

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1995

S

SENATE DRS9606-LH204(4.25)

FILED - SENATE  
\$1001 MAY 3 1995  
PRINCIPAL CLERK

D

Short Title: Beach Access Program Clarification.

(Public)

Sponsors: Senator Perdue.

Referred to:

- 1 A BILL TO BE ENTITLED  
2 AN ACT TO CLARIFY THE APPLICABILITY OF THE BEACH ACCESS  
3 PROGRAM TO PROJECTS DESIGNED TO PROVIDE ACCESS TO  
4 COASTAL WATERS.  
5 The General Assembly of North Carolina enacts:  
6 Section 1. The catch line to Part 6 of Article 7 of Chapter 113A of the  
7 General Statutes reads as rewritten:  
8 "Part 6. ~~Coastal and Estuarine Water Beach~~ Public Beach and Coastal Waterfront  
9 Access Program."  
10 Sec. 2. G.S. 113A-134.1 reads as rewritten:  
11 "**§ 113A-134.1. Legislative findings.**  
12 (a) ~~It is determined and declared as a matter of legislative findings~~ The General  
13 Assembly finds that there are many privately owned lots or tracts of land in close  
14 proximity to the Atlantic Ocean and the ~~estuarine~~ coastal waters in North Carolina  
15 that have been and will be adversely affected by ~~the coastal and estuarine waters~~  
16 hazards such as erosion, ~~flooding~~ flooding, and storm damage. The sand dunes on  
17 many of these lots provide valuable protective functions for public and private  
18 property and serve as an integral part of the beach sand supply system. Placement of  
19 permanent substantial structures on these lots will lead to increased risks of loss of  
20 life and property, increased public costs, and potential eventual encroachment of  
21 structures onto the beach.  
22 (b) The public has traditionally fully enjoyed the State's ~~ocean and estuarine~~  
23 beaches and coastal waters and public access to and use of the ~~beaches~~ beaches and  
24 coastal waters. The beaches provide a recreational resource of great importance to  
25 North Carolina and its citizens and this makes a significant contribution to the



NORTH CAROLINA GENERAL ASSEMBLY  
SENATE

RECORDED VOTE

1995 SESSION

SEQ. 645/61-- 7:40 PM

MAY 10, 1995

LEGISLATIVE DAY 61

LT. GOVERNOR WICKER

-- Presiding

PERDUE  
BEACH ACCESS PROGRAM CLARIFICATION

SENATE BILL 1001  
READING 2

AYE

45

ALBERTSON  
ALLRAN  
BALLANCE  
BALLANTINE  
BASNIGHT  
BLACKMON  
CARPENTER  
CARRINGTON  
CLARK  
COCHRANE  
COOPER  
DANNELLY



DAVIS  
EAST  
EDWARDS  
FORRESTER  
FOX  
GULLEY  
HARTSELL  
HOBBS  
HORTON  
HOYLE  
JORDAN  
KERR  
KINCAID  
KEDRETT  
LITTLE  
LUCAS  
MARTIN R  
MARTIN W  
MCDANIEL  
MCKOY  
ODOM  
PAGE

PARNELL  
PERDUE  
PLEXICO  
PLYLER  
RAND  
SHERRON  
SIMPSON  
SOLES  
SPEED  
WARREN  
WINNER

NO

1

SHAW

EXCUSED

0

NOT CAST

3

CONDER

SAWYER

WEBSTER

ABSENT

1

SMITH

PAIRS

0

AYE

NO

EQ. # 974  
LEGISLATIVE DAY 75  
S1001  
READING 2

NORTH CAROLINA  
HOUSE OF REPRESENTATIVES  
ROLL CALL

6/05/95  
7:42 PM  
IN CHAIR: SPEAKER

BEACH ACCESS PROGRAM CLARIFICATION

AYES - 108

ADAMS  
ALDRIDGE  
ALEXANDER  
ALLRED  
ARNOLD  
BAKER  
BARBEE  
BARNES  
BEALL  
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  
DICKSON  
EARLE  
EASTERLING  
EDDINS  
EDWARDS  
ELLIS  
ESPOSITO  
FITCH  
GAMBLE  
GARDNER  
GRADY  
HACKNEY  
HAYES  
HENSLEY  
HIATT  
HIGHTOWER  
HILL  
HOLMES  
HOWARD  
HUNT  
HUNTER, H.  
HURLEY

IVES  
JUSTUS  
KISER  
LEMMOND  
LINNEY  
LOCKE  
LUEBKE  
MCALLISTER  
MCCOMAS  
MCCOMBS  
MCCRARY  
MCLAUGHLIN  
MCMAHAN  
MERCER  
MICHAX  
MILLER, G.  
MILLER, K.  
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  
TOLSON  
WAINWRIGHT  
WARNER  
WATSON  
WEATHERLY  
WILKINS  
WILSON, C.  
WILSON, G.  
WOMBLE  
WOOD  
YONGUE

NOES - 0

EXCUSED ABSENCE - 8

BERRY  
DOCKHAM

FOX  
HUNTER, R.  
LEE  
TALLENT

THOMPSON  
WRIGHT

EXCUSED VOTE - 0

NOT VOTING - 4

SPEAKER

CUNNINGHAM  
DAUGHTRY

GRAY

S1001

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1995

S

D

SENATE DRS1636-LN085B(2.9) FILED - SENATE

S 1002 MAY 3 1995

Short Title: Sandhills Reg. Eco. Dev.

PRINCIPAL CLERK (Public)

Sponsors: Senators Hobbs, Conder, and Plyler.

