Carolina Rules of Appellate Procedure.

18 (b) The provisions of this section do not apply to the State of North Carolina, a
19 city or a county or a local board of education, an officer thereof in his official
20 capacity, or an agency thereof."

21 Sec. 2. G.S. 1-286 reads as rewritten:

22 "§ 1-286. Justification of sureties.

23 The written undertaking on appeal must be accompanied by the affidavit of one of
24 the sureties that he is worth double the amount specified therein. The respondent
25 may except to the sufficiency of the sureties within ten days after the notice of appeal;

EV

NORTH CAROLINA

HOUSE OF REPRESENTATIVES

ROLL CALL

6/20/96

8:32 PM

IN CHAIR: SPEAKER

2125
LEGISLATIVE DAY 134
H1244HCS
READING 2
CULPEPPER

APPEAL BOND CHANGES

AYES - 103

ADAMS	CUNNINGHAM	HUNTER, R.	PULLEY
ALDRIDGE	DAUGHTRY	HURLEY	RAMSEY
ALEXANDER	DAVIS	IVES	RAYFIELD
ALLRED	DECKER	JUSTUS	REDWINE
ARNOLD	DICKSON	KISER	REYNOLDS
BAKER	DOCKHAM	LEE	RICHARDSON
BARBEE	EARLE	LINNEY	ROBINSON, J.
BARNES	EASTERLING	LOCKE	ROGERS
BERRY	EDDINS	LUEBKE	RUSSELL
BLACK	EDWARDS	MCALLISTER	SEXTON
BOWEN	ELLIS	MCCOMAS	SHARPE
BOYD-MCINTYRE	ESPOSITO	MCCOMBS	SHERRILL
BROWN, J.	FITCH	MCCRARY	SHUBERT
BROWN, W.	GAMBLE	MCPAHAN	TALLENT
BUCHANAN	GARDNER	MERCER	THOMPSON
CANSLER	GRADY	MICHAUX	TOLSON
CAPPS	GRAY	MILLER, G.	WAINWRIGHT
CARPENTER	HACKNEY	MINER	WATSON
CHURCH	HAYES	MITCHELL	WILKINS
CLARY	HENSLEY	MORGAN	WILSON, C.
COCKLEREECE	HIATT	NEELY	WILSON, G.
CRAWFORD	HIGHTOWER	NICHOLS	WOMBLE
CREECH	HILL	NYE	WOOD
CULP	HOLMES	OWENS	WRIGHT
CULPEPPER	HOWARD	PATE	YONGUE
CUMMINGS	HUNTER, H.	PRESTON	

NOES - 0

EXCUSED ABSENCE - 7

BEALL	FOX	OLDHAM	WARNER
BLUE	HUNT	ROBINSON, G.	

EXCUSED VOTE - 0

NOT VOTING - 10

SPEAKER	BRAWLEY	MILLER, K.	SUTTON
BOWIE	LEMMOND	SHAW	WEATHERLY
BRASWELL	MCLAUGHLIN		

H1244HCS

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1995

H.B. FILED

1245

MAY 17 96

HOUSE PRINCIPAL CLERK

H

HOUSE DRH8240*RHZ013(5.6)

Short Title: School Law Revision Com'n.

(Public)

Sponsors: Representatives Grady, Black, Cummings, McMahan, Owens, Preston, and Rogers.

Referred to:

1 A BILL TO BE ENTITLED
2 AN ACT TO IMPLEMENT THE RECOMMENDATION OF THE JOINT
3 LEGISLATIVE EDUCATION OVERSIGHT COMMITTEE TO IMPLEMENT
4 THE STATE BOARD OF EDUCATION'S RECOMMENDATION TO
5 ESTABLISH A COMMISSION TO REVIEW AND REVISE THE PUBLIC
6 SCHOOL LAWS.

7 The General Assembly of North Carolina enacts:

8 Section 1. (a) The Legislative Public School Law Revision Commission
9 is established. The Commission consists of the following 18 members:

- 10 (1) Six members, four of whom shall be members of the Senate,
11 appointed by the President Pro Tempore of the Senate.
12 (2) Six members, four of whom shall be members of the House of
13 Representatives, appointed by the Speaker of the House of
14 Representatives.
15 (3) Six members, two of whom shall be members of the State Board of
16 Education, appointed by the State Board of Education.

17 Members appointed to the Commission shall serve until the Commission
18 makes its final report. Vacancies on the Commission shall be filled by the person
19 who made the initial appointment.

20 (b) The Commission shall:

- 21 (1) Conduct a comprehensive review of the public school laws.
22 (2) Identify laws that are outdated, vague, unnecessary, or otherwise in
23 need of revision.

GENERAL ASSEMBLY OF NORTH CAROLINA

H.B. FILED

SESSION 1995

1246

MAY 17 96

H

HOUSE PRINCIPAL CLERK

HOUSE DRH2199*-RHZ003.2(5.6)

Short Title: NC Stds. Bd. for Public Sch. Admin.

(Public)

Sponsors: Representatives Grady, Black, Cummings, McMahan, Owens, Preston,
and Rogers.

Referred to:

- 1 A BILL TO BE ENTITLED
2 AN ACT TO IMPLEMENT THE RECOMMENDATION OF THE JOINT
3 LEGISLATIVE EDUCATION OVERSIGHT COMMITTEE TO MAKE
4 AMENDMENTS TO THE LAWS GOVERNING THE STANDARDS BOARD
5 FOR PUBLIC SCHOOL ADMINISTRATION AND THE PUBLIC SCHOOL
6 ADMINISTRATOR EXAM.
7 The General Assembly of North Carolina enacts:
8 Section 1. G.S. 115C-290.5 reads as rewritten:
9 "§ 115C-290.5. Powers and duties of the Board; development of the North Carolina
10 Public School Administrator Exam.
11 (a) The Standards Board shall administer this Article. In fulfilling this duty, the
12 Standards Board shall:
13 (1) ~~Develop~~ In accordance with subsection (c) of this section, develop
14 and implement a North Carolina Public School Administrator
15 Exam, based on the professional standards established by the
16 Standards Board.
17 (2) Establish and collect an application fee not to exceed fifty dollars
18 (\$50.00), and an exam fee not to exceed one hundred fifty dollars
19 (\$150.00). Fees collected under this Article shall be credited to the
20 General Fund as nontax revenue.
21 (3) Review the educational achievements of an applicant to take the
22 exam to determine whether the achievements meet the
23 requirements set by G.S. 115C-290.7.

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1995

H.B. FILED

1247

MAY 17 96

HOUSE PRINCIPAL CLERK

H

HOUSE DRH6187*-RCZ001.3(5.7)

Short Title: Implement Higher Ed. Credit Transfer Plan.

(Public)

Sponsors: Representatives Grady, Black, Cummings, McMahan, Owens, Preston, and Rogers.

Referred to:

1 A BILL TO BE ENTITLED
2 AN ACT TO IMPLEMENT THE RECOMMENDATION OF THE JOINT
3 LEGISLATIVE EDUCATION OVERSIGHT COMMITTEE TO IMPLEMENT
4 AND MONITOR THE PLAN FOR THE TRANSFER OF CREDITS BETWEEN
5 NORTH CAROLINA INSTITUTIONS OF HIGHER EDUCATION.
6 Whereas, it is in the public interest that the North Carolina institutions of
7 higher education have a uniform procedure for the transfer of credits from one
8 community college to another community college and from the community colleges
9 to the constituent institutions of The University of North Carolina; and
10 Whereas, the Board of Governors of The University of North Carolina
11 and the State Board of Community Colleges have developed a plan for the transfer of
12 credits between the North Carolina institutions of higher education; and
13 Whereas, the General Assembly continues to be interested in the progress
14 being made towards increasing the number of credits that will transfer and improving
15 the quality of academic advising available to students regarding the transfer of credits;
16 Now, therefore,
17 The General Assembly of North Carolina enacts:
18 Section 1. The Board of Governors of The University of North Carolina
19 and the State Board of Community Colleges shall develop a plan to provide students
20 with accurate and understandable information regarding the transfer of credits
21 between community colleges and between community colleges and the constituent
22 institutions of The University of North Carolina. The plan shall include provisions to
23 increase the adequacy and availability of academic counseling for students who are
24 considering a college transfer program. The Board of Governors and the State

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1995

H.B. FILED
1248 MAY 17 96
HOUSE PRINCIPAL CLERK

H

D

HOUSE DRH4205*-RHZ001.2(5.6)

Short Title: Education of Gifted Students.

(Public)

Sponsors: Representatives Grady, Black, Cummings, McMahan, Owens, Preston,
and Rogers.

Referred to:

1 A BILL TO BE ENTITLED
2 AN ACT TO IMPLEMENT THE RECOMMENDATION OF THE JOINT
3 LEGISLATIVE EDUCATION OVERSIGHT COMMITTEE TO IMPROVE THE
4 PROGRAM AND SERVICES FOR GIFTED STUDENTS.

5 The General Assembly of North Carolina enacts:

6 Section 1. G.S. 115C-81(b)(1) reads as rewritten:

7 "(1) A core curriculum for all students that takes into account the
8 special needs of children and includes appropriate modifications
9 for the learning disabled, ~~the academically gifted,~~ the gifted
10 students, and the students with discipline and emotional
11 problems;"

12 Sec. 2. G.S. 115C-109 reads as rewritten:

13 "§ 115C-109. Definition of children with special needs.

14 The term 'children with special needs' includes, without limitation, all children
15 from age five through age 20 who because of permanent or temporary mental,
16 physical or emotional handicaps need special education, are unable to have all their
17 needs met in a regular class without special education or related services, or are
18 unable to be adequately educated in the public schools. It includes those who are
19 mentally retarded, epileptic, learning disabled, cerebral palsied, seriously emotionally
20 disturbed, orthopedically impaired, autistic, multiply handicapped, pregnant,
21 hearing-impaired, speech-impaired, blind or visually impaired, and other health
22 ~~impaired, and academically gifted. impaired.~~"

23 Sec. 3. G.S. 115C-110(d) reads as rewritten:

24 "(d) The Board shall adopt rules or regulations covering:

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 1995

H.B. FILED
1249 MAY 17 96
HOUSE PRINCIPAL CLERK
D

H

HOUSE DRH7252*-RHZ002.4(5.6)

Short Title: Prof'l Tch'g Stds. Comm'n.

(Public)

Sponsors: Representatives Grady, Black, Cummings, McMahan, Owens, Preston,
and Rogers.

Referred to:

- 1 A BILL TO BE ENTITLED
2 AN ACT TO IMPLEMENT THE RECOMMENDATION OF THE JOINT
3 LEGISLATIVE EDUCATION OVERSIGHT COMMITTEE TO CHANGE THE
4 COMPOSITION OF THE PROFESSIONAL TEACHING STANDARDS
5 COMMISSION SO THAT TEACHERS HAVE A MAJORITY, TO EXPAND
6 THE AUTHORITY OF THE PROFESSIONAL TEACHING STANDARDS
7 COMMISSION, AND TO ESTABLISH A PROFESSIONAL PRACTICES
8 BOARD.
9 The General Assembly of North Carolina enacts:
10 Section 1. G.S. 115C-295.1 reads as rewritten:
11 "**§ 115C-295.1. North Carolina Professional Teaching Standards Commission.**
12 (a) There is created the North Carolina Professional Teaching Standards
13 Commission (the 'Commission'). The Commission shall be located administratively
14 ~~within the Department of Public Instruction~~ under the State Board of Education but
15 shall exercise its powers and duties independently of the ~~Department of Public~~
16 ~~Instruction. The Department of Public Instruction shall provide staff, offices, office~~
17 ~~equipment, and meeting space to the Commission.~~ State Board of Education.
18 (b) The purpose of the Commission is to establish high standards for North
19 Carolina teachers and the teaching profession.
20 (c) ~~The~~ Beginning September 1, 1996, the Commission shall consist of the
21 following ~~18 members:~~
22 (1) ~~The State Superintendent of Public Instruction who shall serve as~~
23 ~~chair of the Commission.~~

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1995

FILED
1250 MAY 17 96
HOUSE PRINCIPAL CLERK

H

D

HOUSE DRH8241*-RHZ007.5(5.6)

Short Title: ABC's Plan.

(Public)

Sponsors: Representatives Grady, Black, Cummings, McMahan, Owens, Preston,
and Rogers.

Referred to:

1 A BILL TO BE ENTITLED
2 AN ACT TO IMPLEMENT THE RECOMMENDATION OF THE JOINT
3 LEGISLATIVE EDUCATION OVERSIGHT COMMITTEE TO IMPLEMENT
4 THE STATE BOARD OF EDUCATION'S ABC'S PLAN IN ORDER TO
5 ESTABLISH AN ACCOUNTABILITY MODEL FOR THE PUBLIC SCHOOLS
6 TO IMPROVE STUDENT PERFORMANCE AND INCREASE LOCAL
7 FLEXIBILITY AND CONTROL, TO MAKE CONFORMING CHANGES, AND
8 TO MAKE AN APPROPRIATION.

9 The General Assembly of North Carolina enacts:

10 -----SCHOOL-BASED MANAGEMENT AND ACCOUNTABILITY PROGRAM

11 Section 1. G.S. 115C-12(9) reads as rewritten:

12 "(9) Miscellaneous Powers and Duties. -- All the powers and duties
13 exercised by the State Board of Education shall be in conformity
14 with the Constitution and subject to such laws as may be enacted
15 from time to time by the General Assembly. Among such duties
16 are:

- 17 a. To certify and regulate the grade and salary of teachers and
18 other school employees.
19 b. To adopt and supply textbooks.
20 c. To adopt rules requiring all local boards of education to
21 implement the Basic Education Program on an incremental
22 basis within funds appropriated for that purpose by the
23 General Assembly and by units of local government.
24 Beginning with the 1991-92 school year, the rules shall

GENERAL ASSEMBLY OF NORTH CAROLINA H.B. FILED

SESSION 1995

1251

MAY 17 96

H

HOUSE PRINCIPAL CLERK

HOUSE DRH8256-LHZ219F(4.18)

Short Title: Wetlands Mitigation and Funds.

(Public)

Sponsors: Representative Nichols.

Referred to:

1 A BILL TO BE ENTITLED

2 AN ACT TO DIRECT THE APPROPRIATE STATE DEPARTMENTS HOW TO
3 EXERCISE THE STATE'S AUTHORITY UNDER THE CLEAN WATER ACT,
4 TO ESTABLISH THE WETLANDS RESTORATION PROGRAM AND FUND,
5 AND TO APPROPRIATE FUNDS TO IMPLEMENT THE PROGRAM AS
6 RECOMMENDED BY THE LEGISLATIVE STUDY COMMISSION ON
7 WETLANDS.

8 The General Assembly of North Carolina enacts:

9 Section 1. G.S. 143B-282(a)(1) reads as rewritten:

10 "(a) There is hereby created the Environmental Management Commission of the
11 Department of Environment, Health, and Natural Resources with the power and duty
12 to promulgate rules to be followed in the protection, preservation, and enhancement
13 of the water and air resources of the State.

14 (1) Within the limitations of G.S. 143-215.9 concerning industrial
15 health and safety, the Environmental Management Commission
16 shall have the following powers and duties:

17 a. To grant a permit or temporary permit, to modify or revoke
18 a permit, and to refuse to grant permits pursuant to G.S.
19 143-215.1 and G.S. 143-215.108 with regard to controlling
20 sources of air and water pollution;

21 b. To issue a special order pursuant to G.S. 143-215.2(b) and
22 G.S. 143-215.110 to any person whom the Commission finds
23 responsible for causing or contributing to any pollution of
24 water within such watershed or pollution of the air within
25 the area for which standards have been established;

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1995

H.B. FILED

1252

MAY 17 96

HOUSE PRINCIPAL CLERK

H

D

HOUSE DRH8259-LBX408A(4.16)

Short Title: Wentworth Incorporation.

(Local)

Sponsors: Representative Sexton.

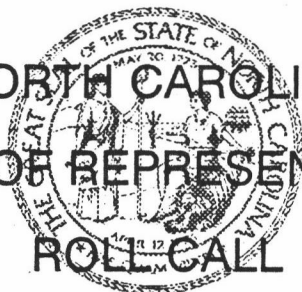
Referred to:

- 1 A BILL TO BE ENTITLED
2 AN ACT TO REVIVE THE CHARTER OF THE TOWN OF WENTWORTH,
3 SUBJECT TO A REFERENDUM.
4 The General Assembly of North Carolina enacts:
5 Section 1. Chapter 76 of the Private Laws of 1798 is amended by adding
6 a new section to read:
7 "VII. The Charter of the Town of Wentworth is revived, revised, and consolidated
8 to read:
9 "CHARTER OF THE TOWN OF WENTWORTH.
10 "CHAPTER I. INCORPORATION AND CORPORATE POWERS.
11 "Sec. 1.1. The inhabitants of the Town of Wentworth are a body corporate and
12 politic under the name 'Town of Wentworth'. Under that name they have all the
13 powers, duties, rights, privileges, and immunities conferred and imposed upon cities
14 by the general law of North Carolina.
15 "CHAPTER II. CORPORATE BOUNDARIES.
16 "Sec. 2.1. Until changed in accordance with law, the boundaries of the Town of
17 Wentworth are as follows:
18 Beginning at a (Point 1) on N.C. 87/65 at the Reidsville Western City limit line in
19 a generally northerly and easterly direction following the city limit line to a (Point 2)
20 as shown on T.M. 7995(00) where it intersects with the city limit line; thence
21 continuing in a northerly direction following the city limit line, the eastern and
22 northern property lines of Lot 0434, Blk.86 on T. M. 7995-02 and Lot 0498-Blk. 98 T.
23 M. 7995(00) on the western and northern line of Lot 2111, Blk 09, and the eastern
24 line of Lot 6403, Blk. 09 on T. M. 8905(00); thence northerly following the Wolf
25 Island Creek to its intersection with Lot #5476, Blk. 11, T. M. 8906(03); thence

EV

NORTH CAROLINA

HOUSE OF REPRESENTATIVES



6/06/96

2:09 PM

IN CHAIR: SPEAKER

1917

SLATIVE DAY 125

H1252

READING 2

SEXTON

WENTWORTH INCORPOR- ATION

MOTION #3-*Rep. Sexton calls the question*

AYES - 84

ALDRIDGE	CUMMINGS	IVES	PULLEY
ALLRED	DAUGHTRY	JUSTUS	RAYFIELD
ARNOLD	DAVIS	KISER	REDWINE
BAKER	DECKER	LEMMOND	REYNOLDS
BARBEE	DICKSON	LINNEY	ROBINSON, J.
BERRY	DOCKHAM	LOCKE	ROGERS
BOWEN	EASTERLING	MCCOMAS	RUSSELL
BOWIE	EDDINS	MCCOMBS	SEXTON
BOYD-MCINTYRE	EDWARDS	MCLAUGHLIN	SHARPE
BRASWELL	ELLIS	MCMAHAN	SHERRILL
BROWN, J.	ESPOSITO	MERCER	SHUBERT
BUCHANAN	GAMBLE	MILLER, G.	TALLENT
CANSLER	GARDNER	MILLER, K.	THOMPSON
CAPPS	GRADY	MINER	WARNER
CARPENTER	HAYES	MITCHELL	WATSON
CHURCH	HIATT	NEELY	WEATHERLY
COCKLEREECE	HILL	NYE	WILSON, C.
CRAWFORD	HOLMES	OLDHAM	WILSON, G.
CREECH	HOWARD	OWENS	WOMBLE
CULP	HUNTER, R.	PATE	WOOD
CULPEPPER	HURLEY	PRESTON	YONGUE

NOES - 26

ADAMS	EARLE	LUEBKE	RICHARDSON
ALEXANDER	FITCH	MCALLISTER	SUTTON
BEALL	HACKNEY	MCCRARY	TOLSON
BLACK	HENSLEY	MICHAUX	WAINWRIGHT
BLUE	HIGHTOWER	MORGAN	WILKINS
BRAWLEY	HUNTER, H.	RAMSEY	WRIGHT
CUNNINGHAM	LEE		

EXCUSED ABSENCE - 6

CLARY	GRAY	NICHOLS	ROBINSON, G.
FOX	HUNT		

EXCUSED VOTE - 0

NOT VOTING - 4

SPEAKER	BARNES	BROWN, W.	SHAW
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H1252

NORTH CAROLINA

HOUSE OF REPRESENTATIVES

ROLL CALL

RC

1918
LEGISLATIVE DAY 125
H1252
READING 2
SEXTON

6/06/96
2:09 PM
IN CHAIR: SPEAKER

WENTWORTH INCORPOR- ATION

AYES - 78

SPEAKER	CUMMINGS	LEMMOND	RAYFIELD
ALDRIDGE	DAUGHTRY	LINNEY	REYNOLDS
ALLRED	DAVIS	LOCKE	ROBINSON, J.
ARNOLD	DECKER	MCCOMAS	ROGERS
BAKER	DICKSON	MCCOMBS	RUSSELL
BARBEE	DOCKHAM	MCCRARY	SEXTON
BERRY	EDDINS	MCMAHAN	SHARPE
BOWEN	EDWARDS	MERCER	SHERRILL
BOWIE	ELLIS	MILLER, K.	SHUBERT
BOYD-MCINTYRE	ESPOSITO	MINER	THOMPSON
BROWN, J.	FITCH	MITCHELL	TOLSON
BUCHANAN	GARDNER	MORGAN	WATSON
CANSLER	GRADY	NEELY	WEATHERLY
CAPPS	HAYES	NYE	WILSON, C.
CARPENTER	HIATT	OLDHAM	WILSON, G.
COCKLEREECE	HOLMES	OWENS	WOMBLE
CRAWFORD	HOWARD	PATE	WOOD
CREECH	IVES	PRESTON	WRIGHT
CULP	JUSTUS	PULLEY	YONGUE
CULPEPPER	KISER		

NOES - 32

ADAMS	CUNNINGHAM	HUNTER, H.	MILLER, G.
ALEXANDER	EARLE	HUNTER, R.	RAMSEY
BEALL	EASTERLING	HURLEY	REDWINE
BLACK	GAMBLE	LEE	RICHARDSON
BLUE	HACKNEY	LUEBKE	SUTTON
BRASWELL	HENSLEY	MCALLISTER	WAINWRIGHT
BRAWLEY	HIGHTOWER	MCLAUGHLIN	WARNER
CHURCH	HILL	MICHAUX	WILKINS

EXCUSED ABSENCE - 6

CLARY	GRAY	NICHOLS	ROBINSON, G.
FOX	HUNT		

EXCUSED VOTE - 0

NOT VOTING - 4

BARNES	BROWN, W.	SHAW	TALLENT
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H1252



NORTH CAROLINA GENERAL ASSEMBLY
AMENDMENT
House Bill 1252

AMENDMENT NO. 1
(to be filled in by
Principal Clerk)
Page 1 of 1

H1252-ALJ-1

Date 6/10, 1996

Comm. Sub. ☐
Amends Title ☐

Rep. SEXTON

- 1 moves to amend the bill on page 2, line 2, by deleting "northermost"
2 and substituting "northernmost";
3
4 and on page 3, line 5, by deleting "eat" and substituting "east";
5
6 and on page 3, line 36, and page 4, lines 2 and 10, by deleting
7 "souther" and substituting "southern";
8
9 and on page 5, line 8, by deleting "0,6" and substituting "0.6".

SIGNED Wayne Sexton
Amendment Sponsor

SIGNED _____
Committee Chair if Senate Committee Amendment

ADOPTED 6/10/96 FAILED _____ TABLED _____

98-0 EV
EW

EV

NORTH CAROLINA HOUSE OF REPRESENTATIVES



6/10/96
4:18 PM
IN CHAIR: SPEAKER

SEN. # 1927
LEGISLATIVE DAY 126
1992
READING 3
SEXTON
AMEND #1-Sexton
WENTWORTH INCORPORATION

AYES - 98

ADAMS	CULP	HURLEY	RAMSEY
ALDRIDGE	CULPEPPER	IVES	RAYFIELD
ALEXANDER	CUMMINGS	JUSTUS	REDWINE
ALLRED	DAUGHTRY	KISER	REYNOLDS
ARNOLD	DAVIS	LEE	RICHARDSON
BAKER	DECKER	LEMOND	ROBINSON, J.
BARBEE	DICKSON	LUEBKE	ROGERS
BARNES	DOCKHAM	MCALLISTER	RUSSELL
BEALL	EARLE	MCCOMAS	SEXTON
BERRY	EASTERLING	MCCOMBS	SHARPE
BOWEN	EDDINS	MCCRARY	SHERRILL
BOWIE	EDWARDS	MCLAUGHLIN	SHUBERT
BOYD-MCINTYRE	ESPOSITO	MCMAHAN	SUTTON
BRASWELL	FOX	MERCER	TALLENT
BRAWLEY	GARDNER	MICHAUX	THOMPSON
BROWN, J.	GRADY	MITCHELL	TOLSON
BROWN, W.	HACKNEY	MORGAN	WARNER
BUCHANAN	HAYES	NEELY	WATSON
CANSLER	HENSLEY	NICHOLS	WEATHERLY
CAPPS	HIATT	NYE	WILKINS
CARPENTER	HIGHTOWER	OWENS	WILSON, C.
CLARY	HILL	PATE	WILSON, G.
COCKLEREECE	HOLMES	PRESTON	WOMBLE
CRAWFORD	HOWARD	PULLEY	YONGUE
CREECH	HUNTER, R.		

NOES - 0

EXCUSED ABSENCE - 9

CHURCH	LINNEY	MILLER, G.	ROBINSON, G.
FITCH	LOCKE	MINER	WAINWRIGHT
HUNT			

EXCUSED VOTE - 0

NOT VOTING - 13

SPEAKER	ELLIS	HUNTER, H.	SHAW
BLACK	GAMBLE	MILLER, K.	WOOD
BLUE	GRAY	OLDHAM	WRIGHT
CUNNINGHAM			

RC

1928
LEGISLATIVE DAY 126
H1252
READING 3
SEXTON

NORTH CAROLINA
HOUSE OF REPRESENTATIVES



6/10/96
4:21 PM
IN CHAIR: SPEAKER

WENTWORTH INCORPOR- ATION

AYES - 71

SPEAKER	CREECH	HOLMES	PULLEY
ALDRIDGE	CULP	HOWARD	RAYFIELD
ALLRED	CULPEPPER	IVES	REYNOLDS
ARNOLD	CUMMINGS	JUSTUS	ROBINSON, J.
BAKER	DAUGHTRY	KISER	RUSSELL
BARBEE	DAVIS	LEMMOND	SEXTON
BERRY	DECKER	MCALLISTER	SHARPE
BOWEN	DICKSON	MCCOMAS	SHERRILL
BOWIE	DOCKHAM	MCCOMBS	SHUBERT
BOYD-MCINTYRE	EDDINS	MCPAHAN	THOMPSON
BROWN, J.	EDWARDS	MITCHELL	WARNER
BUCHANAN	ELLIS	MORGAN	WATSON
CANSLER	ESPOSITO	NEELY	WEATHERLY
CAPPS	GARDNER	NICHOLS	WILKINS
CARPENTER	GRADY	NYE	WILSON, C.
CLARY	GRAY	OWENS	WILSON, G.
COCKLEREECE	HAYES	PATE	WRIGHT
CRAWFORD	HIATT	PRESTON	

NOES - 28

ADAMS	EASTERLING	HURLEY	RAMSEY
ALEXANDER	FOX	LEE	REDWINE
BARNES	HACKNEY	LUEBKE	RICHARDSON
BEALL	HENSLEY	MCCRARY	ROGERS
BRASWELL	HIGHTOWER	MCLAUGHLIN	SUTTON
BRAWLEY	HILL	MICHAUX	WOMBLE
EARLE	HUNTER, R.	OLDHAM	YONGUE

EXCUSED ABSENCE - 9

CHURCH	LINNEY	MILLER, G.	ROBINSON, G.
FITCH	LOCKE	MINER	WAINWRIGHT
HUNT			

EXCUSED VOTE - 0

NOT VOTING - 12

BLACK	CUNNINGHAM	MERCER	TALLENT
BLUE	GAMBLE	MILLER, K.	TOLSON
BROWN, W.	HUNTER, H.	SHAW	WOOD

NORTH CAROLINA

HOUSE OF REPRESENTATIVES

ROLL CALL

EV

1932

LEGISLATIVE DAY 126

HB 1252

Sexton

WENTWORTH INCORPORATED

MOTION #5- Rep. Brawley moves that the vote on the 3rd reading
be re-considered

6/10/96

4:36 PM

IN CHAIR: SPEAKER

AYES - 75

SPEAKER	COCKLEREECE	HIATT	PATE
ALDRIDGE	CRAWFORD	HOLMES	PRESTON
ALLRED	CREECH	HOWARD	PULLEY
ARNOLD	CULP	HURLEY	RAYFIELD
BAKER	CULPEPPER	IVES	REYNOLDS
BARBEE	CUMMINGS	JUSTUS	ROBINSON, J.
BARNES	DAUGHTRY	KISER	RUSSELL
BEALL	DAVIS	LEMMOND	SEXTON
BERRY	DECKER	MCCALLISTER	SHARPE
BOWIE	DICKSON	MCCOMAS	SHERRILL
BOYD-MCINTYRE	DOCKHAM	MCCOMBS	SHUBERT
BRAWLEY	EDDINS	MCMAHAN	TALLENT
BROWN, J.	EDWARDS	MERCER	THOMPSON
BROWN, W.	ELLIS	MITCHELL	TOLSON
BUCHANAN	ESPOSITO	MORGAN	WATSON
CANSLER	GARDNER	NEELY	WEATHERLY
CAPPS	GRADY	NICHOLS	WILSON, C.
CARPENTER	GRAY	NYE	WILSON, G.
CLARY	HAYES	OWENS	

NOES - 28

ADAMS	FOX	LUEBKE	RICHARDSON
ALEXANDER	HACKNEY	MCCRARY	ROGERS
BOWEN	HENSLEY	MCLAUGHLIN	SUTTON
BRASWELL	HIGHTOWER	MICHAUX	WILKINS
CUNNINGHAM	HILL	OLDHAM	WOMBLE
EARLE	HUNTER, R.	RAMSEY	WRIGHT
EASTERLING	LEE	REDWINE	YONGUE

EXCUSED ABSENCE - 9

CHURCH	LINNEY	MILLER, G.	ROBINSON, G.
FITCH	LOCKE	MINER	WAINWRIGHT
HUNT			

EXCUSED VOTE - 0

NOT VOTING - 8

BLACK	GAMBLE	MILLER, K.	WARNER
BLUE	HUNTER, H.	SHAW	WOOD

NORTH CAROLINA

HOUSE OF REPRESENTATIVES

ROLL CALL

RC

1944

LEGISLATIVE DAY 127

H1252

READING 3

SEXTON

6/11/96

1:20 PM

IN CHAIR: SPEAKER

WENTWORTH INCORPORATION

AYES - 77

SPEAKER	CUMMINGS	JUSTUS	RAMSEY
ALDRIDGE	DAVIS	KISER	RAYFIELD
ALLRED	DECKER	LEMOND	REYNOLDS
ARNOLD	DICKSON	LOCKE	RICHARDSON
BAKER	DOCKHAM	MCALLISTER	ROBINSON, G.
BARBEE	EDDINS	MCCOMAS	ROBINSON, J.
BERRY	EDWARDS	MCCOMBS	RUSSELL
BOWIE	ELLIS	MCMAHAN	SEXTON
BROWN, J.	ESPOSITO	MERCER	SHARPE
BROWN, W.	GARDNER	MINER	SHERILL
BUCHANAN	GRADY	MITCHELL	SHUBERT
CANSLER	GRAY	MORGAN	TALLENT
CAPPS	HAYES	NEELY	THOMPSON
CARPENTER	HIATT	NICHOLS	WARNER
CLARY	HILL	NYE	WATSON
COCKLEREECE	HOWARD	OWENS	WEATHERLY
CRAWFORD	HUNTER, H.	PATE	WILSON, C.
CREECH	HURLEY	PRESTON	WILSON, G.
CULP	IVES	PULLEY	WOOD
CULPEPPER			

NOES - 30

ADAMS	CUNNINGHAM	HUNTER, R.	OLDHAM
ALEXANDER	EARLE	LEE	REDWINE
BARNES	EASTERLING	LUEBKE	SUTTON
BEALL	FOX	MCCRARY	TOLSON
BLUE	GAMBLE	MCLAUGHLIN	WAINWRIGHT
BOYD-MCINTYRE	HACKNEY	MICHAUX	WILKINS
BRAWLEY	HENSLEY	MILLER, G.	WOMBLE
CHURCH	HIGHTOWER		

EXCUSED ABSENCE - 3

FITCH	HOLMES	HUNT
-------	--------	------

EXCUSED VOTE - 0

NOT VOTING - 10

BLACK	DAUGHTRY	ROGERS	WRIGHT
BOWEN	LINNEY	SHAW	YONGUE
BRASWELL	MILLER, K.		

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1995

H.B. FILED

1253

MAY 20 96

HOUSE PRINCIPAL CLERK

H

HOUSE DRH7281-LF309(3.19)

Short Title: Funds/Drexel Fair Facilities.

(Public)

Sponsors: Representatives Church, Buchanan, and Thompson.

Referred to:

1 A BILL TO BE ENTITLED
2 AN ACT TO APPROPRIATE FUNDS TO THE TOWN OF DREXEL IN BURKE
3 COUNTY FOR CONSTRUCTION OF PUBLIC FACILITIES ON THE TOWN'S
4 FAIRGROUND PROPERTY.

5 The General Assembly of North Carolina enacts:

6 Section 1. There is appropriated from the General Fund to the Town of
7 Drexel in Burke County the sum of one hundred thousand dollars (\$100,000) for the
8 1996-97 fiscal year to assist the Town in the construction of public rest rooms and
9 related facilities essential for the continued success of the Town's annual fair.

10 Sec. 2. This act becomes effective July 1, 1996.

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1995

H.B. FILED

1254

MAY 20 96

HOUSE PRINCIPAL CLERK

H

HOUSE DRH1339-LB444(5.13)

Short Title: Havelock Charter Amendment.

(Local)

Sponsors: Representative Nichols.

Referred to:

- 1 A BILL TO BE ENTITLED
2 AN ACT TO AMEND THE CHARTER OF THE CITY OF HAVELOCK
3 CONCERNING THE POWERS OF THE CITY MANAGER.
4 The General Assembly of North Carolina enacts:
5 Section 1. Section 3A of the Charter of the City of Havelock, being
6 Chapter 952 of the 1959 Session Laws, as added by ordinance under Part 4 of Article
7 5 of Chapter 160A of the General Statutes, reads as rewritten:
8 "Sec. 3A. **Council-manager form of government.**
9 (a) The City of Havelock shall operate under the council-manager form of
10 government in accordance with Part 2 of Article 7 of Chapter 160A of the General
11 Statutes of North Carolina and any charter provisions not in conflict therewith.
12 (b) The board of commissioners shall appoint a city manager to serve at its
13 pleasure. The city manager shall be appointed solely on the basis of his executive
14 and administrative qualifications, he need not be a resident of the city or state at the
15 time of his appointment, and he may hold such office concurrently with other
16 appointed offices pursuant to Article VI, Section 9, of the North Carolina
17 Constitution.
18 (c) The city manager shall have the powers and duties described in ~~North Carolina~~
19 ~~General Statute~~ G.S. 160A-148, including any other duties that the Board of
20 Commissioners may require or authorize.
21 (d) The city manager shall have the power to appoint, suspend, and remove all
22 officers, department heads, and employees in the administrative service of the City of
23 Havelock not elected by the people and whose appointment or removal is not
24 otherwise provided by law, except the city attorney, in accordance with such general
25 personnel rules, regulations, policies, and ordinances as the board of commissioners

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1995

H.B. FILED
1255 MAY 20 96
HOUSE PRINCIPAL CLERK

H

HOUSE DRH5223-LHZ236A(4.29)

Short Title: Amend Criminal Penalties.

(Public)

Sponsors: Representative Brawley.

Referred to:

1 A BILL TO BE ENTITLED
2 AN ACT TO RECLASSIFY OR CHANGE THE PENALTIES FOR VARIOUS
3 CRIMINAL OFFENSES AS RECOMMENDED BY THE NORTH CAROLINA
4 SENTENCING AND POLICY ADVISORY COMMISSION.
5 The General Assembly of North Carolina enacts:
6
7 **PART 1. RECLASSIFY ACCESSORY AFTER THE FACT**
8 Section 1. G.S. 14-7 reads as rewritten:
9 "**§ 14-7. Accessories after the fact; trial and punishment.**
10 If any person shall become an accessory after the fact to any felony, whether the
11 same be a felony at common law or by virtue of any statute made, or to be made,
12 such person shall be guilty of a ~~felony~~, crime, and may be indicted and convicted
13 together with the principal felon, or after the conviction of the principal felon, or
14 may be indicted and convicted for such ~~felony~~ crime whether the principal felon shall
15 or shall not have been previously convicted, or shall or shall not be amenable to
16 ~~justice, and shall be punished as a Class H felon.~~ justice. Unless a different
17 classification is expressly stated, that person shall be punished for an offense that is
18 two classes lower than the felony the principal felon committed, except that an
19 accessory after the fact to a Class A or Class B1 felony is a Class C felony, an
20 accessory after the fact to a Class B2 felony is a Class D felony, an accessory after the
21 fact to a Class H felony is a Class 1 misdemeanor, and an accessory after the fact to a
22 Class I felony is a Class 2 misdemeanor. The offense of such person may be inquired
23 of, tried, determined and punished by any court which shall have jurisdiction of the
24 principal felon, in the same manner as if the act, by reason whereof such person shall
25 have become an accessory, had been committed at the same place as the principal

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 1995

H.B. FILED
1256 MAY 20 95
HOUSE PRINCIPAL CLERK

H

HOUSE DRH7274-LB377B(8.31)

Short Title: Spruce Pine Staggered Terms.

(Local)

Sponsors: Representatives Thompson and Buchanan.

Referred to:

- 1 A BILL TO BE ENTITLED
2 AN ACT TO PROVIDE STAGGERED TERMS FOR THE GOVERNING BOARD
3 OF THE TOWN OF SPRUCE PINE, AND CONCERNING THE VOTING
4 POWER OF THE MAYOR.
5 The General Assembly of North Carolina enacts:
6 Section 1. Section 3 of Chapter 335 of the Private Laws of 1913 is
7 rewritten to read:
8 "Sec. 3. (a) The governing board of the Town of Spruce Pine is the Town Council,
9 which has four members, and the Mayor. They are elected by the qualified voters of
10 the town.
11 (b) Four members of the Town Council shall be elected in 1997. The two persons
12 receiving the highest numbers of votes are elected for four-year terms, and the two
13 persons receiving the next highest numbers of votes are elected for two-year terms.
14 In 1999 and biennially thereafter, two members are elected for four-year terms.
15 (c) The Mayor is elected in 1997 and biennially thereafter for a two-year term.
16 (d) The Mayor shall vote on all matters before the council as if a member of the
17 council under G.S. 160A-75."
18 Sec. 2. The increase in size of the council becomes effective at the
19 organizational meeting following the 1997 municipal election.
20 Sec. 3. This act is effective upon ratification.

NORTH CAROLINA GENERAL ASSEMBLY AMENDMENT

(Please type or use ballpoint pen)

H. B. No. 1256

DATE 6/12/96

S. B. No. _____

Amendment No. 1 (ove)
(to be filled in by
Principal Clerk)

Rep.) _____

Sen.) _____

moves to amend the bill on page 1, line 14

by deleting the word "biennially" and
substituting the word "quadrennially"

SIGNED _____

ADOPTED 6/18/96

FAILED _____

TABLED _____

(✓)

I Link

2025
LEGISLATIVE DAY 133
H1256

NORTH CAROLINA
HOUSE OF REPRESENTATIVES
ROLL CALL

6/19/96
2:27 PM
IN CHAIR: SPEAKER

THOMPSON

AMEND #1- *Senate amendment*
SPRUCE PINE STAGGERED TERMS
MOTION #11- *to amend*

AYES - 112

ADAMS	CULP	HUNTER, R.	PRESTON
ALDRIDGE	CULPEPPER	HURLEY	PULLEY
ALEXANDER	CUMMINGS	IVES	RAMSEY
ALLRED	CUNNINGHAM	JUSTUS	RAYFIELD
ARNOLD	DAUGHTRY	KISER	REDWINE
BAKER	DAVIS	LEE	REYNOLDS
BARBEE	DICKSON	LEMMOND	RICHARDSON
BARNES	DOCKHAM	LINNEY	ROBINSON, G.
BEALL	EARLE	LOCKE	ROBINSON, J.
BERRY	EASTERLING	LUEBKE	ROGERS
BLACK	EDDINS	MCALLISTER	SEXTON
BLUE	EDWARDS	MCCOMAS	SHARPE
BOWEN	ELLIS	MCCOMBS	SHERRILL
BOWIE	ESPOSITO	MCCRARY	SUTTON
BOYD-MCINTYRE	FITCH	MCLAUGHLIN	TALLENT
BRASWELL	FOX	MCMAHAN	THOMPSON
BRAWLEY	GAMBLE	MERCER	TOLSON
BROWN, J.	GARDNER	MICHAUX	WAINWRIGHT
BROWN, W.	GRADY	MILLER, G.	WARNER
BUCHANAN	HACKNEY	MILLER, K.	WATSON
CANSLER	HAYES	MINER	WEATHERLY
CAPPS	HENSLEY	MITCHELL	WILKINS
CARPENTER	HIATT	MORGAN	WILSON, C.
CHURCH	HIGHTOWER	NEELY	WILSON, G.
CLARY	HOLMES	NYE	WOMBLE
COCKLEREECE	HOWARD	OLDHAM	WOOD
CRAWFORD	HUNT	OWENS	WRIGHT
CREECH	HUNTER, H.	PATE	YONGUE

NOES - 0

EXCUSED ABSENCE - 0

EXCUSED VOTE - 0

NOT VOTING - 8

SPEAKER
DECKER

GRAY
HILL

NICHOLS
RUSSELL

SHAW
SHUBERT

H1256



NORTH CAROLINA GENERAL ASSEMBLY
CONFERENCE REPORT
House Bill 1256

H1256-CRRF-001

Page 1 of 1

☐ Title Change

☐ For Committee Substitute

To: The President of the Senate
The Speaker of the House of Representatives

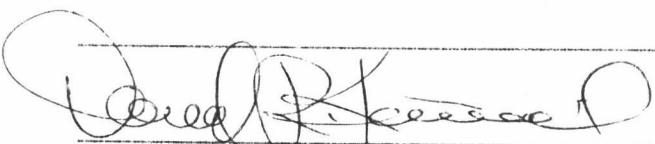
The conferees appointed to resolve the differences between the Senate and the House of Representatives on House Bill 1256, A BILL TO BE ENTITLED AN ACT TO PROVIDE STAGGERED TERMS FOR THE GOVERNING BOARD OF THE TOWN OF SPRUCE PINE, AND CONCERNING THE VOTING POWER OF THE MAYOR, (First Edition), submit the following report: The Senate recedes from Senate Amendment 1.

The conferees recommend that the Senate and the House of Representatives adopt this report.

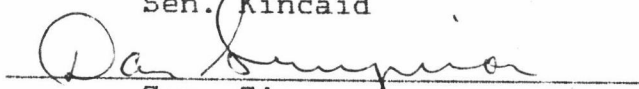
Date conferees approved report: June 19, 1996.

Conferees for the Senate

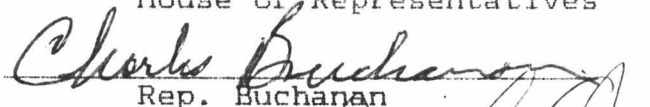
Conferees for the
House of Representatives



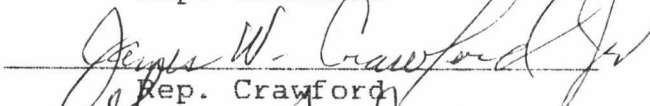
Sen. Kincaid



Sen. Simpson



Rep. Buchanan



Rep. Crawford



Rep. Thompson

Submitted 6/20
ADOPTED 6/20/96 (46 / 0) Message Received _____
ADOPTED _____ (_____ / _____) Ordered Enrolled _____

Sub

Send Message

NORTH CAROLINA GENERAL ASSEMBLY
SENATE

RECORDED VOTE

1995 SESSION
SECOND REGULAR SESSION

SEQ. 1772/14-- 4:21 PM

JUNE 20, 1996

LEGISLATIVE DAY 133

LT. GOVERNOR WICKER

-- Presiding

THOMPSON
SPRUCE PINE STAGGERED TERMS

HOUSE BILL 1256

CONFERENCE REPORT

MOTION 7
TO ADOPT

AYE	46	ALBERTSON ALLRAN BALLANCE BALLANTINE BASNIGHT BLUST CARPENTER CARRINGTON CLARK COCHRANE COOPER DANNELLY	DAVIS EAST EDWARDS FORRESTER FOXX GULLEY HARTSELL HOBBS HORTON HOYLE JORDAN KERR	KINCAID LEDBETTER LITTLE LUCAS MARTIN R. MARTIN W. MCDANIEL MCKOY ODOM PAGE PERDUE	PLEXICO PLYLER RAND SHAW SHERRON SIMPSON SOLES SPEED WARREN WEBSTER WINNER
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NO 0

EXCUSED 0

NOT CAST 3 BLACKMON CONDER PARNELL

ABSENT 1 SMITH

PAIRS 0
AYE
NO

(COPY)



NORTH CAROLINA GENERAL ASSEMBLY
CONFERENCE REPORT
House Bill 1256

H1256-CRRF-001

Page 1 of 1

☐ Title Change

☐ For Committee Substitute

To: The President of the Senate
The Speaker of the House of Representatives

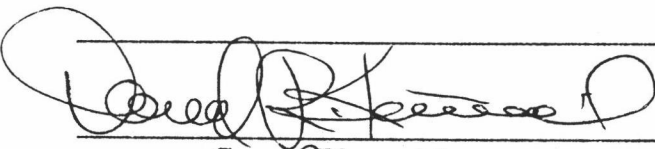
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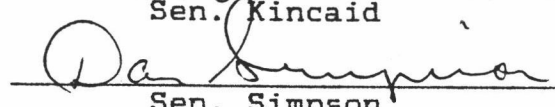
The conferees recommend that the Senate and the House of Representatives adopt this report.

Date conferees approved report: June 19, 1996.

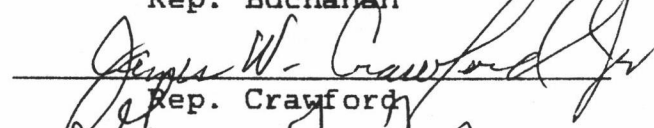
Conferees for the Senate


Conferees for the
House of Representatives


Sen. Kincaid


Sen. Simpson


Rep. Buchanan


Rep. Crawford


Rep. Thompson

Submitted

6/20

ADOPTED

6/20/96

(46/0)

Message Received

ADOPTED

6/21/96

(+)

Ordered Enrolled

By House

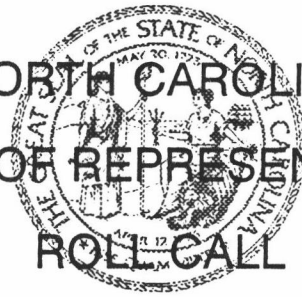
Stitt

*Release Send Message
6/21/96*

NORTH CAROLINA

HOUSE OF REPRESENTATIVES

ROLL CALL



EV

2129
LEGISLATIVE DAY 135
H1256
CONFERENCE REPORT
THOMPSON

6/21/96
11:15 AM
IN CHAIR: SPEAKER

SPRUCE PINE STAGGERED TERMS

AYES - 87

ADAMS	DAUGHTRY	HUNTER, R.	RAYFIELD
ALEXANDER	DAVIS	IVES	REDWINE
ALLRED	DECKER	LEE	REYNOLDS
ARNOLD	DICKSON	LEMOND	RICHARDSON
BAKER	DOCKHAM	LOCKE	ROBINSON, J.
BARBEE	EASTERLING	LUEBKE	RUSSELL
BARNES	EDDINS	MCALLISTER	SEXTON
BERRY	EDWARDS	MCCOMAS	SHERRILL
BLACK	ELLIS	MCCOMBS	SHUBERT
BOWIE	ESPOSITO	MCCRARY	TALLENT
BRAWLEY	FITCH	MCPAHAN	THOMPSON
BROWN, W.	GARDNER	MERCER	TOLSON
BUCHANAN	GRADY	MICHAUX	WAINWRIGHT
CANSLER	GRAY	MITCHELL	WATSON
CAPPS	HACKNEY	MORGAN	WEATHERLY
CHURCH	HAYES	NEELY	WILKINS
CLARY	HENSLEY	NICHOLS	WILSON, C.
CRAWFORD	HIATT	NYE	WILSON, G.
CREECH	HIGHTOWER	OWENS	WOMBLE
CULPEPPER	HILL	PATE	WOOD
CUMMINGS	HOWARD	PRESTON	YONGUE
CUNNINGHAM	HUNTER, H.	RAMSEY	

NOES - 0

EXCUSED ABSENCE - 8

ALDRIDGE	BLUE	HUNT	ROBINSON, G.
BEALL	FOX	OLDHAM	WARNER

EXCUSED VOTE - 0

NOT VOTING - 25

SPEAKER	CULP	KISER	PULLEY
BOWEN	EARLE	LINNEY	ROGERS
BOYD-MCINTYRE	GAMBLE	MCLAUGHLIN	SHARPE
BRASWELL	HOLMES	MILLER, G.	SHAW
BROWN, J.	HURLEY	MILLER, K.	SUTTON
CARPENTER	JUSTUS	MINER	WRIGHT
COCKLEREECE			

H1256



NORTH CAROLINA GENERAL ASSEMBLY
CONFERENCE REPORT
House Bill 1256

H1256-CRRF-001

Page 1 of 1

☐ Title Change

☐ For Committee Substitute

To: The President of the Senate
The Speaker of the House of Representatives


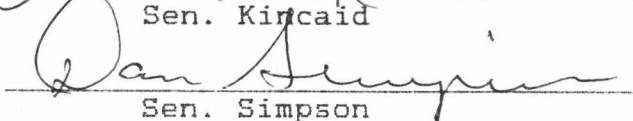
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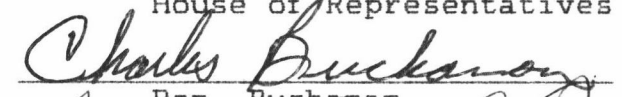
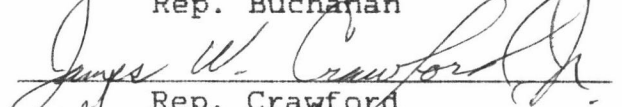
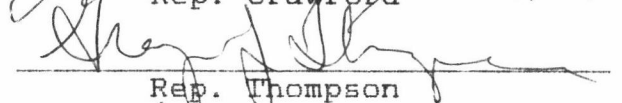
The conferees recommend that the Senate and the House of Representatives adopt this report.

Date conferees approved report: June 19, 1996.

Conferees for the Senate

Conferees for the
House of Representatives


Sen. Kincaid

Sen. Simpson


Rep. Buchanan

Rep. Crawford

Rep. Thompson

Submitted

ADOPTED

ADOPTED

6/20/96 calendar for 6/21/96
Senate 6/20/96
House 6/21/96 87-0 EV

Message Received

Ordered Enrolled

6/21/96

Senate notified

BWicks

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1995

H.B. FILE
1257
HOUSE PRINCIPAL D

H

HOUSE DRH7305-LGQ265(5.16)

Short Title: Goodwill Industries Funds.

(Public)

Sponsors: Representative Gray.

Referred to:

1 A BILL TO BE ENTITLED
2 AN ACT TO APPROPRIATE FUNDS TO THE GOODWILL INDUSTRIES OF
3 NORTHWEST NORTH CAROLINA, INC., TO COMPLETE ITS CAPITAL
4 EXPANSION PLAN.
5 Whereas, it is in the economic interest of the State of North Carolina to
6 foster the development of effective job training and placement programs throughout
7 the State; and
8 Whereas, Goodwill Industries of Northwest North Carolina is among the
9 lowest cost providers of effective job training and placement services in the State of
10 North Carolina; and
11 Whereas, Goodwill Industries of Northwest North Carolina has developed
12 a \$7.6 million capital expansion plan to increase its job preparation and placement
13 capacity by fourfold in the next five years; and
14 Whereas, the Goodwill Industries of Northwest North Carolina is using
15 more than \$2 million of the funds raised to create six job preparation and placement
16 centers in Northwest North Carolina including Catawba, Davie, Iredell, Wilkes,
17 Rowan, Forsyth, and Buncombe Counties; and
18 Whereas, Goodwill Industries of Northwest North Carolina has raised
19 more than \$5.5 million of the required funds from non-State sources; Now, therefore,
20 The General Assembly of North Carolina enacts:
21 Section 1. There is appropriated from the General Fund to the Goodwill
22 Industries of Northwest North Carolina, Inc., a nonprofit organization, the sum of one
23 million dollars (\$1,000,000) for the 1996-97 fiscal year to assist the organization in
24 completing its capital expansion plan which will increase the organization's job
25 preparation and placement capacity.

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 1995

H.B. FILED
1258 MAY 20 96
HOUSE PRINCIPAL CLERK
D

H

HOUSE DRHA190-LB450A(5.16)

Short Title: WSSU Residence Sale Proceeds.

(Public)

Sponsors: Representative Gray.

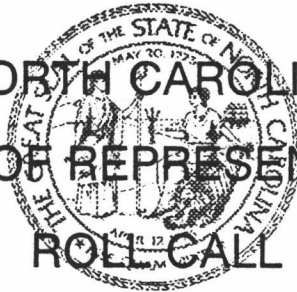
Referred to:

- 1 A BILL TO BE ENTITLED
2 AN ACT TO AUTHORIZE THE UNIVERSITY OF NORTH CAROLINA TO
3 RETAIN THE NET PROCEEDS FROM SALE OF THE FORMER RESIDENCE
4 OF THE CHANCELLOR OF WINSTON-SALEM STATE UNIVERSITY FOR
5 APPLICATION TOWARD PURCHASE OF THE SUCCESSIVE RESIDENCE
6 FOR THE CHANCELLOR.
7 The General Assembly of North Carolina enacts:
8 Section 1. The University of North Carolina is authorized to retain the
9 net proceeds from sale of the house and associated land at 631 Banner Avenue,
10 Winston-Salem, formerly used as the residence of the Chancellor of Winston-Salem
11 State University, and to apply the net proceeds toward purchase of a successive
12 residence for the Chancellor.
13 Sec. 2. This act is effective upon ratification.

NORTH CAROLINA

HOUSE OF REPRESENTATIVES

ROLL CALL



EV

1965
LEGISLATIVE DAY 128
H1258
READING 2
GRAY

6/12/96
3:03 PM
IN CHAIR: SPEAKER

WINSTON-SALEM ST. UNIV. RES.SALES PRO.

AYES - 102

ADAMS	DECKER	LEE	RAYFIELD
ALDRIDGE	DICKSON	LEMOND	REDWINE
ALEXANDER	DOCKHAM	LINNEY	REYNOLDS
ARNOLD	EARLE	LOCKE	RICHARDSON
BARBEE	EASTERLING	LUEBKE	ROBINSON, G.
BARNES	EDDINS	MCALLISTER	ROBINSON, J.
BEALL	EDWARDS	MCCOMAS	ROGERS
BERRY	ELLIS	MCCOMBS	RUSSELL
BLACK	ESPOSITO	MCCRARY	SEXTON
BLUE	FITCH	MCLAUGHLIN	SHARPE
BOWEN	FOX	MCMAHAN	SHAW
BOYD-MCINTYRE	GAMBLE	MERCER	SHERRILL
BRASWELL	GRADY	MICHAUX	SUTTON
BRAWLEY	GRAY	MILLER, G.	THOMPSON
BROWN, J.	HACKNEY	MINER	TOLSON
BROWN, W.	HAYES	MITCHELL	WAINWRIGHT
BUCHANAN	HENSLEY	MORGAN	WARNER
CANSLER	HIGHTOWER	NEELY	WATSON
CARPENTER	HILL	NICHOLS	WEATHERLY
CHURCH	HUNT	NYE	WILKINS
CLARY	HUNTER, H.	OLDHAM	WILSON, C.
CRAWFORD	HUNTER, R.	OWENS	WILSON, G.
CREECH	HURLEY	PATE	WOMBLE
CULP	IVES	PULLEY	WRIGHT
CUMMINGS	JUSTUS	RAMSEY	YONGUE
DAUGHTRY	KISER		

NOES - 8

ALLRED	BOWIE	COCKLEREECE	HIATT
BAKER	CAPPS	DAVIS	WOOD

EXCUSED ABSENCE - 3

CULPEPPER	HOLMES	PRESTON
-----------	--------	---------

EXCUSED VOTE - 0

NOT VOTING - 7

SPEAKER	GARDNER	MILLER, K.	TALLENT
CUNNINGHAM	HOWARD	SHUBERT	

H1258

NORTH CAROLINA GENERAL ASSEMBLY
SENATE

RECORDED VOTE

1995 SESSION
SECOND REGULAR SESSION

SEQ. 1837/50-- 4:55 PM

JUNE 21, 1996

LEGISLATIVE DAY 134

LT. GOVERNOR WICKER

-- Presiding

GRAY
WSSU RESIDENCE SALE PROCEEDS

HOUSE BILL 1258
READING 2

AYE	43	ALBERTSON ALLRAN BALLANCE BALLANTINE BLACKMON BLUST CARRINGTON CLARK COCHRANE CONDER COOPER	DANNELLY DAVIS EDWARDS FORRESTER FOXX GULLEY HARTSELL HOBBS HORTON HOYLE JORDAN	KERR LEDBETTER LITTLE LUCAS MARTIN R. MARTIN W. MCKOY ODOM PAGE PARNELL PERDUE	PLEXICO PLYLER RAND SHERRON SIMPSON SOLES SPEED WARREN WEBSTER WINNER
NO	1	MCDANIEL			
EXCUSED	0				
NOT CAST	6	BASNIGHT CARPENTER	EAST KINCAID	SHAW	SMITH
ABSENT	0				
PAIRS	0				
AYE					
NO					

(CONTINUED)

NORTH CAROLINA GENERAL ASSEMBLY
SENATE

RECORDED VOTE

1995 SESSION
SECOND REGULAR SESSION

SEQ. 1870/83-- 4:55 PM

JUNE 21, 1996

LEGISLATIVE DAY 134

LT. GOVERNOR WICKER

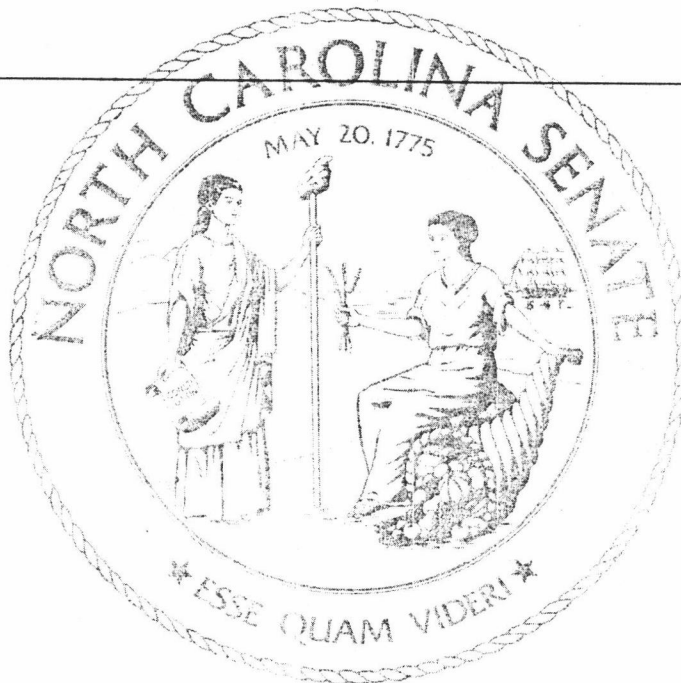
-- Presiding

GRAY
WSSU RESIDENCE SALE PROCEEDS

HOUSE BILL 1258
READING 2

RECORDED
ABSENT 1 SMITH
ADJUSTED TOTAL
AYE 43
NO 1
NOT CAST 5
ABSENT 1

(Y)



NORTH CAROLINA GENERAL ASSEMBLY
SENATE

RECORDED VOTE

1995 SESSION
SECOND REGULAR SESSION

SEQ. 1870/83-- 4:55 PM

JUNE 21, 1996

LEGISLATIVE DAY 134

LT. GOVERNOR WICKER

-- Presiding

GRAY
WSSU RESIDENCE SALE PROCEEDS

HOUSE BILL 1258
READING 2

AYE	43	ALBERTSON ALLAN BALLANCE BALLANTINE BLACKMON BLUST CARRINGTON CLARK COCHRANE CONDER COOPER	DANNELLY DAVIS EDWARDS FORRESTER FOXX GULLEY HARTSELL HOBBS HORTON HOYLE JORDAN	KERR LEDBETTER LITTLE LUCAS MARTIN R. MARTIN W. MCKOY ODOM PAGE PARNELL PERDUE	PLEXICO PLYLER RAND SHERRON SIMPSON SOLES SPEED WARREN WEBSTER WINNER
NO	1	MCDANIEL			

EXCUSED 0

NOT CAST 5 BASNIGHT EAST KINCAID SHAW
CARPENTER

ABSENT 1 SMITH

PAIRS 0
AYE
NO

COPY)

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1995

H.B. FILED

1259

MAY 20 96

HOUSE PRINCIPAL CLERK

H

D

HOUSE DRH5220-LC147B(1.1)

Short Title: Refund Federal Retirees.

(Public)

Sponsors: Representatives Grady and Morgan.

Referred to:

1 A BILL TO BE ENTITLED
2 AN ACT TO PROVIDE FEDERAL RETIREES REFUNDS, WITHOUT
3 INTEREST, FOR STATE INCOME TAX PAID ON THEIR RETIREMENT
4 BENEFITS FOR TAX YEARS 1985 THROUGH 1988.
5 The General Assembly of North Carolina enacts:
6 Section 1. G.S. 105-151.20 reads as rewritten:
7 "**§ 105-151.20. Credit Refund for tax paid on certain government retirement benefits.**
8 ~~A taxpayer who received government retirement benefits during the 1988 tax year~~
9 ~~may claim a credit against the tax imposed by this Division equal to the amount by~~
10 ~~which the tax under this Division paid by the taxpayer for the 1988 tax year would~~
11 ~~have been reduced if none of the taxpayer's government retirement benefits had been~~
12 ~~included in the taxpayer's taxable income. If a taxpayer received a refund of any tax~~
13 ~~paid under this Division on government retirement benefits for the 1988 tax year, the~~
14 ~~amount of the refund reduces the amount of the credit allowed under this section.~~
15 ~~As used in this section, the term 'government retirement benefits' means~~
16 ~~retirement benefits received from one or more state, local, or federal government~~
17 ~~retirement plans. As used in this section, the term '1988 tax year' means the~~
18 ~~taxpayer's taxable year beginning on a day in 1988.~~
19 ~~The credit allowed under this section shall be taken in equal installments over the~~
20 ~~taxpayer's first three taxable years beginning on or after January 1, 1990. The credit~~
21 ~~allowed under this section may not exceed the amount of tax imposed by this~~
22 ~~Division reduced by the sum of all credits allowed against the tax, except payments of~~
23 ~~tax made by or on behalf of the taxpayer.~~

EV

NORTH CAROLINA

HOUSE OF REPRESENTATIVES

ROLL CALL

1988
LEGISLATIVE DAY 130
H1259HCS
READING 2
GRADY

6/14/96
11:56 AM
IN CHAIR: SPEAKER

REFUND FEDERAL RETIREES

AYES - ¹⁰⁹~~108~~ *SW*

SPEAKER
ADAMS
ALDRIDGE
ALEXANDER
ALLRED
ARNOLD
BAKER
BARBEE
BARNES
BEALL
BERRY
BLUE
BOWEN
BOWIE
BOYD-MCINTYRE
BRASWELL
BRAWLEY
BROWN, J.
BROWN, W.
CANSLER
CAPPS
CARPENTER
CHURCH
CLARY
COCKLEREECE
CRAWFORD
CREECH

CULP
CULPEPPER
CUMMINGS
DAUGHTRY
DAVIS
DECKER
DICKSON
DOCKHAM
EARLE
EASTERLING
EDDINS
EDWARDS
ELLIS
ESPOSITO
FITCH
FOX
GARDNER
GRADY
GRAY
HACKNEY
HAYES
HENSLEY
HIATT
HIGHTOWER
HILL
HOLMES
HOWARD

HUNT
HUNTER, H.
HUNTER, R.
HURLEY
IVES
JUSTUS
KISER
LEE
LEMOND
LINNEY
LOCKE
LUEBKE
MCALLISTER
MCCOMAS
MCCOMBS
MCCRARY
MCMAHAN
MERCER
MILLER, G.
MINER
MITCHELL
MORGAN
NEELY
NICHOLS
NYE
OLDHAM
OWENS

PRESTON
PULLEY
RAYFIELD
REDWINE
REYNOLDS
RICHARDSON
ROBINSON, J.
ROGERS
RUSSELL
SEXTON
SHARPE
SHAW
SHERRILL
SHUBERT
TALLENT
THOMPSON
TOLSON
WAINWRIGHT
WARNER
WATSON
WEATHERLY
WILKINS
WILSON, C.
WILSON, G.
WOMBLE
WOOD
YONGUE
RAMSEY *SW*

NOES - 0

BUCHANAN
GAMBLE

EXCUSED ABSENCE - 5
ROBINSON, G. SUTTON

WRIGHT

MCLAUGHLIN

PATE

EXCUSED VOTE - 2

BLACK
CUNNINGHAM

MICHAUX

NOT VOTING - ⁵~~4~~ *SW*
MILLER, K.

RAMSEY *SW*

*Rep. Ramsey request to be recorded as voting "aye".
Speaker in order. SW*

H1259HCS

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1995

H.B. FILE
1260
MAY 2 1995
HOUSE PRINCIPAL CLERK D

H

HOUSE DRHA199-LL257(5.17)

Short Title: Chowan Local Act.

(Local)

Sponsors: Representative Culpepper.

Referred to:

- 1 A BILL TO BE ENTITLED
- 2 AN ACT TO CHANGE THE LAW IN CHOWAN COUNTY.
- 3 The General Assembly of North Carolina enacts:
- 4 Section 1. This act applies only to Chowan County.
- 5 Sec. 2. This act becomes effective July 1, 1996.

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1995

H.B. FILED

1261

MAY 20

HOUSE PRINCIPAL CLERK

H

D

HOUSE DRH7306-LL258(5.17)

Short Title: Dare Local Act.

(Local)

Sponsors: Representative Culpepper.

Referred to:

- 1 A BILL TO BE ENTITLED
2 AN ACT TO CHANGE THE LAW IN DARE COUNTY.
3 The General Assembly of North Carolina enacts:
4 Section 1. This act applies only to Dare County.
5 Sec. 2. This act becomes effective July 1, 1996.

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1995

HOUSE PRINCIPAL CLERK

H

D

HOUSE DRH8260-RSZ002.1(5.10)

Short Title: Court Information Remote Access.

(Public)

Sponsors: Representatives Culpepper, Hensley, R. Hunter, McCrary, and Neely.

Referred to:

1 A BILL TO BE ENTITLED

2 AN ACT TO AUTHORIZE THE DIRECTOR OF THE ADMINISTRATIVE
3 OFFICE OF THE COURTS TO CONTRACT WITH THIRD PARTIES TO
4 PROVIDE REMOTE ELECTRONIC ACCESS TO COURT INFORMATION.

5 The General Assembly of North Carolina enacts:

6 Section 1. G.S. 7A-109 reads as rewritten:

7 "§ 7A-109. Record-keeping procedures.

8 (a) Each clerk shall maintain such records, files, dockets and indexes as are
9 prescribed by rules of the Director of the Administrative Office of the Courts. Except
10 as prohibited by law, these records shall be open to the inspection of the public
11 during regular office hours, and shall include civil actions, special proceedings,
12 estates, criminal actions, juvenile actions, minutes of the court, judgments, liens, lis
13 pendens, and all other records required by law to be maintained. The rules
14 prescribed by the Director shall be designed to accomplish the following purposes:

- 15 (1) To provide an accurate record of every determinative legal action,
16 proceeding, or event which may affect the person or property of
17 any individual, firm, corporation, or association;
18 (2) To provide a record during the pendency of a case that allows for
19 the efficient handling of the matter by the court from its initiation
20 to conclusion and also affords information as to the progress of the
21 case;
22 (3) To provide security against the loss or destruction of original
23 documents during their useful life and a permanent record for
24 historical uses;

H.B.-1263

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1995

H.B. FILED

MAY 20 96

HOUSE PRINCIPAL CLERK

H

D

HOUSE DRHA189-LB442A(5.13)

Short Title: Superior Court Longevity Pay.

(Public)

Sponsors: Representative Culpepper.

Referred to:

- 1 A BILL TO BE ENTITLED
2 AN ACT TO PROVIDE AN ADDITIONAL LONGEVITY PAY STEP FOR
3 SUPERIOR COURT JUDGES.
4 The General Assembly of North Carolina enacts:
5 Section 1. G.S. 7A-44(b) reads as rewritten:
6 "(b) In lieu of merit and other increment raises paid to regular State employees, a
7 judge of the superior court, regular or special, shall receive as longevity pay an
8 annual amount equal to four and eight-tenths percent (4.8%) of the annual salary set
9 forth in the Current Operations Appropriations Act payable monthly after five years
10 of service, nine and six-tenths percent (9.6%) after 10 years of service, fourteen and
11 four-tenths percent (14.4%) after 15 years of service, ~~and~~ nineteen and two-tenths
12 percent (19.2%) after 20 years of ~~service.~~ service, and twenty-four percent (24%) after
13 25 years of service. 'Service' means service as a justice or judge of the General Court
14 of Justice or as a member of the Utilities Commission or as director or assistant
15 director of the Administrative Office of the Courts. Service shall also mean service
16 as a district attorney or as a clerk of superior court."
17 Sec. 2. This act is effective upon ratification.

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1995

H.B. FILE

1264

HOUSE PRINCIPAL

H

D

HOUSE DRHA197-RSZ007(5.10)

Short Title: Cert. Copies/Custody & Wills.

(Public)

Sponsors: Representatives R. Hunter, Culpepper, Hensley, Neely, and McCrary.

Referred to:

1 A BILL TO BE ENTITLED
2 AN ACT TO PROVIDE FOR THE FILING AND REGISTRY OF CERTIFIED
3 COPIES OF OUT-OF-STATE CUSTODY DECREES AND FOR THE
4 VALIDATION OF CERTIFIED COPIES OF WILLS RECORDED WITHOUT
5 PROBATE.

6 The General Assembly of North Carolina enacts:

7 Section 1. G.S. 50A-15 reads as rewritten:

8 "**§ 50A-15. Filing and enforcement of custody decree of another state.**

9 (a) An exemplified copy or a certified true copy of a custody decree of another
10 state may be filed in the office of the clerk of any superior court of this State. The
11 clerk shall treat the decree in the same manner as a custody decree of a court of this
12 State. A custody decree so filed has the same effect and shall be enforced in like
13 manner as a custody decree rendered by a court of this State.

14 (b) A person violating a custody decree of another state which makes it necessary
15 to enforce the decree in this State may be required to pay necessary travel and other
16 expenses, including attorneys' fees, incurred by the party entitled to the custody or
17 such party's witnesses."

18 Sec. 2. G.S. 50A-16 reads as rewritten:

19 "**§ 50A-16. Registry of out-of-state custody decrees and proceedings.**

20 The clerk of each superior court shall maintain a registry in which ~~he~~ the clerk
21 shall enter the following:

- 22 (1) Exemplified and certified true copies of custody decrees of other
23 states received for filing;
24 (2) Communications as to the pendency of custody proceedings in
25 other states;

NORTH CAROLINA

HOUSE OF REPRESENTATIVES

ROLL CALL

EV

2161
LEGISLATIVE DAY 135
H1264
READING 2
HUNTER, R.

6/21/96
12:36 PM
IN CHAIR: SPEAKER

CERTIFIED COPIES/ CUSTODY AND WILLS

AYES - 106

ADAMS	CUMMINGS	HURLEY	RAYFIELD
ALEXANDER	CUNNINGHAM	IVES	REDWINE
ALLRED	DAUGHTRY	JUSTUS	REYNOLDS
ARNOLD	DAVIS	KISER	RICHARDSON
BAKER	DECKER	LEE	ROBINSON, J.
BARBEE	DICKSON	LEMOND	ROGERS
BARNES	DOCKHAM	LINNEY	RUSSELL
BERRY	EARLE	LOCKE	SEXTON
BLACK	EASTERLING	LUEBKE	SHARPE
BOWEN	EDDINS	MCALLISTER	SHAW
BOWIE	EDWARDS	MCCOMAS	SHERRILL
BOYD-MCINTYRE	ELLIS	MCCOMBS	SHUBERT
BRASWELL	ESPOSITO	MCCRARY	SUTTON
BRAWLEY	FITCH	MCMAHAN	TALLENT
BROWN, J.	GAMBLE	MERCER	THOMPSON
BROWN, W.	GARDNER	MILLER, G.	TOLSON
BUCHANAN	GRADY	MINER	WAINWRIGHT
CANSLER	GRAY	MITCHELL	WATSON
CAPPS	HACKNEY	MORGAN	WEATHERLY
CARPENTER	HAYES	NEELY	WILKINS
CHURCH	HIATT	NICHOLS	WILSON, C.
CLARY	HIGHTOWER	NYE	WILSON, G.
COCKLEREECE	HILL	OWENS	WOMBLE
CRAWFORD	HOLMES	PATE	WOOD
CREECH	HOWARD	PRESTON	WRIGHT
CULP	HUNTER, H.	PULLEY	YONGUE
CULPEPPER	HUNTER, R.		

NOES - 0

EXCUSED ABSENCE - 8

ALDRIDGE	BLUE	HUNT	ROBINSON, G.
BEALL	FOX	OLDHAM	WARNER

EXCUSED VOTE - 0

NOT VOTING - 6

SPEAKER	MCLAUGHLIN	MILLER, K.	RAMSEY
HENSLEY	MICHAUX		

H1264

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1995

FILED
1265 MAY 20 96
HOUSE PRINCIPAL CLERK

H

D

HOUSE DRHA195-RSZ008(5.10)

Short Title: Courts Commission Membership.

(Public)

Sponsors: Representatives R. Hunter, Culpepper, Hensley, McCrary, and Neely.

Referred to:

- 1 A BILL TO BE ENTITLED
2 AN ACT TO MAKE CHANGES IN THE MEMBERSHIP OF THE NORTH
3 CAROLINA COURTS COMMISSION.
4 The General Assembly of North Carolina enacts:
5 Section 1. G.S. 7A-506 reads as rewritten:
6 "§ 7A-506. Creation; members; terms; qualifications; vacancies.
7 (a) The North Carolina Courts Commission is created. Effective July 1, 1993, it
8 shall consist of 24 28 members, ~~six~~ seven to be appointed by the Governor, ~~six~~ seven
9 to be appointed by the Speaker of the House of Representatives, ~~six~~ seven to be
10 appointed by the President Pro Tempore of the Senate, and ~~six~~ seven to be appointed
11 by the Chief Justice of the Supreme Court.
12 (b) Of the appointees of the Chief Justice of the Supreme Court, one shall be a
13 Justice of the Supreme Court, one shall be a Judge of the Court of Appeals, two shall
14 be judges of superior court, ~~and~~ two shall be district court ~~judges.~~ judges, and one
15 shall be a public member who is not an attorney and who is not an officer or
16 employee of the Judicial Department.
17 (c) Of the ~~six~~ seven appointees of the Governor, one shall be a district attorney,
18 one shall be a practicing attorney, one shall be a clerk of superior court, at least three
19 shall be members of the General Assembly, ~~and~~ at least ~~one~~ two shall not be ~~an~~
20 ~~attorney.~~ attorneys, and of the nonattorneys, one shall be a public member who is not
21 an officer or employee of the Judicial Department.
22 (d) Of the ~~six~~ seven appointees of the Speaker of the House, at least three shall be
23 practicing attorneys, at least three shall be members of the General Assembly, ~~and~~ at
24 least ~~one~~ two shall not be ~~an attorney.~~ attorneys, and of the nonattorneys, one shall
25 be a public member who is not an officer or employee of the Judicial Department.

NORTH CAROLINA

HOUSE OF REPRESENTATIVES

ROLL CALL

EV

2164
LEGISLATIVE DAY 135
H1265
READING 2
HUNTER, R.

6/21/96
12:41 PM
IN CHAIR: SPEAKER

COURTS COMMISSION MEMBERSHIP

AYES - 103

ADAMS	CUNNINGHAM	IVES	REDWINE
ALEXANDER	DAUGHTRY	JUSTUS	REYNOLDS
ALLRED	DAVIS	KISER	RICHARDSON
ARNOLD	DECKER	LEE	ROBINSON, J.
BAKER	DICKSON	LEMOND	ROGERS
BARBEE	DOCKHAM	LOCKE	RUSSELL
BARNES	EARLE	MCALLISTER	SEXTON
BERRY	EASTERLING	MCCOMAS	SHARPE
BLACK	EDDINS	MCCOMBS	SHAW
BOYD-MCINTYRE	EDWARDS	MCCRARY	SHERILL
BRASWELL	ELLIS	MCLAUGHLIN	SHUBERT
BRAWLEY	ESPOSITO	MCMAHAN	SUTTON
BROWN, J.	FITCH	MERCER	TALLENT
BROWN, W.	GAMBLE	MILLER, G.	THOMPSON
BUCHANAN	GARDNER	MINER	TOLSON
CANSLER	GRADY	MITCHELL	WAINWRIGHT
CAPPS	HACKNEY	MORGAN	WATSON
CARPENTER	HAYES	NEELY	WEATHERLY
CHURCH	HENSLEY	NICHOLS	WILKINS
CLARY	HIATT	NYE	WILSON, C.
COCKLEREECE	HIGHTOWER	OWENS	WILSON, G.
CRAWFORD	HILL	PATE	WOMBLE
CREECH	HOLMES	PRESTON	WOOD
CULP	HOWARD	PULLEY	WRIGHT
CULPEPPER	HUNTER, H.	RAMSEY	YONGUE
CUMMINGS	HUNTER, R.	RAYFIELD	

NOES - 1

LINNEY

EXCUSED ABSENCE - 8

ALDRIDGE	BLUE	HUNT	ROBINSON, G.
BEALL	FOX	OLDHAM	WARNER

EXCUSED VOTE - 0

NOT VOTING - 8

SPEAKER	BOWIE	HURLEY	MICHAUX
BOWEN	GRAY	LUEBKE	MILLER, K.

H1265

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1995

HOUSE PRINCIPAL CLERK D

H

HOUSE DRH7295-RWZ015A(5.10)

Short Title: No Fee for Mail-In Registration.

(Public)

Sponsors: Representatives Bowie, Barbee, Bowen, Crawford, Holmes,
McLaughlin, McMahan, and Miner.

Referred to:

1 A BILL TO BE ENTITLED
2 AN ACT TO ELIMINATE THE ONE-DOLLAR FEE FOR MAIL-IN VEHICLE
3 REGISTRATION.

4 The General Assembly of North Carolina enacts:

5 Section 1. G.S. 20-85.1 reads as rewritten:

6 "**§ 20-85.1. Registration by mail; one-day title service; fees.**

7 "(a) The owner of a vehicle registered in North Carolina may renew that vehicle
8 registration by mail. ~~A postage and handling fee of one dollar (\$1.00) per vehicle to~~
9 ~~be registered shall be charged for this service.~~

10 (b) The Commissioner and the employees of the Division designated by the
11 Commissioner may prepare and deliver upon request a certificate of title, charging a
12 fee of fifty dollars (\$50.00) for one-day title service, in lieu of the title fee required by
13 G.S. 20-85(a). The fee for one-day title service must be paid by cash or by certified
14 check. The fee collected under this subsection shall be credited to the Highway Trust
15 Fund.

16 ~~(c) The fee collected under subsection (a) shall be credited to the Highway Fund.~~
17 ~~The fee collected under subsection (b) shall be credited to the Highway Trust Fund."~~

18 Sec. 2. This act becomes effective July 1, 1997.

H.B. - 1267

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1995

H.B. FILED

MAY 20 96

HOUSE PRINCIPAL CLERK

H

D

HOUSE DRH1308-RWZ001B(5.10)

Short Title: Speed Limits.

(Public)

Sponsors: Representatives Bowie, Barbee, Bowen, Crawford, Holmes, McLaughlin, McMahan, and Miner.

Referred to:

1 A BILL TO BE ENTITLED
2 AN ACT TO AUTHORIZE THE DEPARTMENT OF TRANSPORTATION TO
3 ESTABLISH SPEED LIMITS UP TO SEVENTY MILES PER HOUR ON
4 DESIGNATED PARTS OF CONTROLLED ACCESS HIGHWAYS.

5 The General Assembly of North Carolina enacts:

6 Section 1. G.S. 20-141 reads as rewritten:

7 "§ 20-141. Speed restrictions.

8 (a) No person shall drive a vehicle on a highway or in a public vehicular area at a
9 speed greater than is reasonable and prudent under the conditions then existing.

10 (b) Except as otherwise provided in this Chapter, it shall be unlawful to operate a
11 vehicle in excess of the following speeds:

12 (1) Thirty-five miles per hour inside municipal corporate limits for all
13 vehicles.

14 (2) Fifty-five miles per hour outside municipal corporate limits for all
15 ~~vehicles~~ vehicles, ~~except on rural Interstate Highways where the~~
16 ~~speed limit has been raised pursuant to G.S. 20-141(d)(2), and~~
17 except for school buses and school activity buses.

18 (c) Except while towing another vehicle, or when an advisory safe-speed sign
19 indicates a slower speed, or as otherwise provided by law, it shall be unlawful to
20 operate a passenger vehicle upon the interstate and primary highway system at less
21 than the following speeds:

22 (1) Forty miles per hour in a speed zone of 55 miles per hour.

23 (2) Forty-five miles per hour in a speed zone of 60 miles per hour or
24 greater.

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 1995

H.B. FILED
1268 MAY 20 1995
HOUSE PRINCIPAL CLERK

H

HOUSE DRH1310-RWZ004A(5.10)

Short Title: Expedite Towed Vehicle Disposal.

(Public)

Sponsors: Representatives Bowie, Barbee, Bowen, Crawford, Holmes,
McLaughlin, McMahan, and Miner.

Referred to:

1 A BILL TO BE ENTITLED
2 AN ACT TO EXPEDITE DISPOSAL OF UNCLAIMED VEHICLES BY TOWING
3 AND STORAGE BUSINESSES.
4 The General Assembly of North Carolina enacts:
5 Section 1. G.S. 20-77(d) reads as rewritten:
6 "(d) An operator of a place of business for garaging, repairing, parking or storing
7 vehicles for the public in which a vehicle remains unclaimed for ~~30 days~~, 10 days, or
8 the landowners upon whose property a motor vehicle has been abandoned for more
9 than ~~60 days~~, 30 days, shall, within five days after the expiration of that period, report
10 the vehicle as unclaimed to the Division. Failure to make such report shall constitute
11 a Class 3 misdemeanor.
12 Any vehicle which remains unclaimed after report is made to the Division may be
13 sold by such operator or landowner in accordance with the provisions relating to the
14 enforcement of liens and the application of proceeds of sale of Article 1 of Chapter
15 44A."
16 Sec. 2. G.S. 44A-4(a) reads as rewritten:
17 "(a) Enforcement by Sale. -- If the charges for which the lien is claimed under this
18 Article remain unpaid or unsatisfied for 30 days ~~days or, in the case of towing and~~
19 storage charges on a motor vehicle, 10 days following the maturity of the obligation
20 to pay any such charges, the lienor may enforce the lien by public or private sale as
21 provided in this section. The lienor may bring an action on the debt in any court of
22 competent jurisdiction at any time following maturity of the obligation. Failure of
23 the lienor to bring such action within a 180-day period following the commencement
24 of storage shall constitute a waiver of any right to collect storage charges which

NORTH CAROLINA

HOUSE OF REPRESENTATIVES

ROLL CALL

EV

1951
LEGISLATIVE DAY 127
H1268HCS
READING 2
BOWIE

6/11/96
1:46 PM
IN CHAIR: SPEAKER

EXPEDITE TOWED VEHICLE DISPOSAL

AYES - 109

ADAMS	CUMMINGS	JUSTUS	REDWINE
ALDRIDGE	CUNNINGHAM	KISER	REYNOLDS
ALEXANDER	DAUGHTRY	LEE	RICHARDSON
ALLRED	DAVIS	LEMOND	ROBINSON, G.
ARNOLD	DECKER	LOCKE	ROBINSON, J.
BAKER	DICKSON	LUEBKE	ROGERS
BARBEE	DOCKHAM	MCALLISTER	RUSSELL
BEALL	EARLE	MCCOMAS	SEXTON
BLACK	EASTERLING	MCCOMBS	SHARPE
BLUE	EDDINS	MCCRARY	SHAW
BOWEN	EDWARDS	MCLAUGHLIN	SHERRILL
BOWIE	ELLIS	MCMAHAN	SHUBERT
BOYD-MCINTYRE	ESPOSITO	MERCER	SUTTON
BRASWELL	FOX	MILLER, G.	TALLENT
BRAWLEY	GAMBLE	MINER	THOMPSON
BROWN, J.	GARDNER	MITCHELL	TOLSON
BROWN, W.	GRADY	MORGAN	WAINWRIGHT
BUCHANAN	GRAY	NEELY	WARNER
CANSLER	HAYES	NICHOLS	WATSON
CAPPS	HENSLEY	NYE	WEATHERLY
CARPENTER	HIATT	OLDHAM	WILKINS
CHURCH	HILL	OWENS	WILSON, C.
CLARY	HOWARD	PATE	WILSON, G.
COCKLEREECE	HUNTER, H.	PRESTON	WOMBLE
CRAWFORD	HUNTER, R.	PULLEY	WOOD
CREECH	HURLEY	RAMSEY	WRIGHT
CULP	IVES	RAYFIELD	YONGUE

NOES - 1

LINNEY

EXCUSED ABSENCE - 3

FITCH

HOLMES

HUNT

EXCUSED VOTE - 0

NOT VOTING - 7

SPEAKER
BARNES

BERRY
HACKNEY

HIGHTOWER
MICHAUX

MILLER, K.

H1268HCS

NORTH CAROLINA GENERAL ASSEMBLY
SENATE

RECORDED VOTE

1995 SESSION
SECOND REGULAR SESSION

SEQ. 1774/16-- 4:46 PM

JUNE 20, 1996

LEGISLATIVE DAY 133

LT. GOVERNOR WICKER

-- Presiding

BOWIE
EXPEDITE TOWED VEHICLE DISPOSAL
SENATE COM SUB/3RD EDITION

HOUSE BILL 1268
READING 2

AYE	46	ALBERTSON	COOPER	KERR	PARNELL
		ALLRAN	DANNELLY	KINCAID	PERDUE
		BALLANCE	DAVIS	LEDBETTER	PLEXICO
		BALLANTINE	EAST	LITTLE	PLYLER
		BASNIGHT	FORRESTER	LUCAS	RAND
		BLACKMON	FOXX	MARTIN R.	SHAW
		BLUST	GULLEY	MARTIN W.	SHERRON
		CARPENTER	HARTSELL	MCDANIEL	SIMPSON
		CARRINGTON	HOBBS	MCKOY	SOLES
		CLARK	HORTON	ODOM	WEBSTER
		COCHRANE	HOYLE	PAGE	WINNER
		CONDER	JORDAN		

NO 0

EXCUSED 0

NOT CAST 3 EDWARDS SPEED WARREN

ABSENT 1 SMITH

PAIRS 0

AYE
NO

(COPY)

NORTH CAROLINA

HOUSE OF REPRESENTATIVES

ROLL CALL

EV

2141
LEGISLATIVE DAY 135
H1268SCS

6/21/96
11:37 AM
IN CHAIR: RUSSELL

BOWIE

EXPEDITE TOWED VEHICLE DISPOSAL
MOTION #11 - *Rep. Bowie moves to concur*

AYES - 107

ADAMS	CUNNINGHAM	HURLEY	RAMSEY
ALEXANDER	DAUGHTRY	IVES	RAYFIELD
ALLRED	DAVIS	JUSTUS	REDWINE
ARNOLD	DECKER	KISER	REYNOLDS
BAKER	DICKSON	LEE	RICHARDSON
BARBEE	DOCKHAM	LEMMOND	ROBINSON, J.
BARNES	EARLE	LINNEY	ROGERS
BERRY	EASTERLING	LOCKE	SEXTON
BLACK	EDDINS	LUEBKE	SHARPE
BOWEN	EDWARDS	MCCALLISTER	SHAW
BOWIE	ELLIS	MCCOMAS	SHERRILL
BOYD-MCINTYRE	ESPOSITO	MCCOMBS	SHUBERT
BRAWLEY	FITCH	MCCRARY	SUTTON
BROWN, J.	GAMBLE	MCLAUGHLIN	TALLENT
BROWN, W.	GARDNER	MCMAHAN	THOMPSON
BUCHANAN	GRADY	MERCER	TOLSON
CANSLER	GRAY	MICHAUX	WAINWRIGHT
CAPPS	HACKNEY	MILLER, G.	WATSON
CARPENTER	HAYES	MITCHELL	WEATHERLY
CHURCH	HENSLEY	MORGAN	WILKINS
CLARY	HIATT	NEELY	WILSON, C.
COCKLEREECE	HIGHTOWER	NICHOLS	WILSON, G.
CRAWFORD	HILL	NYE	WOMBLE
CREECH	HOLMES	OWENS	WOOD
CULP	HOWARD	PATE	WRIGHT
CULPEPPER	HUNTER, H.	PRESTON	YONGUE
CUMMINGS	HUNTER, R.	PULLEY	

NOES - 0

EXCUSED ABSENCE - 8

ALDRIDGE	BLUE	HUNT	ROBINSON, G.
BEALL	FOX	OLDHAM	WARNER

EXCUSED VOTE - 0

NOT VOTING - 5

SPEAKER	MILLER, K.	MINER	RUSSELL
BRASWELL			

H1268SCS

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1995

H.B. FILED

1269

MAY 20 96

HOUSE PRINCIPAL CLERK

H

D

HOUSE DRH1325-LL223(3.5)

Short Title: Comm. Coll. Employee Retirement.

(Public)

Sponsors: Representative Thompson.

Referred to:

1 A BILL TO BE ENTITLED
2 AN ACT TO PROVIDE THAT COMMUNITY COLLEGE EMPLOYEES WHO
3 WORK THIRTY HOURS PER WEEK FOR NINE OR MORE MONTHS PER
4 CALENDAR YEAR ARE ELIGIBLE FOR MEMBERSHIP IN THE TEACHERS'
5 AND STATE EMPLOYEES' RETIREMENT SYSTEM.
6 The General Assembly of North Carolina enacts:
7 Section 1. G.S. 135-1(10) reads as rewritten:
8 "(10) 'Employee' shall mean all full-time employees, agents or officers of
9 the State of North Carolina or any of its departments, bureaus and
10 institutions other than educational, whether such employees are
11 elected, appointed or employed: Provided that the term 'employee'
12 shall not include any person who is a member of the Consolidated
13 Judicial Retirement System, any member of the General Assembly
14 or any part-time or temporary employee. Notwithstanding any other
15 provision of law, 'employee' shall include all employees of the
16 General Assembly except participants in the Legislative Intern
17 Program, pages, and reemployed beneficiaries in receipt of a
18 monthly retirement allowance under this Chapter. In all cases of
19 doubt, the Board of Trustees shall determine whether any person is
20 an employee as defined in this Chapter. 'Employee' shall also mean
21 every full-time civilian employee of the army national guard and air
22 national guard of this State who is employed pursuant to section 709
23 of Title 32 of the United States Code and paid from federal
24 appropriated funds, but held by the federal authorities not to be a
25 federal employee: Provided, however, that the authority or agency

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1995

H.B. FILED

1270

MAY 21 96

HOUSE PRINCIPAL CLERK D

H

HOUSE DRH5224-LL252(5.15)

Short Title: Craven Road Hunting.

(Local)

Sponsors: Representative Edwards.

Referred to:

- 1 A BILL TO BE ENTITLED
2 AN ACT TO PROHIBIT HUNTING FROM THE RIGHT-OF-WAY OF POWELL
3 ROAD IN CRAVEN COUNTY.
4 The General Assembly of North Carolina enacts:
5 Section 1. It is unlawful to hunt, take, or kill any wild animal or wild
6 bird on, from, or across the right-of-way of Powell Road (State Road 1477) in Craven
7 County.
8 Sec. 2. Violation of this act is a Class 3 misdemeanor.
9 Sec. 3. This act is enforceable by law enforcement officers of the Wildlife
10 Resources Commission, by sheriffs and deputy sheriffs and by other peace officers
11 with general subject matter jurisdiction.
12 Sec. 4. This act becomes effective December 1, 1996.

EV

2132
LEGISLATIVE DAY 135
H1270SCS

NORTH CAROLINA
HOUSE OF REPRESENTATIVES
ROLL CALL

6/21/96
11:19 AM
IN CHAIR: SPEAKER

EDWARDS

CRAVEN/NORTHAMPTON ROAD HUNTING
MOTION #11 - *Rep. Edwards moves to concur*

AYES - 103

ADAMS	CUMMINGS	HUNTER, R.	PULLEY
ALEXANDER	CUNNINGHAM	HURLEY	RAMSEY
ALLRED	DAUGHTRY	IVES	RAYFIELD
ARNOLD	DAVIS	JUSTUS	REDWINE
BAKER	DECKER	KISER	REYNOLDS
BARBEE	DICKSON	LEE	RICHARDSON
BARNES	DOCKHAM	LEMMOND	ROBINSON, J.
BERRY	EASTERLING	LOCKE	ROGERS
BLACK	EDDINS	LUEBKE	RUSSELL
BOWEN	EDWARDS	MCALLISTER	SEXTON
BOWIE	ELLIS	MCCOMAS	SHARPE
BOYD-MCINTYRE	ESPOSITO	MCCOMBS	SHERRILL
BRAWLEY	FITCH	MCCRARY	SHUBERT
BROWN, J.	GAMBLE	MCLAUGHLIN	TALLENT
BROWN, W.	GARDNER	MCMAHAN	THOMPSON
BUCHANAN	GRADY	MERCER	TOLSON
CANSLER	GRAY	MICHAUX	WAINWRIGHT
CAPPS	HACKNEY	MILLER, G.	WATSON
CARPENTER	HAYES	MITCHELL	WEATHERLY
CHURCH	HENSLEY	MORGAN	WILKINS
CLARY	HIATT	NEELY	WILSON, C.
COCKLEREECE	HIGHTOWER	NICHOLS	WILSON, G.
CRAWFORD	HILL	NYE	WOMBLE
CREECH	HOLMES	OWENS	WOOD
CULP	HOWARD	PATE	YONGUE
CULPEPPER	HUNTER, H.	PRESTON	

NOES - 0

EXCUSED ABSENCE - 8

ALDRIDGE	BLUE	HUNT	ROBINSON, G.
BEALL	FOX	OLDHAM	WARNER

EXCUSED VOTE - 0

NOT VOTING - 9

SPEAKER	LINNEY	MINER	SUTTON
BRASWELL	MILLER, K.	SHAW	WRIGHT
EARLE			

H1270SCS

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1995

H.B. FILED

1271

MAY 21 96

HOUSE PRINCIPAL CLERK

H

D

HOUSE DRH7298*-RMZ016(5.15)

Short Title: Public Health Authority Act.

(Public)

Sponsors: Representative Edwards.

Referred to:

- 1 A BILL TO BE ENTITLED
2 AN ACT TO AUTHORIZE THE ESTABLISHMENT OF LOCAL PUBLIC
3 HEALTH AUTHORITIES, AS RECOMMENDED BY THE NORTH
4 CAROLINA PUBLIC HEALTH COMMISSION.
5 The General Assembly of North Carolina enacts:
6 Section 1. Article 2 of Chapter 130A of the General Statutes is amended
7 by adding a new Part to read:
8 "Part 1A. Public Health Authorities Authorized.
9 "§ 130A-43. Title and purpose.
10 (a) This Part shall be known and may be cited as the 'Public Health Authorities
11 Act'.
12 (b) The purpose of this Part is to provide an additional and alternative method for
13 counties to provide public health services. This Part shall not be regarded as
14 repealing any powers now existing under any other law, either general, special, or
15 local.
16 (c) It is the policy of the General Assembly that Public Health Authorities should
17 have adequate authority to exercise the powers, rights, duties, functions, privileges,
18 and immunities conferred upon them by law. To this end the provisions of this Part
19 shall be broadly construed, and grants of powers shall be construed to include any
20 powers that are reasonably expedient to the exercise of power.
21 "§ 130A-44. Definitions.
22 As used in this Part, unless otherwise specified:
23 (1) 'Authority service area' means area within the boundaries of the
24 authority as provided for in G.S. 130A-45.4.

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1995

1272

MAY 21 96

H

HOUSE PRINCIPAL CLERK

D

HOUSE DRH2224-LBX464(5.20)

Short Title: Statesville Deannexation.

(Local)

Sponsors: Representative Mitchell.

Referred to:

- 1 A BILL TO BE ENTITLED
2 AN ACT TO REMOVE CERTAIN DESCRIBED PROPERTY FROM THE
3 CORPORATE LIMITS OF THE CITY OF STATESVILLE.
4 The General Assembly of North Carolina enacts:
5 Section 1. The following described property is removed from the
6 corporate limits of the City of Statesville:
7 Beginning at a point in the northeast corner of Lot 42, also being the
8 southeast corner of Lot 43 of Phase I of Fox Den Country Club Development on Fox
9 Den Circle, as shown on attached drawing, thence with the northern margin of Fox
10 Den Circle the following courses and distances:
11
12 1. On a curve to the right with a radius of 1470.00 feet, whose chord is South 36 deg.
13 53 min. .01 sec. West 0.95 feet, a distance of 0.95 feet to a point,
14 2. On a curve to the right with a radius of 1470.00 feet, whose chord is South 37 deg.
15 20 min. 10 sec. West 21.89 feet, a distance of 21.89 feet to a point,
16 3. On a curve to the right with a radius of 1470.00 feet, whose chord is South 39 deg.
17 30 min. 41 sec. West 89.71 feet, a distance of 89.72 feet to a point,
18 4. On a curve to the right with a radius of 1470.00 feet, whose chord is South 41 deg.
19 42 min. 03 sec. West 22.62 feet, a distance of 22.62 feet to a point,
20 5. On a curve to the right with a radius of 1470.00 feet, whose chord is South 42 deg.
21 58 min. 31 sec. West 42.78 feet, a distance of 42.78 feet to a point,
22 6. On a curve to the right with a radius of 500.00 feet, whose chord is South 46 deg.
23 11 min. 36 sec. West 41.61 feet, a distance of 41.62 feet to a point,
24 7. Thence South 48 deg. 34 min. 41 sec. West 224.97 feet to a point,



NORTH CAROLINA GENERAL ASSEMBLY
AMENDMENT
House Bill 1272

AMENDMENT NO. 1
(to be filled in by
Principal Clerk)
Page 1 of 1

H1272-ALJ-1

Date June 18, 1996

Comm. Sub. ☐
Amends Title ☐

Rep. F. Mitchell

moves to amend the bill on page 1, line 9, by deleting the phrase
"as shown on the attached drawing,".

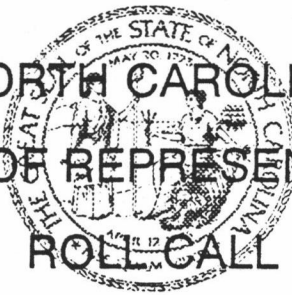
SIGNED W. F. Mitchell
Amendment Sponsor

SIGNED _____
Committee Chair if Senate Committee Amendment

ADOPTED 6/18/96 FAILED _____ TABLED _____

109-1 EV
DW

NORTH CAROLINA
HOUSE OF REPRESENTATIVES



EV

2004
LEGISLATIVE DAY 132
H1272

READING 2

MITCHELL

AMEND #1-MITCHELL

STATESVILLE DEANNEXATION

6/18/96

4:52 PM

IN CHAIR: SPEAKER

AYES - 109

ADAMS
ALDRIDGE
ALEXANDER
ALLRED
ARNOLD
BAKER
BARBEE
BARNES
BEALL
BERRY
BLACK
BOWEN
BOWIE
BOYD-MCINTYRE
BRASWELL
BRAWLEY
BROWN, J.
BROWN, W.
BUCHANAN
CANSLER
CAPPS
CARPENTER
CLARY
COCKLEREECE
CRAWFORD
CREECH
CULP
CULPEPPER

CUMMINGS
CUNNINGHAM
DAUGHTRY
DAVIS
DICKSON
DOCKHAM
EARLE
EASTERLING
EDDINS
ELLIS
ESPOSITO
FITCH
FOX
GARDNER
GRADY
GRAY
HACKNEY
HAYES
HENSLEY
HIATT
HIGHTOWER
HILL
HOWARD
HUNT
HUNTER, R.
HURLEY
IVES

JUSTUS
KISER
LEE
LEMOND
LINNEY
LOCKE
LUEBKE
MCALLISTER
MCCOMAS
MCCOMBS
MCCRARY
MCLAUGHLIN
MCMAHAN
MERCER
MICHAUX
MINER
MITCHELL
MORGAN
NEELY
NICHOLS
NYE
OLDHAM
OWENS
PATE
PRESTON
PULLEY
RAMSEY

RAYFIELD
REDWINE
REYNOLDS
RICHARDSON
ROBINSON, G.
ROBINSON, J.
ROGERS
RUSSELL
SEXTON
SHARPE
SHAW
SHERRILL
SHUBERT
SUTTON
TALLENT
THOMPSON
TOLSON
WAINWRIGHT
WARNER
WATSON
WEATHERLY
WILKINS
WILSON, C.
WILSON, G.
WOMBLE
WOOD
YONGUE

NOES - 1

DECKER

EXCUSED ABSENCE - 3

BLUE

MILLER, G. MILLER, K.

EXCUSED VOTE - 0

NOT VOTING - 7

SPEAKER
CHURCH

EDWARDS
GAMBLE

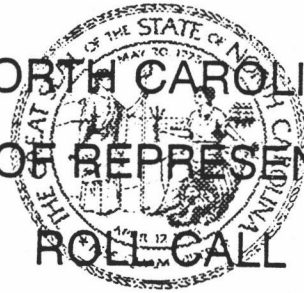
HOLMES
HUNTER, H.

WRIGHT

H1272

2005
LEGISLATIVE DAY 132
H1272
READING 2
MITCHELL

NORTH CAROLINA
HOUSE OF REPRESENTATIVES



6/18/96
4:53 PM
IN CHAIR: SPEAKER

RC

STATESVILLE DEANNEXATION

AYES - 103

ADAMS
ALDRIDGE
ALEXANDER
ALLRED
ARNOLD
BAKER
BARBEE
BARNES
BEALL
BERRY
BLACK
BOWEN
BOWIE
BOYD-MCINTYRE
BRASWELL
BRAWLEY
BROWN, J.
BROWN, W.
BUCHANAN
CANSLER
CAPPS
CARPENTER
CLARY
CRAWFORD
CREECH
CULPEPPER

CUMMINGS
CUNNINGHAM
DAUGHTRY
DAVIS
DECKER
DICKSON
DOCKHAM
EARLE
EASTERLING
ELLIS
ESPOSITO
FITCH
FOX
GARDNER
GRADY
GRAY
HACKNEY
HAYES
HENSLEY
HIATT
HIGHTOWER
HILL
HOWARD
HUNT
HUNTER, R.
HURLEY

IVES
JUSTUS
KISER
LEE
LINNEY
LOCKE
LUEBKE
MCALLISTER
MCCOMAS
MCCOMBS
MCCRARY
MCLAUGHLIN
MCMAHAN
MERCER
MINEP
MITCHELL
MORGAN
NEELY
NICHOLS
NYE
OLDHAM
OWENS
PATE
PRESTON
RAMSEY
RAYFIELD

REDWINE
REYNOLDS
RICHARDSON
ROBINSON, G.
ROBINSON, J.
ROGERS
RUSSELL
SEXTON
SHAW
SHERRILL
SHUBERT
SUTTON
TALLENT
THOMPSON
TOLSON
WAINWRIGHT
WARNER
WATSON
WEATHERLY
WILKINS
WILSON, C.
WILSON, G.
WOMBLE
WOOD
YONGUE

NOES - 0

BLUE

EXCUSED ABSENCE - 3
MILLER, G. MILLER, K.

EXCUSED VOTE - 0

SPEAKER
CHURCH
COCKLEREECE
CULP

NOT VOTING - 14
EDDINS
EDWARDS
GAMBLE
HOLMES
HUNTER, H.
LEMOND
MICHAX

PULLEY
SHARPE
WRIGHT

H1272

RC

NORTH CAROLINA
HOUSE OF REPRESENTATIVES
ROLL CALL



6/19/96
2:37 PM
IN CHAIR: SPEAKER

H1272

AYES - 114

ADAMS
ALDRIDGE
ALEXANDER
ALLRED
ARNOLD
BAKER
BARBEE
BARNES
BEALL
BERRY
BLACK
BLUE
BOWEN
BOWIE
BOYD-MCINTYRE
BRASWELL
BRAWLEY
BROWN, J.
BROWN, W.
BUCHANAN
CANSLER
CAPPS
CARPENTER
CHURCH
CLARY
COCKLEREECE
CRAWFORD
CREECH
CULP

CULPEPPER
CUMMINGS
CUNNINGHAM
DAUGHTRY
DAVIS
DECKER
DICKSON
DOCKHAM
EARLE
EASTERLING
EDDINS
EDWARDS
ELLIS
ESPOSITO
FITCH
FOX
GAMBLE
GARDNER
GRADY
HACKNEY
HAYES
HENSLEY
HIATT
HIGHTOWER
HILL
HOLMES
HOWARD
HUNT
HUNTER, H.

HUNTER, R.
HURLEY
IVES
JUSTUS
KISER
LEE
LEMOND
LINNEY
LOCKE
LUEBKE
MCALLISTER
MCCOMAS
MCCOMBS
MCCRARY
MCLAUGHLIN
MCMAHAN
MERCER
MICHAUX
MILLER, G.
MINER
MITCHELL
MORGAN
NEELY
NICHOLS
NYE
OLDHAM
OWENS
PATE

PRESTON
PULLEY
RAMSEY
RAYFIELD
REDWINE
REYNOLDS
RICHARDSON
ROBINSON, G.
ROGERS
SEXTON
SHARPE
SHERRILL
SHUBERT
SUTTON
TALLENT
THOMPSON
TOLSON
WAINWRIGHT
WARNER
WATSON
WEATHERLY
WILKINS
WILSON, C.
WILSON, G.
WOMBLE
WOOD
WRIGHT
YONGUE

NOES - 0

EXCUSED ABSENCE - 0

EXCUSED VOTE - 0

NOT VOTING - 6

SPEAKER
GRAY

MILLER, K.
ROBINSON, J.

RUSSELL

SHAW

SHORT ROLL: H1115
H1306 H1314 HCS

H1145
H1366

H1211HCS
H1370HCS

H1289
H1412

H1379
S1176

H1272

NORTH CAROLINA GENERAL ASSEMBLY
SENATE

RECORDED VOTE

1995 SESSION
SECOND REGULAR SESSION

SEQ. 1832/45-- 4:55 PM

JUNE 21, 1996

LEGISLATIVE DAY 134

LT. GOVERNOR WICKER

-- Presiding

MITCHELL
STATESVILLE DEANNEXATION
2ND EDITION

HOUSE BILL 1272
READING 2

AYE	43	ALBERTSON ALLRAN BALLANTINE BLACKMON BLUST CARPENTER CARRINGTON CLARK COCHRANE CONDER COOPER	DANNELLY DAVIS EAST EDWARDS FORRESTER FOXX GULLEY HARTSELL HOBBS HOYLE JORDAN	KERR KINCAID LEDBETTER LITTLE LUCAS MARTIN R. MCDANIEL MCKOY ODOM PAGE PARNELL	PERDUE PLEXICO PLYLER SHAW SHERRON SIMPSON SOLES SPEED WEBSTER WINNER
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NO 0

EXCUSED 0

NOT CAST	6	BALLANCE BASNIGHT	HORTON MARTIN W.	RAND	WARREN
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ABSENT 1 SMITH

PAIRS 0
AYE
NO

(COPY)

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1995

H.B. FILED
1273 MAY 21 96
HOUSE PRINCIPAL CLERK

H

HOUSE DRH6215-LG251(5.14)

Short Title: Madison Forestry Funds.

(Public)

Sponsors: Representatives Ramsey and Beall.

Referred to:

1 A BILL TO BE ENTITLED
2 AN ACT TO APPROPRIATE FUNDS TO THE DEPARTMENT OF
3 ENVIRONMENT, HEALTH, AND NATURAL RESOURCES, DIVISION OF
4 FOREST RESOURCES, FOR A FORESTRY HEADQUARTERS FACILITY IN
5 MADISON COUNTY.

6 The General Assembly of North Carolina enacts:

7 Section 1. There is appropriated from the General Fund to the
8 Department of Environment, Health, and Natural Resources, Division of Forest
9 Resources, the sum of three hundred ninety-two thousand six hundred dollars
10 (\$392,600) for the 1996-97 fiscal year for a forestry headquarters facility in Madison
11 County.

12 Sec. 2. This act becomes effective July 1, 1996.

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 1995

H.B. FILED
1274 MAY 21 96
HOUSE PRINCIPAL CLERK

H

HOUSE DRHA193-LGQ252(5.15)

Short Title: Folkmoot USA Funds.

(Public)

Sponsors: Representatives Beall and Ramsey.

Referred to:

1 A BILL TO BE ENTITLED
2 AN ACT TO APPROPRIATE FUNDS TO NORTH CAROLINA
3 INTERNATIONAL FOLK FESTIVAL, INC., FOR FOLKMOOT USA.
4 The General Assembly of North Carolina enacts:
5 Section 1. There is appropriated from the General Fund to North
6 Carolina International Folk Festival, Inc., a nonprofit corporation, the sum of fifty
7 thousand dollars (\$50,000) for the 1996-97 fiscal year for operational costs of
8 Folkmoot USA, the annual international folk festival held at Waynesville, North
9 Carolina.
10 Sec. 2. This act becomes effective July 1, 1996.

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1995

H.B. FILED

1275

MAY 21 96

HOUSE PRINCIPAL CLERK

H

D

HOUSE DRH1340-LG263(5.16)

Short Title: Food Distribution Bldg Funds.

(Public)

Sponsors: Representative Crawford.

Referred to:

- 1 A BILL TO BE ENTITLED
2 AN ACT TO APPROPRIATE FUNDS TO THE DEPARTMENT OF
3 AGRICULTURE FOR A FOOD DISTRIBUTION BUILDING.
4 The General Assembly of North Carolina enacts:
5 Section 1. There is appropriated from the General Fund to the
6 Department of Agriculture the sum of one hundred twenty-five thousand two
7 hundred dollars (\$125,200) for the 1996-97 fiscal year for construction of a storage
8 building at the Food Distribution Warehouse facility in Butner.
9 Sec. 2. This act becomes effective July 1, 1996.

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1995

H.B. FILED

1276

MAY 21 96

HOUSE PRINCIPAL CLERK

H

D

HOUSE JOINT RESOLUTION DRHJR7304-LG250(5.14)B

Sponsors: Representative Crawford.

Referred to:

1 A JOINT RESOLUTION AUTHORIZING THE 1995 GENERAL ASSEMBLY,
2 1996 SESSION, TO CONSIDER A JOINT RESOLUTION HONORING JOHN
3 CARTERET, EARL OF GRANVILLE, FOR WHOM GRANVILLE COUNTY
4 WAS NAMED UPON THE OCCASION OF THE TWO HUNDRED FIFTIETH
5 ANNIVERSARY OF GRANVILLE COUNTY.

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

7 Section 1. The 1995 General Assembly, Regular Session 1996, may
8 consider "A JOINT RESOLUTION HONORING JOHN CARTERET, EARL OF
9 GRANVILLE, FOR WHOM GRANVILLE COUNTY WAS NAMED UPON THE
10 OCCASION OF THE TWO HUNDREDTH FIFTIETH ANNIVERSARY OF
11 GRANVILLE COUNTY".