Referred to:

- 1 A BILL TO BE ENTITLED  
2 AN ACT TO AUTHORIZE THE CREATION OF THE SANDHILLS REGIONAL  
3 ECONOMIC DEVELOPMENT COMMISSION.  
4 The General Assembly of North Carolina enacts:  
5 Section 1. (a) The governing bodies of the following counties may, in  
6 accordance with G.S. 158-8, create a regional economic development commission to  
7 serve the sandhills region of the State: Anson, Hoke, Montgomery, Moore,  
8 Richmond, Scotland, and Stanly, and any other county assigned to the newly created  
9 commission by the Department of Commerce as authorized by law. In addition to  
10 the powers and duties granted to economic development commissions under Article 2  
11 of Chapter 158 of the General Statutes, the commission created pursuant to this  
12 section shall do the following:  
13 (1) Survey the sandhills region of North Carolina and determine the  
14 assets, liabilities, and resources that the region contributes to the  
15 economic development process;  
16 (2) Develop and evaluate alternatives for economic development in  
17 the sandhills region;  
18 (3) Develop a preferred economic development plan for the region  
19 and establish strategies for implementing the plan;  
20 (4) Coordinate activities with and enter into contracts with any  
21 nonprofit corporation created to assist the Commission in carrying  
22 out its powers and duties; and  
23 (5) Report to the General Assembly by March 31 each year on the  
24 work of the Commission.

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1995

S

D

SENATE DRS1693-LD131(3.23)

FILED - SENATE

Short Title: Debtor Protection for IRA's.

S 1003 MAY 3 1995 (Public)

Sponsors: Senator Webster.

PRINCIPAL CLERK

Referred to:

1 A BILL TO BE ENTITLED  
2 AN ACT TO EXEMPT INDIVIDUAL RETIREMENT ACCOUNTS, INDIVIDUAL  
3 RETIREMENT ANNUITIES, AND SIMPLIFIED EMPLOYEES  
4 PENSION/INDIVIDUAL RETIREMENT ACCOUNTS FROM THE CLAIMS OF  
5 CREDITORS.

6 The General Assembly of North Carolina enacts:

7 Section 1. G.S. 1C-1601(a) reads as rewritten:

8 "(a) Exempt property. -- Each individual, resident of this State, who is a debtor is  
9 entitled to retain free of the enforcement of the claims of his creditors:

- 10 (1) The debtor's aggregate interest, not to exceed ten thousand dollars  
11 (\$10,000) in value, in real property or personal property that the  
12 debtor or a dependent of the debtor uses as a residence, in a  
13 cooperative that owns property that the debtor or a dependent of  
14 the debtor uses as a residence, or in a burial plot for the debtor or  
15 a dependent of the debtor.
- 16 (2) The debtor's aggregate interest in any property, not to exceed  
17 three thousand five hundred dollars (\$3,500) in value less any  
18 amount of the exemption used under subdivision (1).
- 19 (3) The debtor's interest, not to exceed one thousand five hundred  
20 dollars (\$1,500) in value, in one motor vehicle.
- 21 (4) The debtor's aggregate interest, not to exceed three thousand five  
22 hundred dollars (\$3,500) in value for the debtor plus seven  
23 hundred fifty dollars (\$750.00) for each dependent of the debtor,  
24 not to exceed three thousand dollars (\$3,000) total for dependents,  
25 in household furnishings, household goods, wearing apparel,

NORTH CAROLINA GENERAL ASSEMBLY  
SENATE

RECORDED VOTE

1995 SESSION

SEQ. 703/43-- 2:07 PM

MAY 11, 1995

LEGISLATIVE DAY 62

LT. GOVERNOR WICKER

-- Presiding

WEBSTER  
DEBTOR PROTECTION FOR IRA'S

SENATE BILL 1003  
READING 2

AYE	45	ALBERTSON	DAVIS	KING	PERDUE
		ALLRAN	EAST	LEDBETTER	PLEXICO
		BALLANCE	EDWARDS	LITTLE	PLYLER
		BALLANTINE	FORRESTER	LUCAS	RAND
		BLACKMON	FOX	MARTIN R.	SHAW
		CARPENTER	GULLEY	MARTIN W.	SHERRON
		CARRINGTON	HARTSELL	MEDANIEL	SIMPSON
		CLARK	HOBBS	WICKOY	SOLES
		COCHRANE	HORTON	ODOM	SPEED
		CONDER	HOYDE	PAGE	WEBSTER
		COOPER	KERR	PARNEILL	WINNER
		DANNELLY			
NO	0				

EXCUSED 0

NOT CAST 3 BASNIGHT JORDAN WARREN

ABSENT 2 SAWYER SMITH

PAIRS 0

AYE  
NO

NORTH CAROLINA GENERAL ASSEMBLY AMENDMENT

(Please type or use ballpoint pen)

H. B. No. \_\_\_\_\_

DATE

6/6/95

S. B. No. \_\_\_\_\_

1003 HCS

Amendment No. \_\_\_\_\_

(to be filled in by  
Principal Clerk)

Rep. ) \_\_\_\_\_

Sen. ) \_\_\_\_\_

Hackney

moves to amend the bill on page \_\_\_\_\_

2

, line \_\_\_\_\_

26

by \_\_\_\_\_

deleting "upon ratification"  
and  
substituting  
"October 1, 1995,"

SIGNED \_\_\_\_\_

Hackney

ADOPTED \_\_\_\_\_

6/6/95

FAILED \_\_\_\_\_

TABLED \_\_\_\_\_

115-0 EV *Wicks*



EV

EQ. # 1012  
LEGISLATIVE DAY 76  
S1003HCS  
READING 2

NORTH CAROLINA  
HOUSE OF REPRESENTATIVES  
ROLL CALL

6/06/95  
3:31 PM  
IN CHAIR: SPEAKER

AMEND #1 *Hackney*  
DEBTOR PROTECT. FOR INDIV. RETIR. ACCTS.