12 Sec. 2. This resolution is effective upon ratification.

NORTH CAROLINA

HOUSE OF REPRESENTATIVES

ROLL CALL

EV

S # 1934
LEGISLATIVE DAY 126
HJR1276
READING 2
CRAWFORD

6/10/96
4:40 PM
IN CHAIR: SPEAKER

HONORING JOHN CARTERET

AYES - 102

ADAMS	CULPEPPER	JUSTUS	REDWINE
ALDRIDGE	CUMMINGS	KISER	REYNOLDS
ALEXANDER	DAUGHTRY	LEE	RICHARDSON
ALLRED	DAVIS	LEMOND	ROBINSON, J.
ARNOLD	DECKER	LUEBKE	ROGERS
BAKER	DICKSON	MCALLISTER	RUSSELL
BARBEE	DOCKHAM	MCCOMAS	SEXTON
BARNES	EARLE	MCCOMBS	SHARPE
BEALL	EASTERLING	MCCRARY	SHAW
BERRY	EDDINS	MCLAUGHLIN	SHERILL
BOWEN	EDWARDS	MCMAHAN	SHUBERT
BOWIE	ELLIS	MERCER	SUTTON
BOYD-MCINTYRE	ESPOSITO	MICHAUX	TALLENT
BRASWELL	FOX	MITCHELL	THOMPSON
BRAWLEY	GARDNER	MORGAN	TOLSON
BROWN, J.	GRADY	NEELY	WAINWRIGHT
BROWN, W.	HACKNEY	NICHOLS	WARNER
BUCHANAN	HAYES	NYE	WATSON
CANSLER	HENSLEY	OLDHAM	WEATHERLY
CAPPS	HIATT	OWENS	WILKINS
CARPENTER	HIGHTOWER	PATE	WILSON, C.
CLARY	HILL	PRESTON	WILSON, G.
COCKLEREECE	HOWARD	PULLEY	WOMBLE
CRAWFORD	HUNTER, R.	RAMSEY	WRIGHT
CREECH	HURLEY	RAYFIELD	YONGUE
CULP	IVES		

NOES - 0

EXCUSED ABSENCE - 8

CHURCH	HUNT	LOCKE	MINER
FITCH	LINNEY	MILLER, G.	ROBINSON, G.

EXCUSED VOTE - 0

NOT VOTING - 10

SPEAKER	CUNNINGHAM	HOLMES	MILLER, K.
BLACK	GAMBLE	HUNTER, H.	WOOD
BLUE	GRAY		

HJR1276

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1995

H.B. FILED

277

MAY 21 95

HOUSE PRINCIPAL CLERK

H

D

HOUSE DRH4225-LCX344B(5.2)

Short Title: Banks/Alternative Minimum Tax.

(Public)

Sponsors: Representative Gamble.

Referred to:

1 A BILL TO BE ENTITLED
2 AN ACT TO PROVIDE AN ALTERNATIVE MINIMUM TAX FOR
3 CORPORATIONS THAT REDUCE THEIR TAXABLE INCOME BY
4 DEDUCTING INTEREST EXPENSE ATTRIBUTABLE TO TAX-EXEMPT
5 INTEREST INCOME.
6 The General Assembly of North Carolina enacts:
7 Section 1. Division I of Article 4 of Chapter 105 of the General Statutes
8 is amended by adding a new section to read:
9 "**§ 105-130.3B. Alternative minimum tax.**
10 (a) Tax Imposed. -- A tax is imposed on every C Corporation doing business in
11 this State equal to the excess of the tentative minimum tax for the taxable year over
12 the income tax imposed by G.S. 105-130.3 for the taxable year. This tax is in
13 addition to the tax imposed by G.S. 105-130.3. This tax is due at the time prescribed
14 in G.S. 105-130.17 for filing corporation income tax returns.
15 (b) Tentative Minimum Tax. -- The tentative minimum tax is three and five-tenths
16 percent (3.5%) of the excess of the taxpayer's alternative minimum taxable income
17 over the exemption amount. The exemption amount is the applicable exemption
18 amount provided in section 55(d) of the Code. The alternative minimum taxable
19 income is the taxpayer's State net income for the taxable year plus the amount of
20 interest expense that was deducted in calculating State net income and is allocable to
21 interest income exempt from taxation under this Division. In the case of a financial
22 institution, the allocable amount of the interest expense is the amount for which
23 deduction would be disallowed pursuant to section 265(b) of the Code if the interest
24 were earned on a tax-exempt obligation as defined in section 265(b) of the Code."

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1995

H.B. FILED

1278

MAY 21 96

HOUSE PRINCIPAL CLERK

H

HOUSE DRH7309*-LFZ305(3.15)

Short Title: Dependent Juv. Def. Change.

(Public)

Sponsors: Representatives Dickson, Clary, Easterling, Sharpe, and Wright.

Referred to:

1 A BILL TO BE ENTITLED
2 AN ACT RECOMMENDED BY THE CHILD FATALITY TASK FORCE TO
3 IMPROVE THE DEFINITION OF "DEPENDENT JUVENILE".
4 The General Assembly of North Carolina enacts:
5 Section 1. G.S. 7A-517(13) reads as rewritten:
6 "(13) Dependent Juvenile. -- A juvenile in need of assistance or
7 placement because ~~he~~ the juvenile has no parent, guardian, or
8 custodian responsible for the juvenile's care or supervision or
9 whose parent, guardian, or ~~eustodian~~, ~~due to physical or mental~~
10 ~~incapacity and the absence of an appropriate alternative child care~~
11 ~~arrangement~~, custodian is unable to provide for the care or
12 ~~supervision~~. supervision and lacks an appropriate alternative child
13 care arrangement."
14 Sec. 2. This act becomes effective October 1, 1996, and applies to
15 adjudications of dependency made on or after that date.

NORTH CAROLINA

HOUSE OF REPRESENTATIVES

ROLL CALL

EV

2162
LEGISLATIVE DAY 135
H1278
READING 2
DICKSON

6/21/96
12:37 PM
IN CHAIR: SPEAKER

DEPENDENT JUVENILE DEFINITION CHANGE

AYES - 104

ADAMS	CUMMINGS	HURLEY	RAYFIELD
ALEXANDER	CUNNINGHAM	IVES	REDWINE
ALLRED	DAUGHTRY	JUSTUS	REYNOLDS
ARNOLD	DAVIS	KISER	RICHARDSON
BAKER	DECKER	LEE	ROBINSON, J.
BARBEE	DICKSON	LEMOND	ROGERS
BARNES	DOCKHAM	LINNEY	RUSSELL
BERRY	EARLE	LOCKE	SEXTON
BLACK	EASTERLING	LUEBKE	SHARPE
BOWEN	EDDINS	MCALLISTER	SHAW
BOYD-MCINTYRE	EDWARDS	MCCOMAS	SHERILL
BRASWELL	ELLIS	MCCOMBS	SHUBERT
BRAWLEY	ESPOSITO	MCCRARY	SUTTON
BROWN, J.	FITCH	MCMAHAN	TALLENT
BROWN, W.	GARDNER	MERCER	THOMPSON
BUCHANAN	GRADY	MILLER, G.	TOLSON
CANSLER	HACKNEY	MINER	WAINWRIGHT
CAPPS	HAYES	MITCHELL	WATSON
CARPENTER	HENSLEY	MORGAN	WEATHERLY
CHURCH	HIATT	NEELY	WILKINS
CLARY	HIGHTOWER	NICHOLS	WILSON, C.
COCKLEREECE	HILL	NYE	WILSON, G.
CRAWFORD	HOLMES	OWENS	WOMBLE
CREECH	HOWARD	PATE	WOOD
CULP	HUNTER, H.	PRESTON	WRIGHT
CULPEPPER	HUNTER, R.	PULLEY	YONGUE

NOES - 0

EXCUSED ABSENCE - 8

ALDRIDGE	BLUE	HUNT	ROBINSON, G.
BEALL	FOX	OLDHAM	WARNER

EXCUSED VOTE - 0

NOT VOTING - 8

SPEAKER	GAMBLE	MCLAUGHLIN	MILLER, K.
BOWIE	GRAY	MICHAUX	RAMSEY

H1278

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1995

H.B. FILE

1279

HOUSE PRINCIPAL

H

D

HOUSE DRH7310-LB417B(4.23)

Short Title: Mount Holly Mayor Pro Tem.

(Local)

Sponsors: Representative Rayfield.

Referred to:

1 A BILL TO BE ENTITLED
2 AN ACT CONCERNING THE MANNER OF SELECTING THE MAYOR PRO
3 TEMPORE OF THE TOWN OF MOUNT HOLLY.

4 The General Assembly of North Carolina enacts:

5 Section 1. (a) Notwithstanding G.S. 160A-70, at the organizational
6 meeting following each town election, the council member who received the highest
7 number of votes for four-year terms at the regular municipal election held two years
8 previously shall become mayor pro tempore, to serve until the next organizational
9 meeting or until the person ceases to be a member of the council, whichever comes
10 first.

11 (b) If, however, the person who received the highest number of votes is
12 no longer a member of the council at the time that person would assume the office of
13 mayor pro tempore under subsection (a) of this section, the person with the next
14 highest number of votes at that election shall become mayor pro tempore.

15 Sec. 2. This act applies to the Town of Mount Holly only.

16 Sec. 3. This act applies beginning with the organizational meeting after
17 its ratification.

GENERAL ASSEMBLY OF NORTH CAROLINA H.B. FILED

SESSION 1995

1280 MAY 21 96

H

HOUSE PRINCIPAL CLERK D

HOUSE DRHA186-RGZ008(5.10)

Short Title: Child Support Lien.

(Public)

Sponsors: Representatives Culpepper, Hensley, R. Hunter, McCrary, and Neely.

Referred to:

1 A BILL TO BE ENTITLED
2 AN ACT TO MAKE CORRECTIONS TO THE STATUTES ESTABLISHING
3 LIENS ON INSURANCE PROCEEDS TO SECURE CHILD SUPPORT.
4 The General Assembly of North Carolina enacts:
5 Section 1. Chapter 44 of the General Statutes is amended by adding a
6 new Article 8A entitled "Liens Upon Insurance Proceeds to Secure Child Support."
7 Sec. 2. G.S. 44-49.1 is recodified as G.S. 44-48.1 in Article 8A of
8 Chapter 44 of the General Statutes.
9 Sec. 3. G.S. 44-48.1, as recodified by this act, reads as rewritten:
10 "§ 44-48.1. (Effective July 1, 1996) Lien created for payment of past-due child
11 support obligations.
12 (a) In the event that the Department of Human Resources or any other obligee, as
13 defined in G.S. 110-129, provides written notification to an insurance company
14 authorized to issue policies of insurance pursuant to ~~this~~ Chapter 58, except for
15 accident and health insurance as defined in G.S. 58-7-15(3), that a claimant or
16 beneficiary under a contract of insurance owes past-due child support and
17 accompanies this information with a certified copy of the court order ordering
18 support together with proof that the claimant or beneficiary is past due in meeting
19 this obligation, there is created a lien upon any insurance proceeds in favor of the
20 Department or obligee. This section shall apply only in those instances in which
21 there is a nonrecurring payment of a lump-sum amount equal to or in excess of three
22 thousand dollars (\$3,000) or periodic payments with an aggregate amount that equals
23 or exceeds three thousand dollars (\$3,000).

EV

NORTH CAROLINA
HOUSE OF REPRESENTATIVES
ROLL CALL

1912
LEGISLATIVE DAY 125
H1280HCS
READING 2
CULPEPPER

6/06/96
1:25 PM
IN CHAIR: SPEAKER

CHILD SUPPORT LIEN

AYES - 109

ADAMS	CULPEPPER	HURLEY	RAYFIELD
ALDRIDGE	CUMMINGS	IVES	REDWINE
ALEXANDER	CUNNINGHAM	JUSTUS	REYNOLDS
ALLRED	DAUGHTRY	KISER	RICHARDSON
ARNOLD	DAVIS	LEE	ROBINSON, J.
BAKER	DECKER	LEMMOND	ROGERS
BARBEE	DICKSON	LOCKE	RUSSELL
BARNES	DOCKHAM	LUEBKE	SEXTON
BEALL	EARLE	MCCALLISTER	SHARPE
BERRY	EASTERLING	MCCOMAS	SHAW
BLACK	EDDINS	MCCOMBS	SHERRILL
BLUE	EDWARDS	MCCRARY	SHUBERT
BOWEN	ESPOSITO	MCLAUGHLIN	SUTTON
BOWIE	FITCH	MCMAHAN	TALLENT
BOYD-MCINTYRE	GARDNER	MERCER	THOMPSON
BRASWELL	GRADY	MICHAUX	TOLSON
BRAWLEY	HACKNEY	MILLER, G.	WAINWRIGHT
BROWN, J.	HAYES	MINER	WARNER
BROWN, W.	HENSLEY	MITCHELL	WATSON
BUCHANAN	HIATT	MORGAN	WEATHERLY
CANSLER	HIGHTOWER	NEELY	WILKINS
CAPPS	HILL	NYE	WILSON, C.
CARPENTER	HOLMES	OLDHAM	WILSON, G.
CHURCH	HOWARD	OWENS	WOMBLE
COCKLEREECE	HUNT	PATE	WOOD
CRAWFORD	HUNTER, H.	PULLEY	WRIGHT
CREECH	HUNTER, R.	RAMSEY	YONGUE
CULP			

NOES - 1

MILLER, K.

EXCUSED ABSENCE - 5

CLARY
FOX

GRAY

NICHOLS

ROBINSON, G.

EXCUSED VOTE - 0

NOT VOTING - 5

SPEAKER
ELLIS

GAMBLE

LINNEY

PRESTON

H1280HCS

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1995

H.B. FILED

1281

MAY 21 96

HOUSE PRINCIPAL CLERK

H

HOUSE DRHA191*-LC309B(2.26)

Short Title: Repeal 30-Day Rule.

(Public)

Sponsors: Representative Wainwright.

Referred to:

1 A BILL TO BE ENTITLED
2 AN ACT TO REPEAL THE THIRTY-DAY RULE FOR DEMANDING A
3 REFUND OF AN ILLEGAL TAX.
4 The General Assembly of North Carolina enacts:
5 Section 1. G.S. 105-267 is repealed.
6 Sec. 2. Article 9 of Chapter 105 of the General Statutes is amended by
7 adding a new section to read:
8 "**§ 105-266.2. Post-deprivation remedy for illegal or invalid taxes.**
9 No court of this State shall entertain a suit of any kind brought for the purpose of
10 preventing the collection of any tax. Whenever a person has a valid defense to the
11 enforcement of the collection of a tax, the person shall pay the tax to the proper
12 officer, and that payment shall be without prejudice to any defense of rights the
13 person may have regarding the tax. At any time within the period set by the statute
14 of limitations in G.S. 105-266(c), the taxpayer may demand a refund of the tax paid
15 in writing from the Secretary and if the tax is not refunded within 90 days thereafter,
16 may sue the Secretary in the courts of the State for the amount demanded. The suit
17 may be brought in the Superior Court of Wake County, or in the county in which the
18 taxpayer resides at any time within three years after the expiration of the 90-day
19 period allowed for making the refund. If after trial it is determined that all or part of
20 the tax was levied or assessed for an illegal or unauthorized purpose, or was for any
21 reason invalid or excessive, judgment shall be rendered therefor, with interest, and
22 the judgment shall be collected as in other cases. The amount of taxes for which
23 judgment is rendered in such an action shall be refunded by the State. G.S. 105-
24 241.2 provides an alternate procedure for a taxpayer to contest a tax and is not in
25 conflict with or superseded by this section."

H.B. - 1282

H.B. FILED

GENERAL ASSEMBLY OF NORTH CAROLINA

1202

MAY 21 95

SESSION 1995

HOUSE PRINCIPAL CLERK

H

D

HOUSE DRHA188*-LBZ401G(3.11)

Short Title: Budget/Const. Amendment.

(Public)

Sponsors: Representatives Gray, Arnold, Cansler, and Holmes.

Referred to:

1 A BILL TO BE ENTITLED
2 AN ACT TO MAKE CERTAIN CHANGES IN THE CONSTITUTION FOR
3 IMPLEMENTING BUDGET ADJUSTMENTS AND ALLOCATIONS.
4 The General Assembly of North Carolina enacts:
5 Section 1. Chapter 5 of the Session Laws of 1995 is amended by adding
6 a new section to read:
7 "Sec. 1.1. Section 5(3) of Article III of the Constitution of North Carolina reads as
8 rewritten:
9 "(3) Budget. The Governor shall prepare and recommend to the General
10 Assembly a comprehensive budget of the anticipated revenue and proposed
11 expenditures of the State for the ensuing fiscal period. The budget as enacted by the
12 General Assembly shall be administered by the Governor. The General Assembly
13 may by law provide that the Governor may adjust the enacted budget and make
14 allocations from reserves designated by law, subject in certain circumstances to
15 approval by a commission within the legislative branch composed of members of the
16 General Assembly. The power to appoint any commission exercising powers under
17 this subsection may by law be delegated to members of the General Assembly.
18 The total expenditures of the State for the fiscal period covered by the budget shall
19 not exceed the total of receipts during that fiscal period and the surplus remaining in
20 the State Treasury at the beginning of the period. To insure that the State does not
21 incur a deficit for any fiscal period, the Governor shall continually survey the
22 collection of the revenue and shall effect the necessary economies in State
23 expenditures, after first making adequate provision for the prompt payment of the
24 principal of and interest on bonds and notes of the State according to their terms,
25 whenever he determines that receipts during the fiscal period, when added to any

GENERAL ASSEMBLY OF NORTH CAROLINA B. FILED

SESSION 1995

1283 MAY 21 96

H

HOUSE PRINCIPAL CLERK D

HOUSE DRH8258*-LBZ403V(3.11)

Short Title: Budget Adjustments/Conforming.

(Public)

Sponsors: Representatives Gray, Arnold, Cansler, and Holmes.

Referred to:

1 A BILL TO BE ENTITLED

2 AN ACT TO MAKE CONFORMING CHANGES TO IMPLEMENT BUDGET
3 ADJUSTMENTS AND ALLOCATIONS.

4 The General Assembly of North Carolina enacts:

5 Section 1. (a) Article 1 of Chapter 143 of the General Statutes is
6 amended by adding a new section to read:

7 "§ 143-4.2. Budget Adjustment and Allocation Commission.

8 (a) There is established within the Legislative Branch the Budget Adjustment and
9 Allocation Commission.

10 (b) The Budget Adjustment and Allocation Commission shall consist of 17
11 members as follows:

12 (1) The Speaker of the House of Representatives or a member of the
13 House of Representatives designated by that officer.

14 (2) The President Pro Tempore of the Senate or a member of the
15 Senate designated by that officer.

16 (3) Five members of the House of Representatives appointed by the
17 Speaker of the House of Representatives.

18 (4) Five members of the Senate appointed by the President Pro
19 Tempore of the Senate.

20 (5) Five members of the General Assembly appointed by the
21 Governor, at least two of whom shall be members of the House of
22 Representatives, and at least two of whom shall be members of the
23 Senate.

24 An appointed member serves a term beginning 10 days after convening of the
25 regular session and ending 10 days after convening of the next regular session, except

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 1995

H.B. FILED
1284 MAY 21 96
HOUSE PRINCIPAL CLERK

H

HOUSE DRH4229-RGZ002A(5.10)

Short Title: Restitution/Civil Judgment.

(Public)

Sponsors: Representatives McCrary, Culpepper, Hensley, R. Hunter, and Neely.

Referred to:

1 A BILL TO BE ENTITLED
2 AN ACT TO ALLOW THE ENFORCEMENT OF RESTITUTION IN A
3 CRIMINAL CASE IN THE SAME MANNER AS A CIVIL JUDGMENT, TO
4 CREATE AN EXCEPTION TO THE STATUTORY EXEMPTIONS FOR
5 EXECUTION OF SUCH A JUDGMENT, AND TO CHANGE THE ORDER OF
6 PRIORITY FOR DISBURSEMENT OF FUNDS IN A CRIMINAL CASE.
7 The General Assembly of North Carolina enacts:
8 Section 1. G.S. 15A-1343(d) reads as rewritten:
9 "(d) Restitution as a Condition of Probation. -- As a condition of probation, a
10 defendant may be required to make restitution or reparation to an aggrieved party or
11 parties who shall be named by the court for the damage or loss caused by the
12 defendant arising out of the offense or offenses committed by the defendant. When
13 restitution or reparation is a condition imposed, the court shall hold a hearing to
14 determine the amount of restitution or reparation due the aggrieved party or parties.
15 The court shall take into consideration the resources of the defendant, including all
16 real and personal property owned by the defendant and the income derived from
17 such property, his ability to earn, his obligation to support dependents, and such
18 other matters as shall pertain to his ability to make restitution or reparation, but the
19 court is not required to make findings of fact or conclusions of law on these matters
20 when the sentence is imposed. The amount must be limited to that supported by the
21 record, and the court may order partial restitution or reparation when it appears that
22 the damage or loss caused by the offense or offenses is greater than that which the
23 defendant is able to pay. An order providing for restitution or reparation, as a
24 condition of supervised or unsupervised probation, except an order resulting from a
25 worthless check, may be enforced in the same manner as a civil judgment as provided

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1995

H.B. FILE

1285

HOUSE PRINCIPAL

H

D

HOUSE DRH7301*-LL248(5.14)

Short Title: Summit House Funds.

(Public)

Sponsors: Representative Pulley.

Referred to:

- 1 A BILL TO BE ENTITLED
2 AN ACT TO APPROPRIATE FUNDS FOR THE EXPANSION OF SERVICES AT
3 SUMMIT HOUSE.
4 The General Assembly of North Carolina enacts:
5 Section 1. There is appropriated from the General Fund to the
6 Department of Correction the sum of three hundred thousand dollars (\$300,000) for
7 the 1996-97 fiscal year for the expansion of services provided by Summit House, a
8 community-based residential alternative to incarceration for mothers and pregnant
9 women convicted of nonviolent crimes with programs based in Greensboro and
10 Mecklenburg and Wake counties.
11 Sec. 2. This act becomes effective July 1, 1996.

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 1995

H.B. FILE
1286
HOUSE PRINCIPAL
D

H

HOUSE DRH1341*-LL251(5.15)

Short Title: Northampton Road Hunting.

(Local)

Sponsors: Representative H. Hunter.

Referred to:

- 1 A BILL TO BE ENTITLED
2 AN ACT TO PROHIBIT HUNTING FROM THE RIGHT-OF-WAY OF PUBLIC
3 ROADS IN NORTHAMPTON COUNTY.
4 The General Assembly of North Carolina enacts:
5 Section 1. It is unlawful to hunt, take, or kill any wild animal or wild
6 bird with a firearm on, from, or across the right-of-way of any public road or highway
7 in Northampton County.
8 Sec. 2. Violation of this act is a Class 3 misdemeanor.
9 Sec. 3. This act is enforceable by law enforcement officers of the Wildlife
10 Resources Commission, by sheriffs and deputy sheriffs, and by other peace officers
11 with general subject matter jurisdiction.
12 Sec. 4. This act becomes effective December 1, 1996.

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1995

H.B. FILED
1287 MAY 21 96
HOUSE PRINCIPAL CLERK

H

D

HOUSE DRH2220-LHZ235(4.29)

Short Title: DWI/Felony Prior Record Level.

(Public)

Sponsors: Representative Bowie.

Referred to:

- 1 A BILL TO BE ENTITLED
2 AN ACT TO INCLUDE PRIOR IMPAIRED DRIVING CONVICTIONS IN
3 FELONY PRIOR RECORD LEVEL CALCULATION AS RECOMMENDED BY
4 THE NORTH CAROLINA SENTENCING AND POLICY ADVISORY
5 COMMISSION.
6 The General Assembly of North Carolina enacts:
7 Section 1. G.S. 15A-1340.14(b) reads as rewritten:
8 "(b) Points. -- Points are assigned as follows:
9 (1) For each prior felony Class A conviction, 10 points.
10 (1a) For each prior felony Class B1 conviction, 9 points.
11 (2) For each prior felony Class B2, C, or D conviction, 6 points.
12 (3) For each prior felony Class E, F, or G conviction, 4 points.
13 (4) For each prior felony Class H or I conviction, 2 points.
14 (5) For each prior Class A1 or Class 1 misdemeanor ~~conviction~~
15 conviction or prior impaired driving conviction under G.S. 20-
16 138.1, 1 point, except that convictions for Class 1 misdemeanor
17 offenses under Chapter 20 of the General Statutes, other than
18 conviction for misdemeanor death by vehicle (~~G.S. 20-141.4(a2)~~),
19 [G.S. 20-141.4(a2)] and conviction for impaired driving in a
20 commercial vehicle (G.S. 20-138.2), shall not be assigned any
21 points for purposes of determining a person's prior record for
22 felony sentencing.
23 (6) If all the elements of the present offense are included in the prior
24 offense, 1 point.

2021
LEGISLATIVE DAY 132
H1287HCS
READING 2
BOWIE

NORTH CAROLINA
HOUSE OF REPRESENTATIVES



EV
6/18/96
7:05 PM
IN CHAIR: SPEAKER

DRIVING WHILE IMP. /FELONY PRIOR REC.

AYES - 99

ALDRIDGE	DAUGHTRY	HURLEY	REDWINE
ALEXANDER	DAVIS	IVES	REYNOLDS
ALLRED	DECKER	JUSTUS	RICHARDSON
ARNOLD	DICKSON	KISER	ROBINSON, G.
BAKER	DOCKHAM	LEE	ROBINSON, J.
BARBEE	EASTERLING	LEMOND	ROGERS
BARNES	EDDINS	LINNEY	RUSSELL
BERRY	EDWARDS	MCCOMAS	SEXTON
BLACK	ELLIS	MCCOMBS	SHARPE
BOWEN	FITCH	MCCRARY	SHERRILL
BOYD-MCINTYRE	FOX	MCLAUGHLIN	SHUBERT
BRASWELL	GARDNER	MCMAHAN	SUTTON
BRAWLEY	GRADY	MICHAUX	TALLENT
BROWN, J.	GRAY	MINER	THOMPSON
BUCHANAN	HACKNEY	MITCHELL	TOLSON
CANSLER	HAYES	MORGAN	WAINWRIGHT
CAPPS	HENSLEY	NEELY	WARNER
CARPENTER	HIATT	NYE	WATSON
CLARY	HIGHTOWER	OLDHAM	WILKINS
COCKLEREECE	HILL	OWENS	WILSON, G.
CRAWFORD	HOLMES	PATE	WOMBLE
CREECH	HOWARD	PRESTON	WOOD
CULPEPPER	HUNT	PULLEY	WRIGHT
CUMMINGS	HUNTER, H.	RAMSEY	YONGUE
CUNNINGHAM	HUNTER, R.	RAYFIELD	

NOES - 0

EXCUSED ABSENCE - 8

BLUE	CULP	LUEBKE	MILLER, K.
BOWIE	ESPOSITO	MILLER, G.	NICHOLS

EXCUSED VOTE - 0

NOT VOTING - 13

SPEAKER	CHURCH	LOCKE	SHAW
ADAMS	EARLE	MCALLISTER	WEATHERLY
BEALL	GAMBLE	MERCER	WILSON, C.
BROWN, W.			

H1287HCS

H.B.-1288
H.B. FILED
1288 MAY 21 90
HOUSE PRINCIPAL CLERK

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1995

H

D

HOUSE DRH1338-LC341B(4.25)

Short Title: Credit/Refund Federal Retirees.

(Public)

Sponsors: Representatives Hurley and Shaw (Co-sponsors).

Referred to:

- 1 A BILL TO BE ENTITLED
2 AN ACT TO PROVIDE FEDERAL RETIREES TAX CREDITS AND PARTIAL
3 REFUNDS TO REIMBURSE THEM FOR NORTH CAROLINA INCOME TAX
4 THEY PAID ON THEIR RETIREMENT BENEFITS FOR TAX YEARS 1985
5 THROUGH 1988.
6 The General Assembly of North Carolina enacts:
7 Section 1. G.S. 105-151.20 reads as rewritten:
8 "§ 105-151.20. Credit or partial refund for tax paid on certain government federal
9 retirement benefits.
10 (a) Purpose; Definitions. -- The purpose of this section is to benefit certain retired
11 federal government workers on account of their public service. The following
12 definitions apply in this section:
13 (1) Federal retirement benefits. -- Retirement benefits received from
14 one or more federal government retirement plans.
15 (2) Net pension tax. -- The amount of tax a taxpayer paid under this
16 Division for the 1985, 1986, 1987, and 1988 tax years on federal
17 retirement benefits, without interest, less any part of the tax for
18 which the taxpayer received a credit under this section before 1997
19 and any part of the tax refunded to the taxpayer before 1997.
20 (3) Tax year. -- The taxpayer's taxable year beginning on a day in the
21 applicable calendar year.
22 (b) Credit. -- A taxpayer who received government federal retirement benefits
23 during the 1985, 1986, 1987, or 1988 tax year may claim a credit against the tax
24 imposed by this Division equal to the net pension tax on those benefits. The amount
25 by which the tax under this Division paid by the taxpayer for the 1988 tax year would

GENERAL ASSEMBLY OF NORTH CAROLINA H.B. FILED

SESSION 1995

1289

MAY 21 90

H

HOUSE PRINCIPAL CLERK

HOUSE DRH4223-LK231A(3.6)

Short Title: Lincolnton-Lincoln Airport Auth'y.

(Local)

Sponsors: Representative Kiser.

Referred to:

1 A BILL TO BE ENTITLED
2 AN ACT TO ENABLE THE COUNTY OF LINCOLN AND THE CITY OF
3 LINCOLNTON TO ESTABLISH AN AIRPORT AUTHORITY FOR THE
4 MAINTENANCE OF AIRPORT FACILITIES IN THE COUNTY.
5 The General Assembly of North Carolina enacts:
6 Section 1. There is hereby created the "Lincolnton-Lincoln County
7 Airport Authority" (for brevity hereinafter referred to as the "Airport Authority"),
8 which shall be a body both corporate and politic, having the powers and jurisdiction
9 hereinafter enumerated and such other and additional powers as shall be conferred
10 upon it by general law and future acts of the General Assembly.
11 Sec. 2. The Airport Authority shall consist of seven members, three of
12 whom shall be appointed to staggered three-year terms by the Lincolnton City
13 Council and three of whom shall be appointed to staggered three-year terms by the
14 Lincoln County Board of Commissioners and one of whom shall be appointed by the
15 other six members of the Airport Authority. The members appointed by the
16 Lincolnton City Council shall be qualified voters of the City of Lincolnton, and the
17 members appointed by the Lincoln County Board of Commissioners and the Airport
18 Authority shall be qualified voters of the County of Lincoln. Each member shall take
19 and subscribe before the Clerk of Superior Court of Lincoln County an oath of office
20 and file the same with the Lincoln County Board of Commissioners and the
21 Lincolnton City Council. Membership on the Lincoln County Board of
22 Commissioners or the Lincolnton City Council and the Airport Authority shall not
23 constitute double office holding within the meaning of Article VI, Section 9 of the
24 Constitution of North Carolina.



NORTH CAROLINA GENERAL ASSEMBLY
AMENDMENT
House Bill 1289

AMENDMENT NO. 1
(to be filled in by
Principal Clerk)
Page 1 of 1

H1289-ALJ-1

Date June 18, 1996

Comm. Sub. ☐
Amends Title ☐

Rep. Kiser

- 1 moves to amend the bill on page 1, lines 21 through 24, by deleting
2 the sentence that begins on line 21 with the word "Membership";
3
4 and on page 2, lines 6 through 8, by deleting the sentence that
5 begins on line 6 with the word "Members".

SIGNED Joe Kiser

Amendment Sponsor

SIGNED _____

Committee Chair if Senate Committee Amendment

ADOPTED 6/18/96

FAILED _____

TABLED _____

113-0 EV

Wulka

NORTH CAROLINA

HOUSE OF REPRESENTATIVES



ROLL CALL

6/18/96

4:50 PM

IN CHAIR: SPEAKER

SEN # 2002
LEGISLATIVE DAY 132

H1289

READING 2

KISER

AMEND #1-*KISER*

LINCOLNTON-LINCOLN AIRPORT AUTHORITY

AYES - 113

ADAMS	CUNNINGHAM	IVES	RAYFIELD
ALDRIDGE	DAUGHTRY	JUSTUS	REDWINE
ALEXANDER	DAVIS	KISER	REYNOLDS
ALLRED	DECKER	LEE	RICHARDSON
ARNOLD	DICKSON	LEMOND	ROBINSON, G.
BAKER	DOCKHAM	LINNEY	ROBINSON, J.
BARBEE	EARLE	LOCKE	ROGERS
BARNES	EASTERLING	LUEBKE	RUSSELL
BEALL	EDDINS	MCALLISTER	SEXTON
BERRY	ELLIS	MCCOMAS	SHARPE
BLACK	ESPOSITO	MCCOMBS	SHAW
BOWEN	FITCH	MCCRARY	SHERILL
BOWIE	FOX	MCLAUGHLIN	SHUBERT
BOYD-MCINTYRE	GAMBLE	MCMAHAN	SUTTON
BRASWELL	GARDNER	MERCER	TALLENT
BRAWLEY	GRADY	MICHAUX	THOMPSON
BROWN, J.	GRAY	MINER	TOLSON
BROWN, W.	HACKNEY	MITCHELL	WAINWRIGHT
BUCHANAN	HAYES	MORGAN	WARNER
CANSLER	HENSLEY	NEELY	WATSON
CAPPS	HIATT	NICHOLS	WEATHERLY
CARPENTER	HIGHTOWER	NYE	WILKINS
CLARY	HILL	OLDHAM	WILSON, C.
COCKLEREECE	HOLMES	OWENS	WILSON, G.
CRAWFORD	HOWARD	PATE	WOMBLE
CREECH	HUNT	PRESTON	WOOD
CULP	HUNTER, R.	PULLEY	WRIGHT
CULPEPPER	HURLEY	RAMSEY	YONGUE
CUMMINGS			

NOES - 0

EXCUSED ABSENCE - 3

BLUE

MILLER, G.

MILLER, K.

EXCUSED VOTE - 0

NOT VOTING - 4

SPEAKER

CHURCH

EDWARDS

HUNTER, H.

H1289

S # 2003
LEGISLATIVE DAY 132
H1289
READING 2
KISER

NORTH CAROLINA
HOUSE OF REPRESENTATIVES
ROLL CALL

6/18/96
4:51 PM
IN CHAIR: SPEAKER

LINCOLN-TON-LINCOLN AIRPORT AUTHORITY

AYES - 113

ADAMS
ALDRIDGE
ALEXANDER
ALLRED
ARNOLD
BAKER
BARBEE
BARNES
BEALL
BERRY
BLACK
BOWEN
BOWIE
BOYD-MCINTYRE
BRASWELL
BRAWLEY
BROWN, J.
BROWN, W.
BUCHANAN
CANSLER
CAPPS
CARPENTER
CLARY
COCKLEREECE
CRAWFORD
CREECH
CULP
CULPEPPER
CUMMINGS

CUNNINGHAM
DAUGHTRY
DAVIS
DECKER
DICKSON
DOCKHAM
EARLE
EASTERLING
EDDINS
ELLIS
ESPOSITO
FITCH
FOX
GAMBLE
GARDNER
GRADY
GRAY
HACKNEY
HAYES
HENSLEY
HIATT
HIGHTOWER
HILL
HOLMES
HOWARD
HUNT
HUNTER, R.
HURLEY

IVES
JUSTUS
KISER
LEE
LEMMOND
LINNEY
LOCKE
LUEBKE
MCALLISTER
MCCOMAS
MCCOMBS
MCCRARY
MCLAUGHLIN
MCMAHAN
MERCER
MICHAX
MINER
MITCHELL
MORGAN
NEELY
NICHOLS
NYE
OLDHAM
OWENS
PATE
PRESTON
PULLEY
RAMSEY

RAYFIELD
REDWINE
REYNOLDS
RICHARDSON
ROBINSON, G.
ROBINSON, J.
ROGERS
RUSSELL
SEXTON
SHARPE
SHAW
SHERRILL
SHUBERT
SUTTON
TALLENT
THOMPSON
TOLSON
WAINWRIGHT
WARNER
WATSON
WEATHERLY
WILKINS
WILSON, C.
WILSON, G.
WOMBLE
WOOD
WRIGHT
YONGUE

NOES - 0

EXCUSED ABSENCE - 3

BLUE

MILLER, G. MILLER, K.

EXCUSED VOTE - 0

NOT VOTING - 4

SPEAKER

CHURCH

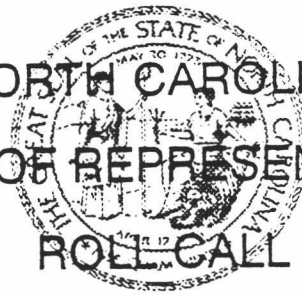
EDWARDS

HUNTER, H.

H1289

RC

NORTH CAROLINA
HOUSE OF REPRESENTATIVES
ROLL CALL



6/19/96

2:37 PM

IN CHAIR: SPEAKER

H 1289

SEQ. # 2028
LEGISLATIVE DAY 133
SR12
READING 3

AYES - 114

ADAMS
ALDRIDGE
ALEXANDER
ALLRED
ARNOLD
BAKER
BARBEE
BARNES
BEALL
BERRY
BLACK
BLUE
BOWEN
BOWIE
BOYD-MCINTYRE
BRASWELL
BRAWLEY
BROWN, J.
BROWN, W.
BUCHANAN
CANSLER
CAPPS
CARPENTER
CHURCH
CLARY
COCKLEREECE
CRAWFORD
CREECH
CULP

CULPEPPER
CUMMINGS
CUNNINGHAM
DAUGHTRY
DAVIS
DECKER
DICKSON
DOCKHAM
EARLE
EASTERLING
EDDINS
EDWARDS
ELLIS
ESPOSITO
FITCH
FOX
GAMBLE
GARDNER
GRADY
HACKNEY
HAYES
HENSLEY
HIATT
HIGHTOWER
HILL
HOLMES
HOWARD
HUNT
HUNTER, H.

HUNTER, R.
HURLEY
IVES
JUSTUS
KISER
LEE
LEMOND
LINNEY
LOCKE
LUEBKE
MCALLISTER
MCCOMAS
MCCOMBS
MCCRARY
MCLAUGHLIN
MCMAHAN
MERCER
MICHAUX
MILLER, G.
MINER
MITCHELL
MORGAN
NEELY
NICHOLS
NYE
OLDHAM
OWENS
PATE

PRESTON
PULLEY
RAMSEY
RAYFIELD
REDWINE
REYNOLDS
RICHARDSON
ROBINSON, G.
ROGERS
SEXTON
SHARPE
SHERRILL
SHUBERT
SUTTON
TALLENT
THOMPSON
TOLSON
WAINWRIGHT
WARNER
WATSON
WEATHERLY
WILKINS
WILSON, C.
WILSON, G.
WOMBLE
WOOD
WRIGHT
YONGUE

NOES - 0

EXCUSED ABSENCE - 0

EXCUSED VOTE - 0

NOT VOTING - 6

SPEAKER
GRAY

MILLER, K.
ROBINSON, J.

RUSSELL

SHAW

SHORT ROLL: H1115
H1306 H1314

H1145
H1366

H1211HCS
H1370HCS

H1289
H1412

H1379
S1176

H1272

GENERAL ASSEMBLY OF NORTH CAROLINA

H.B. FILED

SESSION 1995

1290

MAY 21 96

H

HOUSE PRINCIPAL CLERK D

HOUSE DRHA181*-LL244(5.14)

Short Title: Lake Hickory No-Wake Zone.

(Local)

Sponsors: Representative Berry.

Referred to:

- 1 A BILL TO BE ENTITLED
2 AN ACT TO ESTABLISH A NO-WAKE ZONE ON A PORTION OF LAKE
3 HICKORY.
4 The General Assembly of North Carolina enacts:
5 Section 1. It is unlawful to operate a vessel at greater than a no-wake
6 speed in the small cove lying between Gull Cove Lane and Quiet Cove Lane on
7 Lake Hickory in Catawba County. No-wake speed is idle speed or a slow speed
8 creating no appreciable wake.
9 Sec. 2. With regard to marking the no-wake speed zone established in
10 Section 1 of this act, Catawba County or its designee may place and maintain the
11 markers in accordance with the Uniform Waterway Marking System and any
12 supplementary standards for that system adopted by the Wildlife Resources
13 Commission. All markers of the no-wake speed zone must be buoys or floating signs
14 placed in the water and must be sufficient in number and size so as to give adequate
15 warning of the no-wake speed zone to vessels approaching from various directions.
16 Sec. 3. This act is enforceable under G.S. 75A-17 as if it were a
17 provision of Chapter 75A of the General Statutes.
18 Sec. 4. Violation of this act is a Class 3 misdemeanor.
19 Sec. 5. This act is effective upon ratification, and is enforceable after
20 markers complying with Section 2 of this act are placed in the water.

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 1995

H.B. FILED
1291 MAY 2
HOUSE PRINCIPAL CLERK D

H

HOUSE DRH4230*-LFZ329(5.8)

Short Title: Food Stamp Felony Fraud.

(Public)

Sponsors: Representative Berry.

Referred to:

- 1 A BILL TO BE ENTITLED
2 AN ACT RECOMMENDED BY THE LEGISLATIVE STUDY COMMISSION ON
3 WELFARE REFORM TO CORRECT THE LAW REGARDING THE FOOD
4 STAMP FELONY FRAUD THRESHOLD.
5 The General Assembly of North Carolina enacts:
6 Section 1. G.S. 108A-53(a), as amended by Section 19.5(n) of Chapter
7 507 of the 1995 Session Laws, reads as rewritten:
8 "(a) Any person, whether provider or recipient or person representing himself as
9 such, who knowingly obtains or attempts to obtain, or aids or abets any person to
10 obtain by means of making a willfully false statement or representation or by
11 impersonation or by failing to disclose material facts or in any manner not authorized
12 by this Part or the regulations issued pursuant thereto, transfers with intent to defraud
13 any food stamps or authorization cards to which ~~he~~ that person is not entitled in the
14 amount of ~~one thousand dollars (\$1,000)~~ four hundred dollars (\$400.00) or less shall
15 be guilty of a Class 1 misdemeanor. Whoever knowingly obtains or attempts to
16 obtain, or aids or abets any person to obtain by means of making a willfully false
17 statement or representation or by impersonation or by failing to disclose material
18 facts or in any manner not authorized by this Part or the regulations issued pursuant
19 thereto, transfers with intent to defraud any food stamps or authorization cards to
20 which he is not entitled in an amount more than ~~one thousand dollars (\$1,000)~~ four
21 hundred dollars (\$400.00) shall be guilty of a Class I felony."
22 Sec. 2. This act becomes effective December 1, 1996, and applies to
23 offenses committed on or after that date.

NORTH CAROLINA

HOUSE OF REPRESENTATIVES

ROLL CALL

6/04/96

2:24 PM

IN CHAIR: SPEAKER

S# 1896
L. J. LATIVE DAY 123
H1291
READING 2
BERRY

FOOD STAMP FELONY FRAUD

AYES - 100

SPEAKER	CUMMINGS	HUNTER, R.	PRESTON
ALDRIDGE	CUNNINGHAM	HURLEY	PULLEY
ALEXANDER	DAUGHTRY	IVES	RAMSEY
ALLRED	DAVIS	JUSTUS	RAYFIELD
ARNOLD	DECKER	KISER	REYNOLDS
BAKER	DICKSON	LEE	ROBINSON, G.
BARBEE	DOCKHAM	LEMMOND	ROBINSON, J.
BEALL	EARLE	LOCKE	ROGERS
BERRY	EASTERLING	MCCOMAS	RUSSELL
BLACK	EDDINS	MCCOMBS	SEXTON
BOWEN	EDWARDS	MCCRARY	SHARPE
BRAWLEY	ELLIS	MCLAUGHLIN	SHERILL
BROWN, J.	ESPOSITO	MCMAHAN	SHUBERT
BROWN, W.	FOX	MERCER	THOMPSON
BUCHANAN	GAMBLE	MILLER, G.	TOLSON
CANSLER	GARDNER	MILLER, K.	WAINWRIGHT
CAPPS	GRADY	MINER	WARNER
CARPENTER	GRAY	MITCHELL	WATSON
CHURCH	HAYES	MORGAN	WEATHERLY
CLARY	HIATT	NEELY	WILKINS
COCKLEREECE	HIGHTOWER	NICHOLS	WILSON, C.
CRAWFORD	HILL	NYE	WILSON, G.
CREECH	HOLMES	OLDHAM	WOMBLE
CULP	HOWARD	OWENS	WOOD
CULPEPPER	HUNT	PATE	YONGUE

NOES - 14

ADAMS	BRASWELL	LINNEY	MICHAUX
BARNES	HACKNEY	LUEBKE	SHAW
BLUE	HENSLEY	MCALLISTER	WRIGHT
BOYD-MCINTYRE	HUNTER, H.		

EXCUSED ABSENCE - 5

BOWIE	REDWINE	RICHARDSON	SUTTON
FITCH			

EXCUSED VOTE - 0

NOT VOTING - 1

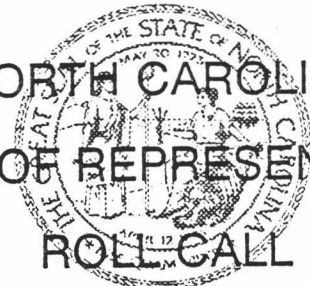
TALLENT

H1291

EV

NORTH CAROLINA

HOUSE OF REPRESENTATIVES



SENATE # 1905
LEGISLATIVE DAY 124
H1291
READING 3
BERRY

6/05/96
2:52 PM
IN CHAIR: SPEAKER

FOOD STAMP FELONY FRAUD

AYES - 98

SPEAKER
ALDRIDGE
ALEXANDER
ALLRED
ARNOLD
BAKER
BARBEE
BEALL
BERRY
BLACK
BOWEN
BOWIE
BOYD-MCINTYRE
BRAWLEY
BROWN, J.
BROWN, W.
BUCHANAN
CANSLER
CAPPS
CARPENTER
CHURCH
CLARY
COCKLEREECE
CRAWFORD
CREECH

CULP
CULPEPPER
CUMMINGS
CUNNINGHAM
DAUGHTRY
DAVIS
DECKER
DICKSON
DOCKHAM
EARLE
EASTERLING
EDDINS
ELLIS
ESPOSITO
GARDNER
GRADY
GRAY
HAYES
HIATT
HIGHTOWER
HOLMES
HOWARD
HUNT
HUNTER, R.
HURLEY

IVES
JUSTUS
KISER
LEE
LOCKE
MCALLISTER
MCCOMAS
MCCOMBS
MCCRARY
MCLAUGHLIN
MCMAHAN
MERCER
MILLER, G.
MINER
MITCHELL
MORGAN
NEELY
NICHOLS
NYE
OLDHAM
OWENS
PATE
PRESTON
PULLEY

RAMSEY
RAYFIELD
REDWINE
REYNOLDS
ROBINSON, G.
ROBINSON, J.
ROGERS
RUSSELL
SEXTON
SHARPE
SHERRILL
SHUBERT
SUTTON
THOMPSON
TOLSON
WAINWRIGHT
WARNER
WATSON
WEATHERLY
WILKINS
WILSON, C.
WILSON, G.
WOOD
YONGUE

NOES - 11

ADAMS
BARNES
BLUE

FITCH
HACKNEY
HENSLEY

HUNTER, H.
LINNEY
LUEBKE

MILLER, K.
WRIGHT

EXCUSED ABSENCE - 3

FOX

RICHARDSON

WOMBLE

EXCUSED VOTE - 0

NOT VOTING - 8

BRASWELL
EDWARDS

GAMBLE
HILL

LEMMOND
MICHAX

SHAW
TALLENT

H1291

H.B.-1292

H.B. FILED

GENERAL ASSEMBLY OF NORTH CAROLINA

1292

MAY 21 96

SESSION 1995

HOUSE PRINCIPAL CLERK

H

D

HOUSE DRH7312*-LVZ011(5.15)

Short Title: Welfare Study Comm. Continued.

(Public)

Sponsors: Representative Berry.

Referred to:

- 1 A BILL TO BE ENTITLED
2 AN ACT RECOMMENDED BY THE STUDY COMMISSION ON WELFARE
3 REFORM TO CONTINUE THE STUDY OF WELFARE REFORM AND
4 REPORT TO THE GENERAL ASSEMBLY.
5 The General Assembly of North Carolina enacts:
6 Section 1. (a) Section 47 of Chapter 24 of the 1993 Session Laws, Extra
7 Session 1994, as continued and amended by Section 23.8B of Chapter 507 of the 1995
8 Session Laws, and as amended by Part XXIII, Section 23.1 of Chapter 542 of the 1995
9 Session Laws, reads as rewritten:
10 "(a) There is created the Legislative Study Commission on Welfare Reform. The
11 Commission shall consist of 12 members as follows:
12 (1) Six members of the House of Representatives appointed by the
13 Speaker of the House of Representatives; and
14 (2) Six Senators appointed by the President Pro Tempore of the
15 Senate.
16 (b) The Speaker of the House of Representatives shall designate one
17 representative as cochair and the President Pro Tempore of the Senate shall designate
18 one Senator as cochair.
19 (c) The Commission shall study the whole issue of the need for welfare reform in
20 light of the current social crisis caused, in part, by the rapidly increasing incidence of
21 violent crimes. This study shall include:
22 (1) A reexamination of the whole purpose of the welfare system and
23 an identification of those disincentives to raising responsible,
24 independent participants in society that are built into the system;

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1995

HOUSE PRINCIPAL CLERK

H

D

HOUSE DRHA192-LG262(5.16)

Short Title: Bladen CC Swine Funds.

(Public)

Sponsors: Representative Nye.

Referred to:

1 A BILL TO BE ENTITLED
2 AN ACT TO APPROPRIATE FUNDS TO THE DEPARTMENT OF
3 COMMUNITY COLLEGES FOR THE BLADEN CENTER FOR SWINE
4 MANAGEMENT, MEAT PROCESSING, AND ENVIRONMENTAL
5 PROTECTION AT THE BLADEN COMMUNITY COLLEGE.

6 The General Assembly of North Carolina enacts:

7 Section 1. There is appropriated from the General Fund to the
8 Department of Community Colleges the sum of one hundred one thousand five
9 hundred dollars (\$101,500) for the 1996-97 fiscal year to provide instructional and
10 administrative resources in support of the Bladen Center for Swine Management,
11 Meat Processing, and Environmental Protection at the Bladen Community College.

12 Sec. 2. This act becomes effective July 1, 1996.

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1995

H.B. FILED

1294

MAY 21

HOUSE PRINCIPAL CLD

H

HOUSE DRHA202*-LFZ307(3.15)

Short Title: CFTF Data Report.

(Public)

Sponsors: Representatives Sharpe, Easterling, Clary, Dickson, and Wright.

Referred to:

1 A BILL TO BE ENTITLED
2 AN ACT RECOMMENDED BY THE CHILD FATALITY TASK FORCE TO
3 REQUIRE ALL STATE AGENCIES THAT DEAL WITH CHILD HEALTH
4 AND WELFARE TO REPORT DATA COLLECTION TO THE CHILD
5 FATALITY TASK FORCE.

6 The General Assembly of North Carolina enacts:

7 Section 1. (a) The General Assembly finds that the types of child health
8 and welfare data collected by the various State agencies involved with child health
9 and welfare and their methods of collection vary widely and that agencies are often
10 unable to share their data and other information. The General Assembly further
11 finds that the North Carolina Child Fatality Task Force is the appropriate State
12 agency to study all the State agencies' data and their methods of data collection and
13 to make recommendations on ways to improve the collection and sharing of data on
14 child health and welfare in order to enable all State agencies to improve the delivery
15 of health and welfare services to children and families.

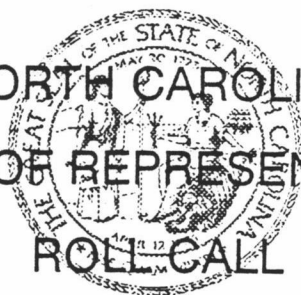
16 (b) Article 62 of Chapter 143 of the General Statutes is amended by
17 inserting a new section to read:

18 "**§ 143-578.1. Child health and welfare data reports.**

19 All State agencies that deal with child health and welfare shall provide the Task
20 Force by October 1, 1996, information on the types of data they collect, the
21 methodology of their data collection, and the barriers that exist in law or policy to
22 the collecting and sharing of this data. The Task Force shall provide the State
23 agencies the format for the report. These State agencies include the Divisions of
24 Social Services and Youth Services of the Department of Human Resources, the
25 Department of Environment, Health, and Natural Resources, the Department of

2016
LEGISLATIVE DAY 132
H1294
READING 2
SHARPE

NORTH CAROLINA
HOUSE OF REPRESENTATIVES



ROLL CALL

6/18/96
6:35 PM
IN CHAIR: SPEAKER

CHILD FATILITY TASK FORCE DATA REPORT

AYES - 99

ADAMS	CUMMINGS	HURLEY	RICHARDSON
ALDRIDGE	CUNNINGHAM	IVES	ROBINSON, G.
ALEXANDER	DAUGHTRY	JUSTUS	ROBINSON, J.
ALLRED	DAVIS	KISER	ROGERS
ARNOLD	DECKER	LEMMOND	RUSSELL
BAKER	DICKSON	LINNEY	SEXTON
BARNES	DOCKHAM	MCALLISTER	SHARPE
BEALL	EARLE	MCCOMAS	SHAW
BERRY	EASTERLING	MCCOMBS	SHERRILL
BLACK	EDDINS	MCLAUGHLIN	SHUBERT
BOWEN	EDWARDS	MCMAHAN	SUTTON
BOYD-MCINTYRE	FITCH	MICHAUX	TALLENT
BRASWELL	FOX	MINER	THOMPSON
BRAWLEY	GARDNER	MITCHELL	TOLSON
BROWN, J.	GRADY	MORGAN	WAINWRIGHT
BROWN, W.	GRAY	NEELY	WARNER
BUCHANAN	HACKNEY	NYE	WATSON
CANSLER	HENSLEY	OLDHAM	WILKINS
CAPPS	HIATT	OWENS	WILSON, C.
CARPENTER	HIGHTOWER	PATE	WILSON, G.
CLARY	HILL	PRESTON	WOMBLE
COCKLEREECE	HOWARD	PULLEY	WOOD
CRAWFORD	HUNT	RAYFIELD	WRIGHT
CREECH	HUNTER, H.	REDWINE	YONGUE
CULPEPPER	HUNTER, R.	REYNOLDS	

NOES - 1

ELLIS

EXCUSED ABSENCE - 8

BLUE	CULP	LUEBKE	MILLER, K.
BOWIE	ESPOSITO	MILLER, G.	NICHOLS

EXCUSED VOTE - 0

NOT VOTING - 12

SPEAKER	GAMBLE	LEE	MERCER
BARBEE	HAYES	LOCKE	RAMSEY
CHURCH	HOLMES	MCCRARY	WEATHERLY

H1294

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1995

H.B. FILED
1295 MAY 21 96
HOUSE PRINCIPAL CLERK

H

HOUSE DRH6211-LC291B(3.1)

Short Title: Boat Fuel Tax for Boats.

(Public)

Sponsors: Representative Wilkins.

Referred to:

- 1 A BILL TO BE ENTITLED
2 AN ACT TO PROVIDE THAT THE AMOUNT OF MOTOR FUEL TAX PAID
3 ON FUEL USED IN BOATS SHALL BE EARMARKED FOR USE FOR
4 RECREATIONAL PROJECTS, LAKE ADMINISTRATIVE BUILDINGS, AND
5 CONTROL OF AQUATIC WEEDS.
6 The General Assembly of North Carolina enacts:
7 Section 1. G.S. 105-449.126 reads as rewritten:
8 "**§ 105-449.126. Distribution of part of Highway Fund allocation to Wildlife Resources**
9 **Fund.**
10 (a) Transfer. -- The Each year, as soon as practicable after July 1, the Secretary
11 shall credit to the Wildlife Resources Fund one-sixth of one percent (1/6 of 1%) of
12 the amount that is allocated to the Highway Fund under G.S. 105-449.125 and is from
13 the excise tax on motor fuel. Revenue credited to the Wildlife Resources Fund under
14 this section may be used only for the boating and water safety activities described in
15 G.S. 75A-3(c). The Secretary must credit revenue to the Wildlife Resources Fund on
16 an annual basis: an amount equal to eighty-three one-hundredths percent (.83%) of
17 the total gallonage of gasoline taxed under this Article in the previous fiscal year
18 minus the amount of refunds paid for motor fuel used in boats under G.S. 105-
19 449.107. The amount credited shall be drawn seventy-five percent (75%) from the
20 Highway Fund and twenty-five percent (25%) from the Highway Trust Fund.
21 (b) Use. -- The Wildlife Resources Commission may retain up to one percent
22 (1%) of the revenue credited to the Wildlife Resources Fund under this section for its
23 costs in administering this subsection. One-seventh of the remainder of the revenue
24 credited to the Wildlife Resources Fund under this section may be used only for the
25 boating and water safety activities described in G.S. 75A-3(c). The remaining

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1995

H.B. FILED

1296

MAY 21 96

HOUSE PRINCIPAL CLERK D

H

HOUSE DRH6216-LC372(5.16)

Short Title: Repeal 30-Day Tax Protest Rule.

(Public)

Sponsors: Representative Justus.

Referred to:

1 A BILL TO BE ENTITLED
2 AN ACT TO REPEAL THE THIRTY-DAY TAX PROTEST RULE AND ALLOW
3 A TAXPAYER TO REQUEST A REFUND OF AN ILLEGAL TAX ANY TIME
4 WITHIN THREE YEARS AFTER THE TAX WAS DUE OR SIX MONTHS
5 AFTER PAYING THE TAX, WHICHEVER IS LATER.
6 The General Assembly of North Carolina enacts:
7 Section 1. G.S. 105-267 reads as rewritten:
8 "**§ 105-267. Taxes to be paid; suits for recovery of taxes.**
9 No court of this State shall entertain a suit of any kind brought for the purpose of
10 preventing the collection of any tax imposed in this subchapter. Whenever a person
11 ~~shall have~~ has a valid defense to the enforcement of the collection of a ~~tax assessed or~~
12 ~~charged against him or his property, such tax, the~~ person shall pay ~~such the~~ tax to the
13 proper officer, and ~~such that~~ payment shall be without prejudice to any defense of
14 rights ~~he the person~~ may have ~~in the premises regarding the tax.~~ At any time within
15 ~~30 days after payment, the period set by the statute of limitations in G.S. 105-266(c),~~
16 the taxpayer may demand a refund of the tax paid in writing from the Secretary of
17 ~~Revenue and if the same shall not be~~ tax is not refunded within 90 days thereafter,
18 may sue the Secretary of ~~Revenue~~ in the courts of the State for the amount ~~so~~
19 demanded. ~~Such~~ The suit may be brought in the Superior Court of Wake County, or
20 in the county in which the taxpayer resides at any time within three years after the
21 expiration of the 90-day period allowed for making the refund. If upon the trial it
22 ~~shall be determined that such a tax or any part thereof~~ is determined that all or part
23 of the tax was levied or assessed for an illegal or unauthorized purpose, or was for
24 any reason invalid or excessive, judgment shall be rendered therefor, with interest,
25 and ~~the same~~ the judgment shall be collected as in other cases. The amount of taxes

2020
LEGISLATIVE DAY 132
H1296HCS
READING 2
JUSTUS

NORTH CAROLINA
HOUSE OF REPRESENTATIVES
ROLL CALL

EV
6/18/96
7:02 PM
IN CHAIR: SPEAKER

REPEAL THIRTY-DAY TAX PROTEST RULE

AYES - 96

SPEAKER	CUMMINGS	HURLEY	REYNOLDS
ALDRIDGE	CUNNINGHAM	IVES	RICHARDSON
ALEXANDER	DAUGHTRY	JUSTUS	ROBINSON, G.
ALLRED	DAVIS	KISER	ROBINSON, J.
ARNOLD	DECKER	LEMMOND	ROGERS
BAKER	DICKSON	LINNEY	RUSSELL
BARBEE	DOCKHAM	MCCOMAS	SEXTON
BARNES	EASTERLING	MCCOMBS	SHARPE
BERRY	EDDINS	MCCRARY	SHAW
BLACK	EDWARDS	MCLAUGHLIN	SHERRILL
BOWEN	ELLIS	MCMAHAN	SHUBERT
BOYD-MCINTYRE	FITCH	MICHAUX	TALLENT
BRASWELL	FOX	MINER	THOMPSON
BRAWLEY	GARDNER	MITCHELL	TOLSON
BROWN, J.	GRADY	MORGAN	WAINWRIGHT
BUCHANAN	GRAY	NEELY	WARNER
CANSLER	HACKNEY	NYE	WATSON
CAPPS	HAYES	OLDHAM	WILKINS
CARPENTER	HIATT	OWENS	WILSON, C.
CLARY	HILL	PATE	WILSON, G.
COCKLEREECE	HOLMES	PRESTON	WOMBLE
CRAWFORD	HOWARD	PULLEY	WOOD
CREECH	HUNTER, H.	RAYFIELD	WRIGHT
CULPEPPER	HUNTER, R.	REDWINE	YONGUE

NOES - 1

HUNT

EXCUSED ABSENCE - 8

BLUE	CULP	LUEBKE	MILLER, K.
BOWIE	ESPOSITO	MILLER, G.	NICHOLS

EXCUSED VOTE - 0

NOT VOTING - 15

ADAMS	EARLE	LEE	RAMSEY
BEALL	GAMBLE	LOCKE	SUTTON
BROWN, W.	HENSLEY	MCALLISTER	WEATHERLY
CHURCH	HIGHTOWER	MERCER	

H1296HCS

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 1995

H.B. FILED
1297 MAY 22 95
HOUSE PRINCIPAL CLERK

H

HOUSE DRHA165-LNZ181(5.7)

Short Title: Funeral Contract Investments.

(Public)

Sponsors: Representatives Beall and Thompson.

Referred to:

A BILL TO BE ENTITLED

AN ACT TO ALLOW ALTERNATIVE INVESTMENTS OF IRREVOCABLE
PRENEED FUNERAL CONTRACT FUNDS.

The General Assembly of North Carolina enacts:

Section 1. G.S. 90-210.61(d) reads as rewritten:

"(d) Funds deposited in trust under a revocable standard preneed funeral contract may, with the written permission of the preneed funeral contract purchaser, be withdrawn by the trustee and used to purchase a prearrangement insurance policy. Except as provided in this ~~subsection~~, subsection and subsection (d1) of this section, no funds deposited in trust in a financial institution pursuant to this Article shall be withdrawn by the trustee to purchase a prearrangement insurance policy."

Sec. 2. G.S. 90-210.61 is amended by adding the following new subsection to read:

"(d1) Funds deposited in trust under an irrevocable preneed funeral contract may, with the written permission of the preneed funeral contract purchaser, be transferred by the trustee for the purchase of a prearrangement insurance policy, subject to all of the following:

- (1) Any amount that has been previously retained by the preneed licensee pursuant to subsection (a)(2) of this section shall be applied with the transferred funds as paid premiums for the purchase of a prearrangement insurance policy;
- (2) The prearrangement insurance policy shall be a single premium prearrangement insurance policy whose coverage is greater than or equal to the amount of the transferred funds;

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1995

H.B. FILED

1298

MAY 22 96

HOUSE PRINCIPAL CLERK

H

D

HOUSE DRH8262-LB474A(5.21)

Short Title: Fraternity and Sorority Sprinklers.

(Local)

Sponsors: Representatives Barnes and Hackney (Co-sponsors).

Referred to:

- 1 A BILL TO BE ENTITLED
2 AN ACT REGARDING REQUIREMENTS FOR SPRINKLER SYSTEMS IN
3 FRATERNITY AND SORORITY HOUSES IN THE TOWN OF CHAPEL HILL
4 AND ITS EXTRATERRITORIAL PLANNING JURISDICTION.
5 The General Assembly of North Carolina enacts:
6 Section 1. Notwithstanding any provision of the State Building Code or
7 any public or local law to the contrary, including, but not limited to, Chapter 143 of
8 the General Statutes, a town may require by ordinance the installation of sprinkler
9 systems in all fraternity and sorority houses within the corporate limits of the town or
10 within the town's extraterritorial planning jurisdiction, such installation to be
11 completed, as provided in such ordinance, within a reasonable period of time, to be
12 determined at the time of adoption of such ordinance, following the effective date of
13 such ordinance.
14 Sec. 2. This act applies to the Town of Chapel Hill only.
15 Sec. 3. This act is effective upon ratification.

H.B. FILED
1299 MAY 22 96
GENERAL ASSEMBLY OF NORTH CAROLINA

HOUSE PRINCIPAL CLERK
SESSION 1995

H

D

HOUSE DRHA204-LLQ234(4.30)

Short Title: Kure Beach Renourishment Funds.

(Public)

Sponsors: Representative McComas.

Referred to:

- 1 A BILL TO BE ENTITLED
2 AN ACT TO APPROPRIATE FUNDS FOR THE CAROLINA BEACH AREA
3 SOUTH PROJECT AT KURE BEACH FOR BEACH RENOURISHMENT.
4 The General Assembly of North Carolina enacts:
5 Section 1. There is appropriated from the General Fund to the
6 Department of Environment, Health, and Natural Resources the sum of four million
7 five hundred thousand dollars (\$4,500,000) for the 1996-97 fiscal year for the
8 Carolina Beach Area South Project at Kure Beach for beach renourishment.
9 Sec. 2. This act becomes effective July 1, 1996.

GENERAL ASSEMBLY OF NORTH CAROLINA H.B. FILED

SESSION 1995

1300 MAY 22 96

HOUSE PRINCIPAL CLERK D

H

HOUSE DRH6218-LH227(2.26)

Short Title: Fund Shared State/Local Positions.

(Public)

Sponsors: Representative Owens.

Referred to:

1 A BILL TO BE ENTITLED

2 AN ACT TO REQUIRE THAT THE STATE APPROPRIATE FUNDS TO LOCAL
3 GOVERNMENTS TO COVER THE INCREASED COST IN SALARY-
4 RELATED ITEMS FOR EMPLOYEES IN LOCALLY OPERATED STATE-
5 FUNDED PROGRAMS.

6 The General Assembly of North Carolina enacts:

7 Section 1. G.S. 143-10.1A reads as rewritten:

8 "**§ 143-10.1A. Same -- Continuation and expansion costs.**

9 (a) Effective July 1, 1991, the Office of State Budget and Management and the
10 Director of the Budget, with the advice of the Advisory Budget Commission, shall
11 prepare the State budget in a format that adequately and fairly reflects the
12 continuation costs for the State's share of locally operated programs established by
13 statute or State appropriation. These continuation costs shall be computed using the
14 same budget preparation guidelines and rules prepared by the Office of State Budget
15 and Management for use in State agency and institution budgets. Furthermore, in the
16 projections for the expansion costs related to employee compensation, the budget
17 shall include the expansion costs necessary to cover the State's share of salary and
18 salary-related items for employees in locally operated State-funded programs. Local
19 governments or organizations spending State funds to operate local programs shall
20 provide necessary information to the Office of State Budget and Management to
21 establish the necessary continuation and expansion costs.

22 (b) Based on the projections prepared in accordance with subsection (a) of this
23 section, the General Assembly shall appropriate funds to local governments or
24 organizations spending State funds to operate local programs sufficient to cover the

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1995

1301

MAY 22 96

HOUSE PRINCIPAL CLERK

H

D

HOUSE DRH4220-LHZ229A(4.3)

Short Title: Abduction From Legal Custodian.

(Public)

Sponsors: Representatives Clary, Easterling, Dickson, Sharpe, and Wright.

Referred to:

1 A BILL TO BE ENTITLED

2 AN ACT TO PROVIDE THAT IT IS A CLASS F FELONY TO ABDUCT A
3 CHILD FROM ANY PERSON, AGENCY, OR INSTITUTION LAWFULLY
4 ENTITLED TO THE CHILD'S CUSTODY AS RECOMMENDED BY THE
5 NORTH CAROLINA CHILD FATALITY TASK FORCE.

6 The General Assembly of North Carolina enacts:

7 Section 1. G.S. 14-41 reads as rewritten:

8 "§ 14-41. Abduction of children.

9 ~~If anyone shall abduct or by any means induce any child under the age of fourteen~~
10 ~~years, who shall reside with its father, mother, uncle, aunt, brother or elder sister, or~~
11 ~~shall reside at a school, or be an orphan and reside with a guardian, to leave such~~
12 ~~person or school, he shall be punished as a Class F felon.~~

13 (a) Any person who, without legal justification or excuse, abducts any minor child
14 from any person, agency, or institution lawfully entitled to the child's custody,
15 placement, or care shall be guilty of a Class F felony.

16 (b) Any person who, without legal justification or excuse and being at least four
17 years older than the victim, induces any minor child to leave any person, agency, or
18 institution lawfully entitled to the child's custody, placement, or care shall be guilty
19 of a Class F felony.

20 (c) The provisions of this section shall not apply to any public officer or employee
21 in the performance of his or her duty."

22 Sec. 2. This act becomes effective December 1, 1996, and applies to
23 offenses committed on or after that date.

NORTH CAROLINA

HOUSE OF REPRESENTATIVES

ROLL CALL

EV

2126
LEGISLATIVE DAY 134
H1301HCS
READING 2
CLARY

6/20/96
8:34 PM
IN CHAIR: SPEAKER

ABDUCTION FROM LEGAL CUSTODIAN

AYES - 99

ADAMS	DAUGHTRY	HURLEY	RAYFIELD
ALDRIDGE	DAVIS	IVES	REDWINE
ALEXANDER	DECKER	JUSTUS	REYNOLDS
ALLRED	DICKSON	KISER	RICHARDSON
ARNOLD	DOCKHAM	LOCKE	ROBINSON, J.
BAKER	EARLE	LUEBKE	ROGERS
BARBEE	EASTERLING	MCALLISTER	RUSSELL
BARNES	EDDINS	MCCOMAS	SEXTON
BERRY	EDWARDS	MCCOMBS	SHARPE
BLACK	ELLIS	MCCRARY	SHERRILL
BOWEN	ESPOSITO	MCMAHAN	SHUBERT
BOYD-MCINTYRE	FITCH	MERCER	TALLENT
BROWN, J.	GAMBLE	MICHAUX	THOMPSON
BUCHANAN	GARDNER	MILLER, G.	TOLSON
CANSLER	GRADY	MINER	WAINWRIGHT
CAPPS	GRAY	MITCHELL	WATSON
CARPENTER	HACKNEY	MORGAN	WEATHERLY
CHURCH	HAYES	NEELY	WILKINS
CLARY	HENSLEY	NICHOLS	WILSON, C.
COCKLEREECE	HIATT	NYE	WILSON, G.
CRAWFORD	HIGHTOWER	OWENS	WOMBLE
CREECH	HILL	PATE	WOOD
CULP	HOLMES	PRESTON	WRIGHT
CUMMINGS	HUNTER, H.	PULLEY	YONGUE
CUNNINGHAM	HUNTER, R.	RAMSEY	

NOES - 1

LINNEY

EXCUSED ABSENCE - 7

BEALL	FOX	OLDHAM	WARNER
BLUE	HUNT	ROBINSON, G.	

EXCUSED VOTE - 0

NOT VOTING - 13

SPEAKER	BROWN, W.	LEE	MILLER, K.
BOWIE	CULPEPPER	LEMMOND	SHAW
BRASWELL	HOWARD	MCLAUGHLIN	SUTTON
BRAWLEY			

H1301HCS

NORTH CAROLINA GENERAL ASSEMBLY AMENDMENT

(Please type or use ballpoint pen)

EDITION No. Draft 2278

H. B. No. 1301

DATE 6/21/96

S. B. No. _____

Amendment No. 1 (ONE)

COMMITTEE SUBSTITUTE _____

(to be filled in by
Principal Clerk)

Rep.) DAVIS

Sen.)

1 moves to amend the bill on page 1, line 14

2 () WHICH CHANGES THE TITLE

3 by adding after "child":

4 _____

5 who is at least four years younger than

6 the person

7 _____

8 _____

9 _____

10 _____

11 _____

12 _____

13 _____

14 _____

15 _____

16 _____

17 _____

18 _____

19 _____

SIGNED [Signature]

ADOPTED 6/21/96

FAILED

TABLED

44-0

[Signature]

NORTH CAROLINA GENERAL ASSEMBLY
SENATE

RECORDED VOTE

1995 SESSION
SECOND REGULAR SESSION

SEQ. 1841/54-- 4:55 PM

JUNE 21, 1996

LEGISLATIVE DAY 134

LT. GOVERNOR WICKER

-- Presiding

CLARY
ABDUCTION FROM LEGAL CUSTODIAN

HOUSE BILL 1301

AMEND 1

AYE	41	ALBERTSON	DAVIS	LEDBETTER	PERDUE
		ALLRAN	EAST	LITTLE	PLEXICO
		BALLANTINE	FORRESTER	LUCAS	PLYLER
		BASNIGHT	FOXX	MARTIN R.	RAND
		BLACKMON	GULLEY	MARTIN W.	SHERRON
		BLUST	HARTSELL	MCDANIEL	SIMPSON
		CARRINGTON	HOBBS	MCKOY	SPEED
		CLARK	HORTON	ODOM	WARREN
		COCHRANE	HOYLE	PAGE	WEBSTER
		COOPER	JORDAN	PARNELL	WINNER
		DANNELLY			

NO 0

EXCUSED 0

NOT CAST	6	BALLANCE	KERR	SHAW	SOLES
		CONDER	KINCAID		

ABSENT	3	CARPENTER	EDWARDS	SMITH
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PAIRS 0
AYE
NO

COPY)

NORTH CAROLINA GENERAL ASSEMBLY AMENDMENT

(Please type or use ballpoint pen)

EDITION No. Draft 2278

H. B. No. 1301

S. B. No. _____

COMMITTEE SUBSTITUTE _____

DATE 6/21/96

Amendment No. 1 (ONE)

(to be filled in by
Principal Clerk)

Rep.) DAVIS
Sen.) _____

- 1 moves to amend the bill on page 1, line 14
- 2 () WHICH CHANGES THE TITLE
- 3 by adding after "child":
- 4 _____
- 5 who is at least four years younger than
- 6 the person
- 7 _____
- 8 _____
- 9 _____
- 10 _____
- 11 _____
- 12 _____
- 13 _____
- 14 _____
- 15 _____
- 16 _____
- 17 _____
- 18 _____
- 19 _____

93-01

HOUSE CONCURS IN
SENATE AMENDMENT #1

JUN 21 1996

AND ORDERED
ENROLLED

[Signature]

SIGNED *[Signature]*

ADOPTED 6/21/96 FAILED *[Signature]* TABLED _____

44-0

S # 2225
LEGISLATIVE DAY 135
H1301HCS

NORTH CAROLINA
HOUSE OF REPRESENTATIVES



EV
6/21/96

IN CHAIR: SPEAKER

AMEND #1- *sent to amend*
ABDUCTION FROM LEGAL CUSTODIAN
MOTION #11- *to unaw*

AYES - 93

ADAMS	CUNNINGHAM	IVES	PULLEY
ALEXANDER	DAUGHTRY	JUSTUS	RAYFIELD
ALLRED	DAVIS	KISER	REDWINE
ARNOLD	DECKER	LEE	REYNOLDS
BAKER	DOCKHAM	LINNEY	RICHARDSON
BARBEE	EARLE	LOCKE	ROBINSON, J.
BARNES	EASTERLING	LUEBKE	RUSSELL
BERRY	EDDINS	MCALLISTER	SEXTON
BLACK	EDWARDS	MCCOMAS	SHARPE
BOWEN	ELLIS	MCCOMBS	SHUBERT
BOYD-MCINTYRE	ESPOSITO	MCCRARY	SUTTON
BRAWLEY	FITCH	MCPAHAN	TALLENT
BROWN, J.	GRADY	MERCER	THOMPSON
BROWN, W.	GRAY	MILLER, G.	TOLSON
CANSLER	HACKNEY	MINER	WAINWRIGHT
CAPPS	HAYES	MITCHELL	WATSON
CARPENTER	HENSLEY	MORGAN	WEATHERLY
CHURCH	HIATT	NEELY	WILKINS
CLARY	HIGHTOWER	NICHOLS	WILSON, C.
COCKLEREECE	HILL	NYE	WILSON, G.
CRAWFORD	HOLMES	OWENS	WOOD
CREECH	HOWARD	PATE	WRIGHT
CULP	HURLEY	PRESTON	YONGUE
CUMMINGS			

NOES - 0

EXCUSED ABSENCE - 9

ALDRIDGE	DICKSON	HUNT	ROBINSON, G.
BEALL	FOX	OLDHAM	WARNER
BLUE			

EXCUSED VOTE - 0

NOT VOTING - 18

SPEAKER	GAMBLE	MCLAUGHLIN	ROGERS
BOWIE	GARDNER	MICHAUX	SHAW
BRASWELL	HUNTER, H.	MILLER, K.	SHERRILL
BUCHANAN	HUNTER, R.	RAMSEY	WOMBLE
CULPEPPER	LEMMOND		

H1301HCS

NORTH CAROLINA GENERAL ASSEMBLY
SENATE

RECORDED VOTE

1995 SESSION
SECOND REGULAR SESSION

SEQ. 1842/55-- 4:55 PM

JUNE 21, 1996

LEGISLATIVE DAY 134

LT. GOVERNOR WICKER

-- Presiding

CLARY
ABDUCTION FROM LEGAL CUSTODIAN

HOUSE BILL 1301
READING 2

AYE	42	ALBERTSON	DANNELLY	LITTLE	PLEXICO
		ALLRAN	DAVIS	LUCAS	PLYLER
		BALLANTINE	EAST	MARTIN R.	RAND
		BASNIGHT	FORRESTER	MARTIN W.	SHERRON
		BLACKMON	FOXX	MCDANIEL	SIMPSON
		BLUST	GULLEY	MCKOY	SOLES
		CARRINGTON	HARTSELL	ODOM	SPEED
		CLARK	HOBBS	PAGE	WARREN
		COCHRANE	HORTON	PARNELL	WEBSTER
		CONDER	HOYLE	PERDUE	WINNER
		COOPER	LEDBETTER		

NO 0

EXCUSED 0

NOT CAST	5	BALLANCE	KERR	KINCAID	SHAW
		JORDAN			

ABSENT	3	CARPENTER	EDWARDS	SMITH
--------	---	-----------	---------	-------

PAIRS 0

AYE

NO

COPY)

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 1995

H.B. FILED
1302 MAY 22 96
HOUSE PRINCIPAL CLERK

H

D

HOUSE DRH1302*-RIZ30(5.7)

Short Title: Alzheimer's Association/Funds.

(Public)

Sponsors: Representative Clary.

Referred to:

- 1 A BILL TO BE ENTITLED
2 AN ACT TO APPROPRIATE FUNDS TO THE ALZHEIMER'S ASSOCIATIONS.
3 The General Assembly of North Carolina enacts:
4 Section 1. There is appropriated from the General Fund to the Division
5 of Aging, Department of Human Resources, the sum of one hundred thousand dollars
6 (\$100,000) for the 1996-97 fiscal year to be divided equally among the four chapters
7 of the Alzheimer's Association of North Carolina, which are the Western Alzheimer's
8 Chapter, the Southern Piedmont Alzheimer's Chapter, the Eastern Alzheimer's
9 Chapter, and the Triad Alzheimer's Chapter.
10 Sec. 2. Each Chapter shall submit to the Division of Aging, for approval,
11 a plan for the use of these funds, prior to receipt of these funds.
12 Sec. 3. This act becomes effective July 1, 1996.

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1995

1303

MAY 22 95

H

HOUSE PRINCIPAL CLERK

D

HOUSE DRH7292-RC001(5.15)

Short Title: Comm. Coll. Educ. Improve. Act.

(Public)

Sponsors: Representative Warner.

Referred to:

1 A BILL TO BE ENTITLED

2 AN ACT TO IMPROVE EDUCATIONAL OPPORTUNITIES FOR NORTH
3 CAROLINIANS ATTENDING COMMUNITY COLLEGES AND TO MAKE AN
4 APPROPRIATION.

5 The General Assembly of North Carolina enacts:

6 Section 1. Article 1 of Chapter 115D of the General Statutes is amended
7 by adding a new section to read:

8 "**§ 115D-9. The Education Improvement Program.**

9 (a) Grants. -- The State Board shall develop and implement the Education
10 Improvement Program to provide grants for tuition and fees for eligible persons who
11 enroll in a community college and pursue an associate degree. The State Board shall
12 make determinations of eligibility to receive grants. In no event shall a grant exceed
13 the total cost of tuition and fees charged by a community college. The State
14 Education Assistance Authority shall administer the funding of the grants.

15 (b) Eligibility. -- To be eligible to receive an Education Improvement Program
16 grant, an applicant shall meet all of the following qualifications:

- 17 (1) Be a resident for tuition purposes under G.S. 116-143.1;
18 (2) Be a graduate of an accredited high school or hold a recognized
19 equivalent diploma or certificate;
20 (3) Have not been convicted of a Class A through E felony or a felony
21 under G.S. 90-95 or under Article 3 of Chapter 18B of the General
22 Statutes or adjudicated delinquent for acts that would constitute a
23 violation of those offenses if committed by an adult, if the offense
24 occurred before the person reached the age of 16; and
25 (4) Be found to be in financial need.

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1995

H.B. FILED

1304

MAY 22 96

HOUSE PRINCIPAL CLERK

H

D

HOUSE DRHA210*-LG274(5.21)

Short Title: Pitt Forestry Funds.

(Public)

Sponsors: Representative Mercer.

Referred to:

- 1 A BILL TO BE ENTITLED
2 AN ACT TO APPROPRIATE FUNDS TO THE DEPARTMENT OF
3 ENVIRONMENT, HEALTH, AND NATURAL RESOURCES, DIVISION OF
4 FOREST RESOURCES, TO PROVIDE AN ASSISTANT COUNTY RANGER
5 IN PITT COUNTY.
6 The General Assembly of North Carolina enacts:
7 Section 1. There is appropriated from the General Fund to the
8 Department of Environment, Health, and Natural Resources, Division of Forest
9 Resources, the sum of forty thousand nine hundred twenty-eight dollars (\$40,928) for
10 the 1996-97 fiscal year to provide an assistant county ranger in Pitt County.
11 Sec. 2. This act becomes effective July 1, 1996.

GENERAL ASSEMBLY OF NORTH CAROLINA

H.B. FILED

SESSION 1995

1305

MAY 22 96

HOUSE PRINCIPAL CLEER

H

HOUSE DRH5226-LH246(5.8)

Short Title: IOG Funds.

(Public)

Sponsors: Representatives Gray, Barnes, Hackney, Kiser (Principal Co-sponsors), Culp, R. Hunter, Lemmond, Neely, Owens, Pate, and Wilkins.

Referred to:

- 1 A BILL TO BE ENTITLED
2 AN ACT TO APPROPRIATE FUNDS FOR CAPITAL IMPROVEMENTS AT THE
3 INSTITUTE OF GOVERNMENT.
4 Whereas, the Institute of Government since 1931 has made important
5 contributions to North Carolina's good government and its excellent financial
6 management by serving the entire State from its base in Chapel Hill; and
7 Whereas, the Institute's building has been inadequate and outmoded for
8 many years, which threatens its ability to maintain the highest quality of services for
9 North Carolina's public officials; and
10 Whereas, the 1994 General Assembly recognized the need for a renovated
11 and expanded building by appropriating \$700,000 to plan necessary improvements
12 and additions to the Institute of Government; and
13 Whereas, the Institute has planned the necessary capital improvements
14 that will enable it to provide North Carolina public officials with the latest and most
15 efficient instructional technologies and a higher quality of service; and
16 Whereas, the necessary improvements will include a teleconferencing
17 classroom, a computer training room, increased classroom and office space, an
18 expanded and accessible library, increased parking, improved dining facilities, and
19 access for persons with disabilities; and
20 Whereas, the planned capital project has been approved by the University
21 of North Carolina at Chapel Hill Board of Trustees, is rated as one of the
22 University's highest capital priorities, and is also a legislative priority for the Board of
23 Governors of The University of North Carolina; Now, therefore,
24 The General Assembly of North Carolina enacts:

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 1995

H.B. FILE
1306
HOUSE PRINCIPAL
D

H

HOUSE DRHA208-LBX466(5.20)

Short Title: Spruce Pine Deannexation.

(Local)

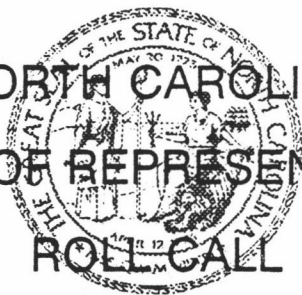
Sponsors: Representative Thompson.

Referred to:

- 1 A BILL TO BE ENTITLED
2 AN ACT TO REMOVE CERTAIN DESCRIBED PROPERTY FROM THE
3 CORPORATE LIMITS OF THE TOWN OF SPRUCE PINE.
4 The General Assembly of North Carolina enacts:
5 Section 1. The following described property is removed from the
6 corporate limits of the Town of Spruce Pine:
7 Being an area surrounded on the east, south and west by the North Toe
8 River and on the south by the present corporate limits and being described as
9 follows:
10 BEGINNING on a point on the eastern bank of the North Toe River, said point
11 being the point where the present southern boundary of the Town of Spruce Pine
12 intersects the North Toe River, said point being the first point where the North Toe
13 River enters the present corporate limits of the Town of Spruce Pine and runs thence
14 down and with the bank of North Toe River on a curve bearing to the left to the
15 point where the river again crosses the southern boundary line of the present
16 corporate limit of the Town of Spruce Pine; thence running with the present southern
17 boundary of the corporate limit of the Town of Spruce Pine due west to the point of
18 BEGINNING.
19 Sec. 2. This act shall have no effect upon the validity of any liens of the
20 Town of Spruce Pine for ad valorem taxes for years before 1996.
21 Sec. 3. This act is effective upon ratification.

2001
LEGISLATIVE DAY 132
SR 10
READING 2

NORTH CAROLINA
HOUSE OF REPRESENTATIVES



6/18/96
4:48 PM
IN CHAIR: SPEAKER

RC

H1306

AYES - 115

ADAMS	CUNNINGHAM	HURLEY	RAYFIELD
ALDRIDGE	DAUGHTRY	IVES	REDWINE
ALEXANDER	DAVIS	JUSTUS	REYNOLDS
ALLRED	DECKER	KISER	RICHARDSON
ARNOLD	DICKSON	LEE	ROBINSON, G.
BAKER	DOCKHAM	LEMMOND	ROBINSON, J.
BARBEE	EARLE	LINNEY	ROGERS
BARNES	EASTERLING	LOCKE	RUSSELL
BEALL	EDDINS	LUEBKE	SEXTON
BERRY	EDWARDS	MCALLISTER	SHARPE
BLACK	ELLIS	MCCOMAS	SHAW
BOWEN	ESPOSITO	MCCOMBS	SHERRILL
BOWIE	FITCH	MCCRARY	SHUBERT
BOYD-MCINTYRE	FOX	MCLAUGHLIN	SUTTON
BRASWELL	GAMBLE	MCMAHAN	TALLENT
BRAWLEY	GARDNER	MERCER	THOMPSON
BROWN, J.	GRADY	MICHAUX	TOLSON
BROWN, W.	GRAY	MINER	WAINWRIGHT
BUCHANAN	HACKNEY	MITCHELL	WARNER
CANSLER	HAYES	MORGAN	WATSON
CAPPS	HENSLEY	NEELY	WEATHERLY
CARPENTER	HIATT	NICHOLS	WILKINS
CLARY	HIGHTOWER	NYE	WILSON, C.
COCKLEREECE	HILL	OLDHAM	WILSON, G.
CRAWFORD	HOLMES	OWENS	WOMBLE
CREECH	HOWARD	PATE	WOOD
CULP	HUNT	PRESTON	WRIGHT
CULPEPPER	HUNTER, H.	PULLEY	YONGUE
CUMMINGS	HUNTER, R.	RAMSEY	

NOES - 0

EXCUSED ABSENCE - 3
BLUE MILLER, G. MILLER, K.

EXCUSED VOTE - 0

NOT VOTING - 2
SPEAKER CHURCH

SHORT ROLL: H1115
S1176 H 1145

H1211HCS
H1379 - H1412 - H1366

H1306

H1314HCS H1370HCS

Handwritten signature

SEQ. # 2028
LEGISLATIVE DAY 133
SR12
READING 3

NORTH CAROLINA
HOUSE OF REPRESENTATIVES
ROLL CALL

6/19/96
2:37 PM
IN CHAIR: SPEAKER

RC

H1306

AYES - 114

ADAMS	CULPEPPER	HUNTER, R.	PRESTON
ALDRIDGE	CUMMINGS	HURLEY	PULLEY
ALEXANDER	CUNNINGHAM	IVES	RAMSEY
ALLRED	DAUGHTRY	JUSTUS	RAYFIELD
ARNOLD	DAVIS	KISER	REDWINE
BAKER	DECKER	LEE	REYNOLDS
BARBEE	DICKSON	LEMOND	RICHARDSON
BARNES	DOCKHAM	LINNEY	ROBINSON, G.
BEALL	EARLE	LOCKE	ROGERS
BERRY	EASTERLING	LUEBKE	SEXTON
BLACK	EDDINS	MCALLISTER	SHARPE
BLUE	EDWARDS	MCCOMAS	SHERRILL
BOWEN	ELLIS	MCCOMBS	SHUBERT
BOWIE	ESPOSITO	MCCRARY	SUTTON
BOYD-MCINTYRE	FITCH	MCLAUGHLIN	TALLENT
BRASWELL	FOX	MCMAHAN	THOMPSON
BRAWLEY	GAMBLE	MERCER	TOLSON
BROWN, J.	GARDNER	MICHAUX	WAINWRIGHT
BROWN, W.	GRADY	MILLER, G.	WARNER
BUCHANAN	HACKNEY	MINER	WATSON
CANSLER	HAYES	MITCHELL	WEATHERLY
CAPPS	HENSLEY	MORGAN	WILKINS
CARPENTER	HIATT	NEELY	WILSON, C.
CHURCH	HIGHTOWER	NICHOLS	WILSON, G.
CLARY	HILL	NYE	WOMBLE
COCKLEREECE	HOLMES	OLDHAM	WOOD
CRAWFORD	HOWARD	OWENS	WRIGHT
CREECH	HUNT	PATE	YONGUE
CULP	HUNTER, H.		

NOES - 0

EXCUSED ABSENCE - 0

EXCUSED VOTE - 0

NOT VOTING - 6

SPEAKER
GRAY

MILLER, K. RUSSELL
ROBINSON, J.

SHAW

SHORT ROLL: H1115 H1145 H1211HCS H1289 H1379 H1272
H1306 H1314HCS H1366 H1370HCS H1412 S1176

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1995

H.B. FILE

1307

HOUSE PRINCIPAL

D

H

HOUSE DRH7316-LB470(5.21)

Short Title: Mitchell Local Act.

(Local)

Sponsors: Representative Thompson.

Referred to:

- 1 A BILL TO BE ENTITLED
- 2 AN ACT REGARDING MITCHELL COUNTY AND INCORPORATED
- 3 MUNICIPALITIES LOCATED THEREIN.
- 4 The General Assembly of North Carolina enacts:
- 5 Section 1. This act applies only to Mitchell County and incorporated
- 6 municipalities located therein.
- 7 Sec. 2. This act is effective upon ratification.

GENERAL ASSEMBLY OF NORTH CAROLINA FILED

SESSION 1995

1308

MAY 22 96

H

HOUSE PRINCIPAL CLERK

D

HOUSE DRH7315-LB468(5.21)

Short Title: Catawba Local Act.

(Local)

Sponsors: Representative Thompson.

Referred to:

- 1 A BILL TO BE ENTITLED
2 AN ACT REGARDING CATAWBA COUNTY AND INCORPORATED
3 MUNICIPALITIES LOCATED THEREIN.
4 The General Assembly of North Carolina enacts:
5 Section 1. This act applies only to Catawba County and incorporated
6 municipalities located therein.
7 Sec. 2. This act is effective upon ratification.

NORTH CAROLINA GENERAL ASSEMBLY
SENATE

RECORDED VOTE

1995 SESSION
SECOND REGULAR SESSION

SEQ. 1711/33-- 7:21 PM JUNE 18, 1996 LEGISLATIVE DAY 131

LT. GOVERNOR WICKER

-- Presiding

BLACKMON
ADMIN. SEARCH WARRANTS/WHEN SERVED

SENATE BILL 1308
READING 2

AYE	40	ALLRAN BALLANTINE BASNIGHT BLACKMON BLUST CARRINGTON CLARK COCHRANE CONDER COOPER	DAVIS EAST FOXX GULLEY HARTSELL HOBBS HORTON HOYLE JORDAN KERR	LEDBETTER LITTLE LUCAS MARTIN R. MARTIN W. MCDANIEL MCKOY ODOM PAGE PARNELL	PERDUE PLEXICO PLYLER RAND SHAW SHERRON SOLES SPEED WEBSTER WINNER
NO	1	BALLANCE			

EXCUSED	0				
NOT CAST	5	EDWARDS KINCAID	SIMPSON	SMITH	WARREN
ABSENT	4	ALBERTSON	CARPENTER	DANNELLY	FORRESTER
PAIRS	0				
AYE					
NO					

GENERAL ASSEMBLY OF NORTH CAROLINA

H.B. FILED

SESSION 1995

1309

MAY 22 96

HOUSE PRINCIPAL CLERK

H

HOUSE DRH7313-LB471(5.21)

Short Title: Avery Local Act.

(Local)

Sponsors: Representative Thompson.

Referred to:

- 1 A BILL TO BE ENTITLED
- 2 AN ACT REGARDING AVERY COUNTY AND INCORPORATED
- 3 MUNICIPALITIES LOCATED THEREIN.
- 4 The General Assembly of North Carolina enacts:
- 5 Section 1. This act applies only to Avery County and incorporated
- 6 municipalities located therein.
- 7 Sec. 2. This act is effective upon ratification.

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1995

1310

MAY 22 96

HOUSE PRINCIPAL CLERK D

H

HOUSE DRH1345-LB469(5.21)

Short Title: Caldwell Local Act.

(Local)

Sponsors: Representative Thompson.

Referred to:

- 1 A BILL TO BE ENTITLED
- 2 AN ACT REGARDING CALDWELL COUNTY AND INCORPORATED
- 3 MUNICIPALITIES LOCATED THEREIN.
- 4 The General Assembly of North Carolina enacts:
- 5 Section 1. This act applies only to Caldwell County and incorporated
- 6 municipalities located therein.
- 7 Sec. 2. This act is effective upon ratification.

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1995

H.B. FILED

1311

MAY 22 96

HOUSE PRINCIPAL CLERK

H

D

HOUSE DRH1344-LB467(5.21)

Short Title: Burke Local Act.

(Local)

Sponsors: Representative Thompson.

Referred to:

- 1 A BILL TO BE ENTITLED
2 AN ACT REGARDING BURKE COUNTY AND INCORPORATED
3 MUNICIPALITIES LOCATED THEREIN.
4 The General Assembly of North Carolina enacts:
5 Section 1. This act applies only to Burke County and incorporated
6 municipalities located therein.
7 Sec. 2. This act is effective upon ratification.

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1995

H.B. FILED

1312

MAY 22

HOUSE PRINCIPAL CLERK

H

D

HOUSE DRH2223*-LNZX187(5.9)

Short Title: Authorize MSAs.

(Public)

Sponsors: Representative Edwards.

Referred to:

1 A BILL TO BE ENTITLED
2 AN ACT TO AUTHORIZE MEDICAL SAVINGS ACCOUNT PLANS THE
3 CONTRIBUTIONS TO WHICH ARE DEDUCTIBLE FROM STATE TAXES
4 UNDER CERTAIN CIRCUMSTANCES.

5 The General Assembly of North Carolina enacts:

6 Section 1. Article 50 of Chapter 58 of the General Statutes is amended
7 by adding the following new sections to read:

8 "**§ 58-50-158. Title and reference.**

9 This section and G.S. 58-50-159 through G.S. 58-50-164 are known and may be
10 referred to as the Medical Savings Account Act, referred to in those sections as 'this
11 Act'.

12 "**§ 58-50-159. Purpose and intent.**

13 The purpose and intent of this Act is to provide incentives to North Carolina's
14 citizens to help reduce their health care costs by planning for future medical care
15 expenses, by foregoing unnecessary medical treatment, and by seeking the best value
16 for their health care dollars when treatment is necessary. To that end, this Act
17 authorizes the establishment of medical savings account plans, contributions to which
18 are State income tax deductible to the extent that funds disbursed from the account
19 are used to pay eligible medical expenses of the account holder.

20 "**§ 58-50-160. Definitions.**

21 As used in this Act, unless the context clearly requires otherwise, the term:

22 (1) 'Account administrator' means any of the following:

23 a. A nationally or state-chartered: bank, savings and loan
24 association, savings, bank, or credit union;

25 b. A trust company authorized to act as a fiduciary;

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1995

1313

MAY 22 96

H

HOUSE PRINCIPAL CLERK

D

HOUSE DRH1330-LR213(4.24)

Short Title: Wilson County School Acquisitions.

(Local)

Sponsors: Representative Arnold.

Referred to:

- 1 A BILL TO BE ENTITLED
2 AN ACT TO ALLOW WILSON COUNTY TO ACQUIRE PROPERTY FOR USE
3 BY THE COUNTY BOARD OF EDUCATION.
4 The General Assembly of North Carolina enacts:
5 Section 1. G.S.153A-158.1(e) reads as rewritten:
6 "(e) Scope. -- This section applies to Alleghany, Ashe, Avery, Bladen, Brunswick,
7 Cabarrus, Carteret, Chowan, Columbus, Currituck, Duplin, Edgecombe, Forsyth,
8 Franklin, Greene, Halifax, Harnett, Haywood, Iredell, Jackson, Johnston, Lee, Macon,
9 Madison, Moore, Nash, Orange, Pasquotank, Pender, Randolph, Richmond, Rowan,
10 Sampson, Scotland, Stanly, Union, Wake, Wilson, and Watauga Counties."
11 Sec. 2. This act is effective upon ratification.

RC

NORTH CAROLINA
HOUSE OF REPRESENTATIVES



2013
LEGISLATIVE DAY 132
H1313
READING 2
ARNOLD

6/18/96
5:55 PM
IN CHAIR: SPEAKER

WILSON COUNTY SCHOOL ACQUISITIONS

AYES - 99

ADAMS	DECKER	KISER	RICHARDSON
ALDRIDGE	DICKSON	LEE	ROBINSON, G.
ALEXANDER	DOCKHAM	LOCKE	ROBINSON, J.
ARNOLD	EARLE	LUEBKE	ROGERS
BAKER	EASTERLING	MCALLISTER	RUSSELL
BARBEE	EDDINS	MCCOMAS	SEXTON
BARNES	ELLIS	MCCOMBS	SHARPE
BEALL	ESPOSITO	MCCRARY	SHAW
BERRY	FITCH	MCLAUGHLIN	SHERILL
BOWEN	FOX	MERCER	SHUBERT
BOYD-MCINTYRE	GARDNER	MICHAUX	SUTTON
BRASWELL	GRADY	MINER	TALLENT
BRAWLEY	GRAY	MITCHELL	THOMPSON
BROWN, J.	HACKNEY	MORGAN	TOLSON
BROWN, W.	HAYES	NEELY	WAINWRIGHT
BUCHANAN	HENSLEY	NYE	WARNER
CANSLER	HIATT	OLDHAM	WATSON
CARPENTER	HIGHTOWER	OWENS	WILKINS
COCKLEREECE	HILL	PATE	WILSON, C.
CRAWFORD	HOLMES	PRESTON	WILSON, G.
CREECH	HOWARD	PULLEY	WOMBLE
CULP	HUNT	RAMSEY	WOOD
CULPEPPER	HUNTER, R.	RAYFIELD	WRIGHT
CUMMINGS	HURLEY	REDWINE	YONGUE
DAUGHTRY	JUSTUS	REYNOLDS	

NOES - 4

ALLRED	CAPPS	DAVIS	LINNEY
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EXCUSED ABSENCE - 4

BLUE	MILLER, G.	MILLER, K.	NICHOLS
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EXCUSED VOTE - 0

NOT VOTING - 13

SPEAKER	CLARY	GAMBLE	LEMMOND
BLACK	CUNNINGHAM	HUNTER, H.	MCMAHAN
BOWIE	EDWARDS	IVES	WEATHERLY
CHURCH			

H1313

RC

2037
LEGISLATIVE DAY 133
H1313
READING 3
ARNOLD

NORTH CAROLINA
HOUSE OF REPRESENTATIVES



6/19/96
3:55 PM
IN CHAIR: RUSSELL

WILSON COUNTY SCHOOL ACQUISITIONS

AYES - 102

ADAMS
ALEXANDER
ARNOLD
BAKER
BARBEE
BARNES
BEALL
BERRY
BLACK
BLUE
BOWIE
BOYD-MCINTYRE
BRASWELL
BRAWLEY
BROWN, J.
BROWN, W.
BUCHANAN
CANSLER
CARPENTER
CHURCH
CLARY
COCKLEREECE
CRAWFORD
CREECH
CULP
CULPEPPER

CUMMINGS
CUNNINGHAM
DECKER
DOCKHAM
EARLE
EDDINS
EDWARDS
ELLIS
ESPOSITO
FITCH
FOX
GAMBLE
GARDNER
GRADY
GRAY
HACKNEY
HAYES
HENSLEY
HIATT
HIGHTOWER
HILL
HOLMES
HOWARD
HUNT
HUNTER, H.
HUNTER, R.

HURLEY
IVES
JUSTUS
KISER
LEE
LEMMOND
LOCKE
LUEBKE
MCALLISTER
MCCOMBS
MCCRARY
MCLAUGHLIN
MCMAHAN
MERCER
MILLER, G.
MINER
MITCHELL
MORGAN
NEELY
NICHOLS
NYE
OLDHAM
OWENS
PATE
PRESTON

PULLEY
RAMSEY
RAYFIELD
REDWINE
REYNOLDS
RICHARDSON
ROBINSON, G.
ROBINSON, J.
ROGERS
SHARPE
SHERRILL
SHUBERT
TALLENT
THOMPSON
TOLSON
WAINWRIGHT
WARNER
WATSON
WILKINS
WILSON, C.
WILSON, G.
WOMBLE
WOOD
WRIGHT
YONGUE

NOES - 6

ALLRED
CAPPS

DAVIS
LINNEY

MCCOMAS

SEXTON

EXCUSED ABSENCE - 0

EXCUSED VOTE - 0

NOT VOTING - 12

SPEAKER
ALDRIDGE
BOWEN

DAUGHTRY
DICKSON
EASTERLING

MICHAUX
MILLER, K.
RUSSELL

SHAW
SUTTON
WEATHERLY

H1313

GENERAL ASSEMBLY OF NORTH CAROLINA H.B. FILED

SESSION 1995

1314 MAY 22 1995
HOUSE PRINCIPAL CLERK D

H

HOUSE DRHA206-LC360B(5.13)

Short Title: Nash/Wilson Comm. Coll. Acquisition.

(Local)

Sponsors: Representative Arnold.

Referred to:

- 1 A BILL TO BE ENTITLED
2 AN ACT TO ALLOW NASH AND WILSON COUNTIES TO ACQUIRE AND
3 OTHERWISE MAKE AVAILABLE PROPERTY FOR USE BY THE BOARD
4 OF TRUSTEES OF A COMMUNITY COLLEGE WITHIN THE COUNTY.
5 The General Assembly of North Carolina enacts:
6 Section 1. Section 3 of Chapter 613 of the 1993 Session Laws, as
7 amended by Chapters 154 and 399 of the 1995 Session Laws, is rewritten to read:
8 "Sec. 3. This act applies only to Gaston, Greene, Montgomery, Nash, Sampson,
9 and Wilson Counties."
10 Sec. 2. The amendments to G.S. 153A-158 made by Chapter 613 of the
11 1993 Session Laws and Chapter 399 of the 1995 Session Laws apply to Nash County
12 and Wilson County as well as to Gaston, Greene, Montgomery, and Sampson
13 Counties.
14 Sec. 3. This act is effective upon ratification.

2001
LEGISLATIVE DAY 132
SR 10
READING 2

NORTH CAROLINA
HOUSE OF REPRESENTATIVES
ROLL CALL

6/18/96
4:48 PM
IN CHAIR: SPEAKER

H 1314

AYES - 115

ADAMS
ALDRIDGE
ALEXANDER
ALLRED
ARNOLD
BAKER
BARBEE
BARNES
BEALL
BERRY
BLACK
BOWEN
BOWIE
BOYD-MCINTYRE
BRASWELL
BRAWLEY
BROWN, J.
BROWN, W.
BUCHANAN
CANSLER
CAPPS
CARPENTER
CLARY
COCKLEREECE
CRAWFORD
CREECH
CULP
CULPEPPER
CUMMINGS

CUNNINGHAM
DAUGHTRY
DAVIS
DECKER
DICKSON
DOCKHAM
EARLE
EASTERLING
EDDINS
EDWARDS
ELLIS
ESPOSITO
FITCH
FOX
GAMBLE
GARDNER
GRADY
GRAY
HACKNEY
HAYES
HENSLEY
HIATT
HIGHTOWER
HILL
HOLMES
HOWARD
HUNT
HUNTER, H.
HUNTER, R.

HURLEY
IVES
JUSTUS
KISER
LEE
LEMMOND
LINNEY
LOCKE
LUEBKE
MCALLISTER
MCCOMAS
MCCOMBS
MCCRARY
MCLAUGHLIN
MCMAHAN
MERCER
MICHAUX
MINER
MITCHELL
MORGAN
NEELY
NICHOLS
NYE
OLDHAM
OWENS
PATE
PRESTON
PULLEY
RAMSEY

RAYFIELD
REDWINE
REYNOLDS
RICHARDSON
ROBINSON, G.
ROBINSON, J.
ROGERS
RUSSELL
SEXTON
SHARPE
SHAW
SHERRILL
SHUBERT
SUTTON
TALLENT
THOMPSON
TOLSON
WAINWRIGHT
WARNER
WATSON
WEATHERLY
WILKINS
WILSON, C.
WILSON, G.
WOMBLE
WOOD
WRIGHT
YONGUE

NOES - 0

EXCUSED ABSENCE - 3

BLUE

MILLER, G.

MILLER, K.

EXCUSED VOTE - 0

NOT VOTING - 2

SPEAKER

CHURCH

SHORT ROLL: H1115
S1176 H 1145

H1211HCS

H1306

H1314HCS

H1370HCS

H 1379

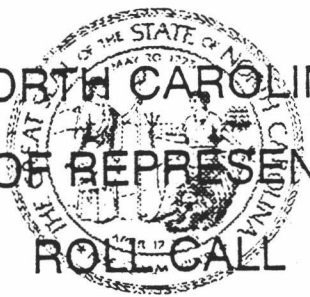
H 1412

H 1366

Wick

RC

NORTH CAROLINA
HOUSE OF REPRESENTATIVES
ROLL CALL



SEQ. # 2028
LEGISLATIVE DAY 133
SR12
READING 3

6/19/96
2:37 PM
IN CHAIR: SPEAKER

H1314

AYES - 114

ADAMS	CULPEPPER	HUNTER, R.	PRESTON
ALDRIDGE	CUMMINGS	HURLEY	PULLEY
ALEXANDER	CUNNINGHAM	IVES	RAMSEY
ALLRED	DAUGHTRY	JUSTUS	RAYFIELD
ARNOLD	DAVIS	KISER	REDWINE
BAKER	DECKER	LEE	REYNOLDS
BARBEE	DICKSON	LEMMOND	RICHARDSON
BARNES	DOCKHAM	LINNEY	ROBINSON, G.
BEALL	EARLE	LOCKE	ROGERS
BERRY	EASTERLING	LUEBKE	SEXTON
BLACK	EDDINS	MCALLISTER	SHARPE
BLUE	EDWARDS	MCCOMAS	SHERRILL
BOWEN	ELLIS	MCCOMBS	SHUBERT
BOWIE	ESPOSITO	MCCRARY	SUTTON
BOYD-MCINTYRE	FITCH	MCLAUGHLIN	TALLENT
BRASWELL	FOX	MCMAHAN	THOMPSON
BRAWLEY	GAMBLE	MERCER	TOLSON
BROWN, J.	GARDNER	MICHAUX	WAINWRIGHT
BROWN, W.	GRADY	MILLER, G.	WARNER
BUCHANAN	HACKNEY	MINER	WATSON
CANSLER	HAYES	MITCHELL	WEATHERLY
CAPPS	HENSLEY	MORGAN	WILKINS
CARPENTER	HIATT	NEELY	WILSON, C.
CHURCH	HIGHTOWER	NICHOLS	WILSON, G.
CLARY	HILL	NYE	WOMBLE
COCKLEREECE	HOLMES	OLDHAM	WOOD
CRAWFORD	HOWARD	OWENS	WRIGHT
CREECH	HUNT	PATE	YONGUE
CULP	HUNTER, H.		

NOES - 0

EXCUSED ABSENCE - 0

EXCUSED VOTE - 0

NOT VOTING - 6

SPEAKER	MILLER, K.	RUSSELL	SHAW
GRAY	ROBINSON, J.		

SHORT ROLL: H1115 H1145 H1211HCS H1289 H1379 H1272
H1306 H1314HCS H1366 H1370HCS H1412 S1176

H.B. FILED
1315 MAY 22 96
HOUSE PRINCIPAL CLERK

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1995

H

D

HOUSE DRHA200*-LFZ326A(4.29)

Short Title: CFTF Extension.

(Public)

Sponsors: Representatives Easterling, Clary, Dickson, Sharpe, and Wright.

Referred to:

1 A BILL TO BE ENTITLED
2 AN ACT RECOMMENDED BY THE CHILD FATALITY TASK FORCE TO
3 EXTEND THE TASK FORCE UNTIL 1999.
4 The General Assembly of North Carolina enacts:
5 Section 1. Section 285(b) of Chapter 321 of the 1993 Session Laws, as
6 amended by Section 27.8(b) of Chapter 769 of the 1993 Session Laws, Regular
7 Session 1994, reads as rewritten:
8 "(b) The Task Force shall provide updated reports to the Governor and General
9 Assembly within the first week of the convening of the 1993 General Assembly,
10 within the first week of the convening of the 1994 Regular Session of the 1993
11 General Assembly, within the first week of the convening of the 1995 General
12 Assembly, ~~and~~ within the first week of the convening of the 1996 Regular Session of
13 the 1995 General Assembly. ~~The Task Force shall provide a final report to the~~
14 ~~Governor and General Assembly within the first week of the convening of the 1997~~
15 ~~General Assembly. Assembly, and within the first week of the convening of the 1997~~
16 ~~General Assembly. The Task Force may provide updated reports to the Governor~~
17 ~~and General Assembly within one week of the convening of any regular session of~~
18 ~~the General Assembly meeting in even-numbered years, up to and including 1998.~~
19 ~~The Task Force shall provide a final report to the Governor and General Assembly~~
20 ~~within the first week of the convening of the 1999 General Assembly. The final~~
21 report shall include final conclusions and recommendations for each of the Task
22 Force's duties, as well as any other recommendations for changes to any law, rule,
23 and policy that it has determined will promote the safety and well-being of children.
24 Any recommendations of changes to law, rule, or policy shall be accompanied by

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1995

H.B. FILED

1316

MAY 22 96

HOUSE PRINCIPAL CLERK

H

D

HOUSE DRHA201*-LFZ304A(3.15)

Short Title: CFTF Confidential Records Change.

(Public)

Sponsors: Representatives Easterling, Clary, Dickson, Sharpe, and Wright.