AYES - 115

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

NOES - 0

EXCUSED ABSENCE - 3

BLUE FITCH THOMPSON

EXCUSED VOTE - 0

NOT VOTING - 2

SPEAKER NICHOLS

S1003HCS

EV

# NORTH CAROLINA

## HOUSE OF REPRESENTATIVES

### ROLL CALL

Bill # 1013  
LEGISLATIVE DAY 76  
S1003HCS  
READING 2

6/06/95  
3:31 PM  
IN CHAIR: SPEAKER

DEBTOR PROTECT. FOR INDIV. RETIR. ACCTS.

#### AYES - 113

ADAMS	CUNNINGHAM	HURLEY	RAMSEY
ALDRIDGE	DAUGHTRY	IVES	RAYFIELD
ALEXANDER	DAVIS	JUSTUS	REDWINE
ALLRED	DECKER	KISER	REYNOLDS
ARNOLD	DICKSON	LEE	RICHARDSON
BAKER	DOCKHAM	LEMMOND	ROBINSON, G.
BARBEE	EARLE	LINNEY	ROBINSON, J.
BARNES	EASTERLING	LOCKE	ROGERS
BEALL	EDDINS	LUEBKE	RUSSELL
BERRY	EDWARDS	MCALLISTER	SEXTON
BLACK	ELLIS	MCCOMBS	SHARPE
BOWEN	ESPOSITO	MCCRARY	SHAW
BOWIE	FOX	MCLAUGHLIN	SHERRILL
BOYD-MCINTYRE	GAMBLE	MCPAHAN	SHUBERT
BRASWELL	GARDNER	MERCER	SUTTON
BRAWLEY	GRADY	MICHAUX	TALLENT
BROWN, J.	GRAY	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.
CLARY	HOLMES	OLDHAM	WILSON, G.
COCKLEREECE	HOWARD	OWENS	WOMBLE
CRAWFORD	HUNT	PATE	WOOD
CULP	HUNTER, H.	PRESTON	WRIGHT
CULPEPPER	HUNTER, R.	PULLEY	YONGUE
CUMMINGS			

#### NOES - 2

CREECH                      MCCOMAS

#### EXCUSED ABSENCE - 3

BLUE                      FITCH                      THOMPSON

#### EXCUSED VOTE - 0

#### NOT VOTING - 2

SPEAKER                      NICHOLS

S1003HCS

NORTH CAROLINA GENERAL ASSEMBLY  
SENATE

RECORDED VOTE

1995 SESSION

SEQ. 965/14-- 5:58 PM

JUNE 13, 1995

LEGISLATIVE DAY 80

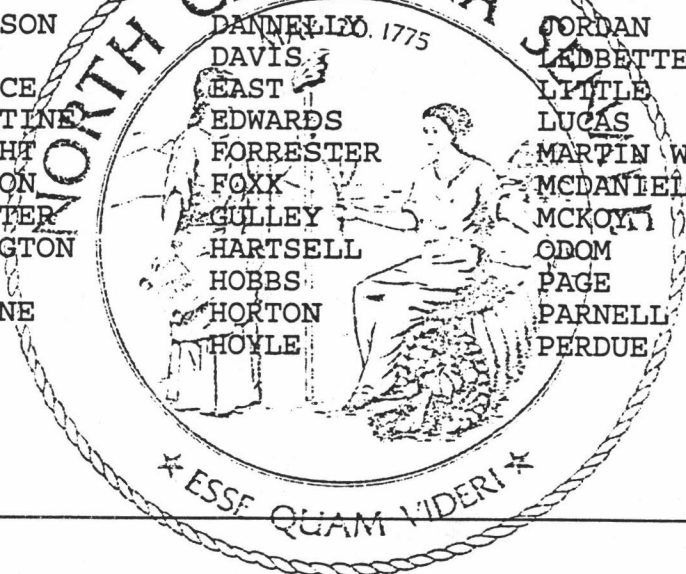
LT. GOVERNOR WICKER

-- Presiding

WEBSTER  
DEBTOR PROTECTION FOR IRA'S  
HOUSE COM SUB/3RD EDITION

SENATE BILL 1003

MOTION 8  
TO CONCUR

AYE	45	ALBERTSON ALLRAN BALLANCE BALLANTINE BASNIGHT BLACKMON CARPENTER CARRINGTON CLARK COCHRANE CONDER COOPER	 The seal of the North Carolina Senate is a circular emblem. It features a central illustration of a seated woman, likely representing Justice or Liberty, holding a scroll. To her left stands a man, and to her right, another figure. The words "NORTH CAROLINA" are arched across the top, and "SENATE" is arched across the bottom. The date "1775" is inscribed near the top right. The motto "ESSE QUAM VIDERI" is written in a banner at the bottom.	JORDAN LEDBETTER LITTLE LUCAS MARTIN W. MCDANIEL MCKOY ODOM PAGE PARNELL PERDUE	PLEXICO PLYLER RAND SHAW SHERRON SIMPSON SOLES SPEED WARREN WEBSTER WINNER
NO	0				

EXCUSED 0

NOT CAST 4 KERR KINCAID MARTIN R. SMITH

ABSENT 1 SAWYER

PAIRS 0

AYE  
NO

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1995

S

D

SENATE DRS7652-LG200(4.26)

FILED - SENATE

Short Title: Study Ability Grouping/Tracking. S 1004 MAY 3 1995 (Public)

Sponsors: Senator Martin of Guilford.