Referred to:

1 A BILL TO BE ENTITLED
2 AN ACT RECOMMENDED BY THE CHILD FATALITY TASK FORCE TO
3 BROADEN THE ACCESS TO CONFIDENTIAL RECORDS FOR THE
4 PURPOSES OF CHILD FATALITY REVIEW AND PREVENTION.
5 The General Assembly of North Carolina enacts:
6 Section 1. G.S. 143-578 reads as rewritten:
7 "§ 143-578. Access to records.
8 (a) The Chair of the State Team, a Local Team, or the Task Force during its
9 existence, may make a written demand for any information or reports, whether or not
10 confidential, that may in the Chair's opinion be relevant to a review of a child's
11 death or maltreatment pursuant to this Article. Upon the Chair's request, and unless
12 protected by the attorney-client privilege, any public or private agency or individual
13 shall provide access to and copies of this confidential information and these records
14 to the extent permitted by federal law and regulations. Any public or private agency
15 or individual acting in good faith in providing this access is immune from any civil or
16 criminal liability that might otherwise be incurred or imposed. The State Team, the
17 Local Teams, and the Task Force during its existence, shall have access to all medical
18 records, hospital records, and records maintained by this State, any county, or any
19 local agency as necessary to carry out the purposes of this Article, including police
20 investigations data, medical examiner investigative data, health records, mental health
21 records, and social services records. The State Team, the Task Force, and the Local
22 Teams shall not, as part of the reviews authorized under this Article, contact,
23 question, or interview the child, the parent of the child, or any other family member
24 of the child whose record is being reviewed. Any member of a Local Team may

NORTH CAROLINA

HOUSE OF REPRESENTATIVES

ROLL CALL

EV

6/20/96

1:13 PM

IN CHAIR: SPEAKER

2090

LEGISLATIVE DAY 134

H1316HCS

READING 2

EASTERLING

CHILD FATILITY TASK FORCE CONFID. RECS.

AYES - 102

ADAMS	DAVIS	JUSTUS	RAYFIELD
ALDRIDGE	DECKER	KISER	REDWINE
ALEXANDER	DICKSON	LEE	REYNOLDS
ALLRED	DOCKHAM	LINNEY	RICHARDSON
ARNOLD	EARLE	LOCKE	ROBINSON, J.
BAKER	EASTERLING	LUEBKE	RUSSELL
BERRY	EDDINS	MCALLISTER	SEXTON
BLACK	EDWARDS	MCCOMAS	SHARPE
BLUE	ELLIS	MCCOMBS	SHAW
BOWIE	ESPOSITO	MCCRARY	SHERILL
BRASWELL	FITCH	MCMAHAN	SHUBERT
BRAWLEY	GAMBLE	MERCER	SUTTON
BROWN, J.	GARDNER	MICHAUX	TALLENT
BROWN, W.	GRADY	MILLER, G.	THOMPSON
BUCHANAN	GRAY	MILLER, K.	TOLSON
CANSLER	HAYES	MITCHELL	WAINWRIGHT
CAPPS	HENSLEY	MORGAN	WATSON
CARPENTER	HIATT	NEELY	WEATHERLY
CHURCH	HIGHTOWER	NICHOLS	WILKINS
CLARY	HILL	NYE	WILSON, C.
COCKLEREECE	HOLMES	OWENS	WILSON, G.
CRAWFORD	HOWARD	PATE	WOMBLE
CREECH	HUNTER, H.	PRESTON	WOOD
CUMMINGS	HUNTER, R.	PULLEY	WRIGHT
CUNNINGHAM	HURLEY	RAMSEY	YONGUE
DAUGHTRY	IVES		

NOES - 1

CULPEPPER

EXCUSED ABSENCE - 7

BEALL	FOX	OLDHAM	WARNER
CULP	HUNT	ROBINSON, G.	

EXCUSED VOTE - 0

NOT VOTING - 10

SPEAKER	BOWEN	LEMMOND	MINER
BARBEE	BOYD-MCINTYRE	MCLAUGHLIN	ROGERS
BARNES	HACKNEY		

H1316HCS

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1995

1317

NA

H

HOUSE PRINCIPAL

D

HOUSE DRH7320*-RTXZ007.01(5.16)

Short Title: Amend Env. Mgt. Comm. Fee Auth.

(Public)

Sponsors: Representative Nichols.

Referred to:

1 A BILL TO BE ENTITLED

2 AN ACT TO INCREASE THE MAXIMUM FEES THAT THE
3 ENVIRONMENTAL MANAGEMENT COMMISSION MAY CHARGE FOR
4 PERMITS AND COMPLIANCE MONITORING UNDER THE WATER
5 QUALITY PROGRAM AND TO INCREASE THE MAXIMUM PERCENTAGE
6 OF THE TOTAL BUDGETS OF CERTAIN ENVIRONMENTAL PROGRAMS
7 THAT MAY BE DERIVED FROM FEES FROM THIRTY TO FIFTY
8 PERCENT, AS RECOMMENDED BY THE ENVIRONMENTAL REVIEW
9 COMMISSION.

10 The General Assembly of North Carolina enacts:

11 Section 1. G.S. 143-215.3(a)(1a) reads as rewritten:

12 "(1a) To charge fees for the following:

- 13 a. Processing of applications for ~~permits~~ or permits,
14 certifications, and registrations issued under Articles 21,
15 21A, 21B, and 38 of this Chapter;
16 b. Administering ~~permits~~ or permits, certifications, and
17 registrations issued under Articles 21, 21A, 21B, ~~or~~ and 38
18 of this Chapter including monitoring compliance with the
19 terms of those permits; and
20 c. Reviewing, processing, and publicizing applications for
21 construction grant awards under the Federal Water
22 Pollution Control Act.

23 No fee may be charged under this provision, however, to a farmer
24 who submits an application that pertains to his farming ~~operations.~~
25 operation except for a permit that is required under Article 21,

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1995

H.B. FILED
1378 MAY 22
HOUSE PRINCIPAL CLERK

H

D

HOUSE DRH4231*-LFZ331(5.15)

Short Title: Medicaid Study Extension.

(Public)

Sponsors: Representative Esposito.

Referred to:

- 1 A BILL TO BE ENTITLED
2 AN ACT RECOMMENDED BY THE BLUE RIBBON TASK FORCE ON THE
3 ISSUE OF THE POTENTIAL IMPACT OF FEDERAL BLOCK GRANT
4 FUNDING AND OTHER FEDERAL ACTIONS ON MEDICAID IN NORTH
5 CAROLINA TO EXTEND THE STUDY.
6 The General Assembly of North Carolina enacts:
7 Section 1. Section 23.5A(d) of Chapter 507 of the 1995 Session Laws
8 reads as rewritten:
9 "(d) The task force shall report the results of its study, together with any
10 legislative proposals and cost analyses, to the 1995 General Assembly, Regular
11 Session 1996, within a week of its ~~convening or~~ convening, to a special session of the
12 1995 General Assembly called to deal with federal block grant funding ~~issues~~: issues,
13 or to the 1997 General Assembly within a week of its convening."
14 Sec. 2. This act is effective upon ratification.

H.B. - 1319
H.B. FILED
1319 MAY 22
HOUSE PRINCIPAL CL
GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1995

H

D

HOUSE DRH6208*-LR191A(1.18)

Short Title: Rose Hill Subdivision Definition.

(Local)

Sponsors: Representative Watson.

Referred to:

- 1 A BILL TO BE ENTITLED
2 AN ACT CONCERNING THE DEFINITION OF SUBDIVISION FOR THE TOWN
3 OF ROSE HILL.
4 The General Assembly of North Carolina enacts:
5 Section 1. G.S. 160A-376 reads as rewritten:
6 "**§ 160A-376. Definition.**
7 For the purpose of this Part, 'subdivision' means all divisions of a tract or parcel of
8 land into two or more lots, building sites, or other divisions for the purpose of sale or
9 building development (whether immediate or future) and shall include all divisions of
10 land involving the dedication of a new street or a change in existing streets; but the
11 following shall not be included within this definition nor be subject to the regulations
12 authorized by this Part:
13 (1) The combination or recombination of portions of previously
14 subdivided and recorded lots where the total number of lots is not
15 increased and the resultant lots are equal to or exceed the
16 standards of the municipality as shown in its subdivision
17 regulations;
18 (2) The division of land into parcels greater than 10 acres where no
19 street right-of-way dedication is involved;
20 (3) The public acquisition by purchase of strips of land for the
21 widening or opening of streets; ~~and~~
22 (4) ~~The~~ Within the corporate limits of the municipality, the division of
23 a tract in single ownership whose entire area is no greater than two
24 acres into not more than three lots, where no street right-of-way
25 dedication is involved and where the resultant lots are equal to or

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1995

1320 MAY 22 1995

H

HOUSE PRINCIPAL CLERK

D

HOUSE DRH7297-RGZ005(5.10)

Short Title: Eliminate Certified Notice.

(Public)

Sponsors: Representatives Hensley, Neely (Co-sponsors), Culpepper, R. Hunter, and McCrary.

Referred to:

- 1 A BILL TO BE ENTITLED
2 AN ACT TO ELIMINATE THE REQUIREMENT OF CERTIFIED MAIL NOTICE
3 IN BOND FORFEITURE CASES.
4 The General Assembly of North Carolina enacts:
5 Section 1. G.S. 15A-544(b) reads as rewritten:
6 "(b) If the principal does not comply with the conditions of the bail bond, the
7 court having jurisdiction must enter an order declaring the bail to be forfeited. If
8 forfeiture is ordered by the court, a copy of the order of forfeiture and notice that
9 judgment will be entered upon the order after 60 days must be served on each
10 obligor. Service is to be made by the clerk mailing by ~~certified mail, return receipt~~
11 ~~requested~~, first-class mail a copy of the order of forfeiture and notice to each obligor
12 at each obligor's address as noted on the bond and note on the original the date of
13 mailing. Service is complete three days after the mailing."
14 Sec. 2. This act is effective upon ratification.

NORTH CAROLINA

HOUSE OF REPRESENTATIVES

ROLL CALL

EV

2163
LEGISLATIVE DAY 135
H1320
READING 2
HENSLEY and Neely

6/21/96
12:38 PM
IN CHAIR: SPEAKER

ELIMINATE CERTIFIED NOTICE

AYES - 102

ADAMS	CUNNINGHAM	IVES	REDWINE
ALEXANDER	DAUGHTRY	JUSTUS	REYNOLDS
ALLRED	DAVIS	KISER	RICHARDSON
ARNOLD	DECKER	LEE	ROBINSON, J.
BAKER	DICKSON	LEMOND	ROGERS
BARBEE	DOCKHAM	LOCKE	RUSSELL
BARNES	EASTERLING	LUEBKE	SEXTON
BERRY	EDDINS	MCALLISTER	SHARPE
BLACK	EDWARDS	MCCOMAS	SHAW
BOYD-MCINTYRE	ELLIS	MCCOMBS	SHERRILL
BRASWELL	ESPOSITO	MCCRARY	SHUBERT
BRAWLEY	FITCH	MCMAHAN	SUTTON
BROWN, J.	GAMBLE	MERCER	TALLENT
BROWN, W.	GARDNER	MILLER, G.	THOMPSON
BUCHANAN	GRADY	MINER	TOLSON
CANSLER	HACKNEY	MITCHELL	WAINWRIGHT
CAPPS	HAYES	MORGAN	WATSON
CARPENTER	HENSLEY	NEELY	WEATHERLY
CHURCH	HIATT	NICHOLS	WILKINS
CLARY	HIGHTOWER	NYE	WILSON, C.
COCKLEREECE	HILL	OWENS	WILSON, G.
CRAWFORD	HOLMES	PATE	WOMBLE
CREECH	HOWARD	PRESTON	WOOD
CULP	HUNTER, H.	PULLEY	WRIGHT
CULPEPPER	HUNTER, R.	RAYFIELD	YONGUE
CUMMINGS	HURLEY		

NOES - 1

LINNEY

EXCUSED ABSENCE - 8

ALDRIDGE	BLUE	HUNT	ROBINSON, G.
BEALL	FOX	OLDHAM	WARNER

EXCUSED VOTE - 0

NOT VOTING - 9

SPEAKER	EARLE	MCLAUGHLIN	MILLER, K.
BOWEN	GRAY	MICHAUX	RAMSEY
BOWIE			

H1320

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 1995

H.B. FILED
1321 MAY 22 96
HOUSE PRINCIPAL CLERK

H

HOUSE DRHA196-RSZ006.1(5.10)

Short Title: Waiver of Recording/Dist. Ct.

(Public)

Sponsors: Representatives Hensley, Culpepper, R. Hunter, and McCrary.

Referred to:

1 A BILL TO BE ENTITLED
2 AN ACT TO PROVIDE THAT A CIVIL TRIAL IN DISTRICT COURT WILL
3 NOT BE REPORTED UNLESS A PARTY REQUESTS REPORTING IN
4 WRITING OR THE COURT ORDERS REPORTING.
5 The General Assembly of North Carolina enacts:
6 Section 1. G.S. 7A-198(d) reads as rewritten:
7 "(d) Reporting of any trial ~~may be waived by consent of the parties.~~ is waived
8 unless a party requests reporting in writing. Except as otherwise provided in
9 subsection (e) of this section, a trial shall be reported if a party requests reporting in
10 writing or if the court, in its discretion, orders that the trial be reported."
11 Sec. 2. This act becomes effective October 1, 1996.

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1995

H.B. FILED
1322 MAY 22 96
HOUSE PRINCIPAL CLERK

H

D

HOUSE DRHA207-RVZ004(5.21)

Short Title: Salary Continuation in DOC.

(Public)

Sponsors: Representative Justus.

Referred to:

- 1 A BILL TO BE ENTITLED
2 AN ACT TO CLARIFY ELIGIBILITY UNDER THE SALARY CONTINUATION
3 PLAN FOR EMPLOYEES OF THE DEPARTMENT OF CORRECTION.
4 The General Assembly of North Carolina enacts:
5 Section 1. G.S. 143-166.13(b) reads as rewritten:
6 "(b) The following persons are entitled to benefits under this Article regardless of
7 whether they are subject to the Criminal Justice Training and Standards Act:
8 (1) Driver License Examiners injured by accident arising out of and in
9 the course of giving a road test, Division of Motor Vehicles,
10 Department of ~~Transportation~~. Transportation;
11 (2) Employees injured by a direct and deliberate act of an offender
12 supervised by the Department of Correction or an individual
13 acting on behalf of such an offender or while performing
14 supervisory duties over offenders which place the employee at risk
15 of such injury, Department of Correction."
16 Sec. 2. This act is effective July 1, 1996, and applies to injuries occurring
17 on or after that date.

H.B. - 1323

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1995

H.B. FILED

MAY 22 96

HOUSE PRINCIPAL CLERK

H

D

HOUSE DRH2230-RVZ002(5.21)

Short Title: Reimburse Inmate Costs.

(Public)

Sponsors: Representative Justus.

Referred to:

1 A BILL TO BE ENTITLED
2 AN ACT TO AUTHORIZE THE DEPARTMENT OF CORRECTION TO
3 REIMBURSE LOCAL CONFINEMENT FACILITIES FOR THE EXPENSES OF
4 MAINTAINING INMATES PENDING TRANSFER TO THE STATE PRISON
5 SYSTEM.
6 The General Assembly of North Carolina enacts:
7 Section 1. G.S. 148-29 reads as rewritten:
8 "§ 148-29. Transportation of convicts to prison; reimbursement to counties; sheriff's
9 expense affidavit; State not liable for maintenance expenses until convict received.
10 affidavit.
11 The sheriff having in charge any prisoner to be taken to the Central Prison at
12 Raleigh shall send him to the Central Prison within five days after the adjournment of
13 the court at which he was sentenced, if no appeal has been taken. Beginning on the
14 sixth day after adjournment of the court in which the prisoner was sentenced and
15 continuing through the day the prisoner is received by the Division of Prisons, the
16 Department of Correction shall pay the county a standard sum set by the General
17 Assembly in its appropriations acts for the cost of providing food, clothing, personal
18 items, supervision, and necessary ordinary medical services to the prisoner awaiting
19 transfer to the State prison system.
20 The sheriff shall file with the board of commissioners of his county a copy of his
21 affidavit as to necessary guard, together with a copy of his itemized account of
22 expenses, both certified to by him as true copies of those on file in his office. ~~The~~
23 ~~State is not liable for the expenses of maintaining convicts until they have been~~
24 ~~received by the State Department of Correction authorities, nor shall any moneys be~~
25 ~~paid out of the treasury for support of convicts prior to such reception."~~

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1995

H.B. FILED
1324 MAY 22 96
HOUSE PRINCIPAL CLERK D

H

HOUSE DRH1348*-RVZ006(5.20)

Short Title: Sex Offender Post-Release Supervision.

(Public)

Sponsors: Representative Justus.

Referred to:

1 A BILL TO BE ENTITLED
2 AN ACT TO EXTEND THE REGULAR PERIOD OF POST-RELEASE
3 SUPERVISION FROM SIX TO NINE MONTHS, TO EXTEND THE PERIOD
4 OF POST-RELEASE SUPERVISION TO FIVE YEARS FOR SEX OFFENDERS
5 AND TO PROVIDE FOR SPECIAL CONDITIONS OF POST-RELEASE
6 SUPERVISION FOR SEX OFFENDERS AND PERSONS CONVICTED OF
7 OFFENSES INVOLVING PHYSICAL, MENTAL, OR SEXUAL ABUSE OF
8 MINORS.
9 The General Assembly of North Carolina enacts:
10 Section 1. G.S. 15A-1368.2(c) reads as rewritten:
11 "(c) A supervisee's period of post-release supervision shall be for a period of ~~six~~
12 ~~months~~ nine months, unless the offense is an offense for which registration is
13 required pursuant to Article 27A of Chapter 14 of the General Statutes. For offenses
14 subject to the registration requirement of the aforementioned statute, the period of
15 post-release supervision is five years. The conditions of post-release supervision are as
16 authorized in G.S. 15A-1368.5."
17 Sec. 2. G.S. 15A-1368.4 is amended by adding a new subsection to read:
18 "(b1) Required Conditions for Sex Offenders. -- For a supervisee who has been
19 convicted of an offense which is a reportable conviction as defined in G.S. 14-
20 208.6(4), or which involves the physical, mental, or sexual abuse of a minor,
21 controlling conditions, violations of which may result in revocation of post-release
22 supervision, are:
23 (1) Register as required by G.S. 14-208.7 if the offense is a reportable
24 conviction as defined by G.S. 14-208.6(4).

NORTH CAROLINA

HOUSE OF REPRESENTATIVES

ROLL CALL

EV

2048
LEGISLATIVE DAY 133
H1324HCS
READING 2
JUSTUS

6/19/96

4:28 PM

IN CHAIR: SPEAKER

SEX OFFENDER POST- RELEASE SUPERVISION

ADAMS
ALDRIDGE
ALEXANDER
ALLRED
ARNOLD
BAKER
BARBEE
BARNES
BERRY
BLACK
BOWEN
BOWIE
BOYD-MCINTYRE
BRASWELL
BRAWLEY
BROWN, J.
BROWN, W.
BUCHANAN
CANSLER
CAPPS
CARPENTER
CLARY
COCKLEREECE
CRAWFORD
CREECH
CULP
CULPEPPER
CUMMINGS

DAUGHTRY
DAVIS
DECKER
DICKSON
DOCKHAM
EARLE
EASTERLING
EDDINS
EDWARDS
ELLIS
ESPOSITO
FITCH
FOX
GAMBLE
GARDNER
GRADY
GRAY
HACKNEY
HAYES
HENSLEY
HIATT
HIGHTOWER
HILL
HOLMES
HOWARD
HUNT
HUNTER, R.
HURLEY

AYES - ¹¹¹~~110~~

IVES
JUSTUS
KISER
LEE
LEMMOND
LINNEY
LOCKE
LUEBKE
MCALLISTER
MCCOMAS
MCCOMBS
MCLAUGHLIN
MCMAHAN
MERCER
MICHAUX
MILLER, G.
MITCHELL
MORGAN
NEELY
NICHOLS
NYE
OLDHAM
OWENS
PATE
PRESTON
PULLEY
RAMSEY

RAYFIELD
REDWINE
REYNOLDS
RICHARDSON
ROBINSON, G.
ROBINSON, J.
ROGERS
RUSSELL
SEXTON
SHARPE
SHERRILL
SHUBERT
SUTTON
TALLENT
THOMPSON
TOLSON
WAINWRIGHT
WARNER
WATSON
WEATHERLY
WILKINS
WILSON, C.
WILSON, G.
WOMBLE
WOOD
WRIGHT
YONGUE

MCCRARY *SW*

NOES - 0

EXCUSED ABSENCE - 1

BEALL

EXCUSED VOTE - 0

NOT VOTING - ⁹~~8~~

SPEAKER
BLUE
CHURCH

CUNNINGHAM
HUNTER, H.

MCCRARY
MILLER, K.

MINER
SHAW

Rep. McCrary request to be recorded as voting
"aye" *Speaker no orders.*
SW

H1324HCS

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1995

H

D

HOUSE DRH6219*-RVZ005(5.20)

Short Title: Conditions of Probation.

(Public)

Sponsors: Representative Justus.

Referred to:

A BILL TO BE ENTITLED

1
2 AN ACT TO PROVIDE FOR MANDATORY CONDITIONS OF PROBATION
3 FOR SEX OFFENDERS AND PERSONS CONVICTED OF OFFENSES
4 INVOLVING PHYSICAL, MENTAL, OR SEXUAL ABUSE OF CHILDREN.

5 The General Assembly of North Carolina enacts:

6 Section 1. G.S. 15A-1343 is amended by adding a new subsection to
7 read:

8 "(b2) Special Conditions of Probation for Sex Offenders. -- As special conditions
9 of probation, a defendant who has been convicted of an offense which is a reportable
10 conviction as defined in G.S. 14-208.6(4), or which involves the physical, mental, or
11 sexual abuse of a minor, must:

- 12 (1) Register as required by G.S. 14-208.7 if the offense is a reportable
13 conviction as defined by G.S. 14-208.6(4).
14 (2) Participate in such evaluation and treatment as is necessary to
15 complete a prescribed course of psychiatric, psychological, or other
16 rehabilitative treatment as ordered by the court.
17 (3) Not communicate with, be in the presence of, or found in or on
18 the premises of the victim of the offense.
19 (4) Not reside in a household with any minor child if the offense is
20 one in which there is evidence of physical, mental, or sexual abuse
21 of a minor, unless the court expressly finds that it is unlikely that
22 the defendant's harmful or abusive conduct will recur and that it
23 would be in the minor child's best interest to allow the probationer
24 to reside in the same household with a minor child.

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1995

H.B. FILED

1326

MAY 22 96

HOUSE PRINCIPAL CLERK D

H

HOUSE DRHA170-LDQ194(1.1)

Short Title: Lee Forestry Building Funds.

(Public)

Sponsors: Representative Davis.

Referred to:

- 1 A BILL TO BE ENTITLED
2 AN ACT TO APPROPRIATE FUNDS FOR THE CONSTRUCTION OF A
3 FORESTRY HEADQUARTERS IN LEE COUNTY.
4 The General Assembly of North Carolina enacts:
5 Section 1. There is appropriated from the General Fund to Lee County
6 the sum of one hundred thousand dollars (\$100,000) for the 1996-97 fiscal year for
7 Lee County to enter into a contract for the construction of a forestry headquarters
8 building in Lee County. It is the intent of the General Assembly that the General
9 Assembly not appropriate additional funds for this project and that Lee County be
10 responsible for all costs related to the construction of this building in excess of one
11 hundred thousand dollars (\$100,000).
12 Sec. 2. This act becomes effective July 1, 1996.

GENERAL ASSEMBLY OF NORTH CAROLINA

HOUSE PRINCIPAL CLERK

SESSION 1995

H

D

HOUSE DRH7317-LL246(5.14)

Short Title: DOC Reimbursement.

(Public)

Sponsors: Representatives Davis, W. Brown, and Pate.

Referred to:

- 1 A BILL TO BE ENTITLED
2 AN ACT TO DIRECT THE DEPARTMENT OF CORRECTION TO REIMBURSE
3 COUNTIES FOR HOUSING AND TRANSPORTATION COSTS FOR
4 INMATES AWAITING TRANSFER TO THE STATE PRISON SYSTEM.
5 The General Assembly of North Carolina enacts:
6 Section 1. G.S. 148-29 reads as rewritten:
7 "§ 148-29. Transportation of convicts to prison; reimbursement to counties for delays
8 in transfer; sheriff's expense affidavit; State not liable for maintenance expenses until
9 convict received; affidavit.
10 The sheriff having in charge any prisoner to be taken to the Central Prison at
11 Raleigh shall send him to the Central Prison within five days after the adjournment of
12 the court at which he was sentenced, if no appeal has been taken. Beginning on the
13 sixth day after adjournment of the court in which the prisoner was sentenced and
14 continuing through the day the prisoner is received by the Division of Prisons, the
15 Department of Correction shall pay the county the sum of forty dollars (\$40.00) per
16 day per inmate for the cost of providing food, clothing, personal items, supervision,
17 and necessary ordinary medical services to the inmate awaiting transfer to the State
18 prison system, except that no payment shall be made for the day the prisoner is
19 received by the Division of Prisons if the prisoner is received by noon of that day.
20 For any prisoner not received by the Division of Prisons within the five-day period
21 and for which the county provides transportation, the Department shall also pay the
22 county transportation costs at the rate of twenty-five cents (25¢) per mile.
23 The sheriff shall file with the board of commissioners of his county a copy of his
24 affidavit as to necessary guard, together with a copy of his itemized account of
25 expenses, both certified to by him as true copies of those on file in his office. ~~The~~

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1995

H.B. FILED
1328 MAY 22 96
HOUSE PRINCIPAL CLERK

H

D

HOUSE DRH2234-LB483(5.21)

Short Title: Sanford Golf Commission Abolished.

(Local)

Sponsors: Representatives W. Brown and Davis.

Referred to:

- 1 A BILL TO BE ENTITLED
2 AN ACT TO ABOLISH THE SANFORD GOLF COMMISSION.
3 The General Assembly of North Carolina enacts:
4 Section 1. Chapter 822, Session Laws of 1965, as amended by Section 2
5 of Chapter 541 of the 1971 Session Laws, is repealed.
6 Sec. 2. Any assets and liabilities of the Sanford Golf Commission vest by
7 operation of law in the City of Sanford.
8 Sec. 3. This act is effective upon ratification.

H.B.-1329
H.B. FILED
1529 MAY 22 96
HOUSE PRINCIPAL CLERK D

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1995

H

HOUSE DRH1343*-LF339(5.17)

Short Title: Independent Living Funds.

(Public)

Sponsors: Representative Wilkins.

Referred to:

1 A BILL TO BE ENTITLED
2 AN ACT TO APPROPRIATE FUNDS TO PROVIDE THE ADDITIONAL
3 INDEPENDENT LIVING REHABILITATION SERVICE OFFICES AND STAFF
4 NECESSARY TO ENABLE THE INDEPENDENT LIVING REHABILITATION
5 PROGRAM TO SERVE ALL THE COUNTIES OF NORTH CAROLINA.
6 The General Assembly of North Carolina enacts:
7 Section 1. There is appropriated to the Division of Vocational
8 Rehabilitation, Department of Human Resources, the sum of four million one
9 hundred eighty-seven thousand eight hundred thirty-five dollars (\$4,187,835) for the
10 1996-97 fiscal year to provide start-up costs for the two additional Independent Living
11 Rehabilitation Program Service Offices, in Raleigh and Elizabeth City, funding for
12 staff in underfunded existing offices, and funding for oversight staff at the State level,
13 needed to enable the Independent Living Rehabilitation Program to serve adequately
14 all the counties of North Carolina.
15 The Independent Living Rehabilitation Program began operation in 1985
16 with two service offices, in Charlotte and Winston-Salem. Eighty-five counties are
17 now funded for services through the 14 existing service offices. The two new offices
18 will provide services to the remaining 15 counties and complete the statewide
19 program.
20 The Independent Living Rehabilitation Program provides services to
21 eligible individuals with severe disabilities, which services assist these individuals to
22 manage their own lives better, become more independent, and assume more personal
23 responsibility in their families, homes, and communities.
24 Sec. 2. This act becomes effective July 1, 1996.

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1995

H.B. FILED
1330
MAY 22 96
HOUSE PRINCIPAL CLERK

H

HOUSE DRH2232*-LG280(5.21)

Short Title: Fayetteville Business Funds.

(Public)

Sponsors: Representative Shaw.

Referred to:

- 1 A BILL TO BE ENTITLED
2 AN ACT TO APPROPRIATE FUNDS TO THE DEPARTMENT OF COMMERCE
3 FOR A BUSINESS INCUBATOR FOR THE CITY OF FAYETTEVILLE.
4 The General Assembly of North Carolina enacts:
5 Section 1. There is appropriated from the General Fund to the
6 Department of Commerce the sum of one hundred fifty thousand dollars (\$150,000)
7 for the 1996-97 fiscal year for a business incubator for the City of Fayetteville to assist
8 small and emerging businesses.
9 Sec. 2. This act becomes effective July 1, 1996.

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 1995

H.B. FILED
1331 MAY 23 96
HOUSE PRINCIPAL CLERK

H

HOUSE DRH2226*-LC286(1.1)

Short Title: Chocolate Milk/Soft Drink Tax.

(Public)

Sponsors: Representative Mitchell.

Referred to:

- 1 A BILL TO BE ENTITLED
2 AN ACT TO PROVIDE THAT CHOCOLATE MILK THAT IS EXEMPT FROM
3 SOFT DRINK TAX IS NOT REQUIRED TO REGISTER WITH THE
4 DEPARTMENT OF REVENUE FOR THE EXEMPTION.
5 The General Assembly of North Carolina enacts:
6 Section 1. G.S. 105-113.46 reads as rewritten:
7 "§ 105-113.46. Exemptions.
8 The taxes imposed by this Article do not apply to an item that is listed in this
9 section and, if the item is a bottled soft drink or a juice concentrate included in
10 subdivision (2), (3), or (3a), is registered with the Secretary in accordance with G.S.
11 105-113.47:
12 (1) A natural liquid milk drink produced by a farmer or a ~~dairy~~ dairy
13 or a natural liquid milk drink that is produced by a farmer or a
14 dairy and to which chocolate syrup or chocolate powder has been
15 added.
16 (2) A bottled soft drink that contains at least thirty-five percent (35%)
17 natural milk measured by volume and is not exempt under
18 subdivision (1).
19 (3) Natural juice.
20 (3a) Juice that would be natural if it did not contain sugar.
21 (4) Natural water.
22 (5) A base product used to make a bottled soft drink subject to tax
23 under this Article.
24 (6) Coffee or tea in any form.
25 (7) A bottled soft drink or base product sold outside the State.

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 1995

H.B. FILED
1332 MAY 23 96
HOUSE PRINCIPAL CLERK
D

H

HOUSE JOINT RESOLUTION DRHJR6204-RN070(5.13)

Sponsors: Representative Aldridge.

Referred to:

1 A JOINT RESOLUTION AUTHORIZING THE 1995 GENERAL ASSEMBLY,
2 1996 SESSION, TO CONSIDER A BILL TO BE ENTITLED AN ACT TO
3 REALLOCATE FIRE AND RESCUE GRANTS FOR EQUIPMENT AND
4 CAPITAL IMPROVEMENTS.

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

6 Section 1. The 1995 General Assembly, Regular Session 1996, may
7 consider "A BILL TO BE ENTITLED AN ACT TO REALLOCATE FIRE AND
8 RESCUE GRANTS FOR EQUIPMENT AND CAPITAL IMPROVEMENTS."

9 Sec. 2. This resolution is effective upon ratification.

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 1995

H.B. FILED
1333 MAY 23 96
HOUSE PRINCIPAL CLERK

H

HOUSE DRH6224*-LL238(5.8)

Short Title: Civil Procedure Study Funds.

(Public)

Sponsors: Representative Neely.

Referred to:

1 A BILL TO BE ENTITLED
2 AN ACT TO APPROPRIATE FUNDS FOR THE CREATION OF THE CIVIL
3 PROCEDURE STUDY COMMISSION.

4 The General Assembly of North Carolina enacts:

5 Section 1. (a) The Civil Procedure Study Commission is created. The
6 Commission shall consist of 18 voting members, six members to be appointed by the
7 President Pro Tempore of the Senate, six members to be appointed by the Speaker of
8 the House of Representatives, and six members to be appointed by the Chief Justice
9 of the North Carolina Supreme Court. No more than four members appointed by the
10 President Pro Tempore of the Senate and no more than four members appointed by
11 the Speaker of the House of Representatives may be members of the General
12 Assembly. No more than four of the members appointed by any one of the three
13 appointing authorities may be members of the same political party.

14 (b) The Commission shall:

15 (1) Study all practices and procedures that affect the speed, fairness,
16 and accuracy with which civil actions are disposed of in the trial
17 divisions of the General Court of Justice, including the rules of
18 civil procedure, rules of evidence, other relevant statutes, statewide
19 and local court-adopted rules of practice and procedure,
20 administrative rules, appellate opinions and all other relevant
21 practices, customs, and traditions in the trial courts of North
22 Carolina; and

23 (2) Devise and recommend improved practices and procedures that (i)
24 reduce the time required to dispose of civil actions in the trial
25 divisions; (ii) simplify pretrial and trial procedure; (iii) guarantee

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1995

1334

MAY 23 96

HOUSE PRINCIPAL CLERK

H

D

HOUSE DRHA198-LE186(5.16)

Short Title: Cherokee County Schools Pay Date Change.

(Local)

Sponsors: Representative Carpenter.

Referred to:

- 1 A BILL TO BE ENTITLED
- 2 AN ACT TO REPEAL THE LOCAL PAY DATE FOR THE CHEROKEE
- 3 COUNTY SCHOOLS.
- 4 The General Assembly of North Carolina enacts:
- 5 Section 1. Chapter 120 of the 1995 Session Laws is repealed.
- 6 Sec. 2. The pay dates of all employees of the Cherokee County School
- 7 Administrative Unit shall be established in accordance with the provisions of Chapter
- 8 115C of the General Statutes.
- 9 Sec. 3. This act becomes effective July 1, 1996.

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1995

H.B. FILED

1335

MAY 20

HOUSE PRINCIPAL CL

H

D

HOUSE DRH8267-LB435(5.9)

Short Title: Gastonia Supplemental Funds.

(Local)

Sponsors: Representative Dickson.

Referred to:

1 A BILL TO BE ENTITLED

2 AN ACT TO EXEMPT THE ADMINISTRATION OF THE GASTONIA
3 POLICEMEN'S SUPPLEMENTAL RETIREMENT FUND AND THE
4 GASTONIA FIREMEN'S SUPPLEMENTAL RETIREMENT FUND FROM THE
5 LOCAL GOVERNMENT BUDGET AND FISCAL CONTROL ACT.

6 The General Assembly of North Carolina enacts:

7 Section 1. Article VIII of the Charter of the City of Gastonia, being
8 Chapter 557 of the 1991 Session Laws, reads as rewritten:

9 "ARTICLE VIII. RETIREMENT.

10 "Sec. 8.1. **Gastonia Firemen's Supplemental Retirement Fund.** The Gastonia
11 Firemen's Supplemental Retirement Fund shall continue as authorized by Chapter
12 537, Session Laws of 1949, as amended by Chapter 111, Session Laws of 1957;
13 Chapter 51, Session Laws of 1975; and Chapter 1016, Session Laws of 1983 (Reg.
14 Sess. 1984). The Gastonia Firemen's Supplemental Retirement Fund is not subject to
15 Article 3 of Chapter 159 of the General Statutes.

16 "Sec. 8.2. **Gastonia Policemen's Supplemental Retirement Fund.** The Gastonia
17 Policemen's Supplemental Retirement Fund shall continue as authorized by Chapter
18 946, Session Laws of 1955, as amended by Chapter 112, Session Laws of 1957;
19 Chapter 301, Session Laws of 1959; Chapter 979, Session Laws of 1965; and Chapter
20 809, Session Laws of 1983. The Gastonia Policemen's Supplemental Retirement
21 Fund is not subject to Article 3 of Chapter 159 of the General Statutes."

22 Sec. 2. This act is effective upon ratification.

GENERAL ASSEMBLY OF NORTH CAROLINA

HOUSE PRINCIPAL CLERK

SESSION 1995

H

D

HOUSE DRHA213*-LKQ258(5.21)

Short Title: Butner Cemetery Funds.

(Public)

Sponsors: Representatives Wilkins, Crawford, and Fox.

Referred to:

- 1 A BILL TO BE ENTITLED
2 AN ACT TO APPROPRIATE FUNDS TO THE GRANVILLE COUNTY BOARD
3 OF COUNTY COMMISSIONERS FOR CONSTRUCTION OF A NEW
4 CEMETERY IN BUTNER.
5 Whereas, in the 1940s when Camp Butner was located in Granville
6 county, families and churches were required to leave 27 cemeteries containing the
7 remains of more than 1,400 people behind; and
8 Whereas, following World War II the State of North Carolina purchased
9 Camp Butner and did not provide maintenance for the cemeteries located there; and
10 Whereas, in 1992, Butner celebrated its fiftieth anniversary by beginning
11 the reclamation of these cemeteries, some with graves from the Revolutionary War
12 period, and determined the need for a new cemetery at Butner; and
13 Whereas, the State granted to Granville County 11.3 acres of land that
14 the Department of Agriculture had set aside for a current cemetery for persons now
15 living in the Butner area; Now, therefore,
16 The General Assembly of North Carolina enacts:
17 Section 1. There is appropriated from the General Fund to the Granville
18 County Board of County Commissioners the sum of thirty thousand dollars (\$30,000)
19 for the 1996-97 fiscal year for the grading, landscaping, and construction of two drives
20 for a new cemetery in Butner.
21 Sec. 2. This act becomes effective July 1, 1996.

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1995

H.B. FILED

1337

MAY 23 96

HOUSE PRINCIPAL CLERK

H

D

HOUSE DRH4234*-LDZ011.01(5.16)

Short Title: Emissions Inspection Penalties.

(Public)

Sponsors: Representative Mitchell.

Referred to:

1 A BILL TO BE ENTITLED
2 AN ACT TO CHANGE THE CIVIL PENALTIES THAT MAY BE ASSESSED
3 AGAINST CERTAIN LICENSE HOLDERS FOR EMISSIONS INSPECTIONS
4 BASED ON WHETHER THE VEHICLE WAS INTENTIONALLY
5 IMPROPERLY PASSED INSPECTION AND TO CHANGE THE PROVISIONS
6 REGARDING THE SUSPENSION OR REVOCATION OF LICENSES TO
7 PROVIDE FOR NOTICE AND HEARING, AS RECOMMENDED BY THE
8 ENVIRONMENTAL REVIEW COMMISSION.

9 The General Assembly of North Carolina enacts:

10 Section 1. G.S. 20-183.8B(b) reads as rewritten:

11 "(b) Penalty Schedule. -- The Division must take the following action for a
12 violation:

13 (1) Type I. -- For a first or second Type I violation within three years
14 that results in a vehicle being intentionally improperly passed by
15 an emissions self-inspector or an emissions inspection station, assess
16 a civil penalty of two hundred fifty dollars (\$250.00) and ~~suspend~~
17 suspend, after notice and hearing within 14 days, the license of the
18 business for six months. For a third or subsequent Type I violation
19 within ~~seven~~ three years that results in a vehicle being intentionally
20 improperly passed by an emissions self-inspector or an emissions
21 inspection station, assess a civil penalty of one thousand dollars
22 (\$1,000) and ~~revoke~~ revoke, after notice and hearing within 14
23 days, the license of the business for two years.

24 For a first Type I violation that results in a vehicle being not
25 intentionally improperly passed by an emissions self-inspector or

NORTH CAROLINA

HOUSE OF REPRESENTATIVES

ROLL CALL

6/20/96

4:44 PM

IN CHAIR: SPEAKER

2099

SLATIVE DAY 134

H1337HCS

READING 2

MITCHELL

EMISSIONS INSPECTION PENALTIES

AYES - 93

ADAMS
ALEXANDER
ALLRED
BAKER
BARBEE
BERRY
BLACK
BOWEN
BOYD-MCINTYRE
BRASWELL
BRAWLEY
BROWN, J.
BUCHANAN
CANSLER
CAPPS
CHURCH
CLARY
COCKLEREECE
CRAWFORD
CREECH
CULP
CULPEPPER
CUMMINGS
CUNNINGHAM

DAVIS
DECKER
DICKSON
DOCKHAM
EARLE
EASTERLING
EDDINS
EDWARDS
ESPOSITO
GARDNER
GRADY
GRAY
HAYES
HENSLEY
HIATT
HIGHTOWER
HILL
HOLMES
HOWARD
HUNTER, H.
HUNTER, R.
HURLEY
IVES
JUSTUS
KISER
LEE
LOCKE
LUEBKE
MCALLISTER
MCCOMAS
MCCOMBS
MCCRARY
MCMAHAN
MERCER
MICHAUX
MILLER, G.
MINER
MITCHELL
MORGAN
NEELY
NICHOLS
NYE
OWENS
PATE
PRESTON
PULLEY

RAMSEY
RAYFIELD
REDWINE
REYNOLDS
ROBINSON, J.
ROGERS
RUSSELL
SEXTON
SHARPE
SHERRILL
SHUBERT
SUTTON
TALLENT
THOMPSON
TOLSON
WAINWRIGHT
WATSON
WEATHERLY
WILKINS
WILSON, C.
WILSON, G.
WOOD
YONGUE

NOES - 7

BARNES
CARPENTER

FITCH
HACKNEY
LINNEY
RICHARDSON

WRIGHT

EXCUSED ABSENCE - 7

BEALL
BLUE

FOX
HUNT
OLDHAM
ROBINSON, G.

WARNER

EXCUSED VOTE - 0

NOT VOTING - 13

SPEAKER
ALDRIDGE
ARNOLD
BOWIE

BROWN, W.
DAUGHTRY
ELLIS
GAMBLE
LEMMOND
MCLAUGHLIN

MILLER, K.
SHAW
WOMBLE

H1337HCS

H.B. FILED
1338 MAY 23 96
GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1995

HOUSE PRINCIPAL CLERK

H

D

HOUSE DRH1349*-RTZ008.01(5.16)

Short Title: Amend. Env. Mgt. Comm. Membership.

(Public)

Sponsors: Representative Mitchell.

Referred to:

- 1 A BILL TO BE ENTITLED
2 AN ACT TO SPECIFY THAT ONE MEMBER OF THE ENVIRONMENTAL
3 MANAGEMENT COMMISSION SHALL HAVE EMPLOYMENT EXPERIENCE
4 IN INDUSTRIAL AIR AND WATER POLLUTION CONTROL AT AN
5 INDUSTRIAL MANUFACTURING FACILITY, AS RECOMMENDED BY THE
6 ENVIRONMENTAL MANAGEMENT COMMISSION.
7 The General Assembly of North Carolina enacts:
8 Section 1. G.S. 143B-283(a) reads as rewritten:
9 "(a) The Environmental Management Commission shall consist of 13 members
10 appointed by the Governor. The Governor shall select the members so that the
11 membership of the Commission shall consist of:
12 (1) One who shall be a licensed physician with specialized training
13 and experience in the health effects of environmental pollution;
14 (2) One who shall, at the time of appointment, be actively connected
15 with the Commission for Health Services or local board of health
16 or have experience in health sciences;
17 (3) One who shall, at the time of appointment, be actively connected
18 with or have had experience in agriculture;
19 (4) One who shall, at the time of appointment, be a registered
20 engineer with specialized training and experience in water supply
21 or water or air pollution control;
22 (5) One who shall, at the time of appointment, be actively connected
23 with or have had experience in the fish and wildlife conservation
24 activities of the State;

NORTH CAROLINA GENERAL ASSEMBLY AMENDMENT

(Please type or use ballpoint pen)

EDITION No. _____

H. B. No. 1338

DATE 6/20/96

S. B. No. _____

Amendment No. 1

(to be filled in by
Principal Clerk)

COMMITTEE SUBSTITUTE _____

Rep.) Luebke
Sen.) _____

1 moves to amend the bill on page 1, line 6

2 () WHICH CHANGES THE TITLE

3 by deleting the word "MANAGEMENT"

4
5 And substituting the word "REVIEW".
6

7

8

9

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11

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16

17

18

19

SIGNED B. L. L.

ADOPTED 6/20/96 FAILED _____ TABLED _____

96-0EV D. Miller changes title

2088
LEGISLATIVE DAY 134
H1338
READING 2
MITCHELL

AMEND #1-*Luebke*
AMEND ENVIRONMENTAL MNGT. COMM. MEMBER.

NORTH CAROLINA
HOUSE OF REPRESENTATIVES



6/20/96
1:07 PM
IN CHAIR: SPEAKER

EV

AYES - 96

ADAMS	CUNNINGHAM	JUSTUS	RAYFIELD
ALDRIDGE	DAUGHTRY	KISER	REDWINE
ALEXANDER	DAVIS	LEE	REYNOLDS
ALLRED	DECKER	LINNEY	RICHARDSON
ARNOLD	DICKSON	LOCKE	ROBINSON, J.
BERRY	DOCKHAM	LUEBKE	RUSSELL
BLACK	EARLE	MCALLISTER	SEXTON
BLUE	EASTERLING	MCCOMAS	SHARPE
BOWEN	EDDINS	MCCOMBS	SHAW
BOWIE	EDWARDS	MCCRARY	SHERRILL
BOYD-MCINTYRE	ESPOSITO	MCPAHAN	SHUBERT
BRASWELL	FITCH	MERCER	SUTTON
BROWN, J.	GARDNER	MICHAUX	TALLENT
BROWN, W.	GRADY	MILLER, G.	TOLSON
BUCHANAN	HACKNEY	MITCHELL	WAINWRIGHT
CANSLER	HAYES	MORGAN	WATSON
CAPPS	HIATT	NEELY	WEATHERLY
CARPENTER	HIGHTOWER	NICHOLS	WILKINS
CHURCH	HILL	NYE	WILSON, C.
CLARY	HOLMES	OWENS	WILSON, G.
COCKLEREECE	HOWARD	PATE	WOMBLE
CREECH	HUNTER, R.	PRESTON	WOOD
CULPEPPER	HURLEY	PULLEY	WRIGHT
CUMMINGS	IVES	RAMSEY	YONGUE

NOES - 0

EXCUSED ABSENCE - 7

BEALL	FOX	OLDHAM	WARNER
CULP	HUNT	ROBINSON, G.	

EXCUSED VOTE - 0

NOT VOTING - 17

SPEAKER	CRAWFORD	HENSLEY	MILLER, K.
BAKER	ELLIS	HUNTER, H.	MINER
BARBEE	GAMBLE	LEMOND	ROGERS
BARNES	GRAY	MCLAUGHLIN	THOMPSON
BRAWLEY			

H1338

EV

2089
LEGISLATIVE DAY 134
H1338
READING 2
MITCHELL

NORTH CAROLINA
HOUSE OF REPRESENTATIVES
ROLL CALL

6/20/96
1:08 PM
IN CHAIR: SPEAKER

AMEND ENVIRONMENTAL MNGT. COMM. MEMBER.

AYES - 77

ADAMS	CULPEPPER	JUSTUS	ROBINSON, J.
ALDRIDGE	CUMMINGS	KISER	RUSSELL
ALEXANDER	DAUGHTRY	LOCKE	SEXTON
ALLRED	DAVIS	MCALLISTER	SHARPE
ARNOLD	DECKER	MCCOMAS	SHERRILL
BAKER	DICKSON	MCCOMBS	SHUBERT
BERRY	DOCKHAM	MCCRARY	TALLENT
BLACK	EASTERLING	MCMAHAN	THOMPSON
BOWEN	EDDINS	MERCER	TOLSON
BOWIE	EDWARDS	MITCHELL	WAINWRIGHT
BROWN, J.	ESPOSITO	MORGAN	WATSON
BROWN, W.	GARDNER	NEELY	WEATHERLY
BUCHANAN	GRADY	NICHOLS	WILKINS
CANSLER	HAYES	OWENS	WILSON, C.
CAPPS	HIATT	PATE	WILSON, G.
CARPENTER	HILL	PRESTON	WOMBLE
CHURCH	HOLMES	PULLEY	WOOD
CLARY	HUNTER, R.	RAYFIELD	WRIGHT
COCKLEREECE	IVES	REYNOLDS	YONGUE
CREECH			

NOES - 26

BARNES	GAMBLE	LEE	NYE
BLUE	HACKNEY	LINNEY	RAMSEY
BOYD-MCINTYRE	HENSLEY	LUEBKE	REDWINE
BRASWELL	HIGHTOWER	MICHAUX	RICHARDSON
CUNNINGHAM	HOWARD	MILLER, G.	SHAW
EARLE	HUNTER, H.	MILLER, K.	SUTTON
FITCH	HURLEY		

EXCUSED ABSENCE - 7

BEALL	FOX	OLDHAM	WARNER
CULP	HUNT	ROBINSON, G.	

EXCUSED VOTE - 0

NOT VOTING - 10

SPEAKER	CRAWFORD	LEMOND	MINER
BARBEE	ELLIS	MCLAUGHLIN	ROGERS
BRAWLEY	GRAY		

H1338

NORTH CAROLINA

HOUSE OF REPRESENTATIVES

ROLL CALL

EV

2154
LEGISLATIVE DAY 135
H1338
READING 3
MITCHELL

6/21/96
12:24 PM
IN CHAIR: SPEAKER

AMEND ENV. MNGT. COMM. MEMBERSHIP

AYES - 98

ADAMS	CUMMINGS	JUSTUS	RAYFIELD
ALEXANDER	CUNNINGHAM	KISER	REDWINE
ALLRED	DAUGHTRY	LEE	REYNOLDS
ARNOLD	DAVIS	LEMOND	RICHARDSON
BAKER	DECKER	LOCKE	ROBINSON, J.
BARBEE	DICKSON	LUEBKE	RUSSELL
BERRY	DOCKHAM	MCCALLISTER	SEXTON
BLACK	EARLE	MCCOMAS	SHARPE
BOWEN	EASTERLING	MCCOMBS	SHAW
BOWIE	EDDINS	MCCRARY	SHERRILL
BOYD-MCINTYRE	EDWARDS	MCMAHAN	SHUBERT
BRAWLEY	ELLIS	MERCER	SUTTON
BROWN, J.	ESPOSITO	MICHAUX	TALLENT
BROWN, W.	FITCH	MILLER, G.	THOMPSON
BUCHANAN	GAMBLE	MINER	TOLSON
CANSLER	GARDNER	MITCHELL	WAINWRIGHT
CAPPS	GRADY	MORGAN	WATSON
CARPENTER	HAYES	NEELY	WILKINS
CHURCH	HIATT	NICHOLS	WILSON, C.
CLARY	HILL	NYE	WILSON, G.
COCKLEREECE	HOLMES	OWENS	WOMBLE
CRAWFORD	HOWARD	PATE	WOOD
CREECH	HUNTER, H.	PRESTON	WRIGHT
CULP	HURLEY	PULLEY	YONGUE
CULPEPPER	IVES		

NOES - 5

BARNES	HENSLEY	HIGHTOWER	LINNEY
HACKNEY			

EXCUSED ABSENCE - 8

ALDRIDGE	BLUE	HUNT	ROBINSON, G.
BEALL	FOX	OLDHAM	WARNER

EXCUSED VOTE - 0

NOT VOTING - 9

SPEAKER	HUNTER, R.	MILLER, K.	ROGERS
BRASWELL	MCLAUGHLIN	RAMSEY	WEATHERLY
GRAY			

H1338

H.B.-1339
H.B. FILED
1999 MAY 23
HOUSE PRINCIPAL CLERK
GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 1995

H

D

HOUSE DRHA209*-RTZ009.01(5.16)

Short Title: Nitrogen Reduction Goal.

(Public)

Sponsors: Representative Mitchell.

Referred to:

- 1 A BILL TO BE ENTITLED
2 AN ACT TO IMPROVE WATER QUALITY BY ESTABLISHING A GOAL TO
3 REDUCE THE AVERAGE LOAD OF NITROGEN DELIVERED TO THE
4 NEUSE RIVER ESTUARY FROM POINT AND NONPOINT SOURCES BY
5 THIRTY PERCENT OF THE AVERAGE ANNUAL LOAD FOR THE PERIOD
6 1991 THROUGH 1995 BY THE YEAR 2001 AND TO REQUIRE THE
7 ENVIRONMENTAL MANAGEMENT COMMISSION TO DEVELOP A PLAN
8 TO ACHIEVE THIS GOAL, AS RECOMMENDED BY THE
9 ENVIRONMENTAL REVIEW COMMISSION.
10 The General Assembly of North Carolina enacts:
11 Section 1. The General Assembly hereby determines that it should be
12 the goal of this State to reduce the average annual load of nitrogen delivered to the
13 Neuse River Estuary from point and nonpoint sources by thirty percent (30%) of the
14 average annual load for the period 1991 through 1995 by the year 2001, with
15 incremental progress demonstrated each year. The Environmental Management
16 Commission shall develop and adopt a plan to achieve this goal. In developing this
17 plan, the Commission shall determine and allow appropriate credit toward achieving
18 this goal for reductions of water pollution by point and nonpoint sources through
19 voluntary measures.
20 Sec. 2. The Commission shall publish a proposed plan to achieve the
21 goal established by this act in the North Carolina Register by 1 November 1996. The
22 Commission shall adopt the plan as provided in Article 2A of Chapter 150B of the
23 General Statutes.
24 Sec. 3. The Environmental Management Commission shall annually
25 report to the Environmental Review Commission as to its progress in developing and

NORTH CAROLINA

HOUSE OF REPRESENTATIVES

ROLL CALL

EV

1950
LEGISLATIVE DAY 127
H1339HCS
READING 2
MITCHELL

6/11/96
1:44 PM
IN CHAIR: SPEAKER

NITROGEN REDUCTION GOAL

AYES - 112

ADAMS	CUMMINGS	IVES	RAYFIELD
ALDRIDGE	CUNNINGHAM	JUSTUS	REDWINE
ALEXANDER	DAUGHTRY	KISER	REYNOLDS
ALLRED	DAVIS	LEE	RICHARDSON
ARNOLD	DECKER	LEMOND	ROBINSON, G.
BAKER	DICKSON	LOCKE	ROBINSON, J.
BARBEE	DOCKHAM	LUEBKE	ROGERS
BARNES	EARLE	MCALLISTER	RUSSELL
BEALL	EASTERLING	MCCOMAS	SEXTON
BLACK	EDDINS	MCCOMBS	SHARPE
BLUE	EDWARDS	MCCRARY	SHAW
BOWEN	ELLIS	MCLAUGHLIN	SHERRILL
BOWIE	ESPOSITO	MCMAHAN	SHUBERT
BOYD-MCINTYRE	FOX	MERCER	SUTTON
BRASWELL	GAMBLE	MICHAUX	TALLENT
BRAWLEY	GARDNER	MILLER, G.	THOMPSON
BROWN, J.	GRADY	MINER	TOLSON
BROWN, W.	GRAY	MITCHELL	WAINWRIGHT
BUCHANAN	HACKNEY	MORGAN	WARNER
CANSLER	HAYES	NEELY	WATSON
CAPPS	HENSLEY	NICHOLS	WEATHERLY
CARPENTER	HIATT	NYE	WILKINS
CHURCH	HIGHTOWER	OLDHAM	WILSON, C.
CLARY	HILL	OWENS	WILSON, G.
COCKLEREECE	HOWARD	PATE	WOMBLE
CRAWFORD	HUNTER, H.	PRESTON	WOOD
CULP	HUNTER, R.	PULLEY	WRIGHT
CULPEPPER	HURLEY	RAMSEY	YONGUE

NOES - 0

EXCUSED ABSENCE - 3

FITCH

HOLMES

HUNT

EXCUSED VOTE - 0

NOT VOTING - 5

SPEAKER
BERRY

CREECH

LINNEY

MILLER, K.

H1339HCS

NORTH CAROLINA GENERAL ASSEMBLY
SENATE

RECORDED VOTE

1995 SESSION
SECOND REGULAR SESSION

SEQ. 1681/3-- 3:16 PM

JUNE 18, 1996

LEGISLATIVE DAY 131

LT. GOVERNOR WICKER

-- Presiding

MITCHELL
NITROGEN REDUCTION GOAL
COM SUB/2ND EDITION

HOUSE BILL 1339
READING 2

AYE	49	ALBERTSON ALLRAN BALLANCE BALLANTINE BASNIGHT BLACKMON BLUST CARPENTER CARRINGTON CLARK COCHRANE CONDER COOPER	DAVIS EAST EDWARDS FORRESTER FOXX GULLEY HARTSELL HOBBS HORTON HOYLE JORDAN KERR	KINCAID LEDBETTER LITTLE LUCAS MARTIN R. MARTIN W. MCDANIEL MCKOY ODOM PAGE PARNELL PERDUE	PLEXICO PLYLER RAND SHAW SHERRON SIMPSON SMITH SOLES SPEED WARREN WEBSTER WINNER
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NO 0

EXCUSED 0

NOT CAST 0

ABSENT 1 DANNELLY

PAIRS 0

AYE
NO

H.B. FILED
1340 MAY 23 96
GENERAL ASSEMBLY OF NORTH CAROLINA
HOUSE PRINCIPAL CLERK

SESSION 1995

H

D

HOUSE DRHA212*-RTZ010.01(5.16)

Short Title: Riparian Buffers Program.