PRINCIPAL CLERK

Referred to:

- 1 A BILL TO BE ENTITLED  
2 AN ACT TO ESTABLISH THE LEGISLATIVE STUDY COMMISSION ON THE  
3 EDUCATION INSTRUCTION PRACTICE OF ABILITY GROUPING AND  
4 TRACKING OF STUDENTS AND TO APPROPRIATE FUNDS FOR ITS  
5 IMPLEMENTATION.  
6 The General Assembly of North Carolina enacts:  
7 Section 1. The Study Commission on the Education Instruction Practice  
8 of Ability Grouping and Tracking of Students is created. The purpose of the  
9 Commission shall be to (i) identify and examine the education instruction practice of  
10 ability grouping and tracking of students according to their perceived abilities; (ii)  
11 assess whether these practices are beneficial to the education achievement of students;  
12 (iii) examine the reasons why these practices are used by schools and teachers; (iv)  
13 use the information obtained to develop means for improving the delivery of  
14 educational services to students; and (v) recommend to the General Assembly the  
15 human and economic resources necessary to guarantee each and every student a  
16 meaningful opportunity to reach his or her full potential.  
17 Sec. 2. (a) The Commission shall consist of 16 members:  
18 (1) Four Senators appointed by the President Pro Tempore of the  
19 Senate;  
20 (2) Four Representatives appointed by the Speaker of the House of  
21 Representatives;  
22 (3) Four members of the public appointed by the President Pro  
23 Tempore of the Senate; and  
24 (4) Four members appointed by the Speaker of the House of  
25 Representatives.

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1995

S

D

SENATE DRS7655-LL161(3.21)

FILED - SENATE

S1005 MAY 3 1995

PRINCIPAL CLERK  
(Public)

Short Title: Appalachian State/Sell Power Company.

Sponsors: Senator Foxx.

Referred to:

1 A BILL TO BE ENTITLED

2 AN ACT TO DIRECT APPALACHIAN STATE UNIVERSITY TO PROVIDE  
3 FOR THE SALE OF NEW RIVER LIGHT AND POWER COMPANY.

4 The General Assembly of North Carolina enacts:

5 Section 1. The Board of Trustees of the Endowment Fund of  
6 Appalachian State University and the Board of Trustees of Appalachian State  
7 University shall provide for the sale of New River Light and Power Company no later  
8 than January 1, 1997. Notwithstanding the provisions of G.S. 116-36, the Board of  
9 Trustees of the Endowment Fund of Appalachian State University may use the net  
10 proceeds from the sale for capital projects as well as any other uses authorized for the  
11 Endowment Fund.

12 Sec. 2. The provisions of G.S. 143-27.2 shall apply to employees of New  
13 River Light and Power Company whose status as State employees is terminated by  
14 the sale directed by this act. Severance wages and retirement benefits pursuant to  
15 that section shall be paid from the proceeds of the sale.

16 Sec. 3. This act is effective upon ratification.

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1995

S

SENATE DRS3636-LT110(4.5)

FILED - SENATE  
S1006 MAY 3 1995  
D  
PRINCIPAL CLERK

Short Title: Funds for Life Skills Program.

(Public)

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Sponsors: Senator McKoy.

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Referred to:

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- 1 A BILL TO BE ENTITLED  
2 AN ACT TO APPROPRIATE FUNDS FOR THE SUCCESSFUL LIFE SKILLS  
3 PROGRAM OF SAINT AUGUSTINE'S COLLEGE.  
4 The General Assembly of North Carolina enacts:  
5 Section 1. There is appropriated from the General Fund to the Board of  
6 Governors of The University of North Carolina the sum of fifty thousand dollars  
7 (\$50,000) for the 1995-96 fiscal year for the successful life skills program of Saint  
8 Augustine's College to assist underprivileged youth in Wake County.  
9 Sec. 2. This act becomes effective July 1, 1995.



GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1995

FILED - SENATE

S

S1007 MAY 3<sup>D</sup> 1995

SENATE DRSA636-LT109(4.5)

PRINCIPAL CLERK

Short Title: Funds for Math Skills Program.

(Public)

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Sponsors: Senator McKoy.

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Referred to:

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1 A BILL TO BE ENTITLED  
2 AN ACT TO APPROPRIATE FUNDS FOR THE MATH SKILLS  
3 DEVELOPMENT PROGRAM OF SHAW UNIVERSITY.

4 The General Assembly of North Carolina enacts:

5 Section 1. There is appropriated from the General Fund to the Board of  
6 Governors of The University of North Carolina the sum of fifty thousand dollars  
7 (\$50,000) for the 1995-96 fiscal year for the math skills development program of  
8 Shaw University to assist underprivileged and low-income youth in developing skills  
9 to pursue technical careers.

10 Sec. 2. This act becomes effective July 1, 1995.

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1995

S

D

SENATE DRS2629-LG171(4.24)

FILED - SENATE  
S1008 MAY 3 1995  
PRINCIPAL CLERK  
(Public)

Short Title: Rebuilding Our Villages Funds.

Sponsors: Senator McKoy.

Referred to:

- 1 A BILL TO BE ENTITLED  
2 AN ACT TO APPROPRIATE FUNDS TO THE DEPARTMENT OF HUMAN  
3 RESOURCES FOR COMPREHENSIVE COMMUNITY-BASED STRATEGIES  
4 FOR ADDRESSING YOUTH AND YOUNG ADULTS.  
5 The General Assembly of North Carolina enacts:  
6 Section 1. (a) There is appropriated from the General Fund to the  
7 Department of Human Resources the sum of three million dollars (\$3,000,000) for the  
8 1995-96 fiscal year to establish the Rebuilding Our Villages Program, a program that  
9 will award grants to eligible applicants in rural and urban areas to assist them in  
10 creating community-based strategies aimed at reducing dependency and increasing  
11 personal responsibility among youth and young adults.  
12 (b) The Department of Human Resources shall establish guidelines and  
13 criteria for awarding grants and implementing the program. Eligible applicants can  
14 apply for grants ranging from five thousand dollars (\$5,000) to ten thousand dollars  
15 (\$10,000) for the 1995-96 fiscal year to implement the goals of their programs.  
16 Grants shall be used to work with young mothers and fathers, pregnant teens, school  
17 dropouts, and youths-at-risk.  
18 (c) In establishing guidelines and criteria for eligible applicants, the  
19 Department of Human Resources shall establish guidelines to allow churches to apply  
20 for grants based on the following:  
21 (1) The church must be incorporated;  
22 (2) The grant must be used for a secular purpose;  
23 (3) The church must keep the grant funds in a separate fund and not  
24 be commingled with funds used for a religious purpose; and

S1009 MAY 3, 1995

GENERAL ASSEMBLY OF NORTH CAROLINA  
PRINCIPAL CLERK  
SESSION 1995

S

D

SENATE DRSA624-LH195(4.11)

Short Title: Expert Testimony/Insanity Defense.

(Public)

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Sponsors: Senator McDaniel.

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Referred to:

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- 1 A BILL TO BE ENTITLED  
2 AN ACT TO AMEND THE RULE OF EVIDENCE REGARDING THE  
3 ADMISSIBILITY IN A CRIMINAL CASE OF CERTAIN EXPERT TESTIMONY  
4 AS TO THE MENTAL STATE OR CONDITION OF A DEFENDANT.  
5 The General Assembly of North Carolina enacts:  
6 Section 1. Rule 704 of Chapter 8C of the General Statutes reads as  
7 rewritten:  
8 **"Rule 704. Opinion on ultimate issue.**  
9 (a) Except as provided in subsection (b), testimony ~~Testimony~~ in the form of an  
10 opinion or inference is not objectionable because it embraces an ultimate issue to be  
11 decided by the trier of fact.  
12 (b) No expert witness testifying with respect to the mental state or condition of a  
13 defendant in a criminal case may state an opinion or inference as to whether the  
14 defendant did or did not have the mental state or condition constituting an element  
15 of the crime charged or of a defense thereto. Such ultimate issues are matters for the  
16 trier of fact alone."  
17 Sec. 2. This act becomes effective December 1, 1995, and applies to  
18 offenses committed on or after that date.

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1995

S

FILED - SENATE  
D

SENATE DRS2627-LH174(3.22)

S1010 MAY 3 1995

PRINCIPAL CLERK

Short Title: School of Arts.

(Public)

Sponsors: Senator McDaniel.

Referred to:

1 A BILL TO BE ENTITLED  
2 AN ACT TO PROVIDE THAT THE FACILITIES AND EQUIPMENT OF THE  
3 NORTH CAROLINA SCHOOL OF THE ARTS MAY BE LEASED TO A  
4 PRIVATE ENTITY AT A FAIR MARKET RATE AND THE LEASE REVENUE  
5 DEPOSITED INTO THE ENDOWMENT FUND FOR THE SCHOOL OF THE  
6 ARTS.

7 The General Assembly of North Carolina enacts:

8 Section 1. Article 4 of Chapter 116 of the General Statutes is amended  
9 by adding a new section to read:

10 "§ 116-66.1. Lease of school facilities and equipment.

11 Subject to the approval of the Chancellor and the Board of Trustees of the school,  
12 the school facilities and equipment may be leased to a private entity at a fair market  
13 rate. The lease revenue shall be collected by the school and shall be deposited in the  
14 endowment fund created in accordance with G.S. 116-68."

15 Sec. 2. This act becomes effective July 1, 1995.

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1995

FILED - SENATE

S

D

SENATE DRS1670-LR176(4.18)

S1011 MAY 3 1995

PRINCIPAL CLERK

Short Title: State Emp. RIF Rights/Options.

(Public)

Sponsors: Senator McDaniel.

Referred to:

- 1 A BILL TO BE ENTITLED  
2 AN ACT PROVIDING EARLY RETIREMENT OPTIONS TO STATE  
3 EMPLOYEES SUBJECT TO THE STATE PERSONNEL ACT WHO ARE  
4 SEPARATED FROM EMPLOYMENT DUE TO REDUCTIONS IN FORCE  
5 AND OTHERWISE RELATING TO THE RIGHTS AND BENEFITS OF  
6 EMPLOYEES SEPARATED FROM STATE EMPLOYMENT DUE TO  
7 REDUCTIONS IN FORCE.  
8 The General Assembly of North Carolina enacts:  
9 Section 1. G.S. 126-7.1 reads as rewritten:  
10 "§ 126-7.1. Posting requirement; State employees receive priority ~~consideration.~~  
11 consideration; reduction-in-force rights and benefits; severance.  
12 (a) All vacancies for which any State agency, department, or institution openly  
13 recruit shall be posted within at least the following:  
14 (1) The personnel office of the agency, department, or institution  
15 having the vacancy; and  
16 (2) The particular work unit of the agency, department, or institution  
17 having the vacancy  
18 in a location readily accessible to employees. If the decision is made, initially or at  
19 any time while the vacancy remains open, to receive applicants from outside the  
20 recruiting agency, department, or institution, the vacancy shall be listed with the  
21 Office of State Personnel for the purpose of informing current State employees of  
22 such vacancy. The State agency, department, or institution may not receive approval  
23 from the Office of State Personnel to fill a job vacancy if the agency, department, or  
24 institution cannot prove to the satisfaction of the Office of State Personnel that it  
25 complied with these posting requirements. The agency, department, or institution

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1995

5-1012

S

FILED - SENATE

D

SENATE DRS1690\*-RT004015(47)

MAY 3 1995

PRINCIPAL CLERK

Short Title: Underground Storage Tank Amends.