(Public)

Sponsors: Representative Nichols.

Referred to:

1 A BILL TO BE ENTITLED
2 AN ACT TO ESTABLISH A NONREGULATORY PROGRAM TO PROTECT
3 WATER QUALITY AND TO CREATE THE RIPARIAN BUFFER
4 FACILITATION AND ASSISTANCE GRANT FUND TO SUSTAIN WATER
5 QUALITY IN THE STATE THROUGH COOPERATIVE METHODS, AS
6 RECOMMENDED BY THE ENVIRONMENTAL REVIEW COMMISSION.

7 The General Assembly of North Carolina enacts:

8 Section 1. Chapter 113A of the General Statutes is amended by adding a
9 new Article to read:

10 "ARTICLE 16.

11 "Nonregulatory Program for Protecting Water Quality."

12 "**§ 113A-230. Legislative findings; intent.**

13 The General Assembly finds that past efforts to protect water quality in the State's
14 rivers and streams have been inadequate. These efforts have included a selective
15 approach for encouraging vegetated buffers along watercourses adjoining only some
16 water bodies or land uses. While the value of adequate vegetated buffers for
17 providing water quality protection is well documented, it is clear that a more
18 comprehensive approach is required if the desired result of maintaining and
19 improving water quality is to be achieved. The General Assembly finds that
20 regulatory efforts to protect water quality must be complemented by the
21 establishment of a nonregulatory program directed to the establishment of vegetated
22 riparian buffers along the State's rivers, streams, lakes, and estuarine shorelines.
23 While temporary buffers have transient benefits for water quality protection, this
24 nonregulatory program to establish vegetated riparian buffers should be directed
25 toward permanent buffers to protect public waters in perpetuity. Recognizing that

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1995

1341

MAY 23 96

H

HOUSE PRINCIPAL CLERK

D

HOUSE DRH6223*-RTZ002.01(5.16)

Short Title: DEHNR Restructuring.

(Public)

Sponsors: Representative Nichols.

Referred to:

1 A BILL TO BE ENTITLED
2 AN ACT TO IMPLEMENT PHASE ONE OF THE RESTRUCTURING OF
3 ENVIRONMENTAL PROGRAMS IN THE DEPARTMENT OF
4 ENVIRONMENT, HEALTH, AND NATURAL RESOURCES AND TO MAKE
5 CONFORMING STATUTORY CHANGES, AS RECOMMENDED BY THE
6 ENVIRONMENTAL PROCESS ACTION TEAM OF THE DEPARTMENT OF
7 ENVIRONMENT, HEALTH, AND NATURAL RESOURCES AND TO MAKE
8 CLARIFYING, CONFORMING, AND TECHNICAL AMENDMENTS TO
9 VARIOUS LAWS RELATING TO ENVIRONMENT, HEALTH, AND
10 NATURAL RESOURCES, AS RECOMMENDED BY THE ENVIRONMENTAL
11 REVIEW COMMISSION.

12 The General Assembly of North Carolina enacts:

13 Section 1. G.S. 20-183.7(c) reads as rewritten:

14 "(c) Fee Distribution. -- Fees collected for inspection stickers are payable to the
15 Division of Motor Vehicles. The amount of each fee listed in the table below shall be
16 credited to the Highway Fund, the Emissions Program Account established in
17 subsection (d) of this section, the Volunteer Rescue/EMS Fund established in G.S.
18 58-87-5, the Rescue Squad Workers' Relief Fund established in G.S. 58-88-5, and the
19 Division of ~~Environmental Management~~ Air Quality of the Department of
20 Environment, Health, and Natural Resources:

21 <u>Recipient</u>	22 <u>Safety Only</u> <u>Sticker</u>	<u>Emissions and</u> <u>Safety Sticker</u>
23 Highway Fund	.75	.00
24 Emissions Program Account	.00	1.80
25 Volunteer Rescue/EMS Fund	.15	.15

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1995

H.B. FILED
1342 MAY 23 96
HOUSE PRINCIPAL CLERK

H

D

HOUSE DRH2218-LB446(5.14)

Short Title: Cumberland Commissioners Vacancy.

(Local)

Sponsors: Representative Shaw.

Referred to:

- 1 A BILL TO BE ENTITLED
2 AN ACT TO PROVIDE THAT THE CUMBERLAND COUNTY BOARD OF
3 COMMISSIONERS MUST FILL A VACANCY WITH THE PERSON
4 NOMINATED BY THE APPROPRIATE POLITICAL PARTY IF THE
5 NOMINATION IS MADE ON A TIMELY BASIS.
6 The General Assembly of North Carolina enacts:
7 Section 1. G.S. 153A-27.1(h) reads as rewritten:
8 "(h) This section shall apply only in the following counties: Alamance, Alleghany,
9 Avery, Beaufort, Brunswick, Buncombe, Burke, Cabarrus, Caldwell, Carteret,
10 Cherokee, Clay, Cleveland, Cumberland, Dare, Davidson, Davie, Forsyth, Graham,
11 Guilford, Haywood, Henderson, Hyde, Jackson, Lincoln, Macon, Madison,
12 McDowell, Mecklenburg, Moore, Pender, Polk, Randolph, Rockingham, Rutherford,
13 Sampson, Stanly, Stokes, Transylvania, Wake, and Yancey."
14 Sec. 2. This act is effective upon ratification.

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1995

HOUSE PRINCIPAL CLERK

H

D

HOUSE DRH8261*-LCX326C(3.26)

Short Title: Quality Jobs & Business Expansion.

(Public)

Sponsors: Representatives Owens and Shaw (Co-sponsors).

Referred to:

- 1 A BILL TO BE ENTITLED
2 AN ACT TO PROVIDE INCENTIVES FOR HIGH QUALITY JOBS AND
3 BUSINESS EXPANSION IN NORTH CAROLINA.
4 The General Assembly of North Carolina enacts:
5 Section 1. Chapter 105 of the General Statutes is amended by adding a
6 new Article 3A entitled "Tax Incentives for New and Expanding Businesses."
7 Sec. 2. G.S. 105-130.40 is recodified as G.S. 105-129.8 in Article 3A of
8 Chapter 105 of the General Statutes.
9 Sec. 3. Article 3A of Chapter 105 of the General Statutes, as enacted by
10 this act, reads as rewritten:
11 "ARTICLE 3A.
12 "Tax Incentives for New and Expanding Businesses.
13 "§ 105-129.2. Definitions.
14 The following definitions apply in this Article:
15 (1) Cost. -- Defined in section 179 of the Code.
16 (2) Data processing. -- Defined in the Standard Industrial
17 Classification Manual issued by the United States Bureau of the
18 Census.
19 (3) Distress tier. -- The classification assigned to an area pursuant to
20 G.S. 105-129.3.
21 (4) Full-time job. -- A position that requires at least 1,600 hours of
22 work per year and is intended to be held by one employee during
23 the entire year. A full-time employee is an employee who holds a
24 full-time job.

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1995

HOUSE PRINCIPAL CLERK

H

D

HOUSE DRH1356-LDQ242(5.16)

Short Title: FFA Capital Improvement Funds.

(Public)

Sponsors: Representative J. Brown.

Referred to:

- 1 A BILL TO BE ENTITLED
2 AN ACT TO APPROPRIATE FUNDS FOR THE NORTH CAROLINA FUTURE
3 FARMERS OF AMERICA CENTER.
4 The General Assembly of North Carolina enacts:
5 Section 1. There is appropriated from the General Fund to the North
6 Carolina Future Farmers of America Foundation, Incorporated, the sum of three
7 hundred seventy-five thousand dollars (\$375,000) for the 1996-97 fiscal year for
8 further development, repairs, and renovations of the North Carolina Future Farmers
9 of America Center; provided these funds are matched with receipts to the Foundation
10 on the basis of one dollar (\$1.00) of non-State funds for every one dollar (\$1.00) of
11 State funds.
12 Sec. 2. This act becomes effective July 1, 1996.

H.B. FILED
1345 MAY 23 96
GENERAL ASSEMBLY OF NORTH CAROLINA

HOUSE PRINCIPAL CLERK
SESSION 1995

H

D

HOUSE DRH4222-LN191(5.15)

Short Title: Regulatory Fee Provisions.

(Public)

Sponsors: House Committee on Appropriations.

Referred to:

- 1 A BILL TO BE ENTITLED
2 AN ACT TO IMPLEMENT THE RECOMMENDATIONS OF THE COMMITTEE
3 ON APPROPRIATIONS BY ESTABLISHING THE PERCENTAGE RATES
4 FOR THE INSURANCE REGULATORY CHARGE AND THE PUBLIC
5 UTILITY REGULATORY FEE.
6 The General Assembly of North Carolina enacts:
7 Section 1. (a) The percentage rate to be used in calculating the
8 insurance regulatory charge under G.S. 58-6-25 is eight percent (8%) for the 1996
9 calendar year.
10 (b) This section is effective upon ratification.
11 Sec. 2. (a) The percentage rate to be used in calculating the public
12 utility regulatory fee under G.S. 62-302(b)(2) is ten hundredths percent (0.10%) of
13 each public utility's North Carolina jurisdictional revenues earned during each
14 quarter that begins on or after July 1, 1996.
15 (b) This section becomes effective July 1, 1996.
16 Sec. 3. This act becomes effective as provided therein.

RC

9 # 1955
LEGISLATIVE DAY 128
H1345HCS
READING 2

NORTH CAROLINA
HOUSE OF REPRESENTATIVES
ROLL CALL

6/12/96
1:43 PM
IN CHAIR: SPEAKER

REGULATORY FEE PROVISIONS

AYES - 111

ADAMS	DAUGHTRY	IVES	RAMSEY
ALDRIDGE	DAVIS	JUSTUS	RAYFIELD
ALEXANDER	DECKER	KISER	REDWINE
ALLRED	DICKSON	LEE	REYNOLDS
ARNOLD	DOCKHAM	LEMOND	RICHARDSON
BAKER	EARLE	LINNEY	ROBINSON, J.
BARBEE	EASTERLING	LOCKE	ROGERS
BARNES	EDDINS	LUEBKE	RUSSELL
BEALL	EDWARDS	MCALLISTER	SEXTON
BERRY	ELLIS	MCCOMAS	SHARPE
BLACK	ESPOSITO	MCCOMBS	SHAW
BLUE	FITCH	MCCRARY	SHERRILL
BOWEN	FOX	MCLAUGHLIN	SHUBERT
BOWIE	GAMBLE	MCMAHAN	SUTTON
BOYD-MCINTYRE	GARDNER	MERCER	THOMPSON
BRASWELL	GRADY	MICHAUX	TOLSON
BROWN, J.	GRAY	MILLER, G.	WAINWRIGHT
BROWN, W.	HACKNEY	MILLER, K.	WARNER
BUCHANAN	HAYES	MINER	WATSON
CANSLER	HENSLEY	MITCHELL	WEATHERLY
CAPPS	HIATT	MORGAN	WILKINS
CARPENTER	HIGHTOWER	NEELY	WILSON, C.
CHURCH	HILL	NICHOLS	WILSON, G.
CLARY	HOWARD	NYE	WOMBLE
CREECH	HUNT	OLDHAM	WOOD
CULP	HUNTER, H.	OWENS	WRIGHT
CUMMINGS	HUNTER, R.	PATE	YONGUE
CUNNINGHAM	HURLEY	PRESTON	

NOES - 1

COCKLEREECE

EXCUSED ABSENCE - 3

BRAWLEY CULPEPPER HOLMES

EXCUSED VOTE - 0

NOT VOTING - 5

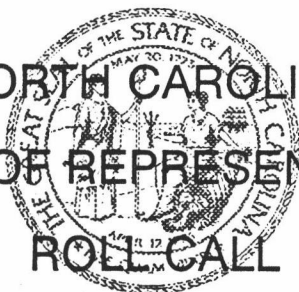
SPEAKER PULLEY ROBINSON, G. TALLENT
CRAWFORD

H1345HCS

RC

1971
SLATIVE DAY 129
H1345HCS
READING 3

NORTH CAROLINA
HOUSE OF REPRESENTATIVES



6/13/96
1:47 PM
IN CHAIR: SPEAKER

REGULATORY FEE PROVISIONS

AYES - 112

ADAMS	CUMMINGS	HUNTER, H.	PATE
ALDRIDGE	CUNNINGHAM	HUNTER, R.	PRESTON
ALEXANDER	DAUGHTRY	HURLEY	PULLEY
ALLRED	DAVIS	IVES	RAMSEY
BAKER	DECKER	JUSTUS	RAYFIELD
BARBEE	DICKSON	KISER	REDWINE
BARNES	DOCKHAM	LEE	REYNOLDS
BEALL	EARLE	LEMMOND	RICHARDSON
BERRY	EASTERLING	LINNEY	ROBINSON, J.
BLACK	EDDINS	LOCKE	ROGERS
BLUE	EDWARDS	LUEBKE	RUSSELL
BOWEN	ELLIS	MCALLISTER	SEXTON
BOWIE	ESPOSITO	MCCOMAS	SHARPE
BOYD-MCINTYRE	FITCH	MCCOMBS	SHAW
BRASWELL	FOX	MCCRARY	SHERRILL
BRAWLEY	GAMBLE	MCLAUGHLIN	SHUBERT
BROWN, J.	GARDNER	MCMAHAN	SUTTON
BROWN, W.	GRADY	MERCER	TALLENT
BUCHANAN	GRAY	MICHAUX	THOMPSON
CANSLER	HACKNEY	MILLER, G.	TOLSON
CAPPS	HAYES	MINER	WARNER
CARPENTER	HENSLEY	MITCHELL	WATSON
CHURCH	HIATT	MORGAN	WEATHERLY
CLARY	HIGHTOWER	NEELY	WILKINS
COCKLEREECE	HILL	NICHOLS	WILSON, C.
CRAWFORD	HOLMES	NYE	WILSON, G.
CREECH	HOWARD	OLDHAM	WOMBLE
CULPEPPER	HUNT	OWENS	YONGUE

NOES - 3

MILLER, K.	WOOD	WRIGHT
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EXCUSED ABSENCE - 3

CULP	ROBINSON, G.	WAINWRIGHT
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EXCUSED VOTE - 0

NOT VOTING - 2

SPEAKER	ARNOLD
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H1345HCS

NORTH CAROLINA GENERAL ASSEMBLY
SENATE

RECORDED VOTE

1995 SESSION
SECOND REGULAR SESSION

SEQ. 1720/9-- 2:01 PM

JUNE 19, 1996

LEGISLATIVE DAY 132

LT. GOVERNOR WICKER

-- Presiding

HOUSE APPR COM
REGULATORY FEE PROVISIONS
COM SUB/2ND EDITION

HOUSE BILL 1345
READING 2

AYE	46	ALBERTSON ALLRAN BASNIGHT BLACKMON BLUST CARPENTER CARRINGTON CLARK COCHRANE CONDER COOPER DANNELLY	DAVIS EAST EDWARDS FORRESTER FOXX GULLEY HARTSELL HOBBS HORTON HOYLE JORDAN KERR	KINCAID LEDBETTER LUCAS MARTIN R. MARTIN W. MCDANIEL MCKOY ODOM PARNELL PERDUE PLEXICO	PLYLER RAND SHAW SHERRON SIMPSON SMITH SOLES SPEED WARREN WEBSTER WINNER
NO	2	BALLANTINE	PAGE		

EXCUSED 0

NOT CAST 1 BALLANCE

ABSENT 1 LITTLE

PAIRS 0

AYE

NO

NORTH CAROLINA GENERAL ASSEMBLY
SENATE

RECORDED VOTE

1995 SESSION
SECOND REGULAR SESSION

SEQ. 1800/13-- 2:46 PM

JUNE 21, 1996

LEGISLATIVE DAY 13

SENATOR BASNIGHT

-- Presiding

HOUSE APPR COM
REGULATORY FEE PROVISIONS
COM SUB/2ND EDITION

HOUSE BILL 1345
READING 3

AYE	46	ALBERTSON	DANNELLY	KERR	PARNELL
		ALLRAN	DAVIS	KINCAID	PERDUE
		BALLANCE	EAST	LEDBETTER	PLEXICO
		BALLANTINE	EDWARDS	LITTLE	PLYLER
		BASNIGHT	FORRESTER	LUCAS	RAND
		BLACKMON	FOXX	MARTIN R.	SIMPSON
		BLUST	GULLEY	MARTIN W.	SOLES
		CARPENTER	HARTSELL	MCDANIEL	SPEED
		CARRINGTON	HOBBS	MCKOY	WARREN
		CLARK	HORTON	ODOM	WEBSTER
		COCHRANE	HOYLE	PAGE	WINNER
		COOPER	JORDAN		

NO 0

EXCUSED 0

NOT CAST 3 CONDER SHAW SHERRON

ABSENT 1 SMITH

PAIRS 0

AYE
NO

(COPY)

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1995

H.B. FILED

1346

MAY 23 96

HOUSE PRINCIPAL CLERK

H

D

HOUSE DRH4235*-RTZ012.01(5.16)

Short Title: Adm. Search Warrants/When Served.

(Public)

Sponsors: Representative Tolson.

Referred to:

1 A BILL TO BE ENTITLED
2 AN ACT TO AUTHORIZE ADMINISTRATIVE SEARCH WARRANTS TO BE
3 SERVED AT HOURS OTHER THAN BETWEEN 8:00 A.M. AND 8:00 P.M.
4 WHEN THERE IS PROBABLE CAUSE TO BELIEVE THAT THE ACTIVITY
5 THAT JUSTIFIES THE ADMINISTRATIVE SEARCH WARRANT WILL
6 OCCUR AT OTHER HOURS, AS RECOMMENDED BY THE
7 ENVIRONMENTAL REVIEW COMMISSION.
8 The General Assembly of North Carolina enacts:
9 Section 1. G.S. 143-27.2(e) reads as rewritten:
10 "(e) Any warrant issued under this section for a search or inspection shall be valid
11 for only 24 hours after its issuance, must be personally served upon the owner or
12 possessor of the property between the hours of 8:00 A.M. and 8:00 P.M. and must be
13 returned within 48 hours. However if there is probable cause to believe that the
14 condition, object, activity, or circumstance that legally justifies the search or
15 inspection is occurring or will occur at times other than between the hours of 8:00
16 A.M. and 8:00 P.M., then the warrant may authorize the search or inspection to be
17 made during times in addition to the hours between 8:00 A.M. and 8:00 P.M., in
18 which case the times during which the search or inspection may occur shall be
19 specifically set out on the face of the warrant. If the warrant, however, was procured
20 pursuant to an investigation authorized by G.S. 58-79-1, the warrant may be executed
21 at any hour, is valid for 48 hours after its issuance, and must be returned without
22 unnecessary delay after its execution or after the expiration of the 48 hour period if it
23 is not executed. If the owner or possessor of the property is not present on the
24 property at the time of the search or inspection and reasonable efforts to locate the
25 owner or possessor have been made and have failed, the warrant or a copy thereof

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1995

H.B. FILED

1347

MAY 23 96

HOUSE PRINCIPAL CLERK

H

D

HOUSE DRH4213*-LE170(3.7)

Short Title: Cumberland Co. School Bus Use OK'd.

(Local)

Sponsors: Representative McAllister.

Referred to:

- 1 A BILL TO BE ENTITLED
2 AN ACT TO ALLOW THE CUMBERLAND COUNTY BOARD OF
3 EDUCATION TO PERMIT THE USE OF PUBLIC SCHOOL BUSES TO
4 SERVE THE TRANSPORTATION NEEDS OF THE NATIONAL FORENSICS
5 LEAGUE TOURNAMENT.
6 The General Assembly of North Carolina enacts:
7 Section 1. Notwithstanding any other provision of law, the Cumberland
8 County Board of Education may permit the use and operation of public school buses
9 as the Board deems necessary from June 23, 1996, through June 28, 1996, for the
10 transportation needs of persons associated with the National Forensics League
11 Tournament hosted by the Cumberland County Schools.
12 State funds shall not be used for the use and operation of buses under
13 this act.
14 The State of North Carolina shall incur no liability for any damages
15 resulting from the use and operation of buses under this act. The Cumberland
16 County Board of Education shall carry liability insurance covering the use and
17 operation of buses under this act.
18 Sec. 2. This act is effective upon ratification.

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 1995

H.B. FILED
1348 MAY 23 96
HOUSE PRINCIPAL CLERK
D

H

HOUSE DRH2236-LBX457(5.15)

Short Title: Wallace Satellite Annexation.

(Local)

Sponsors: Representative Watson.

Referred to:

1 A BILL TO BE ENTITLED
2 AN ACT TO GRANT THE TOWN OF WALLACE A TEMPORARY
3 EXEMPTION FROM THE TOTAL AMOUNT OF NONCONTIGUOUS
4 TERRITORY THAT MAY BE ANNEXED.
5 The General Assembly of North Carolina enacts:
6 Section 1. G.S. 160A-58.1(b)(5) reads as rewritten:
7 "(5) The area within the proposed satellite corporate limits, when
8 added to the area within all other satellite corporate limits, may
9 not exceed ~~ten percent (10%)~~ twenty percent (20%) of the area
10 within the primary corporate limits of the annexing city."
11 Sec. 2. This act applies only to the Town of Wallace, and only with
12 respect to annexation ordinances adopted on or before December 31, 2001.
13 Sec. 3. This act is effective upon ratification.

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1995

FILED
1349 MAY 23 96
HOUSE PRINCIPAL CLERK

H

D

HOUSE DRH5201*-RNZ(5.8)

Short Title: Amend Psychology Practice Act.

(Public)

Sponsors: Representative Lemmond.

Referred to:

1 A BILL TO BE ENTITLED
2 AN ACT TO AMEND THE PSYCHOLOGY PRACTICE ACT AND RELATED
3 STATUTES.
4 The General Assembly of North Carolina enacts:
5 Section 1. G.S. 90-270.2 is amended by inserting a new subdivision after
6 subdivision (7) to read:
7 "(7a) Licensed psychologist-masters. -- An individual holding a masters
8 or specialist degree in psychology to whom a license has been
9 issued pursuant to the provisions of this Article, whose license is in
10 force and not suspended or revoked, and whose license permits
11 him or her to engage in the practice of psychology as defined in
12 this Article."
13 Sec. 2. G.S. 90-270.3 reads as rewritten:
14 "§ 90-270.3. Practice of medicine and optometry not permitted.
15 Nothing in this Article shall be construed as permitting licensed psychologists,
16 licensed psychologist-masters, or licensed psychological associates to engage in any
17 manner in all or any of the parts of the practice of medicine or optometry licensed
18 under Articles 1 and 6 of Chapter 90 of the General Statutes, including, among
19 others, the diagnosis and correction of visual and muscular anomalies of the human
20 eyes and visual apparatus, eye exercises, orthoptics, vision training, visual training
21 and developmental vision. A licensed psychologist, licensed psychologist-masters, or
22 licensed psychological associate shall assist his or her client or patient in obtaining
23 professional help for all aspects of the client's or patient's problems that fall outside
24 the boundaries of the psychologist's own competence, including provision for the
25 diagnosis and treatment of relevant medical or optometric problems."

H.B.-1350

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1995

H.B. FILED
1350 MAY 23 96
HOUSE PRINCIPAL CLERK

H

D

HOUSE DRH2240*-RTXZ001.04(5.16)

Short Title: Underground Storage Tank Amends. '96.

(Public)

Sponsors: Representatives Weatherly and Locke.

Referred to:

- 1 A BILL TO BE ENTITLED
2 AN ACT TO PROVIDE FOR THE CONTINUED SOLVENCY OF THE
3 COMMERCIAL LEAKING PETROLEUM UNDERGROUND STORAGE TANK
4 CLEANUP FUND AND TO MAKE OTHER CHANGES TO THE LEAKING
5 PETROLEUM UNDERGROUND STORAGE TANK CLEANUP PROGRAM,
6 AS RECOMMENDED BY THE ENVIRONMENTAL REVIEW COMMISSION.
7 The General Assembly of North Carolina enacts:
8 Section 1. Temporary suspension of cleanups pending adoption of
9 risk-assessment rules -- (a) The definitions set out in G.S. 143-215.94A apply to this
10 section.
11 (b) The Department shall classify the impact of each known discharge or
12 release of a petroleum product from an underground storage tank as either a Class
13 AB impact or a Class CDE impact. The Department shall make the classification on
14 the basis of information currently known by the Department or provided to the
15 Department as required by law. The Department shall revise the classification as
16 additional information is received. The impact of a discharge or release is a Class
17 CDE impact unless and until it is classified as a Class AB impact. A discharge or
18 release has a Class AB impact if and only if any of the following apply:
19 (1) A water supply well is contaminated.
20 (2) Petroleum vapor is present in a confined space.
21 (3) A water supply well is located within 1,500 feet of the discharge,
22 release, or known extent of contamination and there is a user of
23 water from any water supply well located within 1,500 feet of the
24 discharge, release, or known extent of contamination who is not
25 served by an existing public water supply.

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1995

H.B. FILED

1351

MAY 23 96

HOUSE PRINCIPAL CLERK

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D

HOUSE DRHA211*-RTXZ004.01(5.16)

Short Title: Well and Pump Contractors.

(Public)

Sponsors: Representative Culp.

Referred to:

- 1 A BILL TO BE ENTITLED
2 AN ACT TO CREATE THE WELL CONTRACTORS AND PUMP
3 CONTRACTORS CERTIFICATION COMMISSION, TO AMEND THE WELL
4 DRILLERS AND PUMP INSTALLERS REGISTRATION REQUIREMENTS,
5 AND TO MAKE VARIOUS AMENDMENTS TO THE WELL
6 CONSTRUCTION ACT, AS RECOMMENDED BY THE ENVIRONMENTAL
7 REVIEW COMMISSION.
8 The General Assembly of North Carolina enacts:
9 Section 1. Article 7 of Chapter 143B of the General Statutes is amended
10 by adding a new Part to read:
11 "Part 9A. Well Contractors and Pump Contractors Certification Commission.
12 "§ 143B-301.10. Definitions.
13 The definitions in G.S. 87-85 and G.S. 87-98.2 apply in this Part.
14 "§ 143B-301.11. Creation, powers, and duties of the Commission.
15 (a) Creation and Duties. -- The Well Contractors and Pump Contractors
16 Certification Commission is created within the Department. The Commission shall:
17 (1) Adopt rules with respect to the certification of well contractors and
18 pump contractors as provided by Article 7A of Chapter 87 of the
19 General Statutes.
20 (2) Exercise quasi-judicial powers in accordance with the provisions of
21 Chapter 150B of the General Statutes. The Commission shall
22 make the final agency decision on any matter involving the
23 certification of well contractors and pump contractors pursuant to
24 Article 7A of Chapter 87 of the General Statutes and on civil

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1995

HOUSE PRINCIPAL CLERK

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HOUSE DRH2229-LG273(5.21)

Short Title: Agronomic Services Program Funds.

(Public)

Sponsors: Representative Culp.

Referred to:

- 1 A BILL TO BE ENTITLED
2 AN ACT TO APPROPRIATE FUNDS TO THE DEPARTMENT OF
3 AGRICULTURE FOR IMPROVEMENTS AND EXPANSION OF THE
4 DEPARTMENT'S AGRONOMIC SERVICES PROGRAM.
5 The General Assembly of North Carolina enacts:
6 Section 1. There is appropriated from the General Fund to the
7 Department of Agriculture the sum of six hundred fifty-seven thousand nine hundred
8 seventy-five dollars (\$657,975) for the 1996-97 fiscal year for improvements and
9 expansion of the Department's Agronomic Services program.
10 Sec. 2. This act becomes effective July 1, 1996.

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1995

HOUSE PRINCIPAL CLERK

H

D

HOUSE DRHA185-RGZ009(5.10)

Short Title: Domestic Violence/Pretrial Release.

(Public)

Sponsors: Representatives Hensley, Culpepper, R. Hunter, McCrary, and Neely.

Referred to:

- 1 A BILL TO BE ENTITLED
2 AN ACT TO DECREASE THE PERIOD OF TIME IN DOMESTIC VIOLENCE
3 CASES THAT A DEFENDANT MAY BE HELD IN CUSTODY WITHOUT A
4 DETERMINATION OF PRETRIAL RELEASE BY A JUDGE.
5 The General Assembly of North Carolina enacts:
6 Section 1. G.S. 15A-534.1(b) reads as rewritten:
7 "(b) A defendant may be retained in custody not more than 48 12 hours from the
8 time of arrest without a determination being made under this section by a judge. If a
9 judge has not acted pursuant to this section within 48 hours of arrest, the magistrate
10 shall act under the provisions of this section."
11 Sec. 2. This act becomes effective July 1, 1996.

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1995

HOUSE PRINCIPAL C

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HOUSE DRH2231*-RT/RJZ003.01(5.16)

Short Title: Restructure Forestry Council.

(Public)

Sponsors: Representatives Locke and Weatherly.

Referred to:

- 1 A BILL TO BE ENTITLED
2 AN ACT TO EXPAND THE MEMBERSHIP OF THE FORESTRY COUNCIL OF
3 THE DEPARTMENT OF ENVIRONMENT, HEALTH, AND NATURAL
4 RESOURCES AND REDEFINE ITS RESPONSIBILITIES, AS
5 RECOMMENDED BY THE ENVIRONMENTAL REVIEW COMMISSION.
6 The General Assembly of North Carolina enacts:
7 Section 1. G.S. 143B-308 reads as rewritten:
8 "§ 143B-308. Forestry Council -- creation; powers and duties.
9 There is hereby created the Forestry Council of the Department of Environment,
10 Health, and Natural Resources. The Forestry Council shall have the following
11 functions and duties:
12 (1) To advise the Secretary of Environment, Health, and Natural
13 Resources with respect to all matters concerning the ~~conservation~~
14 ~~and development of both state-owned and privately-owned forests~~
15 ~~in the State, including, the promotion of a more profitable use of~~
16 ~~forestlands; protection, management, and preservation of State-~~
17 ~~owned, privately owned, and municipally owned forests in the~~
18 ~~State, including but not limited to:~~
19 a. Profitable use of the State's forests consistent with the
20 principles of sustained productivity.
21 b. Best management practices, including those for protection of
22 soil, water, wildlife, and wildlife habitat, to be used in
23 managing the State's forests and their resources.

H.B. FILED
1355 MAY 23 96
GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1995

HOUSE PRINCIPAL CLERK

H

D

HOUSE DRH7250-LB424(5.1)

Short Title: Fayetteville Assessment.

(Local)

Sponsors: Representative Hurley.

Referred to:

- 1 A BILL TO BE ENTITLED
2 AN ACT TO EXTEND UP TO TWENTY YEARS THE PERIOD TO REPAY
3 SPECIAL ASSESSMENTS IN THE CITY OF FAYETTEVILLE.
4 The General Assembly of North Carolina enacts:
5 Section 1. G.S. 160A-232 reads as rewritten:
6 "**§ 160A-232. Payment of assessments in cash or by installments.**
7 The owners of assessed property shall have the option, within 30 days after the
8 publication of the notice that the assessment roll has been confirmed, of paying the
9 assessment either in cash or in not more than ~~10~~ 20 annual installments, as may have
10 been determined by the council in the resolution directing the project giving rise to
11 the assessment to be undertaken. With respect to payment by installment, the council
12 may provide
13 (1) That the first installment with interest shall become due and
14 payable on the date when property taxes are due and payable, and
15 one subsequent installment and interest shall be due and payable
16 on the same date in each successive year until the assessment is
17 paid in full, or
18 (2) That the first installment with interest shall become due and
19 payable 60 days after the date that the assessment roll is confirmed,
20 and one subsequent installment and interest shall be due and
21 payable on the same day of the month in each successive year until
22 the assessment is paid in full."
23 Sec. 2. This act applies to the City of Fayetteville only.
24 Sec. 3. This act is effective upon ratification.

Session # 2018
LEGISLATIVE DAY 132
H1355HCS
READING 2
HURLEY

NORTH CAROLINA
HOUSE OF REPRESENTATIVES
ROLL CALL

RC
6/18/96
6:39 PM
IN CHAIR: SPEAKER

FAYETTEVILLE ASSESSMENT

AYES - 88

ADAMS	CUNNINGHAM	HUNTER, H.	RICHARDSON
ALDRIDGE	DAUGHTRY	HUNTER, R.	ROBINSON, G.
ALEXANDER	DECKER	HURLEY	ROBINSON, J.
ARNOLD	DOCKHAM	IVES	ROGERS
BAKER	EARLE	JUSTUS	RUSSELL
BARBEE	EASTERLING	LEMMOND	SEXTON
BEALL	EDDINS	MCCOMAS	SHAW
BERRY	EDWARDS	MCCOMBS	SHERRILL
BLACK	FITCH	MCMAHAN	SHUBERT
BOWEN	FOX	MINER	SUTTON
BOYD-MCINTYRE	GARDNER	MITCHELL	TALLEN
BRASWELL	GRADY	MORGAN	THOMPSON
BRAWLEY	GRAY	NEELY	TOLSON
BROWN, J.	HACKNEY	NYE	WAINWRIGHT
BUCHANAN	HAYES	OLDHAM	WATSON
CANSLER	HENSLEY	OWENS	WILKINS
CLARY	HIATT	PATE	WILSON, C.
COCKLEREECE	HIGHTOWER	PRESTON	WILSON, G.
CRAWFORD	HILL	PULLEY	WOMBLE
CREECH	HOLMES	RAYFIELD	WOOD
CULPEPPER	HOWARD	REDWINE	WRIGHT
CUMMINGS	HUNT	REYNOLDS	YONGUE

NOES - 10

ALLRED	DAVIS	LINNEY	MCLAUGHLIN
CAPPS	ELLIS	MCALLISTER	WARNER
CARPENTER	KISER		

EXCUSED ABSENCE - 8

BLUE	CULP	LUEBKE	MILLER, K.
BOWIE	ESPOSITO	MILLER, G.	NICHOLS

EXCUSED VOTE - 0

NOT VOTING - 14

SPEAKER	DICKSON	MCCRARY	RAMSEY
BARNES	GAMBLE	MERCER	SHARPE
BROWN, W.	LEE	MICHAUX	WEATHERLY
CHURCH	LOCKE		

H1355HCS

NORTH CAROLINA GENERAL ASSEMBLY AMENDMENT

(Please type or use ballpoint pen)

H. B. No. 1355, 2nd Ed'n

DATE June 19, 1996

S. B. No. _____

Amendment No. 1
(to be filled in by
Principal Clerk)

Rep.) McAllister
Serr.)

moves to amend the bill on page 1, line s 3-8

by adding a period after "FAYETTEVILLE" on line
3 and deleting the remainder of the title;

and on page 2, lines 6-32,
by rewriting the lines to read:

"Sec. 2. This act applies to the City of
Fayetteville only.";

and by renumbering the remaining section accordingly.

SIGNED

Mary E. McAllister

ADOPTED

6/19/96

FAILED

TABLED

100-5 EV

Wells Charges title.

NORTH CAROLINA

HOUSE OF REPRESENTATIVES

ROLL CALL

EV

2038
LEGISLATIVE DAY 133
H1355HCS
READING 3
HURLEY
AMEND #1-*McAllister*
FAYETTEVILLE ASSESSMENT

6/19/96
4:02 PM
IN CHAIR: SPEAKER

AYES - 100

ADAMS	DAUGHTRY	HUNTER, R.	RAMSEY
ALEXANDER	DAVIS	JUSTUS	RAYFIELD
ALLRED	DECKER	KISER	REDWINE
ARNOLD	DOCKHAM	LEE	REYNOLDS
BAKER	EARLE	LEMMOND	ROBINSON, G.
BARBEE	EASTERLING	LINNEY	ROBINSON, J.
BARNES	EDDINS	LOCKE	ROGERS
BERRY	EDWARDS	LUEBKE	RUSSELL
BOWIE	ELLIS	MCALLISTER	SEXTON
BOYD-MCINTYRE	ESPOSITO	MCCOMAS	SHARPE
BRASWELL	FITCH	MCCOMBS	SHERRILL
BRAWLEY	FOX	MCCRARY	SHUBERT
BROWN, J.	GAMBLE	MCLAUGHLIN	TALLENT
BROWN, W.	GARDNER	MERCER	THOMPSON
BUCHANAN	GRADY	MILLER, G.	TOLSON
CANSLER	GRAY	MINER	WAINWRIGHT
CAPPS	HACKNEY	MITCHELL	WARNER
CARPENTER	HAYES	MORGAN	WATSON
CHURCH	HIATT	NEELY	WEATHERLY
CLARY	HIGHTOWER	NICHOLS	WILKINS
COCKLEREECE	HILL	NYE	WILSON, G.
CRAWFORD	HOLMES	OLDHAM	WOMBLE
CULP	HOWARD	PATE	WOOD
CUMMINGS	HUNT	PRESTON	WRIGHT
CUNNINGHAM	HUNTER, H.	PULLEY	YONGUE

NOES - 5

HENSLEY	IVES	OWENS	RICHARDSON
HURLEY			

EXCUSED ABSENCE - 0

EXCUSED VOTE - 0

NOT VOTING - 15

SPEAKER	BLUE	DICKSON	SHAW
ALDRIDGE	BOWEN	MCMAHAN	SUTTON
BEALL	CREECH	MICHAUX	WILSON, C.
BLACK	CULPEPPER	MILLER, K.	

H1355HCS

NORTH CAROLINA

HOUSE OF REPRESENTATIVES

ROLL CALL

RC

2077
LEGISLATIVE DAY 134
H1355HCS
READING 3
HURLEY

6/20/96
12:24 PM
IN CHAIR: SPEAKER

FAYETTEVILLE ASSESSMENT

AYES - 105

ADAMS	DAUGHTRY	JUSTUS	RAMSEY
ALDRIDGE	DAVIS	KISER	RAYFIELD
ALEXANDER	DECKER	LEE	REDWINE
ALLRED	DICKSON	LEMMOND	REYNOLDS
ARNOLD	DOCKHAM	LINNEY	RICHARDSON
BAKER	EARLE	LOCKE	ROBINSON, J.
BARNES	EASTERLING	LUEBKE	ROGERS
BERRY	EDDINS	MCALLISTER	RUSSELL
BLACK	EDWARDS	MCCOMAS	SEXTON
BLUE	ELLIS	MCCOMBS	SHARPE
BOWEN	ESPOSITO	MCCRARY	SHAW
BOWIE	FITCH	MCLAUGHLIN	SHERRILL
BOYD-MCINTYRE	GARDNER	MCMAHAN	SHUBERT
BRASWELL	GRADY	MERCER	SUTTON
BRAWLEY	GRAY	MICHAUX	TALLENT
BROWN, J.	HACKNEY	MILLER, G.	THOMPSON
BROWN, W.	HAYES	MINER	TOLSON
BUCHANAN	HENSLEY	MITCHELL	WAINWRIGHT
CANSLER	HIATT	MORGAN	WEATHERLY
CAPPS	HIGHTOWER	NEELY	WILKINS
CARPENTER	HILL	NICHOLS	WILSON, C.
CHURCH	HOLMES	NYE	WILSON, G.
CLARY	HOWARD	OWENS	WOMBLE
COCKLEREECE	HUNTER, R.	PATE	WOOD
CREECH	HURLEY	PRESTON	WRIGHT
CULPEPPER	IVES	PULLEY	YONGUE
CUMMINGS			

NOES - 1

MILLER, K.

EXCUSED ABSENCE - 7

BEALL	FOX	OLDHAM	WARNER
CULP	HUNT	ROBINSON, G.	

EXCUSED VOTE - 0

NOT VOTING - 7

SPEAKER	CRAWFORD	GAMBLE	WATSON
BARBEE	CUNNINGHAM	HUNTER, H.	

H1355HCS

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1995

1356 MAY 23 95

HOUSE PRINCIPAL CLERK D

H

HOUSE DRH4232*-LDZ005.01(5.16)

Short Title: Mining/Sediment. Tech. Asst. Funds.

(Public)

Sponsors: Representative Culp.

Referred to:

1 A BILL TO BE ENTITLED
2 AN ACT TO APPROPRIATE FUNDS TO CONTINUE THE TECHNICAL
3 ASSISTANCE, TRAINING, AND PUBLIC AWARENESS PROGRAMS UNDER
4 THE MINING ACT OF 1971 AND THE SEDIMENTATION POLLUTION
5 CONTROL ACT OF 1973, AS RECOMMENDED BY THE ENVIRONMENTAL
6 REVIEW COMMISSION.

7 Whereas, the technical assistance, training, and public awareness
8 programs under the Mining Act of 1971 (G.S. 74-46, et seq.) and the Sedimentation
9 Pollution Control Act of 1973 (G.S. 113A-50, et seq.) are critical to the achievement
10 of the purposes of those acts which regulate land disturbing activities to ensure
11 protection and responsible use of the environment and natural resources of the State;
12 and

13 Whereas, the North Carolina Sedimentation Control Commission and the
14 North Carolina Mining Commission, acting through the Division of Land Resources
15 of the Department of Environment, Health, and Natural Resources, have for many
16 years administered effective technical assistance, training, and public awareness
17 programs; that these programs significantly contributed to the achievement of the
18 purposes of the acts cited above; and that these programs have enhanced compliance
19 with those acts, cooperation among permit applicants and permittees and the
20 Department, and protection of the environment and natural resources of the State;
21 and

22 Whereas, under the law as it existed prior to 1994, these technical
23 assistance, training, and public awareness programs were funded from civil penalties
24 assessed and collected for violations under the acts cited above; and

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1995

HB FILED
1357 MAY 23 96
HOUSE PRINCIPAL CLERK

H

D

HOUSE DRH4237-LB486(5.22)

Short Title: Edenton Annexations.

(Local)

Sponsors: Representative Culpepper.

Referred to:

- 1 A BILL TO BE ENTITLED
2 AN ACT TO EXEMPT THE ANNEXATION OF THE EDENTON AIRPORT
3 FROM THE CEILING ON SATELLITE ANNEXATIONS BY THE TOWN OF
4 EDENTON.
5 The General Assembly of North Carolina enacts:
6 Section 1. The Charter of the Town of Edenton, being Chapter 815 of
7 the 1985 Session Laws, is amended by adding a new section to read:
8 "Sec. 1.4. **Satellite annexations.** The airport annexed by an annexation ordinance
9 adopted by the Town of Edenton shall not be included in any calculations made
10 under G.S. 160A-58.1(b)(5)."
11 Sec. 2. This act is effective upon ratification.

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1995

H.B. FILED
1358 MAY 23 96
HOUSE PRINCIPAL CLERK

H

D

HOUSE DRH1355-LB452(5.14)

Short Title: Burlington Private Sale.

(Local)

Sponsors: Representatives Allred and Reynolds (Co-sponsors).

Referred to:

1 A BILL TO BE ENTITLED
2 AN ACT TO AUTHORIZE THE CITY OF BURLINGTON, NORTH CAROLINA,
3 TO CONVEY CERTAIN SURPLUS PROPERTY BY PRIVATE SALE TO
4 HABITAT FOR HUMANITY OF ALAMANCE COUNTY, N. C., INC.

5 The General Assembly of North Carolina enacts:

6 Section 1. Notwithstanding Article 12 of Chapter 160A of the North
7 Carolina General Statutes, the City of Burlington, North Carolina, may convey
8 certain real property acquired as part of a Community Development Block Grant
9 Program for the revitalization of the Rauhut Street area of Burlington, North
10 Carolina, now declared surplus real property, at a negotiated private sale to
11 HABITAT FOR HUMANITY OF ALAMANCE COUNTY, N. C., INC., with
12 monetary consideration, any and all of its right, title, and interest to the following
13 described property:

14
15 LOT 1

16
17 A certain tract or parcel of land in Burlington Township, Alamance County, North
18 Carolina, adjoining the lands of Jackson Street, Rosena Walker Heirs, an unopened
19 alley, Lots 2 and 4 and others and being more particularly described as follows:

20
21 BEGINNING at an iron stake in the east right-of-way line of Jackson
22 Street, said stake being a corner with Rosena Walker Heirs and lying north 3 deg. 48'
23 50" west 213.19 feet from the intersection of the east right-of-way line of Jackson
24 Street and the north right-of-way line of Dudley Street and running thence from said
25 beginning point with the line of Rosena Walker Heirs, north 88 deg. 45' 35" east

GENERAL ASSEMBLY OF NORTH CAROLINA 23 96

SESSION 1995 HOUSE PRINCIPAL CLERK

H

D

HOUSE DRH7319*-RTZ003.02(5.9)

Short Title: Unlined Landfills/Temporary Extension.

(Public)

Sponsors: Representatives Russell and Mercer.

Referred to:

1 A BILL TO BE ENTITLED
2 AN ACT TO AUTHORIZE THE CONTINUED OPERATION OF CERTAIN
3 UNLINED MUNICIPAL SOLID WASTE LANDFILLS, AS RECOMMENDED
4 BY THE JOINT LEGISLATIVE ADMINISTRATIVE PROCEDURE
5 OVERSIGHT COMMITTEE.
6 The General Assembly of North Carolina enacts:
7 Section 1. (a) A person who holds a permit for an existing municipal
8 solid waste landfill that is not designed and constructed with a liner and leachate
9 collection system may continue to receive municipal solid waste for disposal in that
10 landfill after 1 January 1998 and until 1 January 2003 in order to establish improved
11 final contours of that landfill if the permittee has implemented a solid waste
12 reduction and recycling program that is determined by the Department of
13 Environment, Health, and Natural Resources, in accordance with subsections (c1) and
14 (c2) of G.S. 130A-309.04, to have reduced the amount of solid waste eligible for
15 disposal at that landfill and the Department approves an amended transition plan
16 pursuant to this act.
17 (b) Waste received at a municipal solid waste landfill that is authorized
18 to continue operation under this act shall be disposed of in a vertical expansion
19 within the perimeter of the area in which waste had been disposed of as of 9 October
20 1991. The quantity of municipal solid waste received at a municipal solid waste
21 landfill that is authorized to continue operation under this act shall not exceed the
22 quantity of municipal solid waste received in the landfill between 1 July 1991 and 30
23 June 1996. The Department of Environment, Health, and Natural Resources shall
24 not approve an amended transition plan that provides for the receipt of waste in
25 excess of the quantity authorized by this subsection.

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1995

1360

MAY 23 96

HOUSE PRINCIPAL CLERK

H

D

HOUSE DRH6221*-LDZ006.01(5.16)

Short Title: Recycling Busi. Asst. Ctr. Funds.

(Public)

Sponsors: Representative Culp.

Referred to:

1 A BILL TO BE ENTITLED

2 AN ACT TO APPROPRIATE FUNDS FOR THE RECYCLING BUSINESS
3 ASSISTANCE CENTER WITHIN THE DEPARTMENT OF ENVIRONMENT,
4 HEALTH, AND NATURAL RESOURCES, AS RECOMMENDED BY THE
5 ENVIRONMENTAL REVIEW COMMISSION.

6 The General Assembly of North Carolina enacts:

7 Section 1. There is appropriated from the General Fund to the
8 Department of Environment, Health, and Natural Resources the sum of one hundred
9 seventy-six thousand dollars (\$176,000) for the 1996-97 fiscal year to support the
10 Recycling Business Assistance Center within the Department.

11 Sec. 2. It is the intent of the General Assembly to include funds
12 appropriated for this purpose in the continuation budget for the 1997-99 biennium.

13 Sec. 3. This act becomes effective July 1, 1996.

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1995

H.B. FILED

1361

MAY 23 96

HOUSE PRINCIPAL CLERK

H

HOUSE DRH6225*-LL239(5.8)

Short Title: Criminal Procedure Study Funds.

(Public)

Sponsors: Representative Neely.

Referred to:

- 1 A BILL TO BE ENTITLED
2 AN ACT TO APPROPRIATE FUNDS FOR THE CREATION OF THE
3 CRIMINAL PROCEDURE STUDY COMMISSION.
4 The General Assembly of North Carolina enacts:
5 Section 1. (a) The Criminal Procedure Study Commission is created.
6 The Commission shall consist of 18 voting members, six members to be appointed by
7 the President Pro Tempore of the Senate, six members to be appointed by the
8 Speaker of the House of Representatives, and six members to be appointed by the
9 Chief Justice of the North Carolina Supreme Court. No more than four members
10 appointed by the President Pro Tempore of the Senate and no more than four
11 members appointed by the Speaker of the House of Representatives may be members
12 of the General Assembly. No more than four of the members appointed by any one
13 of the three appointing authorities may be members of the same political party.
14 (b) The Commission shall:
15 (1) Study all practices and procedures that affect the trial and
16 disposition of criminal prosecutions in the trial divisions of the
17 General Court of Justice, including the Criminal Procedure Act,
18 rules of evidence, other relevant statutes, statewide and local court-
19 adopted rules of practice and procedure, administrative rules,
20 appellate opinions and all other relevant practices, customs, and
21 traditions in the trial courts of North Carolina; and
22 (2) Devise and recommend improved practices and procedures that (i)
23 reduce the time required to dispose of criminal prosecutions in the
24 trial divisions; (ii) simplify pretrial and trial procedure; (iii)
25 guarantee the full realization of the interests of the State, the rights

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1995

HR FILED
1362 MAY 23 96
HOUSE PRINCIPAL CLERK

H

D

HOUSE DRH4236*-RUZ011(5.9)

Short Title: Substance Abuse Cert. Rule Disapproved.

(Public)

Sponsors: Representative Creech.

Referred to:

1 A BILL TO BE ENTITLED
2 AN ACT TO SPECIFICALLY DISAPPROVE PROPOSED ADMINISTRATIVE
3 RULES BY THE NORTH CAROLINA SUBSTANCE ABUSE
4 PROFESSIONALS CERTIFICATION BOARD THAT HAVE BEEN
5 APPROVED BY THE RULES REVIEW COMMISSION.
6 The General Assembly of North Carolina enacts:
7 Section 1. Pursuant to G.S. 150B-21.3, the General Assembly disapproves
8 the following proposed permanent rules proposed by the North Carolina Substance
9 Abuse Professionals Certification Board:
10 21 NCAC 68 .0201, 21 NCAC 68 .0203, 21 NCAC 68 .02011, and 21
11 NCAC 68 .0212.
12 Sec. 2. This act is effective upon ratification.

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1995

H

D

HOUSE DRH7322*-LJXZ35(1.2)

Short Title: Resolve APA Problems.

(Public)

Sponsors: Representative Creech.

Referred to:

- 1 A BILL TO BE ENTITLED
2 AN ACT TO MAKE CHANGES IN THE ADMINISTRATIVE PROCEDURE ACT,
3 TO MAKE CHANGES IN VARIOUS LAWS GRANTING THE POWER TO
4 ADOPT RULES, AND TO CLARIFY THE REQUIREMENTS CONCERNING
5 CERTAIN REMOVALS OF UNDERGROUND STORAGE TANKS, AS
6 RECOMMENDED BY THE ADMINISTRATIVE PROCEDURE OVERSIGHT
7 COMMITTEE.
8 The General Assembly of North Carolina enacts:
9 Section 1. G.S. 150B-19 reads as rewritten:
10 "§ 150B-19. Restrictions on what can be adopted as a rule.
11 An agency may not adopt a rule that does one or more of the following:
12 (1) Implements or interprets a law unless that law or another law
13 specifically authorizes the agency to do so.
14 (2) Enlarges or restricts the scope of a profession, occupation, or field
15 of endeavor for which an occupational license is required.
16 (2a) Sets qualifications for a job or position unless a law specifically
17 authorizes the agency to do so.
18 (3) Imposes criminal liability or a civil penalty for an act or omission,
19 including the violation of a rule, unless a law specifically
20 authorizes the agency to do so or a law declares that violation of
21 the rule is a criminal offense or is grounds for a civil penalty.
22 (4) Repeats the content of a law, a rule, or a federal regulation. A
23 brief statement that informs the public of a requirement imposed
24 by law does not violate this subdivision and satisfies the

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1995

H.B. FILED
1364 MAY 23 96
HOUSE PRINCIPAL CLERK

H

D

HOUSE DRH7323*-RUZ010(5.22)

Short Title: Resid. Building Code Rules Review.

(Public)

Sponsors: Representative Creech.

Referred to:

1 A BILL TO BE ENTITLED

2 AN ACT TO REQUIRE THE STATE BUILDING CODE COUNCIL TO SUBMIT
3 PROPOSED AMENDMENTS TO THE RESIDENTIAL BUILDING CODE TO
4 THE RULES REVIEW COMMISSION FOR APPROVAL AND TO SUBJECT
5 THE AMENDMENTS APPROVED BY THE RULES REVIEW COMMISSION
6 TO LEGISLATIVE DISAPPROVAL.

7 The General Assembly of North Carolina enacts:

8 Section 1. G.S. 143-137(a) reads as rewritten:

9 "(a) Preparation and Adoption. -- The Building Code Council is hereby
10 empowered to prepare and adopt, in accordance with the provisions of this Article, a
11 North Carolina State Building Code. Prior to the adoption of this Code, or any part
12 thereof, the Council shall hold at least one public hearing. A notice of such public
13 hearing shall be given once a week for two successive calendar weeks in a newspaper
14 published in Raleigh, said notice to be published the first time not less than 15 days
15 prior to the date fixed for said hearing. The Council may hold such other public
16 hearings and give such other notice as it may deem necessary.

17 The Council shall request the Office of State Budget and Management to prepare
18 a fiscal note for a proposed Code change that has a substantial economic impact, as
19 defined in G.S. 150B-21.4(b1). The Council shall not take final action on a proposed
20 Code change that has a substantial economic impact until at least 60 days after the
21 fiscal note has been prepared.

22 Notwithstanding any other provision of this section or G.S. 150B-2(8a)h., all
23 proposed changes to the North Carolina Uniform Residential Building Code shall be
24 subject to the provisions of Part 3 of Article 2A of Chapter 150B of the General
25 Statutes as if the proposed changes were considered rules, and all proposed changes

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1995

H.B. FILED

1365

MAY 24 96

HOUSE PRINCIPAL CLERK D

H

HOUSE DRH7321*-LV012(5.15)

Short Title: CDBG Program Study.

(Public)

Sponsors: Representative Easterling.

Referred to:

- 1 A BILL TO BE ENTITLED
2 AN ACT TO APPROPRIATE FUNDS TO ESTABLISH A LEGISLATIVE
3 RESEARCH COMMISSION STUDY ON IMPROVING THE SMALL CITIES
4 COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM.
5 The General Assembly of North Carolina enacts:
6 Section 1. The Legislative Research Commission may study the issue of
7 block grant awards by the Small Cities Community Block Grant (CDBG) Program.
8 Sec. 2. The Legislative Research Commission may report the results of
9 its study, along with any legislative proposals and cost analyses, to the 1997 General
10 Assembly.
11 Sec. 3. There is appropriated from the General Fund to the General
12 Assembly the sum of twenty-five thousand dollars (\$25,000) for the 1996-97 fiscal
13 year to fund this act.
14 Sec. 4. This act becomes effective July 1, 1996.

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1995

H.B. FILED

1366

MAY

HOUSE PRINCIPAL

D

H

HOUSE DRH7311-LBX463(5.20)

Short Title: Washington Charter Revision.

(Local)

Sponsors: Representative Edwards.

Referred to:

1 A BILL TO BE ENTITLED
2 AN ACT TO REVISE AND CONSOLIDATE THE CHARTER OF THE CITY OF
3 WASHINGTON.
4 The General Assembly of North Carolina enacts:
5 Section 1. The Charter of the City of Washington is revised and
6 consolidated to read as follows:
7 "THE CHARTER OF THE CITY OF WASHINGTON.
8 "ARTICLE I. INCORPORATION, CORPORATE POWERS, AND BOUNDARIES.
9 "Section 1.1. **Incorporation.** The City of Washington, North Carolina, in Beaufort
10 County and the inhabitants thereof shall continue to be a municipal body politic and
11 corporate, under the name of the 'City of Washington', hereinafter at times referred
12 to as the 'City'.
13 "Sec. 1.2. **Powers.** The City shall have and may exercise all of the powers, duties,
14 rights, privileges, and immunities conferred upon the City of Washington specifically
15 by this Charter or upon municipal corporations by general law. The term 'general
16 law' is employed herein as defined in G.S. 160A-1.
17 "Sec. 1.3. **Corporate Boundaries.** The corporate boundaries shall be those existing
18 at the time of ratification of this Charter, as set forth on the official map of the City
19 and as they may be altered from time in accordance with law. An official map of the
20 City, showing the current municipal boundaries, shall be maintained permanently in
21 the office of the City Clerk and shall be available for public inspection. Upon
22 alteration of the corporate limits pursuant to law, the appropriate changes to the
23 official map shall be made and copies shall be filed in the office of the Secretary of
24 State, the Beaufort County Register of Deeds, and the appropriate board of elections.
25 "ARTICLE II. GOVERNING BODY.