(Public)

Sponsors: Senators Kerr and Blackmon.

Referred to:

- 1 A BILL TO BE ENTITLED  
2 AN ACT TO IMPROVE THE REGULATION OF PETROLEUM  
3 UNDERGROUND STORAGE TANKS AND THE CLEANUP OF LEAKING  
4 PETROLEUM UNDERGROUND STORAGE TANKS.  
5 The General Assembly of North Carolina enacts:  
6 Section 1. Part 2B of Article 21A of Chapter 143 of the General Statutes  
7 is amended by adding a new section to read:  
8 "§ 143-215.94V. Standards for petroleum underground storage tank cleanup.  
9 (a) Legislative findings and intent.  
10 (1) The General Assembly finds that:  
11 a. The goals of the underground storage tank program are to  
12 protect human health and the environment. Maintaining the  
13 solvency of the Commercial Fund and the Noncommercial  
14 Fund is essential to these goals.  
15 b. The sites at which discharges or releases from underground  
16 storage tanks occur vary greatly in terms of complexity, soil  
17 types, hydrogeology, other physical and chemical  
18 characteristics, current and potential future uses of  
19 groundwater, and the degree of risk that each site may pose  
20 to human health and the environment.  
21 c. Risk-based corrective action is a process that recognizes this  
22 diversity and utilizes an approach where assessment and  
23 remediation activities are specifically tailored to the  
24 conditions and risks of a specific site.





NORTH CAROLINA GENERAL ASSEMBLY  
AMENDMENT  
Senate Bill 1012

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

S1012V2-ART-004.01

Page 1 of 2

Date 6-12, 1995

Comm. Sub. [YES]  
Amends Title [NO]  
Second Edition

Senator Kerr

- 1 moves to amend the bill on page 3, line 10
- 2 by deleting "(b)" and substituting "(c)";
- 3
- 4 on page 20, line 6
- 5 by deleting the word "subsection" and substituting the word "Part";
- 6
- 7 on page 22, lines 42 through 44
- 8 by rewriting those lines to read:
- 9 "reported on or after 30 June 1988; 1988 from a commercial
- 10 underground storage tank.";
- 11
- 12 on page 24, line 40
- 13 by inserting, after the word "except" the phrase:
- 14 "that G.S. 143-215.94B(d)(6), as enacted by Section 5 of this act,
- 15 and G.S. 143-215.94D(d)(6), as enacted by Section 7 of this act,
- 16 apply only to a discharge or release that was discovered or reported
- 17 on or after 30 March 1990, and except"; and
- 18
- 19 on page 24, line 42
- 20 by deleting the word "effective." and substituting the phrase:
- 21 "effective and only to costs that are eligible to be paid or

*See page two*



NORTH CAROLINA GENERAL ASSEMBLY  
AMENDMENT  
Senate Bill 1012

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

S1012V2-ART-004.01

Page 2 of 2

- 1 reimbursed from either the Commercial Fund or the Noncommercial Fund
- 2 for a discharge or release that was discovered or reported on or
- 3 after 30 March 1990."

SIGNED *J. Ken*  
Amendment Sponsor

SIGNED \_\_\_\_\_  
Committee Chair if Senate Committee Amendment

ADOPTED 6-12-95 FAILED \_\_\_\_\_ TABLED \_\_\_\_\_  
(48-0) *S. J. J.*

NORTH CAROLINA GENERAL ASSEMBLY  
SENATE

RECORDED VOTE

1995 SESSION

SEQ. 935/20-- 5:46 PM

JUNE 12, 1995

LEGISLATIVE DAY 79

LT. GOVERNOR WICKER

-- Presiding

KERR  
UNDERGROUND STORAGE TANK AMENDS  
COM SUB/2ND EDITION

SENATE BILL 1012

AMEND 1

AYE	48	ALBERTSON ALLRAN BALLANCE BALLANTINE BASNIGHT BLACKMON CARPENTER CARRINGTON CLARK COCHRANE CONDER COOPER	DANNELLY DAVIS EAST 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
-----	----	-------------------------------------------------------------------------------------------------------------------------------------------	--------------------------------------------------------------------------------------------------------------------	-----------------------------------------------------------------------------------------------------------------------------	-------------------------------------------------------------------------------------------------------------------

NO 0

EXCUSED 0

NOT CAST 0

ABSENT 2 EDWARDS

SAWYER

PAIRS 0

AYE  
NO

NORTH CAROLINA GENERAL ASSEMBLY  
SENATE

RECORDED VOTE

1995 SESSION

SEQ. 936/21-- 5:50 PM

JUNE 12, 1995

LEGISLATIVE DAY 79

LT. GOVERNOR WICKER

-- Presiding

KERR  
UNDERGROUND STORAGE TANK AMENDS  
COM SUB/2ND EDITION

SENATE BILL 1012  
READING 2

AYE	47	ALBERTSON	DANNELLY	KINCAID	PLEXICO
		ALLRAN	DAVIS	LEDBETTER	PLYLER
		BALLANCE	EAST	LITTLE	RAND
		BALLANTINE	FORRESTER	LUCAS	SHAW
		BASNIGHT	FOXX	MARTIN R.	SHERRON
		BLACKMON	GULLEY	MARTIN W.	SMITH
		CARPENTER	HARTSELL	MCDANIEL	SOLES
		CARRINGTON	HOBBS	MCKOY	SPEED
		CLARK	HORTON	ODOM	WARREN
		COCHRANE	HOYLE	PAGE	WEBSTER
		CONDER	JORDAN	PARNELL	WINNER
		COOPER	KERR	PERDUE	

NO 0

EXCUSED 0

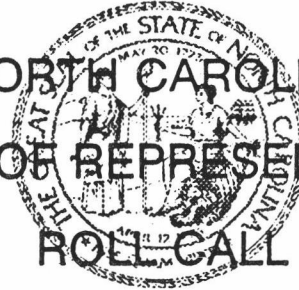
NOT CAST 1 SIMPSON

ABSENT 2 EDWARDS SAWYER

PAIRS 0  
AYE  
NO

EQ. # 11 4  
LEGISLATIVE DAY 91  
S1012SCS  
READING 2

NORTH CAROLINA  
HOUSE OF REPRESENTATIVES



6/30/95  
3:17 PM  
IN CHAIR: SPEAKER

UNDERGROUND STORAGE TANK AMENDS

AYES - 103

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

CUMMINGS  
CUNNINGHAM  
DAUGHTRY  
DAVIS  
DICKSON  
DOCKHAM  
EARLE  
EASTERLING  
EDDINS  
EDWARDS  
ESPOSITO  
FITCH  
FOX  
GAMBLE  
GARDNER  
GRAY  
HAYES  
HENSLEY  
HIATT  
HIGHTOWER  
HILL  
HOLMES  
HOWARD  
HUNT  
HUNTER, H.  
HURLEY

IVES  
JUSTUS  
KISER  
LEE  
LEMMOND  
LOCKE  
LUEBKE  
MCALLISTER  
MCCOMAS  
MCCOMBS  
MCCRARY  
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  
SHAW  
SHERRILL  
SHUBERT  
SUTTON  
TALLENT  
THOMPSON  
WATSON  
WEATHERLY  
WILKINS  
WILSON, C.  
WILSON, G.  
WOMBLE  
WRIGHT  
YONGUE

NOES - 1

MILLER, K.

EXCUSED ABSENCE - 3

BRASWELL

DECKER

WAINWRIGHT

EXCUSED VOTE - 0

NOT VOTING - 13

SPEAKER  
BARNES  
BROWN, J.  
CREECH

ELLIS  
GRADY  
HACKNEY

HUNTER, R.  
LINNEY  
MINER

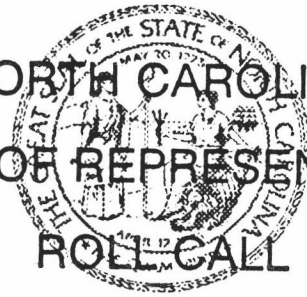
TOLSON  
WARNER  
WOOD

S1012SCS

EV

EQ. # 1413  
LEGISLATIVE DAY 91  
S1012SCS  
READING 3

NORTH CAROLINA  
HOUSE OF REPRESENTATIVES



6/30/95  
5:20 PM  
IN CHAIR: SPEAKER

UNDERGROUND STORAGE TANK AMENDS

AYES - 111

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

NOES - 2

LINNEY  
MILLER, K.

EXCUSED ABSENCE - 4

BRASWELL  
DECKER  
REDWINE

WAINWRIGHT

EXCUSED VOTE - 0

NOT VOTING - 3

SPEAKER  
BROWN, J.  
LEMMOND



GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1995

S

D

SENATE DRS3639-LDQ117(3.21) FILED - SENATE

81013 MAY 3 1995

Short Title: Cherry Farm/Dairy Facility Funds.

PRINCIPAL CLERK (Public)

Sponsors: Senator Kerr.

Referred to:

1 A BILL TO BE ENTITLED  
2 AN ACT TO APPROPRIATE FUNDS TO THE DEPARTMENT OF  
3 AGRICULTURE FOR A DAIRY FACILITY AT THE CHERRY FARM UNIT.

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 fifty-seven thousand two hundred  
7 dollars (\$257,200) for the 1995-96 fiscal year to construct and equip a new dairy  
8 facility to be located at the Cherry Farm Unit.

9 Sec. 2. There is transferred from the Department of Agriculture's timber  
10 sales capital improvement account, established pursuant to G.S. 146-30, to the  
11 Department of Agriculture the sum of two hundred fifty thousand dollars (\$250,000)  
12 for the 1995-96 fiscal year to be used for the purpose set forth in Section 1 of this act.

13 Sec. 3. This act becomes effective July 1, 1995.

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1995

S

D

SENATE DRS9616-LR174B(4.12)

FILED - SENATE

S 1014 MAY 31995

PRINCIPAL CLERK  
(Public)

Short Title: Nursing/Rest Home Emp. Checks.

Sponsors: Senator Cooper.

Referred to:

1 A BILL TO BE ENTITLED  
2 AN ACT REQUIRING CRIMINAL HISTORY RECORDS CHECKS OF  
3 UNLICENSED APPLICANTS FOR EMPLOYMENT IN NURSING HOMES  
4 AND DOMICILIARY HOMES.  
5 The General Assembly of North Carolina enacts:  
6 Section 1. G.S. 114-19.3 reads as rewritten:  
7 "§ 114-19.3. Criminal record checks of personnel of ~~hospitals, nursing homes,~~  
8 hospitals and area mental health, developmental disabilities, and substance abuse  
9 authorities and their contract agencies.  
10 The Department of Justice may provide a criminal record check to a hospital ~~or~~  
11 ~~nursing home~~ licensed under Chapter 131E of the General Statutes and to a hospital  
12 or an area mental health, developmental disabilities, and substance abuse authority  
13 licensed under Chapter 122C of the General Statutes, including a contract agency of  
14 an area authority that is subject to the provisions of Article 4 of Chapter 122C of the  
15 General Statutes, of an individual who is employed by the hospital, ~~nursing home,~~  
16 area authority, or contract agency or of an individual who has applied for  
17 employment with the hospital, ~~nursing home,~~ area authority, or contract agency if the  
18 employee or applicant consents to the record check. The information shall be kept  
19 confidential by the hospital, ~~nursing home,~~ area authority, or contract agency that  
20 received the information. Upon the disclosure of confidential information under this  
21 section by a hospital, ~~nursing home,~~ area authority, or contract agency, the  
22 Department may refuse to provide further criminal record checks to the hospital,  
23 ~~nursing home,~~ area authority, or contract agency. The Department shall charge a fee  
24 of ten dollars (\$10.00) for conducting a criminal record check under this section."