NORTH CAROLINA GENERAL ASSEMBLY
AMENDMENT
House Bill 1366

AMENDMENT NO. 1
(to be filled in by
Principal Clerk)
Page 1 of 1

H1366-ASA-005

Date June 10, 1996

Comm. Sub. ☐
Amends Title ☐

Rep. Pate

- 1 moves to amend the bill on page 7, line 13,
2 by
3
4 rewriting the line to read: "Chapter 322, Session Laws of 1981,
5 except for Section 2".
6

SIGNED *L Pate*
Amendment Sponsor

SIGNED _____
Committee Chair if Senate Committee Amendment

ADOPTED *6/10/96* FAILED _____ TABLED _____

98-0 EV
SWuhr

EV

NORTH CAROLINA

HOUSE OF REPRESENTATIVES



S # 1926
LEGISLATIVE DAY 126
H1366

6/10/96
4:13 PM

IN CHAIR: SPEAKER

REVISE & CONSOLIDATE CHT OF
AMEND #1-Pate
CITY OF WASHINGTON

AYES - 98

ADAMS
ALDRIDGE
ALEXANDER
ALLRED
ARNOLD
BAKER
BARBEE
BARNES
BEALL
BERRY
BOWEN
BOWIE
BOYD-MCINTYRE
BRASWELL
BRAWLEY
BROWN, J.
BROWN, W.
BUCHANAN
CANSLER
CAPPS
CARPENTER
CLARY
COCKLEREECE
CRAWFORD
CREECH

CULP
CUMMINGS
DAUGHTRY
DAVIS
DECKER
DICKSON
DOCKHAM
EARLE
EASTERLING
EDDINS
EDWARDS
ELLIS
ESPOSITO
FOX
GARDNER
GRADY
HACKNEY
HAYES
HIATT
HIGHTOWER
HILL
HOLMES
HOWARD
HUNTER, R.
HURLEY

IVES
JUSTUS
KISER
LEE
LEMOND
MCCOMAS
MCCOMBS
MCCRARY
MCLAUGHLIN
MCMAHAN
MERCER
MICHAUX
MITCHELL
MORGAN
NEELY
NICHOLS
NYE
OLDHAM
OWENS
PATE
PRESTON
PULLEY
RAMSEY
RAYFIELD

REDWINE
REYNOLDS
RICHARDSON
ROBINSON, J.
ROGERS
RUSSELL
SEXTON
SHARPE
SHAW
SHERRILL
SHUBERT
SUTTON
TALLENT
THOMPSON
TOLSON
WARNER
WATSON
WEATHERLY
WILKINS
WILSON, C.
WILSON, G.
WOMBLE
WRIGHT
YONGUE

NOES - 0

EXCUSED ABSENCE - 7

CHURCH
FITCH

LINNEY
LOCKE
MINER
ROBINSON, G.

WAINWRIGHT

EXCUSED VOTE - 0

NOT VOTING - 15

SPEAKER
BLACK
BLUE
CULPEPPER

CUNNINGHAM
GAMBLE
GRAY
HENSLEY
HUNT
HUNTER, H.
LUEBKE
MCALLISTER

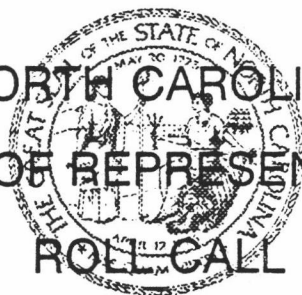
MILLER, G.
MILLER, K.
WOOD

H1366

2001
LEGISLATIVE DAY 132
SR 10
READING 2

Wick

NORTH CAROLINA
HOUSE OF REPRESENTATIVES



6/18/96
4:48 PM
IN CHAIR: SPEAKER

RC

H1366

AYES - 115

ADAMS
ALDRIDGE
ALEXANDER
ALLRED
ARNOLD
BAKER
BARBEE
BARNES
BEALL
BERRY
BLACK
BOWEN
BOWIE
BOYD-MCINTYRE
BRASWELL
BRAWLEY
BROWN, J.
BROWN, W.
BUCHANAN
CANSLER
CAPPS
CARPENTER
CLARY
COCKLEREECE
CRAWFORD
CREECH
CULP
CULPEPPER
CUMMINGS

CUNNINGHAM
DAUGHTRY
DAVIS
DECKER
DICKSON
DOCKHAM
EARLE
EASTERLING
EDDINS
EDWARDS
ELLIS
ESPOSITO
FITCH
FOX
GAMBLE
GARDNER
GRADY
GRAY
HACKNEY
HAYES
HENSLEY
HIATT
HIGHTOWER
HILL
HOLMES
HOWARD
HUNT
HUNTER, H.
HUNTER, R.

HURLEY
IVES
JUSTUS
KISER
LEE
LEMMOND
LINNEY
LOCKE
LUEBKE
MCALLISTER
MCCOMAS
MCCOMBS
MCCRARY
MCLAUGHLIN
MCMAHAN
MERCER
MICHAUX
MINER
MITCHELL
MORGAN
NEELY
NICHOLS
NYE
OLDHAM
OWENS
PATE
PRESTON
PULLEY
RAMSEY

RAYFIELD
REDWINE
REYNOLDS
RICHARDSON
ROBINSON, G.
ROBINSON, J.
ROGERS
RUSSELL
SEXTON
SHARPE
SHAW
SHERRILL
SHUBERT
SUTTON
TALLENT
THOMPSON
TOLSON
WAINWRIGHT
WARNER
WATSON
WEATHERLY
WILKINS
WILSON, C.
WILSON, G.
WOMBLE
WOOD
WRIGHT
YONGUE

NOES - 0

BLUE

EXCUSED ABSENCE - 3
MILLER, G. MILLER, K.

EXCUSED VOTE - 0

SPEAKER

CHURCH

SHORT ROLL: H1115
S1176 H 1145

H1211HCS

H1306

H1314HCS

H1370HCS

H 1379

H 1412

H 1366

Wick

RC

NORTH CAROLINA
HOUSE OF REPRESENTATIVES
ROLL CALL

6/19/96

2:37 PM

IN CHAIR: SPEAKER

H1366

SEQ. # 2028
LEGISLATIVE DAY 133
SR12
READING 3

AYES - 114

ADAMS	CULPEPPER	HUNTER, R.	PRESTON
ALDRIDGE	CUMMINGS	HURLEY	PULLEY
ALEXANDER	CUNNINGHAM	IVES	RAMSEY
ALLRED	DAUGHTRY	JUSTUS	RAYFIELD
ARNOLD	DAVIS	KISER	REDWINE
BAKER	DECKER	LEE	REYNOLDS
BARBEE	DICKSON	LEMOND	RICHARDSON
BARNES	DOCKHAM	LINNEY	ROBINSON, G.
BEALL	EARLE	LOCKE	ROGERS
BERRY	EASTERLING	LUEBKE	SEXTON
BLACK	EDDINS	MCALLISTER	SHARPE
BLUE	EDWARDS	MCCOMAS	SHERRILL
BOWEN	ELLIS	MCCOMBS	SHUBERT
BOWIE	ESPOSITO	MCCRARY	SUTTON
BOYD-MCINTYRE	FITCH	MCLAUGHLIN	TALLENT
BRASWELL	FOX	MCMAHAN	THOMPSON
BRAWLEY	GAMBLE	MERCER	TOLSON
BROWN, J.	GARDNER	MICHAUX	WAINWRIGHT
BROWN, W.	GRADY	MILLER, G.	WARNER
BUCHANAN	HACKNEY	MINER	WATSON
CANSLER	HAYES	MITCHELL	WEATHERLY
CAPPS	HENSLEY	MORGAN	WILKINS
CARPENTER	HIATT	NEELY	WILSON, C.
CHURCH	HIGHTOWER	NICHOLS	WILSON, G.
CLARY	HILL	NYE	WOMBLE
COCKLEREECE	HOLMES	OLDHAM	WOOD
CRAWFORD	HOWARD	OWENS	WRIGHT
CREECH	HUNT	PATE	YONGUE
CULP	HUNTER, H.		

NOES - 0

EXCUSED ABSENCE - 0

EXCUSED VOTE - 0

NOT VOTING - 6

SPEAKER
GRAY

MILLER, K. RUSSELL
ROBINSON, J.

SHAW

SHORT ROLL: H1115
H1306 H1314 H1366

H1145
H1366

H1211HCS H1289
H1370HCS H1412

H1379
S1176

H1272

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1995

H.B. FILED

MAY 24 96

HOUSE PRINCIPAL CLERK

H

D

HOUSE DRH8268*-LBX(5.22)

Short Title: University Self-Liquidating.

(Public)

Sponsors: Representative Holmes, Esposito and Creech (co-sponsors)

Referred to:

1 A BILL TO BE ENTITLED
2 AN ACT TO AUTHORIZE THE CONSTRUCTION AND THE FINANCING,
3 WITHOUT APPROPRIATIONS FROM THE GENERAL FUND, OF CERTAIN
4 CAPITAL IMPROVEMENTS PROJECTS OF THE CONSTITUENT
5 INSTITUTIONS OF THE UNIVERSITY OF NORTH CAROLINA AND THE
6 UNIVERSITY OF NORTH CAROLINA HOSPITALS AT CHAPEL HILL.

7 The General Assembly of North Carolina enacts:

8 Section 1. The purpose of this act is to authorize the construction by
9 certain constituent institutions of The University of North Carolina and the University
10 of North Carolina Hospitals at Chapel Hill, of the capital improvements projects
11 listed in the act for the respective institutions, and authorize the financing of these
12 projects with funds available to the institutions from gifts, grants, receipts, including
13 patient receipts at the University of North Carolina Hospitals at Chapel Hill, self-
14 liquidating indebtedness, or other funds, or any combination of these funds, but not
15 including funds appropriated from the General Fund of the State.

16 Sec. 2. The capital improvements projects authorized by this act to be
17 constructed and financed as provided in Section 1 of this act are as follows:

18	1. Appalachian State University	
19	600-Space Parking Deck	\$5,459,400
20	2. East Carolina University	
21	Intramural Fields	1,612,800
22	3. Fayetteville State University	
23	Student Center Addition (partial)	3,042,900
24	4. North Carolina Central University	
25	Improvements to Six Residence Halls	2,922,600

H.B. FILED
1500 MAY 24 96
HOUSE PRINCIPAL CLERK

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1995

H

D

HOUSE DRH7326-LRX234(5.20)

Short Title: Boxing Commission Changes.

(Public)

Sponsors: Representatives Ives, Lemmond, and Black.

Referred to:

- 1 A BILL TO BE ENTITLED
2 AN ACT TO PROVIDE THAT THE STATE BOXING COMMISSION WILL NOT
3 REGULATE AMATEUR BOXING AND TO LEVY A GROSS RECEIPTS TAX
4 ON SALES OF CLOSED-CIRCUIT TELECASTS AND PAY-PER-VIEW
5 TELECASTS OF BOXING MATCHES.
6 The General Assembly of North Carolina enacts:
7 Section 1. G.S. 143-650 reads as rewritten:
8 "**§ 143-650. Legislative findings and declarations.**
9 The General Assembly finds and declares to be the public policy of this State that
10 it is in the best interest of the public and of boxing that boxing should be subject to
11 an effective and efficient system of strict control and regulation in order to:
12 (1) Protect the safety and well-being of participants in boxing; and
13 (2) Promote the public confidence and trust in the regulatory process
14 and the conduct of boxing.
15 To further the public confidence and trust, the provisions of this Article are designed
16 to regulate all persons, practices, and associations related to the operation of any live
17 professional boxing event, performance, or contest held in North Carolina."
18 Sec. 2. G.S. 143-651 reads as rewritten:
19 "**§ 143-651. Definitions.**
20 ~~As used in this Article:~~ The following definitions apply in this Article:
21 (1) ~~"Amateur" means a person who has never received or competed~~
22 ~~for any purse or other article or thing of value for participating in~~
23 ~~a match.~~
24 (2) ~~"Announcer" means any~~ Announcer. -- A person who engages in
25 the act of announcing a boxing match.

H.B. FILED
GENERAL ASSEMBLY OF NORTH CAROLINA

1369 MAY 24 96
SESSION 1995

HOUSE PRINCIPAL CLERK

H

D

HOUSE DRHA215-LG245(5.14)

Short Title: Economic Development Funds.

(Public)

Sponsors: Representatives Shaw and H. Hunter.

Referred to:

1 A BILL TO BE ENTITLED
2 AN ACT TO APPROPRIATE FUNDS TO THE DEPARTMENT OF COMMERCE
3 TO PROVIDE ECONOMIC INCENTIVES TO NORTH CAROLINA CITIES
4 VYING TO HOST THE CENTRAL INTERCOLLEGIATE ATHLETIC
5 ASSOCIATION (CIAA) BASKETBALL TOURNAMENT.
6 Whereas, over the last few years, the State of North Carolina has hosted
7 the Central Intercollegiate Athletic Association (CIAA) Basketball Tournament; and
8 Whereas, the CIAA Basketball Tournament creates jobs and provides
9 merchants and businesses within a 75-mile radius of the host city tremendous
10 economic benefits; and
11 Whereas, during the week of the tournament, the event attracts over
12 30,000 fans and generates over \$20,000,000; and
13 Whereas, member institutions of the CIAA conference include Elizabeth
14 City State University, St. Augustine's College, Shaw University, North Carolina
15 Central University, Winston-Salem State University, Johnson C. Smith University,
16 Fayetteville State University, and Livingstone College; and
17 Whereas, the CIAA Basketball Tournament serves as a fund-raising and
18 scholarship mechanism for the member institutions thereby enabling many of North
19 Carolina's citizens to attend these institutions; and
20 Whereas, in order for North Carolina to remain the host State of the
21 CIAA Basketball Tournament, it is crucial that the State stimulate economic
22 development in any North Carolina city vying to host future CIAA Basketball
23 Tournaments; Now, therefore,
24 The General Assembly of North Carolina enacts:

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1995

H.B. FILED

1370

MAY 24 96

H

HOUSE PRINCIPAL CLERK

D

HOUSE DRH5228-LBX489(5.22)

Short Title: Summerfield Corporate Limits.

(Local)

Sponsors: Representative Decker.

Referred to:

1 A BILL TO BE ENTITLED
2 AN ACT TO REDEFINE THE CORPORATE LIMITS OF THE TOWN OF
3 SUMMERFIELD.
4 The General Assembly of North Carolina enacts:
5 Section 1. Section 2.1 of the Charter of the Town of Summerfield, being
6 Chapter 426, Session Laws of 1995, reads as rewritten:
7 "Sec. 2.1. **Town Boundaries.** Until modified in accordance with law the
8 boundaries of the Town of Summerfield are as follows:
9 BEGINNING at the intersection of the ~~middle~~ eastern edge of United States Highway
10 220 and the ~~southern bank~~ middle of the Haw River: Thence in a generally western
11 direction following the middle of the Haw River To the Bruce Township Line.
12 Thence south along the Bruce Township Line to the intersection with the corner of
13 Guilford County Tax Map ACL-10-654, Block 1038, Lot 4.
14 Thence in a generally eastern direction along the northern boundary of Lot 4.
15 Thence in a generally southern direction along the eastern line of Lots 4 and 54, and
16 Guilford County Tax Map ACL-10-654, Block 1037, Lots 14 and 15 to the
17 intersection of the northern boundary of Lot 2.
18 Thence in a generally eastern direction along the northern boundary of Lot 2, and
19 Guilford county Tax Map ACL-10-654, Block 984, Lot 6 and Lot 4 until reaching a
20 point ~~in the middle~~ on the western edge of Belford Road.
21 Thence in a generally northern direction along the ~~center line~~ western edge of
22 Belford Road to a point due west of the intersection of the southern corner of
23 Guilford County Tax Map ACL-10-654, Block 983, Lot 33.
24 Thence in generally northern direction to and following the southern and eastern
25 boundaries of Lot 33 to the southern most line of Lot 18.

RC

2001
LEGISLATIVE DAY 132
SR 10
READING 2

Miller

NORTH CAROLINA
HOUSE OF REPRESENTATIVES



ROLL CALL

6/18/96
4:48 PM
IN CHAIR: SPEAKER

H1370

AYES - 115

ADAMS	CUNNINGHAM	HURLEY	RAYFIELD
ALDRIDGE	DAUGHTRY	IVES	REDWINE
ALEXANDER	DAVIS	JUSTUS	REYNOLDS
ALLRED	DECKER	KISER	RICHARDSON
ARNOLD	DICKSON	LEE	ROBINSON, G.
BAKER	DOCKHAM	LEMOND	ROBINSON, J.
BARBEE	EARLE	LINNEY	ROGERS
BARNES	EASTERLING	LOCKE	RUSSELL
BEALL	EDDINS	LUEBKE	SEXTON
BERRY	EDWARDS	MCALLISTER	SHARPE
BLACK	ELLIS	MCCOMAS	SHAW
BOWEN	ESPOSITO	MCCOMBS	SHERRILL
BOWIE	FITCH	MCCRARY	SHUBERT
BOYD-MCINTYRE	FOX	MCLAUGHLIN	SUTTON
BRASWELL	GAMBLE	MCMAHAN	TALLENT
BRAWLEY	GARDNER	MERCER	THOMPSON
BROWN, J.	GRADY	MICHAUX	TOLSON
BROWN, W.	GRAY	MINER	WAINWRIGHT
BUCHANAN	HACKNEY	MITCHELL	WARNER
CANSLER	HAYES	MORGAN	WATSON
CAPPS	HENSLEY	NEELY	WEATHERLY
CARPENTER	HIATT	NICHOLS	WILKINS
CLARY	HIGHTOWER	NYE	WILSON, C.
COCKLEREECE	HILL	OLDHAM	WILSON, G.
CRAWFORD	HOLMES	OWENS	WOMBLE
CREECH	HOWARD	PATE	WOOD
CULP	HUNT	PRESTON	WRIGHT
CULPEPPER	HUNTER, H.	PULLEY	YONGUE
CUMMINGS	HUNTER, R.	RAMSEY	

NOES - 0

EXCUSED ABSENCE - 3

BLUE MILLER, G. MILLER, K.

EXCUSED VOTE - 0

NOT VOTING - 2

SPEAKER CHURCH

SHORT ROLL: H1115 H1211HCS H1306 H1314HCS H1370HCS
S1176 H 1145 H1379 H1412 H1366

Miller

SEQ. # 2028
LEGISLATIVE DAY 133
SR12
READING 3

NORTH CAROLINA
HOUSE OF REPRESENTATIVES
ROLL CALL

6/19/96
2:37 PM
IN CHAIR: SPEAKER

RC

H1370

AYES - 114

ADAMS
ALDRIDGE
ALEXANDER
ALLRED
ARNOLD
BAKER
BARBEE
BARNES
BEALL
BERRY
BLACK
BLUE
BOWEN
BOWIE
BOYD-MCINTYRE
BRASWELL
BRAWLEY
BROWN, J.
BROWN, W.
BUCHANAN
CANSLER
CAPPS
CARPENTER
CHURCH
CLARY
COCKLEREECE
CRAWFORD
CREECH
CULP

CULPEPPER
CUMMINGS
CUNNINGHAM
DAUGHTRY
DAVIS
DECKER
DICKSON
DOCKHAM
EARLE
EASTERLING
EDDINS
EDWARDS
ELLIS
ESPOSITO
FITCH
FOX
GAMBLE
GARDNER
GRADY
HACKNEY
HAYES
HENSLEY
HIATT
HIGHTOWER
HILL
HOLMES
HOWARD
HUNT
HUNTER, H.

HUNTER, R.
HURLEY
IVES
JUSTUS
KISER
LEE
LEMMOND
LINNEY
LOCKE
LUEBKE
MCALLISTER
MCCOMAS
MCCOMBS
MCCRARY
MCLAUGHLIN
MCMAHAN
MERCER
MICHAUX
MILLER, G.
MINER
MITCHELL
MORGAN
NEELY
NICHOLS
NYE
OLDHAM
OWENS
PATE

PRESTON
PULLEY
RAMSEY
RAYFIELD
REDWINE
REYNOLDS
RICHARDSON
ROBINSON, G.
ROGERS
SEXTON
SHARPE
SHERRILL
SHUBERT
SUTTON
TALLENT
THOMPSON
TOLSON
WAINWRIGHT
WARNER
WATSON
WEATHERLY
WILKINS
WILSON, C.
WILSON, G.
WOMBLE
WOOD
WRIGHT
YONGUE

NOES - 0

EXCUSED ABSENCE - 0

EXCUSED VOTE - 0

NOT VOTING - 6

SPEAKER
GRAY

MILLER, K.
ROBINSON, J.

RUSSELL

SHAW

SHORT ROLL: H1115
H1306 H1314

H1145
H1366

H1211HCS
H1370HCS

H1289
H1412

H1379
S1176

H1272

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 1995

H.B. FILED
1371 MAY 24 96
HOUSE PRINCIPAL CLERK
D

H

HOUSE DRHA218-LK263(5.22)

Short Title: Johnston Animal Control Facility.

(Local)

Sponsors: Representative Daughtry.

Referred to:

- 1 A BILL TO BE ENTITLED
2 AN ACT TO EXEMPT THE COUNTY OF JOHNSTON FROM CERTAIN
3 STATUTORY REQUIREMENTS RELATING TO THE CONSTRUCTION OF
4 AN ANIMAL CONTROL FACILITY.
5 The General Assembly of North Carolina enacts:
6 Section 1. Johnston County may contract for the design and construction
7 of an animal control facility without being subject to the requirements of G.S. 143-
8 128, 143-129, 143-131, 143-133, 143-64.31, and 143-64.32. This authorization includes,
9 if deemed appropriate by the Johnston County Board of County Commissioners, the
10 use of the single-prime contractor method of design and construction or a request for
11 proposals and negotiation as an alternative design and construction method.
12 Sec. 2. This act applies to Johnston County only.
13 Sec. 3. This act is effective upon ratification.

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1995

H.B. FILED
1372 MAY 28 96
HOUSE PRINCIPAL CLERK

H

D

HOUSE DRH6228*-LB456(5.14)

Short Title: Stanly Land Conveyance.

(Local)

Sponsors: Representative Barbee.

Referred to:

- 1 A BILL TO BE ENTITLED
2 AN ACT TO CONFIRM THAT STANLY COUNTY MAY PURCHASE AND
3 CONVEY PROPERTY TO THE STATE OF NORTH CAROLINA FOR USE
4 AS A CORRECTIONAL FACILITY.
5 The General Assembly of North Carolina enacts:
6 Section 1. The County of Stanly has power under general law to acquire
7 real and personal property and convey it to the State under G.S. 160A-274 or other
8 applicable law for use as a correctional facility.
9 Sec. 2. This act is effective upon ratification.

NORTH CAROLINA

HOUSE OF REPRESENTATIVES

ROLL CALL

EV

2133
LEGISLATIVE DAY 135
H1372SCS

6/21/96
11:20 AM
IN CHAIR: SPEAKER

BARBEE

STANLY LAND CONVEYANCE

MOTION #11- *Rep. Barbree moves to withdraw*

AYES - 102

ADAMS	CUMMINGS	HUNTER, R.	PRESTON
ALEXANDER	CUNNINGHAM	HURLEY	PULLEY
ALLRED	DAUGHTRY	IVES	RAMSEY
ARNOLD	DAVIS	JUSTUS	RAYFIELD
BAKER	DECKER	KISER	REDWINE
BARBEE	DICKSON	LEE	REYNOLDS
BARNES	DOCKHAM	LEMMOND	RICHARDSON
BERRY	EASTERLING	LOCKE	ROBINSON, J.
BLACK	EDDINS	LUEBKE	RUSSELL
BOWEN	EDWARDS	MCCALLISTER	SEXTON
BOWIE	ELLIS	MCCOMAS	SHARPE
BOYD-MCINTYRE	ESPOSITO	MCCOMBS	SHERRILL
BRAWLEY	FITCH	MCCRARY	SHUBERT
BROWN, J.	GAMBLE	MCLAUGHLIN	TALLENT
BROWN, W.	GARDNER	MCMAHAN	THOMPSON
BUCHANAN	GRADY	MERCER	TOLSON
CANSLER	GRAY	MICHAUX	WAINWRIGHT
CAPPS	HACKNEY	MILLER, G.	WATSON
CARPENTER	HAYES	MITCHELL	WEATHERLY
CHURCH	HENSLEY	MORGAN	WILKINS
CLARY	HIATT	NEELY	WILSON, C.
COCKLEREECE	HIGHTOWER	NICHOLS	WILSON, G.
CRAWFORD	HILL	NYE	WOMBLE
CREECH	HOLMES	OWENS	WOOD
CULP	HOWARD	PATE	YONGUE
CULPEPPER	HUNTER, H.		

NOES - 0

EXCUSED ABSENCE - 8

ALDRIDGE	BLUE	HUNT	ROBINSON, G.
BEALL	FOX	OLDHAM	WARNER

EXCUSED VOTE - 0

NOT VOTING - 10

SPEAKER	LINNEY	ROGERS	SUTTON
BRASWELL	MILLER, K.	SHAW	WRIGHT
EARLE	MINER		

H1372SCS

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1995

H

HOUSE DRH8269-LCX377(5.17)

H.B. FILED
1373 MAY 28 96
HOUSE PRINCIPAL CLERK D

Short Title: 1996 Economic Incentives Package.

(Public)

Sponsors: Representative Gray.

Referred to:

1 A BILL TO BE ENTITLED
2 AN ACT TO PROVIDE ECONOMIC INCENTIVES FOR NORTH CAROLINA
3 BUSINESS.

4 The General Assembly of North Carolina enacts:

5 Section 1. This act shall be known as the Economic Incentives Act of
6 1995.

7 Sec. 2. G.S. 105-130.3 reads as rewritten:

8 "**§ 105-130.3. Corporations.**

9 A tax is imposed on the State net income of every C Corporation doing business in
10 this State at seven and seventy five one hundredths percent (7.75%) of the
11 corporation's State net income. State. An S Corporation is not subject to the tax
12 levied in this section. The tax is a percentage of the taxpayer's State net income
13 computed as follows:

14 <u>Income Years Beginning</u>	<u>Tax</u>
15 <u>In 1997</u>	<u>7.5%</u>
16 <u>In 1998</u>	<u>7.25%</u>
17 <u>In 1999</u>	<u>7%</u>
18 <u>After 1999</u>	<u>6.75%".</u>

19 Sec. 3. G.S. 115C-546.1 reads as rewritten:

20 "**§ 115C-546.1. Creation of Fund; administration.**

21 (a) There is created the Public School Building Capital Fund. The Fund shall be
22 used to assist county governments in meeting their public school building capital
23 needs.

24 (b) Each calendar quarter, the Secretary of Revenue shall remit to the State
25 Treasurer for credit to the Public School Building Capital Fund an amount equal to

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1995

H.B. FILED

1374

MAY 28 96

HOUSE PRINCIPAL CLERK

H

D

HOUSE DRH2242-LGQ278(5.21)

Short Title: NC Biotechnology Center Funds.

(Public)

Sponsors: Representatives Yongue, Culp, and Mitchell.

Referred to:

- 1 A BILL TO BE ENTITLED
2 AN ACT TO APPROPRIATE FUNDS TO THE NORTH CAROLINA
3 BIOTECHNOLOGY CENTER FOR THE BUSINESS DEVELOPMENT
4 PROGRAM.
5 The General Assembly of North Carolina enacts:
6 Section 1. There is appropriated from the General Fund to the North
7 Carolina Biotechnology Center the sum of two million dollars (\$2,000,000) for the
8 1996-97 fiscal year for the business development program to provide seed loans to
9 North Carolina start-up companies and bioscience companies moving to North
10 Carolina. The North Carolina Biotechnology Center shall not use any of these funds
11 for personnel or other overhead expenditures.
12 Sec. 2. This act becomes effective July 1, 1996.

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1995

H.B. FILED

1375

MAY 28 96

H

HOUSE PRINCIPAL CLERK

D

HOUSE DRH1361-LR241(5.22)

Short Title: Columbus Local Act.

(Local)

Sponsors: Representative Hill.

Referred to:

- 1 A BILL TO BE ENTITLED
- 2 AN ACT RELATING TO COLUMBUS COUNTY AND THE MUNICIPALITIES
- 3 THEREIN.
- 4 The General Assembly of North Carolina enacts:
- 5 Section 1. This act relates to Columbus County and the municipalities
- 6 therein.
- 7 Sec. 2. This act is effective upon ratification.

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1995

1376 MAY 28 96
HOUSE PRINCIPAL CLERK

H

D

HOUSE DRH6230-LL262(5.22)

Short Title: Beaufort/Hyde Raccoon Trapping.

(Local)

Sponsors: Representative Edwards.

Referred to:

- 1 A BILL TO BE ENTITLED
- 2 AN ACT TO REMOVE THE BAG LIMITS ON THE TRAPPING OF RACCOONS
- 3 IN BEAUFORT AND HYDE COUNTIES.
- 4 The General Assembly of North Carolina enacts:
- 5 Section 1. Notwithstanding the provisions of G.S. 113-291.2, there shall
- 6 be no bag limits on the trapping of raccoons.
- 7 Sec. 2. This act applies only to Beaufort and Hyde Counties.
- 8 Sec. 3. This act is effective upon ratification and expires June 30, 1998.

NORTH CAROLINA GENERAL ASSEMBLY AMENDMENT

(Please type or use ballpoint pen)

H. B. No. 1376 (2nd Edition)

DATE 6/20/96

S. B. No. _____

Amendment No. 1 (ONE)

(to be filled in by
Principal Clerk)

Rep.) PERDUE

Sen.) _____

moves to amend the bill on page 1, line 3

by rewriting the line to read:

" IN BEAUFORT, HYDE, AND PAMLICO COUNTIES.

and on page 1, lines 7 and 8, by rewriting the
lines to read:

"Sec. 2. This act applies only to Beaufort,
Hyde, and Pamlico Counties."

SIGNED BRENN

ADOPTED 6/20/96 FAILED _____

TABLED _____

Stuib

NORTH CAROLINA GENERAL ASSEMBLY
SENATE

RECORDED VOTE

1995 SESSION
SECOND REGULAR SESSION

SEQ. 1783/25-- 5:16 PM

JUNE 20, 1996

LEGISLATIVE DAY 133

SENATOR BASNIGHT

-- Presiding

EDWARDS
LOCAL RACCOON TRAPPING
COM SUB/2ND EDITION

HOUSE BILL 1376

AMEND 1

AYE	46	ALBERTSON	COOPER	KINCAID	PERDUE
		ALLRAN	DANNELLY	LEDBETTER	PLEXICO
		BALLANCE	DAVIS	LITTLE	PLYLER
		BALLANTINE	EAST	LUCAS	RAND
		BASNIGHT	FORRESTER	MARTIN R.	SHAW
		BLACKMON	FOXX	MARTIN W.	SIMPSON
		BLUST	GULLEY	MCDANIEL	SOLES
		CARPENTER	HARTSELL	MCKOY	SPEED
		CARRINGTON	HOBBS	ODOM	WARREN
		CLARK	HOYLE	PAGE	WEBSTER
		COCHRANE	JORDAN	PARNELL	WINNER
		CONDER	KERR		

NO 0

EXCUSED 0

NOT CAST 3 EDWARDS HORTON SHERRON

ABSENT 1 SMITH

PAIRS 0

AYE
NO

(COPY)

NORTH CAROLINA

HOUSE OF REPRESENTATIVES

ROLL CALL

EV

2134
LEGISLATIVE DAY 135
H1376HCS

6/21/96
11:21 AM
IN CHAIR: SPEAKER

EDWARDS
AMEND #1-*Senate amendment*
LOCAL RACCOON TRAPPING
MOTION #11-*Rep Edwards moves to concur*

AYES - 103

ADAMS	CUMMINGS	HUNTER, R.	RAMSEY
ALEXANDER	CUNNINGHAM	HURLEY	RAYFIELD
ALLRED	DAUGHTRY	IVES	REDWINE
ARNOLD	DAVIS	JUSTUS	REYNOLDS
BAKER	DECKER	KISER	RICHARDSON
BARBEE	DICKSON	LEE	ROBINSON, J.
BARNES	DOCKHAM	LEMMOND	RUSSELL
BERRY	EASTERLING	LOCKE	SEXTON
BLACK	EDDINS	LUEBKE	SHARPE
BOWEN	EDWARDS	MCCALLISTER	SHAW
BOWIE	ELLIS	MCCOMAS	SHERRILL
BOYD-MCINTYRE	ESPOSITO	MCCOMBS	SHUBERT
BRAWLEY	FITCH	MCCRARY	TALLENT
BROWN, J.	GAMBLE	MCLAUGHLIN	THOMPSON
BROWN, W.	GARDNER	MCMAHAN	TOLSON
BUCHANAN	GRADY	MERCER	WAINWRIGHT
CANSLER	GRAY	MICHAUX	WATSON
CAPPS	HACKNEY	MILLER, G.	WEATHERLY
CARPENTER	HAYES	MITCHELL	WILKINS
CHURCH	HENSLEY	MORGAN	WILSON, C.
CLARY	HIATT	NEELY	WILSON, G.
COCKLEREECE	HIGHTOWER	NICHOLS	WOMBLE
CRAWFORD	HILL	NYE	WOOD
CREECH	HOLMES	OWENS	WRIGHT
CULP	HOWARD	PATE	YONGUE
CULPEPPER	HUNTER, H.	PULLEY	

NOES - 0

EXCUSED ABSENCE - 8

ALDRIDGE	BLUE	HUNT	ROBINSON, G.
BEALL	FOX	OLDHAM	WARNER

EXCUSED VOTE - 0

NOT VOTING - 9

SPEAKER	LINNEY	MINER	ROGERS
BRASWELL	MILLER, K.	PRESTON	SUTTON
EARLE			

H1376HCS

NORTH CAROLINA GENERAL ASSEMBLY AMENDMENT

(Please type or use ballpoint pen)

H. B. No. 1376 (2nd Edition)

DATE 6/20/96

S. B. No. _____

Amendment No. 1 (ONE)

(to be filled in by
Principal Clerk)

Rep.) PERDUE

Sen.)

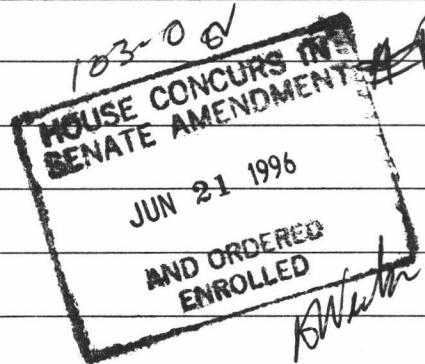
moves to amend the bill on page 1, line 3

by rewriting the line to read:

"IN BEAUFORT, HYDE, AND PAMLICO COUNTIES."

and on page 1, lines 7 and 8, by rewriting the
lines to read:

"Sec. 2. This act applies only to Beaufort,
Hyde, and Pamlico Counties."



SIGNED B. R. [Signature]

ADOPTED 6/20/96 FAILED _____ TABLED _____

[Signature]

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1995

H.B. FILED

1377

MAY 28 9

HOUSE PRINCIPAL CLERK D

H

HOUSE JOINT RESOLUTION DRHJR4233-LN182AR(5.7)

Sponsors: Representative Aldridge.

Referred to:

1 A JOINT RESOLUTION AUTHORIZING THE 1995 GENERAL ASSEMBLY,
2 1996 SESSION, TO CONSIDER A BILL TO BE ENTITLED AN ACT TO
3 REQUIRE CERTAIN COVERAGE FOR DIABETES IN HEALTH AND
4 ACCIDENT INSURANCE POLICIES, IN HOSPITAL OR MEDICAL
5 SERVICES PLANS, AND IN HMO PLANS.

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

7 Section 1. The 1995 General Assembly, Regular Session 1996, may
8 consider "A BILL TO BE ENTITLED AN ACT TO REQUIRE CERTAIN
9 COVERAGE FOR DIABETES IN HEALTH AND ACCIDENT INSURANCE
10 POLICIES, IN HOSPITAL OR MEDICAL SERVICES PLANS, AND IN HMO
11 PLANS."

12 Sec. 2. This resolution is effective upon ratification.

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1995

H.B. FILED

1378

MAY 28 96

H

HOUSE PRINCIPAL CLERK

D

HOUSE DRH1351-LBX482(5.21)

Short Title: Danbury Validation.

(Local)

Sponsors: Representative Baker.

Referred to:

1 A BILL TO BE ENTITLED
2 AN ACT TO CORRECT, SET OUT, AND CLARIFY THE BOUNDARIES OF
3 THE TOWN OF DANBURY AND TO VALIDATE ACTIONS OF THE TOWN.
4 The General Assembly of North Carolina enacts:
5 Section 1. (a) Any and all official acts, actions, expenditures, and levies
6 of taxes or assessments by the Town of Danbury, prior to June 30, 1996, with respect
7 to or affecting:
8 (1) Territory and properties described in Section 2 of this act; or
9 (2) Territory and properties considered to be a part of the Town of
10 Danbury at the time but not included in the description in Section
11 2 of this act,
12 are hereby ratified, validated, and confirmed, notwithstanding the variance of the
13 boundaries.
14 (b) All elections, and the results thereof, previously held in and for the
15 Town of Danbury are hereby validated.
16 Sec. 2. The corporate limits of the Town of Danbury are as follows:
17 BEGINNING at the mouth of Scott branch as it enters the Dan River and
18 running in a northwesterly course with the meanders of Scott branch to Earl
19 German's line; thence with Earl German's line N 0-39-15 W 1506.83 feet to a point,
20 the Northeast corner of the boundary of Danbury, thence running S 87-47-02 W
21 4401.76 feet to the Paul Taylor, now Susan Montague line, thence with the Susan
22 Montague line S 2-42-57 W 615.83 feet to a point in the center of Highway 89; thence
23 west with the meanders of Highway 89 approximately 279 feet to the formerly
24 William M. Nelson now Eanes boundary corner in center of Highway 89, also the
25 Susan Montague corner in the Highway 89, thence with the Susan Montague line S

S # 2142
LEGISLATIVE DAY 135
SR12
READING 3

NORTH CAROLINA
HOUSE OF REPRESENTATIVES
ROLL CALL

6/21/96
11:46 AM
IN CHAIR: RUSSELL

RC

AYES - 104

ADAMS	CUMMINGS	IVES	RAMSEY
ALEXANDER	CUNNINGHAM	JUSTUS	RAYFIELD
ALLRED	DAUGHTRY	KISER	REDWINE
ARNOLD	DAVIS	LEE	REYNOLDS
BAKER	DECKER	LEMOND	RICHARDSON
BARBEE	DICKSON	LINNEY	ROBINSON, J.
BARNES	DOCKHAM	LOCKE	ROGERS
BERRY	EARLE	LUEBKE	SEXTON
BLACK	EASTERLING	MCALLISTER	SHARPE
BOWEN	EDDINS	MCCOMAS	SHAW
BOWIE	EDWARDS	MCCOMBS	SHERRILL
BOYD-MCINTYRE	ELLIS	MCCRARY	SHUBERT
BRAWLEY	ESPOSITO	MCLAUGHLIN	SUTTON
BROWN, J.	FITCH	MCMAHAN	TALLENT
BROWN, W.	GAMBLE	MERCER	THOMPSON
BUCHANAN	GARDNER	MICHAUX	TOLSON
CANSLER	GRADY	MILLER, G.	WAINWRIGHT
CAPPS	HACKNEY	MITCHELL	WATSON
CARPENTER	HAYES	MORGAN	WEATHERLY
CHURCH	HENSLEY	NEELY	WILKINS
CLARY	HIATT	NICHOLS	WILSON, C.
COCKLEREECE	HIGHTOWER	NYE	WILSON, G.
CRAWFORD	HILL	OWENS	WOMBLE
CREECH	HOWARD	PATE	WOOD
CULP	HUNTER, R.	PRESTON	WRIGHT
CULPEPPER	HURLEY	PULLEY	YONGUE

NOES - 0

EXCUSED ABSENCE - 8

ALDRIDGE	BLUE	HUNT	ROBINSON, G.
BEALL	FOX	OLDHAM	WARNER

EXCUSED VOTE - 0

NOT VOTING - 8

SPEAKER	GRAY	HUNTER, H.	MINER
BRASWELL	HOLMES	MILLER, K.	RUSSELL

S. ROLL: H1307HCS H1378 H1390 H1422HCS H1138HCS H1098
S282 S662 SCS S580 S1389 S598SCS S1244HCS

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1995

H.B. FILED
1379 MAY 28 96
HOUSE PRINCIPAL CLERK

H

D

HOUSE DRH4242-LBX412(4.17)

Short Title: Iredell-Mooresville School Boundaries.

(Local)

Sponsors: Representatives Mitchell and Brawley.

Referred to:

- 1 A BILL TO BE ENTITLED
2 AN ACT TO RATIFY AN AGREEMENT BETWEEN THE IREDELL-
3 STATESVILLE SCHOOLS BOARD OF EDUCATION AND THE
4 MOORESVILLE GRADED SCHOOL DISTRICT BOARD OF EDUCATION.
5 The General Assembly of North Carolina enacts:
6 Section 1. The Agreement entered into on April 30, 1996, between the
7 Iredell-Statesville Schools Board of Education and the Mooresville Graded School
8 District Board of Education, as approved by the State Board of Education on May 2,
9 1996, and the Board of Commissioners of the County of Iredell on May 7, 1996, is
10 ratified as if it had been an act of the General Assembly.
11 Sec. 2. Nothing in this act revives any provision of Sections 7, 8, or 9 of
12 Chapter 556 of the Public Laws of 1905 that have been superseded by general law.
13 Sec. 3. This act is effective upon ratification.

RC

2001
LEGISLATIVE DAY 132
SR 10
READING 2

Wick

NORTH CAROLINA
HOUSE OF REPRESENTATIVES



6/18/96
4:48 PM
IN CHAIR: SPEAKER

H1379

AYES - 115

ADAMS	CUNNINGHAM	HURLEY	RAYFIELD
ALDRIDGE	DAUGHTRY	IVES	REDWINE
ALEXANDER	DAVIS	JUSTUS	REYNOLDS
ALLRED	DECKER	KISER	RICHARDSON
ARNOLD	DICKSON	LEE	ROBINSON, G.
BAKER	DOCKHAM	LEMMOND	ROBINSON, J.
BARBEE	EARLE	LINNEY	ROGERS
BARNES	EASTERLING	LOCKE	RUSSELL
BEALL	EDDINS	LUEBKE	SEXTON
BERRY	EDWARDS	MCALLISTER	SHARPE
BLACK	ELLIS	MCCOMAS	SHAW
BOWEN	ESPOSITO	MCCOMBS	SHERILL
BOWIE	FITCH	MCCRARY	SHUBERT
BOYD-MCINTYRE	FOX	MCLAUGHLIN	SUTTON
BRASWELL	GAMBLE	MCMAHAN	TALLENT
BRAWLEY	GARDNER	MERCER	THOMPSON
BROWN, J.	GRADY	MICHAUX	TOLSON
BROWN, W.	GRAY	MINER	WAINWRIGHT
BUCHANAN	HACKNEY	MITCHELL	WARNER
CANSLER	HAYES	MORGAN	WATSON
CAPPS	HENSLEY	NEELY	WEATHERLY
CARPENTER	HIATT	NICHOLS	WILKINS
CLARY	HIGHTOWER	NYE	WILSON, C.
COCKLEREECE	HILL	OLDHAM	WILSON, G.
CRAWFORD	HOLMES	OWENS	WOMBLE
CREECH	HOWARD	PATE	WOOD
CULP	HUNT	PRESTON	WRIGHT
CULPEPPER	HUNTER, H.	PULLEY	YONGUE
CUMMINGS	HUNTER, R.	RAMSEY	

NOES - 0

EXCUSED ABSENCE - 3

BLUE

MILLER, G. MILLER, K.

EXCUSED VOTE - 0

NOT VOTING - 2

SPEAKER

CHURCH

SHORT ROLL: H1115
S1176 H 1145

H1211HCS

H1306

H1314HCS

H1370HCS

H1379 H1412 H1366

Wick

RC

NORTH CAROLINA
HOUSE OF REPRESENTATIVES
ROLL CALL



6/19/96
2:37 PM
IN CHAIR: SPEAKER

H 1379

SEQ. # 2028
LEGISLATIVE DAY 133
SR12
READING 3

AYES - 114

ADAMS
ALDRIDGE
ALEXANDER
ALLRED
ARNOLD
BAKER
BARBEE
BARNES
BEALL
BERRY
BLACK
BLUE
BOWEN
BOWIE
BOYD-MCINTYRE
BRASWELL
BRAWLEY
BROWN, J.
BROWN, W.
BUCHANAN
CANSLER
CAPPS
CARPENTER
CHURCH
CLARY
COCKLEREECE
CRAWFORD
CREECH
CULP

CULPEPPER
CUMMINGS
CUNNINGHAM
DAUGHTRY
DAVIS
DECKER
DICKSON
DOCKHAM
EARLE
EASTERLING
EDDINS
EDWARDS
ELLIS
ESPOSITO
FITCH
FOX
GAMBLE
GARDNER
GRADY
HACKNEY
HAYES
HENSLEY
HIATT
HIGHTOWER
HILL
HOLMES
HOWARD
HUNT
HUNTER, H.

HUNTER, R.
HURLEY
IVES
JUSTUS
KISER
LEE
LEMMOND
LINNEY
LOCKE
LUEBKE
MCALLISTER
MCCOMAS
MCCOMBS
MCCRARY
MCLAUGHLIN
MCMAHAN
MERCER
MICHAUX
MILLER, G.
MINER
MITCHELL
MORGAN
NEELY
NICHOLS
NYE
OLDHAM
OWENS
PATE

PRESTON
PULLEY
RAMSEY
RAYFIELD
REDWINE
REYNOLDS
RICHARDSON
ROBINSON, G.
ROGERS
SEXTON
SHARPE
SHERRILL
SHUBERT
SUTTON
TALLENT
THOMPSON
TOLSON
WAINWRIGHT
WARNER
WATSON
WEATHERLY
WILKINS
WILSON, C.
WILSON, G.
WOMBLE
WOOD
WRIGHT
YONGUE

NOES - 0

EXCUSED ABSENCE - 0

EXCUSED VOTE - 0

NOT VOTING - 6

SPEAKER
GRAY

MILLER, K.
ROBINSON, J.

RUSSELL

SHAW

SHORT ROLL: H1115
H1306 H1314 HCS

H1145
H1366

H1211HCS
H1370HCS

H1289
H1412

H1379
S1176

H1272

NORTH CAROLINA GENERAL ASSEMBLY
SENATE

RECORDED VOTE

1995 SESSION
SECOND REGULAR SESSION

SEQ. 1820/33-- 4:39 PM

JUNE 21, 1996

LEGISLATIVE DAY 13

LT. GOVERNOR WICKER

-- Presiding

MITCHELL
IREDELL-MOORESVILLE SCH. BOUNDARIES

HOUSE BILL 1379
READING 2

AYE	44	ALBERTSON	DAVIS	KINCAID	PERDUE
		ALLRAN	EAST	LEDBETTER	PLEXICO
		BALLANTINE	EDWARDS	LITTLE	PLYLER
		BASNIGHT	FORRESTER	LUCAS	RAND
		BLACKMON	FOXX	MARTIN R.	SHERRON
		BLUST	GULLEY	MARTIN W.	SIMPSON
		CARPENTER	HARTSELL	MCDANIEL	SOLES
		CARRINGTON	HOEBS	MCKOY	SPEED
		CLARK	HORTON	ODOM	WARREN
		COCHRANE	HOYLE	PAGE	WEBSTER
		COOPER	JORDAN	FARNELL	WINNER

NO 0

EXCUSED 0

NOT CAST	5	BALLANCE	DANNELLY	KERR	SHAW
		CONDER			

ABSENT 1 SMITH

PAIRS 0
AYE
NO

(COPY)

GENERAL ASSEMBLY OF NORTH CAROLINA

H.B. FILED

SESSION 1995

1380

MAY 28 96

H

HOUSE PRINCIPAL CLERK D

HOUSE DRHA177-LB452(5.14)

Short Title: Burlington Private Sale.

(Local)

Sponsors: Representatives Reynolds, K. Miller, and Allred.

Referred to:

1 A BILL TO BE ENTITLED

2 AN ACT TO AUTHORIZE THE CITY OF BURLINGTON, NORTH CAROLINA,
3 TO CONVEY CERTAIN SURPLUS PROPERTY BY PRIVATE SALE TO
4 HABITAT FOR HUMANITY OF ALAMANCE COUNTY, N. C., INC.

5 The General Assembly of North Carolina enacts:

6 Section 1. Notwithstanding Article 12 of Chapter 160A of the North
7 Carolina General Statutes, the City of Burlington, North Carolina, may convey
8 certain real property acquired as part of a Community Development Block Grant
9 Program for the revitalization of the Rauhut Street area of Burlington, North
10 Carolina, now declared surplus real property, at a negotiated private sale to
11 HABITAT FOR HUMANITY OF ALAMANCE COUNTY, N. C., INC., with
12 monetary consideration, any and all of its right, title, and interest to the following
13 described property:

14

15 LOT 1

16

17 A certain tract or parcel of land in Burlington Township, Alamance County, North
18 Carolina, adjoining the lands of Jackson Street, Rosena Walker Heirs, an unopened
19 alley, Lots 2 and 4 and others and being more particularly described as follows:

20

21 BEGINNING at an iron stake in the east right-of-way line of Jackson
22 Street, said stake being a corner with Rosena Walker Heirs and lying north 3 deg. 48'
23 50" west 213.19 feet from the intersection of the east right-of-way line of Jackson
24 Street and the north right-of-way line of Dudley Street and running thence from said
25 beginning point with the line of Rosena Walker Heirs, north 88 deg. 45' 35" east

H.B. FILE
GENERAL ASSEMBLY OF NORTH CAROLINA 381

SESSION 1995

HOUSE PRINCIPAL

H

D

HOUSE DRH2243-LK250(5.15)

Short Title: Haliwa-Saponi Tribe Designation.

(Local)

Sponsors: Representative Locke.

Referred to:

- 1 A BILL TO BE ENTITLED
2 AN ACT TO AMEND THE DESIGNATION OF THE HALIWA-SAPONI INDIAN
3 TRIBE.
4 The General Assembly of North Carolina enacts:
5 Section 1. G.S. 71A-5 reads as rewritten:
6 "§ 71A-5. ~~Haliwa~~ Haliwa-Saponi Tribe of North Carolina; rights, privileges,
7 immunities, obligations and duties.
8 The Indians now residing in Halifax, Warren and adjoining counties of North
9 Carolina, originally found by the first permanent white settlers on the Roanoke River
10 in Halifax and Warren Counties, and claiming descent from certain tribes of Indians
11 originally inhabiting the coastal regions of North Carolina, shall, from and after April
12 15, 1965, be designated and officially recognized as the ~~Haliwa~~ Haliwa-Saponi Tribe
13 of North Carolina, and they shall continue to enjoy all their rights, privileges and
14 immunities as citizens of the State as now or hereafter provided by law, and shall
15 continue to be subject to all the obligations and duties of citizens under the law."
16 Sec. 2. This act becomes effective January 1, 1997.

H.B. FILED
1995 MAY 28 95
GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1995

HOUSE PRINCIPAL CLERK

H

D

HOUSE DRH6231-LG297(5.22)

Short Title: Weldon Harbor Funds.

(Public)

Sponsors: Representative Locke.

Referred to:

- 1 A BILL TO BE ENTITLED
2 AN ACT TO APPROPRIATE FUNDS TO THE TOWN OF WELDON FOR A
3 NEW BOATING SLIP AND HARBOR.
4 The General Assembly of North Carolina enacts:
5 Section 1. There is appropriated from the General Fund to the Town of
6 Weldon the sum of sixty thousand dollars (\$60,000) for the 1996-97 fiscal year to
7 build a new still water boating slip and harbor along the west side of the Roanoke
8 River to stimulate tourism and enhance recreation.
9 Sec. 2. This act becomes effective July 1, 1996.

H.B. FILED
1383 MAY 28 96
GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1995

HOUSE PRINCIPAL CLERK

H

D

HOUSE DRH4243*-LB495(5.22)

Short Title: Cerro Gordo Private Sale.

(Local)

Sponsors: Representative Hill.

Referred to:

1 A BILL TO BE ENTITLED
2 AN ACT TO AUTHORIZE THE TOWN OF CERRO GORDO TO CONVEY BY
3 PRIVATE SALE CERTAIN PROPERTY TO EUGENE GREEN.
4 The General Assembly of North Carolina enacts:
5 Section 1. Notwithstanding Article 12 of Chapter 160A of the General
6 Statutes, the Town of Cerro Gordo may convey at private sale, with or without
7 monetary consideration, any and all of its right, title, and interest in the following
8 described property, known as "Tract 2", to Eugene Green.
9 BEING all of Lot 2 as described in survey for Eugene Green, said tract being a
10 portion of the property described in Deed recorded in Deed Book 366, Page 590,
11 Columbus County, North Carolina Registry, and being a portion of the lands
12 described in Plat Book 41, Page 54, Columbus County, North Carolina Registry and
13 being more particularly described as follows:
14 BEGINNING at an existing iron pipe located in the Southwest corner of the aforesaid
15 Tract No. 2 where the same intersects with the Southeast corner of the Rodney L.
16 Hammond property as described in Deed Book 262, Page 516, Columbus County,
17 North Carolina Registry; thence from said existing iron pipe and beginning point
18 North 84 degrees 20' 14" West 279.80 feet to a point in the Western line of the
19 Eugene Green property and the Rodney L. Hammond property described in Deed
20 Book 369 Page 802 Columbus County, North Carolina Registry; thence from said
21 point North 06 degrees 18' 37" West 3.968 feet to a point; thence from said point
22 North 81 degrees 10' 30" East 95.094 feet to an existing iron pipe located in the
23 boundary line of the Cerro Gordo Baptist Church lot as described in Deed Book 203
24 Page 743 and Plat Book 12 Page 122; thence from said existing iron and along the
25 aforesaid property line of the Eugene Green property and Cerro Gordo Baptist

GENERAL ASSEMBLY OF NORTH CAROLINA

H.B. FILED

SESSION 1995

1384

MAY 29 96

H

HOUSE PRINCIPAL CLERK

HOUSE DRH5232-LR218A(5.10)

Short Title: Calabash Height Limit.

(Local)

Sponsors: Representatives Redwine and Hill.

Referred to:

1 A BILL TO BE ENTITLED

2 AN ACT TO LIMIT THE HEIGHT OF STRUCTURES IN THE TOWN OF
3 CALABASH AND TO ALLOW EXCEPTIONS TO THE HEIGHT LIMIT
4 UPON APPROVAL BY REFERENDUM.

5 The General Assembly of North Carolina enacts:

6 Section 1. No building erected within the corporate limits of the Town
7 of Calabash may have a height in excess of 35 feet above ground level unless:

8 (1) The building was erected before the effective date of this act; or

9 (2) Subject to the approval of the qualified voters of the Town of
10 Calabash, the Town Council adopts an ordinance granting an
11 exception to the height limit.

12 Sec. 2. The Town Council may direct the Brunswick County Board of
13 Elections to conduct a referendum on the question of whether an exception to the
14 height limitation imposed by this act should be granted. The election shall be held
15 on a date jointly agreed upon by the two boards and shall be held in accordance with
16 the procedures of G.S. 163-287. The form of the question to be presented on the
17 ballot for special election concerning an exception to the height limit shall be:

18 "[] FOR [] AGAINST

19 Adoption of the ordinance to grant an exception to the height limit of 35 feet above
20 ground level for buildings in the Town of Calabash, as follows: (describe the effect of
21 the ordinance)."

22 If a majority of those voting in the referendum held pursuant to this act
23 vote in favor of the adoption of the ordinance, the ordinance shall be effective
24 pursuant to its terms.

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1995

1385 MAY 29 96

HOUSE PRINCIPAL CLERK D

H

HOUSE DRHA220*-LB436(5.10)

Short Title: Brunswick Terms.

(Local)

Sponsors: Representatives Redwine, Hill, and Wright.

Referred to:

1 A BILL TO BE ENTITLED

2 AN ACT TO PROVIDE FOR A REFERENDUM IN BRUNSWICK COUNTY ON
3 THE QUESTIONS OF CHANGING THE TERMS OF OFFICE OF THE
4 BRUNSWICK COUNTY BOARD OF COMMISSIONERS AND THE
5 BRUNSWICK COUNTY BOARD OF EDUCATION FROM TWO YEARS TO
6 FOUR YEARS.

7 The General Assembly of North Carolina enacts:

8 Section 1. Section 2.1 of Chapter 444, Session Laws of 1977, as added by
9 Section 1 of Chapter 373, Session Laws of 1991, reads as rewritten:

10 "Sec. 2.1. In 1992, the members of the board of commissioners up for election
11 shall be elected to two-year terms. In 1994 ~~and biennially thereafter~~, all members of
12 the board of commissioners shall be elected to two-year terms. In 1996, the three
13 members of the board of commissioners who are elected and who receive the highest
14 numbers of votes shall be elected to four-year terms, and the remaining two members
15 of the board of commissioners shall be elected to two-year terms. In 1998 and
16 quadrennially thereafter, two members of the board of commissioners are elected to
17 four-year terms. In 2000 and quadrennially thereafter, three members of the board of
18 commissioners are elected to four-year terms."

19 Sec. 2. Section 2.1 of Chapter 443, Session Laws of 1977, as added by
20 Section 2 of Chapter 373, Session Laws of 1991, reads as rewritten:

21 "Sec. 2.1. In 1992, the members of the board of education up for election shall be
22 elected to two-year terms. In 1994 ~~and biennially thereafter~~, all members of the
23 board of education shall be elected to two-year terms. In 1996, the three members of
24 the board of education who are elected and who receive the highest numbers of votes
25 shall be elected to four-year terms, and the remaining two members of the board of



NORTH CAROLINA GENERAL ASSEMBLY
AMENDMENT
House Bill 1385

AMENDMENT NO. 1
(to be filled in by
Principal Clerk)
Page 1 of 1

H1385-ASA-006

Date June 13, 1996

Comm. Sub. ☐
Amends Title ☐

Rep. Pate

- 1 moves to amend the bill on page 1, line 16,
2 by
3
4 deleting the word "are" and inserting the words "shall be";
5
6 and on page 1, line 18 by
7 deleting the word "are" and inserting the words "shall be";
8
9 and on page 2, line 3 by
10 deleting the word "are" and inserting the words "shall be";
11
12 and on page 2, line 4 by
13 deleting the word "are" and inserting the words "shall be".
14

SIGNED *L Pate*
Amendment Sponsor

SIGNED _____
Committee Chair if Senate Committee Amendment

ADOPTED 6/13/96

FAILED _____

TABLED _____

SWick

GENERAL ASSEMBLY OF NORTH CAROLINA H.B. FILED

SESSION 1995

1386

MAY 29 96

H

HOUSE PRINCIPAL CLERK D

HOUSE DRHA216-LDQ244(5.16)

Short Title: Randolph Forest Ranger Funds.

(Public)

Sponsors: Representative Culp.

Referred to:

1 A BILL TO BE ENTITLED
2 AN ACT TO APPROPRIATE FUNDS FOR A NEW ASSISTANT COUNTY
3 FOREST RANGER POSITION IN RANDOLPH COUNTY.

4 The General Assembly of North Carolina enacts:

5 Section 1. There is appropriated from the General Fund to the
6 Department of Environment, Health, and Natural Resources, Division of Forest
7 Resources, the sum of forty thousand nine hundred twenty-eight dollars (\$40,928) for
8 the 1996-97 fiscal year to establish and support a new Randolph County assistant
9 county ranger position, including the purchase of equipment and operating costs
10 associated with the new position.

11 Sec. 2. Pursuant to G.S. 113-54, Randolph County shall contribute as its
12 county share the sum of twenty-seven thousand two hundred eighty-five dollars
13 (\$27,285) for the 1996-97 fiscal year.

14 Sec. 3. This act becomes effective July 1, 1996.

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1995

1387

MAY 29 96

H

HOUSE PRINCIPAL CLERK

D

HOUSE DRH4241-LC340(4.24)

Short Title: Lake Norman Boat Safety Funds.

(Public)

Sponsors: Representative Brawley.

Referred to:

- 1 A BILL TO BE ENTITLED
2 AN ACT TO PROVIDE THAT THE FUEL TAX ON GASOLINE USED IN
3 BOATS AT LAKE NORMAN SHALL BE DISTRIBUTED ANNUALLY TO
4 THE LAKE NORMAN MARINE COMMISSION FOR WATER SAFETY
5 PROGRAMS ON LAKE NORMAN.
6 The General Assembly of North Carolina enacts:
7 Section 1. G.S. 105-449.126 reads as rewritten:
8 "**§ 105-449.126. Distribution of part of Highway Fund allocation to Wildlife Resources**
9 **Fund. for boating and water safety.**
10 (a) The Secretary shall credit to the Wildlife Resources Fund one-sixth of one
11 percent (1/6 of 1%) of the amount that is allocated to the Highway Fund under G.S.
12 105-449.125 and is from the excise tax on motor fuel. Revenue credited to the
13 Wildlife Resources Fund under this section may be used only for the boating and
14 water safety activities described in G.S. 75A-3(c). The Secretary must credit revenue
15 to the Wildlife Resources Fund on an annual basis.
16 (b) On or before December 1, 1996, the Secretary shall distribute to the Lake
17 Norman Marine Commission the sum of one hundred fifty thousand dollars
18 (\$150,000). On or before December 1 of each year thereafter, the Secretary shall
19 distribute to the Lake Norman Marine Commission an amount equal to the reported
20 number of gallons of gasoline sold during the previous fiscal year at Lake Norman for
21 use in boats multiplied by a rate equal to the amount of the flat cents-per-gallon rate
22 in effect during that fiscal year plus the average of the two variable cents-per-gallon
23 rates in effect during that fiscal year. Funds distributed pursuant to this section shall
24 be drawn from the excise tax revenue collected under this Article and shall be
25 charged seventy-five percent (75%) to the Highway Fund and twenty-five percent

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1995

FILED
1388 MAY 29 96
HOUSE PRINCIPAL CLERK

H

D

HOUSE DRHA187-LF308(3.15)

Short Title: Wilson Fire. Supp. Fund.

(Local)

Sponsors: Representative Fitch.

Referred to:

- 1 A BILL TO BE ENTITLED
2 AN ACT TO AMEND THE LAW REGARDING THE CITY OF WILSON
3 FIREMEN'S SUPPLEMENTAL RETIREMENT FUND.
4 The General Assembly of North Carolina enacts:
5 Section 1. Section 2 of Chapter 138 of the 1969 Session Laws is rewritten
6 to read:
7 "Sec. 2. Transfers of Funds and Disbursements. Notwithstanding the provisions of
8 the former G.S. 118-7, recodified as G.S. 58-84-35, the Board of Trustees of the Local
9 Firemen's Relief Fund of the City of Wilson shall:
10 (a) Prior to June 30, 1969, transfer to the Supplemental Retirement Fund all
11 funds, including earnings on investments, of the Local Relief Fund in excess of ten
12 thousand dollars (\$10,000);
13 (b) In each subsequent calendar year until the 1996 calendar year, and within 30
14 days after receipt from the City Treasurer of the annual funds paid to the Local
15 Relief Fund by authority of former G.S. 118-5, recodified as G.S. 58-84-25, transfer to
16 the Supplemental Retirement Fund such funds;
17 (b1) In the 1996 calendar year and in each subsequent calendar year, and within
18 30 days after receipt from the City Treasurer of the annual funds paid to the Local
19 Relief Fund by authority of G.S. 58-84-25, transfer to the Supplemental Retirement
20 Fund fifty percent (50%) of all funds, including earnings on investments, of the Local
21 Relief Fund;
22 (c) At the close of each calendar year until the 1996 calendar year, when the
23 amount of funds in the Local Relief Fund shall, by reason of disbursements
24 authorized by former G.S. 118-7, recodified as G.S. 58-85-35, be less than ten
25 thousand dollars (\$10,000), transfer from the Supplemental Retirement Fund to the

GENERAL ASSEMBLY OF NORTH CAROLINA H.B. FILED

SESSION 1995

1389 MAY 29 96

H

HOUSE PRINCIPAL CLERK D

HOUSE DRH2241-LB493(5.21)

Short Title: Mount Olive Condemnation.

local
(Public)

Sponsors: Representative Pate.

Referred to:

- 1 A BILL TO BE ENTITLED
2 AN ACT REGARDING NOTICE OF INTENT TO FILE CONDEMNATION BY
3 THE TOWN OF MOUNT OLIVE.
4 The General Assembly of North Carolina enacts:
5 Section 1. G.S. 40A-40 does not apply to the Town of Mount Olive.
6 Sec. 2. This act is effective upon ratification.

GENERAL ASSEMBLY OF NORTH CAROLINA FILED

SESSION 1995

1390

MAY 29 96

H

HOUSE PRINCIPAL CLERK

D

HOUSE DRH2247-LBX476(5.21)

Short Title: Mount Olive Annexation.

(Local)

Sponsors: Representative Pate.

Referred to:

1 A BILL TO BE ENTITLED
2 AN ACT TO ANNEX A DESCRIBED AREA TO THE CORPORATE LIMITS OF
3 THE TOWN OF MOUNT OLIVE.
4 The General Assembly of North Carolina enacts:
5 Section 1. The corporate limits of the Town of Mount Olive are
6 extended to include the following described area:
7 BEGINNING at an Iron stake within the most Northeastern intersectional corner of
8 Morning Drive and Nellie Avenue, said beginning point being located S. 71° 56' 37"
9 E. 972.66 feet from an iron stake at the intersection of the centerline of the Seaboard
10 Coastline Railroad and the centerline of N. C. Secondary Road No. 1947 (Mt. Gillead
11 Road), said iron stake having N. C. Grid Coordinates: X = 2,275,737.7896; Y = 523,
12 416.2294; and said beginning point having N. C. Grid Coordinates: X =
13 2,276,662.5431; Y = 523,114.7515; thence from the beginning with the Eastern right of
14 way of Nellie Avenue, N. 36° 27' 41" E. 240.00 feet to an iron stake within the most
15 Southeastern corner of Nellie Avenue and Odom Avenue; thence with the Southern
16 right of way of Odom Avenue, S. 53° 32' 19" E. 430.56 feet to an iron stake within
17 the most Southwestern intersectional corner of Lewis Avenue and Odom Avenue;
18 thence continuing S. 53° 32' 19" E. 48.25 feet to an iron stake on the Eastern right of
19 way of Lewis Avenue; thence with the Eastern right of way of Lewis Avenue, N. 02°
20 23' 01" E. 107.89 feet to an iron stake, the most Southwestern corner of Lot No. 27,
21 Block F of Enterprise Subdivision; thence leaving the Eastern right of way of Lewis
22 Avenue, with the line of Lot No. 27, S. 88° 47' 53" E. 120.00 feet to an iron stake,
23 the most Southeastern corner of Lot No. 27; thence with and beyond the line of Lot
24 No. 27 and to and with the line of Lot No. 28, N. 02° 21' 27" E. 100.00 feet to an
25 iron stake, the most Northeastern corner of Lot No. 28 and the most Southeastern

NORTH CAROLINA
HOUSE OF REPRESENTATIVES
ROLL CALL

RC

2142
LEGISLATIVE DAY 135
SR12
READING 3

6/21/96
11:46 AM
IN CHAIR: RUSSELL

AYES - 104

ADAMS	CUMMINGS	IVES	RAMSEY
ALEXANDER	CUNNINGHAM	JUSTUS	RAYFIELD
ALLRED	DAUGHTRY	KISER	REDWINE
ARNOLD	DAVIS	LEE	REYNOLDS
BAKER	DECKER	LEMMOND	RICHARDSON
BARBEE	DICKSON	LINNEY	ROBINSON, J.
BARNES	DOCKHAM	LOCKE	ROGERS
BERRY	EARLE	LUEBKE	SEXTON
BLACK	EASTERLING	MCALLISTER	SHARPE
BOWEN	EDDINS	MCCOMAS	SHAW
BOWIE	EDWARDS	MCCOMBS	SHERRILL
BOYD-MCINTYRE	ELLIS	MCCRARY	SHUBERT
BRAWLEY	ESPOSITO	MCLAUGHLIN	SUTTON
BROWN, J.	FITCH	MCMAHAN	TALLENT
BROWN, W.	GAMBLE	MERCER	THOMPSON
BUCHANAN	GARDNER	MICHAUX	TOLSON
CANSLER	GRADY	MILLER, G.	WAINWRIGHT
CAPPS	HACKNEY	MITCHELL	WATSON
CARPENTER	HAYES	MORGAN	WEATHERLY
CHURCH	HENSLEY	NEELY	WILKINS
CLARY	HIATT	NICHOLS	WILSON, C.
COCKLEREECE	HIGHTOWER	NYE	WILSON, G.
CRAWFORD	HILL	OWENS	WOMBLE
CREECH	HOWARD	PATE	WOOD
CULP	HUNTER, R.	PRESTON	WRIGHT
CULPEPPER	HURLEY	PULLEY	YONGUE

NOES - 0

EXCUSED ABSENCE - 8

ALDRIDGE	BLUE	HUNT	ROBINSON, G.
BEALL	FOX	OLDHAM	WARNER

EXCUSED VOTE - 0

NOT VOTING - 8

SPEAKER	GRAY	HUNTER, H.	MINER
BRASWELL	HOLMES	MILLER, K.	RUSSELL

ROLL: H1307HCS	H1378	H1390	H1422HCS	H1138HCS	H1098
S282 S662 SCS	S580	S1389	S598SCS	S1244HCS	

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1995

H.B. FILED

1391

MAY 29 96

HOUSE PRINCIPAL CLERK

H

D

HOUSE DRH2246-LG246(5.14)

Short Title: UNC Repair/Renovation Funds.

(Public)

Sponsors: Representative Shaw.

Referred to:

- 1 A BILL TO BE ENTITLED
2 AN ACT TO APPROPRIATE FUNDS TO THE BOARD OF GOVERNORS OF
3 THE UNIVERSITY OF NORTH CAROLINA FOR REPAIR AND
4 RENOVATIONS AT NORTH CAROLINA CENTRAL UNIVERSITY, NORTH
5 CAROLINA AGRICULTURAL AND TECHNICAL STATE UNIVERSITY,
6 AND FAYETTEVILLE STATE UNIVERSITY.
7 The General Assembly of North Carolina enacts:
8 Section 1. There is appropriated from the General Fund to the Board of
9 Governors of The University of North Carolina the sum of one million five hundred
10 thousand dollars (\$1,500,000) for the 1996-97 fiscal year to be allocated as follows:
11 (1) \$500,000 to North Carolina Central University for repairs and
12 renovation of the Shepard House, formerly the chancellor's home,
13 to be used for alumni activities and alumni office space;
14 (2) \$500,000 to North Carolina Agricultural & Technical State
15 University for repairs and renovation of "The Oaks", the
16 chancellor's home; and
17 (3) \$500,000 to Fayetteville State University for repairs and renovation
18 of the Health and Physical Education Complex.
19 The funds appropriated in this act shall be in addition to any allocations made to
20 these universities for repairs and renovations.
21 Sec. 2. This act becomes effective July 1, 1996.

GENERAL ASSEMBLY OF NORTH CAROLINA H.B. FILED

SESSION 1995

1392 MAY 29 95

H

HOUSE PRINCIPAL CLERK

HOUSE DRH6234-LF333(5.16)

Short Title: Touching Families' Lives Funds.

(Public)

Sponsors: Representative Nye.

Referred to:

- 1 A BILL TO BE ENTITLED
2 AN ACT TO APPROPRIATE FUNDS TO EXPAND THE "TOUCHING THE
3 LIVES OF FAMILIES" PROGRAM.
4 The General Assembly of North Carolina enacts:
5 Section 1. There is appropriated from the General Fund to the
6 Department of Human Resources the sum of two hundred thousand dollars
7 (\$200,000) for the 1996-97 fiscal year to expand the "Touching the Lives of Families"
8 Program.
9 Sec. 2. This act becomes effective July 1, 1996.

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1995

FILED
1393 MAY 23 96
HOUSE PRINCIPAL CLERK

H

D

HOUSE DRH6239-LC349(5.8)

Short Title: Rockingham Schools/Education.

(Local)

Sponsors: Representatives Sexton and Reynolds.

Referred to:

1 A BILL TO BE ENTITLED

2 AN ACT TO ALLOW ROCKINGHAM COUNTY TO ACQUIRE PROPERTY
3 FOR USE BY ITS COUNTY BOARD OF EDUCATION AND TO CLARIFY
4 THE FILING DATE FOR MEMBERS OF THE ROCKINGHAM COUNTY
5 CONSOLIDATED BOARD OF EDUCATION.

6 The General Assembly of North Carolina enacts:

7 Section 1. G.S. 153A-158.1 reads as rewritten:

8 "**§ 153A-158.1. Acquisition and improvement of school property in certain counties.**

9 (a) Acquisition by County. -- A county may acquire, by any lawful method, any
10 interest in real or personal property for use by a school administrative unit within the
11 county. In exercising the power of eminent domain a county shall use the procedures
12 of Chapter 40A. The county shall use its authority under this subsection to acquire
13 property for use by a school administrative unit within the county only upon the
14 request of the board of education of that school administrative unit and after a public
15 hearing.

16 (b) Construction or Improvement by County. -- A county may construct, equip,
17 expand, improve, renovate, or otherwise make available property for use by a school
18 administrative unit within the county. The local board of education shall be involved
19 in the design, construction, equipping, expansion, improvement, or renovation of the
20 property to the same extent as if the local board owned the property.

21 (c) Lease or Sale by Board of Education. -- Notwithstanding the provisions of G.S.
22 115C-518 and G.S. 160A-274, a local board of education may, in connection with
23 additions, improvements, renovations, or repairs to all or part of any of its property,
24 lease or sell the property to the board of commissioners of the county in which the
25 property is located for any price negotiated between the two boards.

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1995

H.B. FILED
1394 MAY 29 96
HOUSE PRINCIPAL CLERK D

H

HOUSE DRH4245-LR244(5.22)

Short Title: Graham School Property Acquisitions.

(Local)

Sponsors: Representatives Beall and Ramsey.

Referred to:

- 1 A BILL TO BE ENTITLED
2 AN ACT TO ALLOW THE COUNTY OF GRAHAM TO ACQUIRE PROPERTY
3 FOR USE BY THE COUNTY BOARD OF EDUCATION.
4 The General Assembly of North Carolina enacts:
5 Section 1. G.S. 153A-158.1(e) reads as rewritten:
6 "(e) Scope. -- This section applies to Alleghany, Ashe, Avery, Bladen, Brunswick,
7 Cabarrus, Carteret, Chowan, Columbus, Currituck, Duplin, Edgecombe, Forsyth,
8 Franklin, Graham, Greene, Halifax, Harnett, Haywood, Iredell, Jackson, Johnston,
9 Lee, Macon, Madison, Moore, Nash, Orange, Pasquotank, Pender, Randolph,
10 Richmond, Rowan, Sampson, Scotland, Stanly, Union, Wake, and Watauga
11 Counties."
12 Sec. 2. This act is effective upon ratification.

NORTH CAROLINA

HOUSE OF REPRESENTATIVES

ROLL CALL

RC

1957
LEGISLATIVE DAY 128
H1394
READING 2
BEALL

6/12/96
1:56 PM
IN CHAIR: SPEAKER

GRAHAM SCHOOL PROPERTY ACQUISITION

AYES - 109

ADAMS	DECKER	KISER	RAYFIELD
ALDRIDGE	DICKSON	LEE	REDWINE
ALEXANDER	DOCKHAM	LEMMOND	REYNOLDS
ALLRED	EARLE	LINNEY	RICHARDSON
ARNOLD	EASTERLING	LOCKE	ROBINSON, G.
BAKER	EDWARDS	LUEBKE	ROBINSON, J.
BARBEE	ELLIS	MCALLISTER	ROGERS
BARNES	ESPOSITO	MCCOMAS	RUSSELL
BEALL	FITCH	MCCOMBS	SEXTON
BERRY	FOX	MCCRARY	SHARPE
BLACK	GAMBLE	MCLAUGHLIN	SHAW
BLUE	GARDNER	MCMAHAN	SHERRILL
BOWEN	GRADY	MERCER	SHUBERT
BOWIE	GRAY	MICHAUX	SUTTON
BOYD-MCINTYRE	HACKNEY	MILLER, G.	THOMPSON
BRASWELL	HAYES	MILLER, K.	TOLSON
BROWN, J.	HENSLEY	MITCHELL	WAINWRIGHT
BROWN, W.	HIATT	MORGAN	WARNER
BUCHANAN	HIGHTOWER	NEELY	WATSON
CANSLER	HILL	NICHOLS	WEATHERLY
CARPENTER	HOWARD	NYE	WILKINS
CLARY	HUNT	OLDHAM	WILSON, C.
COCKLEREECE	HUNTER, H.	OWENS	WILSON, G.
CRAWFORD	HUNTER, R.	PATE	WOMBLE
CREECH	HURLEY	PRESTON	WOOD
CULP	IVES	PULLEY	WRIGHT
CUMMINGS	JUSTUS	RAMSEY	YONGUE

NOES - 3

CAPPS	DAVIS	EDDINS
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EXCUSED ABSENCE - 3

BRAWLEY	CULPEPPER	HOLMES
---------	-----------	--------

EXCUSED VOTE - 0

NOT VOTING - 5

SPEAKER	CUNNINGHAM	MINER	TALLENT
CHURCH			

H1394

NORTH CAROLINA GENERAL ASSEMBLY AMENDMENT

(Please type or use ballpoint pen)

EDITION No. _____

H. B. No. 1394

DATE 6-12-96

S. B. No. _____

Amendment No. 1

COMMITTEE SUBSTITUTE _____

(to be filled in by
Principal Clerk)

Rep.) CARPENTER
Sen.) _____

1 moves to amend the bill on page 1, line 2 1/2
2 () WHICH CHANGES THE TITLE
3 by deleting The County of GRAHAM on line 2
4 and by adding The Counties of GRAHAM and CHEROKEE on line
5 2, and by adding CHEROKEE between Carteret and
6 Chowan on line 7.

7 _____
8 _____
9 _____
10 _____
11 _____
12 _____
13 _____
14 _____
15 _____
16 _____
17 _____
18 _____
19 _____

SIGNED [Signature]

ADOPTED 6/12/96 FAILED _____ TABLED _____

W. W. W. 113-0 or change title

NORTH CAROLINA

HOUSE OF REPRESENTATIVES

ROLL CALL

EV

1956
LEGISLATIVE DAY 128
H1394

READING 2

BEALL

AMEND #1-Carpenter

GRAHAM SCHOOL PROPERTY ACQUISITION

6/12/96

1:55 PM

IN CHAIR: SPEAKER

AYES - 113

ADAMS	DAUGHTRY	IVES	RAMSEY
ALDRIDGE	DAVIS	JUSTUS	RAYFIELD
ALEXANDER	DECKER	KISER	REDWINE
ALLRED	DICKSON	LEE	REYNOLDS
ARNOLD	DOCKHAM	LEMOND	RICHARDSON
BAKER	EARLE	LINNEY	ROBINSON, G.
BARBEE	EASTERLING	LOCKE	ROBINSON, J.
BARNES	EDDINS	LUEBKE	ROGERS
BEALL	EDWARDS	MCALLISTER	RUSSELL
BERRY	ELLIS	MCCOMAS	SEXTON
BLACK	ESPOSITO	MCCOMBS	SHARPE
BLUE	FITCH	MCCRARY	SHAW
BOWEN	FOX	MCLAUGHLIN	SHERRILL
BOWIE	GAMBLE	MCMAHAN	SHUBERT
BOYD-MCINTYRE	GARDNER	MERCER	SUTTON
BRASWELL	GRADY	MICHAUX	THOMPSON
BROWN, J.	GRAY	MILLER, G.	TOLSON
BROWN, W.	HACKNEY	MILLER, K.	WAINWRIGHT
BUCHANAN	HAYES	MITCHELL	WARNER
CANSLER	HENSLEY	MORGAN	WATSON
CAPPS	HIATT	NEELY	WEATHERLY
CARPENTER	HIGHTOWER	NICHOLS	WILKINS
CHURCH	HILL	NYE	WILSON, C.
CLARY	HOWARD	OLDHAM	WILSON, G.
COCKLEREECE	HUNT	OWENS	WOMBLE
CRAWFORD	HUNTER, H.	PATE	WOOD
CREECH	HUNTER, R.	PRESTON	WRIGHT
CULP	HURLEY	PULLEY	YONGUE
CUMMINGS			

NOES - 0

EXCUSED ABSENCE - 3

BRAWLEY CULPEPPER HOLMES

EXCUSED VOTE - 0

NOT VOTING - 4

SPEAKER CUNNINGHAM MINER TALLENT

H1394

RC

1970
LEGISLATIVE DAY 129
H1394
READING 3
BEALL

NORTH CAROLINA
HOUSE OF REPRESENTATIVES
ROLL CALL

6/13/96
1:46 PM
IN CHAIR: SPEAKER

GRAHAM SCHOOL PROPERTY ACQUISITIONS

AYES - 109

ADAMS	DECKER	IVES	PULLEY
ALDRIDGE	DICKSON	JUSTUS	RAMSEY
ALEXANDER	DOCKHAM	KISER	RAYFIELD
BAKER	EARLE	LEE	REDWINE
BARBEE	EASTERLING	LEMOND	REYNOLDS
BARNES	EDDINS	LINNEY	RICHARDSON
BEALL	EDWARDS	LOCKE	ROBINSON, J.
BERRY	ELLIS	LUEBKE	ROGERS
BLACK	ESPOSITO	MCALLISTER	RUSSELL
BLUE	FITCH	MCCOMAS	SEXTON
BOWEN	FOX	MCCOMBS	SHAW
BOWIE	GAMBLE	MCCRARY	SHERRILL
BOYD-MCINTYRE	GARDNER	MCLAUGHLIN	SHUBERT
BRASWELL	GRADY	MCMAHAN	SUTTON
BRAWLEY	GRAY	MERCER	TALLENT
BROWN, J.	HACKNEY	MICHAUX	THOMPSON
BROWN, W.	HAYES	MILLER, G.	TOLSON
BUCHANAN	HENSLEY	MINER	WARNER
CANSLER	HIATT	MITCHELL	WATSON
CARPENTER	HIGHTOWER	MORGAN	WEATHERLY
CHURCH	HILL	NEELY	WILKINS
CLARY	HOLMES	NICHOLS	WILSON, C.
COCKLEREECE	HOWARD	NYE	WILSON, G.
CREECH	HUNT	OLDHAM	WOMBLE
CULPEPPER	HUNTER, H.	OWENS	WOOD
CUMMINGS	HUNTER, R.	PATE	WRIGHT
CUNNINGHAM	HURLEY	PRESTON	YONGUE

NOES - 3

CAPPS	DAVIS	MILLER, K.
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EXCUSED ABSENCE - 3

CULP	ROBINSON, G.	WAINWRIGHT
------	--------------	------------

EXCUSED VOTE - 0

NOT VOTING - 5

SPEAKER	ARNOLD	CRAWFORD	SHARPE
ALLRED			

H1394

NORTH CAROLINA GENERAL ASSEMBLY AMENDMENT

(Please type or use ballpoint pen)

EDITION No. _____

H. B. No. 1394

S. B. No. _____

COMMITTEE SUBSTITUTE _____

DATE 6/21/96

Amendment No. 1 (ONE)

(to be filled in by
Principal Clerk)

Rep.)

Sen.)

Shaw

1 moves to amend the bill on page 1, line 9

2 () WHICH CHANGES THE TITLE

3 by _____

4 _____

5 *by adding "Gulford" after "Greene"*

6 _____

7 _____

8 _____

9 _____

10 _____

11 _____

12 _____

13 _____

14 _____

15 _____

16 _____

17 _____

18 _____

19 _____

SIGNED _____

[Signature]

ADOPTED 6/21/96 FAILED _____ TABLED _____

45-0

S. Shaw

NORTH CAROLINA GENERAL ASSEMBLY
SENATE

RECORDED VOTE

1995 SESSION
SECOND REGULAR SESSION

SEQ. 1834/47-- 4:55 PM

JUNE 21, 1996

LEGISLATIVE DAY 134

LT. GOVERNOR WICKER

-- Presiding

BEALL
GRAHAM SCHOOL PROPERTY ACQUISITIONS
2ND EDITION

HOUSE BILL 1394

AMEND 1

AYE	45	ALBERTSON	COOPER	HOYLE	PARNELL
		ALLRAN	DANNELLY	JORDAN	PLEXICO
		BALLANCE	DAVIS	KERR	RAND
		BALLANTINE	EAST	LEDBETTER	SHAW
		BASNIGHT	EDWARDS	LITTLE	SHERRON
		BLACKMON	FORRESTER	LUCAS	SIMPSON
		BLUST	FOXX	MARTIN R.	SOLES
		CARPENTER	GULLEY	MARTIN W.	SPEED
		CARRINGTON	HARTSELL	MCDANIEL	WARREN
		CLARK	HOBBS	ODOM	WEBSTER
		COCHRANE	HORTON	PAGE	WINNER
		CONDER			

NO 0

EXCUSED 0

NOT CAST	5	KINCAID	PERDUE	PLYLER	SMITH
		MCKOY			

ABSENT 0

PAIRS 0
AYE
NO

(CONTINUED)

NORTH CAROLINA GENERAL ASSEMBLY
SENATE

RECORDED VOTE

1995 SESSION
SECOND REGULAR SESSION

SEQ. 1867/80-- 4:55 PM

JUNE 21, 1996

LEGISLATIVE DAY 134

LT. GOVERNOR WICKER

-- Presiding

BEALL
GRAHAM SCHOOL PROPERTY ACQUISITIONS
2ND EDITION

HOUSE BILL 1394

AMEND 1

AYE	45	ALBERTSON	COOPER	HOYLE	PARNELL
		ALLRAN	DANNELLY	JORDAN	PLEXICO
		BALLANCE	DAVIS	KERR	RAND
		BALLANTINE	EAST	LEDBETTER	SHAW
		BASNIGHT	EDWARDS	LITTLE	SHERRON
		BLACKMON	FORRESTER	LUCAS	SIMPSON
		BLUST	FOXX	MARTIN R.	SOLES
		CARPENTER	GULLEY	MARTIN W.	SPEED
		CARRINGTON	HARTSELL	MCDANIEL	WARREN
		CLARK	HOBBS	ODOM	WEBSTER
		COCHRANE	HORTON	PAGE	WINNER
		CONDER			

NO 0

EXCUSED 0

NOT CAST 4 KINCAID MCKOY PERDUE PLYLER

ABSENT 1 SMITH

PAIRS 0
AYE
NO

COPY)

NORTH CAROLINA GENERAL ASSEMBLY
SENATE

RECORDED VOTE

1995 SESSION
SECOND REGULAR SESSION

SEQ. 1867/80-- 4:55 PM

JUNE 21, 1996

LEGISLATIVE DAY 134

LT. GOVERNOR WICKER

-- Presiding

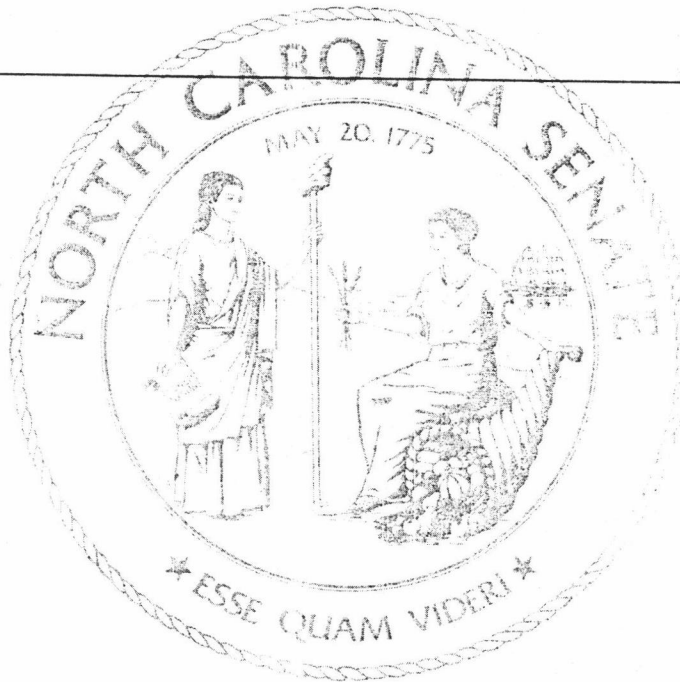
BEALL
GRAHAM SCHOOL PROPERTY ACQUISITIONS
2ND EDITION

HOUSE BILL 1394

AMEND 1

RECORDED
ABSENT 1 SMITH
ADJUSTED TOTAL
AYE 45
NO 0
NOT CAST 4
ABSENT 1

(Y)



NORTH CAROLINA

HOUSE OF REPRESENTATIVES

ROLL CALL

EV

2219
LEGISLATIVE DAY 135
H1394

6/21/96

IN CHAIR: SPEAKER

AMEND #1-*Senate Amendment*
GRAHAM SCHOOL PROPERTY
MOTION #11-*Rep Ramsey moves to concur*

96 *DW*

AYES - 95

ADAMS
ALEXANDER
ALLRED
ARNOLD
BAKER
BARBEE
BLACK
BOWEN
BOYD-MCINTYRE
BRAWLEY
BROWN, J.
BROWN, W.
CANSLER
CAPPS
CARPENTER
CHURCH
CLARY
COCKLEREECE
CRAWFORD
CREECH
CULP
CUMMINGS
CUNNINGHAM
DAUGHTRY

DAVIS
DECKER
DOCKHAM
EARLE
EASTERLING
EDDINS
EDWARDS
ESPOSITO
FITCH
GARDNER
GRADY
GRAY
HACKNEY
HAYES
HENSLEY
HIATT
HIGHTOWER
HILL
HOWARD
HUNTER, H.
HUNTER, R.
HURLEY
IVES
JUSTUS

KISER
LEE
LOCKE
LUEBKE
MCALLISTER
MCCOMAS
MCCOMBS
MCCRARY
MCMAHAN
MERCER
MICHAUX
MILLER, G.
MINER
MITCHELL
MORGAN
NEELY
NICHOLS
NYE
OWENS
PATE
PRESTON
PULLEY
RAYFIELD
REDWINE

REYNOLDS
RICHARDSON
ROBINSON, J.
RUSSELL
SEXTON
SHARPE
SHAW
SHERRILL
SHUBERT
SUTTON
TALLENT
THOMPSON
TOLSON
WAINWRIGHT
WATSON
WEATHERLY
WILKINS
WILSON, C.
WILSON, G.
WOMBLE
WOOD
WRIGHT
YONGUE
RAMSEY

~~RAMSEY~~

NOES - 10

DW

EXCUSED ABSENCE - 9

ALDRIDGE
BEALL
BLUE

DICKSON
FOX

HUNT
OLDHAM

ROBINSON, G.
WARNER

EXCUSED VOTE - 0

NOT VOTING - 15

SPEAKER
BARNES
BERRY
BOWIE

BRASWELL
BUCHANAN
CULPEPPER
ELLIS

GAMBLE
HOLMES
LEMMOND
LINNEY

MCLAUGHLIN
MILLER, K.
ROGERS

Rep. Ramsey votes "aye"

DW

H1394

NORTH CAROLINA GENERAL ASSEMBLY AMENDMENT

(Please type or use ballpoint pen)

EDITION No. _____

H. B. No. 1394

DATE _____

6/21/96

S. B. No. _____

Amendment No. _____

1 (ONE)

COMMITTEE SUBSTITUTE _____

(to be filled in by
Principal Clerk)

Rep.)

Shaw

Sen.)

1 moves to amend the bill on page 1, line 9

2 () WHICH CHANGES THE TITLE

3 by _____

4 _____

5 by adding "Gulford" after "Greene"

6 _____

7 _____

8 _____

9 _____

10 _____

11 _____

12 _____

13 _____

14 _____

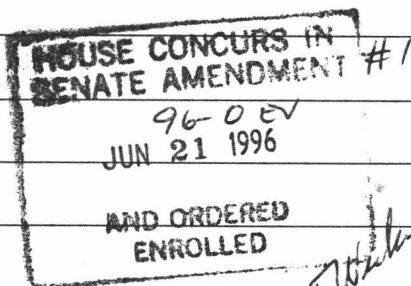
15 _____

16 _____

17 _____

18 _____

19 _____



SIGNED _____

Shaw

ADOPTED _____

6/21/96

FAILED _____

TABLED _____

45-0

S. Shaw

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1995

H.B. FILED
1395 MAY 29 96
HOUSE PRINCIPAL CLERK

H

D

HOUSE DRH2251-LB418(4.23)

Short Title: River Bend Elections.

(Local)

Sponsors: Representative Nichols.

Referred to:

1 A BILL TO BE ENTITLED

2 AN ACT TO ALLOW FOR INITIATIVE, REFERENDUM, AND RECALL IN
3 THE TOWN OF RIVER BEND.

4 The General Assembly of North Carolina enacts:

5 Section 1. The Charter of the Town of River Bend, as approved by the
6 Municipal Board of Control and filed with the Secretary of State on January 14,
7 1981, is amended by adding a new section to read:

8 "Sec. VII. **Recall.** The Mayor and members of the Town Council are subject to
9 removal pursuant to this section. An officer is removed upon the filing of a sufficient
10 recall petition and the affirmative vote of a majority of those voting on the question
11 of removal at a recall election.

12 A recall petition shall be filed with the Town Clerk, who shall immediately
13 forward the petition to the board of elections that conducts elections for the Town of
14 River Bend. A petition to recall the Mayor or a member of the Town Council shall
15 bear the signatures equal in number to at least twenty-five percent (25%) of the
16 registered voters of the Town of River Bend.

17 The board of elections shall verify the petition signatures. If a sufficient recall
18 petition is submitted, the board of elections shall certify its sufficiency to the
19 governing body, and the governing body shall adopt a resolution calling for a recall
20 election to be held not less than 60 days nor more than 100 days after the petition has
21 been certified to the governing body. The election may be held by itself or at the
22 same time as any other general or special election within the period established in
23 this section, and shall be held as otherwise provided in G.S. 163-287. The board of
24 elections shall conduct the recall election. The proposition submitted to the voters
25 shall be substantially in the following form:



NORTH CAROLINA GENERAL ASSEMBLY
AMENDMENT
House Bill 1395

AMENDMENT NO. 1 (One)
(to be filled in by
Principal Clerk)

H1395-ARF-242-96d

Page 1 of

Date 6/20, 1996

Comm. Sub. II
Amends Title [YES]

Senator

1 moves to amend the bill on page 1, line 3,
2 by rewriting that line to read:

3
4 "THE TOWN OF RIVER BEND AND TO DELAY THE EFFECTIVE DATE OF THE LAW
5 REQUIRING THE REGISTER OF DEEDS TO COMPLY WITH MINIMUM INDEXING
6 STANDARDS FOR LAND RECORDS MANAGEMENT IN BRUNSWICK COUNTY."; and

7
8 further amends the bill on page 5, between lines 2 and 3, by adding
9 two new sections to read:

10 "Sec. 6. Section 3 of Chapter 697 of the 1991 Session
11 Laws, as amended by Section 3 of Chapter 178 of the 1993 Session
12 Laws, reads as rewritten:

13 'Sec. 3. Section 2 of this act becomes effective January
14 1, 1995: 1999. The remainder of this act is effective upon
15 ratification.'

16 Sec. 7. Section 6 of this act applies only to Brunswick
17 County."; and

18
19 further amends the bill by renumbering the remaining section
20 accordingly.
21

SIGNED [Signature]
Amendment Sponsor

SIGNED _____
Committee Chair if Senate Committee Amendment

ADOPTED 6/20/96 FAILED _____

TABLED _____

Changes title

S. Trial

NORTH CAROLINA GENERAL ASSEMBLY
SENATE

RECORDED VOTE

1995 SESSION
SECOND REGULAR SESSION

SEQ. 1784/26-- 5:21 PM

JUNE 20, 1996

LEGISLATIVE DAY 133

SENATOR BASNIGHT

-- Presiding

NICHOLS
RIVER BEND ELECTIONS

HOUSE BILL 1395

AMEND 1

AYE

46 ALBERTSON
ALLRAN
BALLANCE
BALLANTINE
BASNIGHT
BLACKMON
BLUST
CARPENTER
CARRINGTON
CLARK
COCHRANE
CONDER

COOPER
DANNELLY
DAVIS
EAST
EDWARDS
FORRESTER
FOXX
GULLEY
HARTSELL
HOBBS
HORTON
HOYLE

JORDAN
KERR
KINCAID
LEDBETTER
LITTLE
LUCAS
MARTIN R.
MCDANIEL
MCKOY
ODOM
PAGE

PARNELL
PLEXICO
PLYLER
RAND
SHAW
SIMPSON
SOLES
SPEED
WARREN
WEBSTER
WINNER

NO

0

EXCUSED

0

NOT CAST

3

MARTIN W.

PERDUE

SHERRON

ABSENT

1

SMITH

PAIRS

0

AYE

NO

(COPY)

NORTH CAROLINA GENERAL ASSEMBLY
SENATE

RECORDED VOTE

1995 SESSION
SECOND REGULAR SESSION

SEQ. 1785/27-- 5:22 PM

JUNE 20, 1996

LEGISLATIVE DAY 133

SENATOR BASNIGHT

-- Presiding

NICHOLS
RIVER BEND ELECTIONS

HOUSE BILL 1395
READING 2

AYE

45

ALBERTSON
ALLRAN
BALLANTINE
BASNIGHT
BLACKMON
BLUST
CARPENTER
CARRINGTON
CLARK
COCHRANE
COOPER
DANNELLY

DAVIS
EAST
EDWARDS
FORRESTER
FOXX
GULLEY
HARTSELL
HOBBS
HORTON
HOYLE
JORDAN

KINCAID
LEDBETTER
LITTLE
LUCAS
MARTIN R.
MARTIN W.
MCDANIEL
MCKOY
ODOM
PAGE
PARNELL

PERDUE
PLEXICO
PLYLER
RAND
SHAW
SIMPSON
SOLES
SPEED
WARREN
WEBSTER
WINNER

NO

0

EXCUSED

0

NOT CAST

4

BALLANCE

CONDER

KERR

SHERRON

ABSENT

1

SMITH

PAIRS

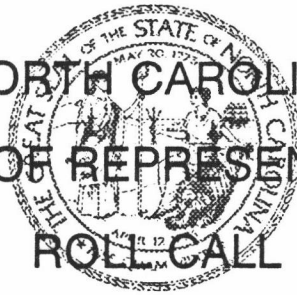
0

AYE
NO

(COPY)

NORTH CAROLINA

HOUSE OF REPRESENTATIVES



6/21/96

11:22 AM

IN CHAIR: SPEAKER

2135
LEGISLATIVE DAY 135
H1395

NICHOLS

AMEND #1-Senate Amendment

RIVER BEND ELECTIONS

MOTION #11-Rep. Nichols moves to withdraw

AYES - 99

ADAMS	DAUGHTRY	JUSTUS	RAYFIELD
ALEXANDER	DAVIS	KISER	REDWINE
ALLRED	DECKER	LEE	REYNOLDS
BAKER	DICKSON	LEMOND	RICHARDSON
BARBEE	DOCKHAM	LOCKE	ROBINSON, J.
BARNES	EASTERLING	LUEBKE	RUSSELL
BLACK	EDDINS	MCCALLISTER	SEXTON
BOWEN	EDWARDS	MCCOMAS	SHARPE
BOWIE	ELLIS	MCCOMBS	SHAW
BOYD-MCINTYRE	ESPOSITO	MCCRARY	SHERILL
BRAWLEY	FITCH	MCLAUGHLIN	SHUBERT
BROWN, J.	GAMBLE	MCMAHAN	TALLENT
BROWN, W.	GRADY	MERCER	THOMPSON
BUCHANAN	GRAY	MICHAUX	TOLSON
CANSLER	HACKNEY	MILLER, G.	WAINWRIGHT
CAPPS	HAYES	MITCHELL	WATSON
CARPENTER	HENSLEY	MORGAN	WEATHERLY
CHURCH	HIATT	NEELY	WILKINS
CLARY	HIGHTOWER	NICHOLS	WILSON, C.
COCKLEREECE	HILL	NYE	WILSON, G.
CRAWFORD	HOLMES	OWENS	WOMBLE
CULP	HUNTER, H.	PATE	WOOD
CULPEPPER	HUNTER, R.	PRESTON	WRIGHT
CUMMINGS	HURLEY	PULLEY	YONGUE
CUNNINGHAM	IVES	RAMSEY	

NOES - 0

EXCUSED ABSENCE - 8

ALDRIDGE	BLUE	HUNT	ROBINSON, G.
BEALL	FOX	OLDHAM	WARNER

EXCUSED VOTE - 0

NOT VOTING - 13

SPEAKER	CREECH	HOWARD	MINER
ARNOLD	EARLE	LINNEY	ROGERS
BERRY	GARDNER	MILLER, K.	SUTTON
BRASWELL			

H1395



NORTH CAROLINA GENERAL ASSEMBLY
AMENDMENT
House Bill 1395

AMENDMENT NO. 1 (one)
(to be filled in by
Principal Clerk)
Page 1 of

H1395-ARF-242-96d

Date 6/20 1996

Comm. Sub. EE
Amends Title EYESI

Senator

- 1 moves to amend the bill on page 1, line 3,
2 by rewriting that line to read:
3
4 "THE TOWN OF RIVER BEND AND TO DELAY THE EFFECTIVE DATE OF THE LAW
5 REQUIRING THE REGISTER OF DEEDS TO COMPLY WITH MINIMUM INDEXING
6 STANDARDS FOR LAND RECORDS MANAGEMENT IN BRUNSWICK COUNTY."; and
7
8 further amends the bill on page 5, between lines 2 and 3, by adding
9 two new sections to read:
10 "Sec. 6. Section 3 of Chapter 697 of the 1991 Session
11 Laws, as amended by Section 3 of Chapter 178 of the 1993 Session
12 Laws, reads as rewritten:
13 "Sec. 3. Section 2 of this act becomes effective January
14 1, 1995- 1999. The remainder of this act is effective upon
15 ratification."
16 Sec. 7. Section 6 of this act applies only to Brunswick
17 County."; and
18
19 further amends the bill by renumbering the remaining section
20 accordingly.
21

SIGNED Dolan
Amendment Sponsor

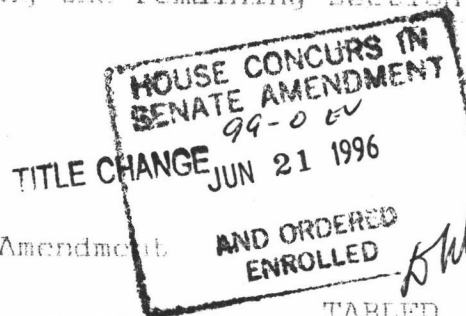
SIGNED
Committee Chair if Senate Committee Amendment

ADOPTED 6/20/96 FAILED

46-0

Changes title

Strat



TABLED

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1995

H.B. FILED
1396 MAY 29 96
HOUSE PRINCIPAL CLERK

H

D

HOUSE DRH7333-LL242(5.14)

Short Title: Brunswick/Land Records.

(Local)

Sponsors: Representative Redwine.

Referred to:

- 1 A BILL TO BE ENTITLED
2 AN ACT TO DELAY THE EFFECTIVE DATE OF THE LAW REQUIRING THE
3 REGISTER OF DEEDS TO COMPLY WITH MINIMUM INDEXING
4 STANDARDS FOR LAND RECORDS MANAGEMENT IN BRUNSWICK
5 COUNTY.
6 The General Assembly of North Carolina enacts:
7 Section 1. Section 3 of Chapter 697 of the 1991 Session Laws, as
8 amended by Section 3 of Chapter 178 of the 1993 Session Laws, reads as rewritten:
9 "Sec. 3. Section 2 of this act becomes effective January 1, ~~1995~~ 1999. The
10 remainder of this act is effective upon ratification."
11 Sec. 2. This act applies only to Brunswick County.
12 Sec. 3. This act is effective upon ratification.

29 96

LERK

HB 1397

H.B. FILED

GENERAL ASSEMBLY OF NORTH CAROLINA

MAY 29 96

SESSION 1995

HOUSE PRINCIPAL CLERK

H

D

HOUSE DRH7332*-LR236(5.21)

Short Title: Columbus County Lease Term.

(Local)

Sponsors: Representative Hill.

Referred to:

- 1 A BILL TO BE ENTITLED
2 AN ACT AUTHORIZING COLUMBUS COUNTY TO ENTER INTO LEASES
3 FOR TERMS NOT LONGER THAN TWENTY YEARS.
4 The General Assembly of North Carolina enacts:
5 Section 1. G.S. 160A-272 reads as rewritten:
6 "§ 160A-272. Lease or rental of property.
7 Any property owned by a city may be leased or rented for such terms and upon
8 such conditions as the council may determine, but not for longer than ~~10 years~~ 20
9 years (except as otherwise provided herein) and only if the council determines that
10 the property will not be needed by the city for the term of the lease. In determining
11 the term of a proposed lease, periods that may be added to the original term by
12 options to renew or extend shall be included. Property may be rented or leased only
13 pursuant to a resolution of the council authorizing the execution of the lease or rental
14 agreement adopted at a regular council meeting upon 10 days' public notice. Notice
15 shall be given by publication describing the property to be leased or rented, stating
16 the annual rental or lease payments, and announcing the council's intent to authorize
17 the lease or rental at its next regular meeting.
18 No public notice need be given for resolutions authorizing leases or rentals for
19 terms of one year or less, and the council may delegate to the city manager or some
20 other city administrative officer authority to lease or rent city property for terms of
21 one year or less. Leases for terms of more than ~~10 years~~ 20 years shall be treated as a
22 sale of property and may be executed by following any of the procedures authorized
23 for sale of real property."
24 Sec. 2. This act applies to Columbus County only.
25 Sec. 3. This act is effective upon ratification.

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1995

H.B. FILE

1398

HOUSE PRINCIPAL

H

D

HOUSE DRH6235*-LGQ282(5.22)

Short Title: Museum of Life and Science Funds.

(Public)

Sponsors: Representative G. Miller.

Referred to:

- 1 A BILL TO BE ENTITLED
2 AN ACT TO APPROPRIATE FUNDS FOR THE CONSTRUCTION OF A NEW
3 EXHIBIT AT THE NORTH CAROLINA MUSEUM OF LIFE AND SCIENCE.
4 The General Assembly of North Carolina enacts:
5 Section 1. There is appropriated from the General Fund to the North
6 Carolina Museum of Life and Science, Inc., a nonprofit corporation, the sum of five
7 million dollars (\$5,000,000) for the 1996-97 fiscal year for planning, designing, and
8 constructing a one-of-a-kind outdoor science exhibit called BioQuest. The exhibit
9 will provide a unique educational opportunity to museum visitors by enabling them
10 to observe animals and plants in their natural environment through interactive
11 exhibits.
12 Sec. 2. This act becomes effective July 1, 1996.

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1995

1399 MAY 23 96

HOUSE PRINCIPAL CLERK D

H

HOUSE DRH1364-LC356(5.13)

Short Title: Reduce Corporate Tax/School Needs.

(Public)

Sponsors: Representative Wilkins.

Referred to:

1 A BILL TO BE ENTITLED
2 AN ACT TO REDUCE THE CORPORATE INCOME TAX AND AUTHORIZE
3 CORPORATIONS TO DONATE THE AMOUNT OF THE TAX REDUCTION
4 TO THE STATE SCHOOL TECHNOLOGY FUND FOR IMPROVING
5 STUDENT PERFORMANCE IN THE PUBLIC SCHOOLS THROUGH THE
6 USE OF LEARNING AND INSTRUCTIONAL MANAGEMENT
7 TECHNOLOGIES.

8 The General Assembly of North Carolina enacts:

9 Section 1. G.S. 105-130.3 reads as rewritten:

10 "**§ 105-130.3. Corporations.**

11 A tax is imposed on the State net income of every C Corporation doing business in
12 this State ~~at seven and seventy five one hundredths percent (7.75%) of the~~
13 ~~corporation's State net income.~~ State. An S Corporation is not subject to the tax
14 levied in this section. The tax is a percentage of the taxpayer's State net income
15 computed as follows:

16 <u>Income Years Beginning</u>	<u>Tax</u>
17 <u>In 1997</u>	<u>7.5%</u>
18 <u>In 1998</u>	<u>7.25%</u>
19 <u>In 1999</u>	<u>7%</u>
20 <u>After 1999</u>	<u>6.75%".</u>

21 Sec. 2. Article 9 of Chapter 105 of the General Statutes is amended by
22 adding a new section to read:

23 "**§ 105-269.7. Contribution of corporate income tax reduction to State School**
24 **Technology Fund.**

H.B. FILED
1400 MAY 29 96
HOUSE PRINCIPAL CLERK
GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1995

H

D

HOUSE DRH6233*-LR219A(5.14)

Short Title: Polk/Harmon Field Supervisors.

(Local)

Sponsors: Representative Weatherly.

Referred to:

1 **A BILL TO BE ENTITLED**
2 **AN ACT ESTABLISHING THE HARMON FIELD BOARD OF SUPERVISORS**
3 **FOR ADMINISTRATION OF HARMON FIELD LOCATED IN POLK**
4 **COUNTY.**
5 The General Assembly of North Carolina enacts:
6 Section 1. There is hereby created the Harmon Field Board of
7 Supervisors (hereinafter "Board") for the administration of Harmon Field located in
8 the Tryon Township of Polk County.
9 Sec. 2. (a) The Board shall consist of five members, each of whom shall
10 reside in Tryon Township. The members of the Board shall be appointed as follows:
11 (1) Two members from the Town of Tryon appointed by the Tryon
12 Town Council, each to serve staggered four-year terms;
13 (2) Two members appointed by the Polk County Commissioners, each
14 to serve staggered four-year terms; and
15 (3) One member, appointed alternately by the Tryon Town Council
16 and the Polk County Commissioners, to serve a two-year term.
17 (b) The initial members of the Board may be appointed by the respective
18 appointing authorities to serve less than four-year terms in order to allow for
19 staggered terms. The initial member appointed pursuant to subdivision (a)(3) of this
20 section shall be appointed by the Polk County Commissioners. The initial
21 appointments shall be effective July 1, 1996, and all subsequent appointments shall
22 run on a year beginning July 1st and ending June 30th. Vacancies on the Board shall
23 be filled for any unexpired portion of a term by the respective appointing authorities.

NORTH CAROLINA GENERAL ASSEMBLY
SENATE

RECORDED VOTE

1995 SESSION
SECOND REGULAR SESSION

SEQ. 1780/22-- 5:05 PM

JUNE 20, 1996

LEGISLATIVE DAY 133

SENATOR BASNIGHT

-- Presiding

WEATHERLY
POLK/HARMON FIELD SUPERVISORS

HOUSE BILL 1400
READING 2

AYE	45	ALBERTSON	COOPER	HOYLE	PAGE
		ALLRAN	DANNELLY	JORDAN	PARNELL
		BALLANCE	DAVIS	KINCAID	PERDUE
		BALLANTINE	EAST	LEDBETTER	PLEXICO
		BASNIGHT	EDWARDS	LITTLE	PLYLER
		BLACKMON	FORRESTER	LUCAS	RAND
		BLUST	FOXX	MARTIN R.	SIMPSON
		CARPENTER	GULLEY	MARTIN W.	SOLES
		CARRINGTON	HARTSELL	MCDANIEL	SPEED
		CLARK	HOBBS	MCKOY	WEBSTER
		COCHRANE	HORTON	ODOM	WINNER
		CONDER			

NO 0

EXCUSED 0

NOT CAST 4 KERR SHAW SHERRON WARREN

ABSENT 1 SMITH

PAIRS 0

AYE

NO

(COPY)