NORTH CAROLINA GENERAL ASSEMBLY  
SENATE

RECORDED VOTE

1995 SESSION

SEQ. 866/9-- 4:31 PM

JUNE 7, 1995

LEGISLATIVE DAY 77

LT. GOVERNOR WICKER

-- Presiding

COOPER  
NURSING/REST HOME EMP. CHECKS  
COM SUB/2ND EDITION

SENATE BILL 1014  
READING 2

AYE 45 ALBERTSON  
ALLRAN  
BALLANCE  
BALLANTINE  
BASNIGHT  
CARPENTER  
CARRINGTON  
CLARK  
COCHRANE  
CONDER  
COOPER  
DANNELLY

NO 1 WEBSTER

EXCUSED 0

NOT CAST 3 BLACKMON

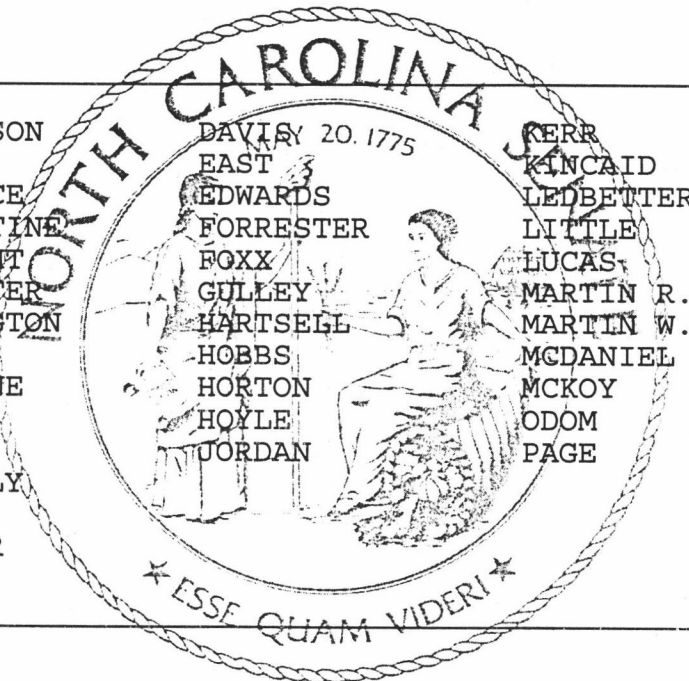
ABSENT 1 SAWYER

PAIRS 0

AYE  
NO

PARNELL

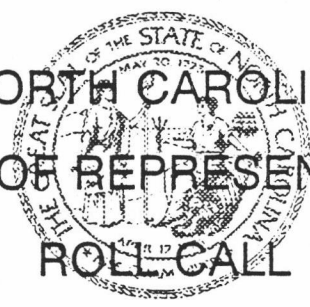
SIMPSON



RC

S # 1899  
LEGISLATIVE DAY 124  
S1014HCS#2  
READING 2

NORTH CAROLINA  
HOUSE OF REPRESENTATIVES



6/05/96  
1:22 PM  
IN CHAIR: SPEAKER

HEALTH CARE EMPLOYEE RECORD CHECK

AYES - 111

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

NOES - 0

EXCUSED ABSENCE - 3

FOX JUSTUS RICHARDSON

EXCUSED VOTE - 0

NOT VOTING - 6

BRASWELL HUNTER, H. MICHAUX TALLENT  
BROWN, W. LEMMOND

RC

# 1919  
LEGISLATIVE DAY 125  
S1014HCS  
READING 3

NORTH CAROLINA  
HOUSE OF REPRESENTATIVES  
ROLL CALL

6/06/96  
2:10 PM  
IN CHAIR: SPEAKER

HEALTH CARE EMPLOYEE RECORD CHECK

AYES - 108

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

NOES - 0

EXCUSED ABSENCE - 7

CLARY	GRAY	MILLER, G.	ROBINSON, G.
FOX	HUNT	NICHOLS	

EXCUSED VOTE - 0

NOT VOTING - 5

GAMBLE	IVES	MICHAUX	MILLER, K.
HUNTER, H.			

S1014HCS

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1995

S

D

SENATE DRS3633-LL209(4.20) FILED - SENATE

S 1015 MAY 3 1995

Short Title: Redefine Developer.

PRINCIPAL CLERK (Public)

Sponsors: Senator Little.

Referred to:

- 1 A BILL TO BE ENTITLED  
2 AN ACT TO CHANGE THE DEFINITION OF "DEVELOPER" FOR PURPOSES  
3 OF THE TIME SHARE ACT.  
4 The General Assembly of North Carolina enacts:  
5 Section 1. G.S. 93A-41(2) reads as rewritten:  
6 "(2) 'Developer' means any person or entity which creates or is  
7 engaged in the business of selling its own time shares and shall  
8 include any person or entity who controls, is controlled by, or is in  
9 common control with the developer which is engaged in creating  
10 or selling time shares for the ~~developer~~; developer, but shall not  
11 include a person or entity which purchases for resale a time share  
12 unit or units in a time share project that the person or entity does  
13 not own or control from a person or entity not affiliated with the  
14 developer of the project;".  
15 Sec. 2. This act is effective upon ratification and applies to persons or  
16 entities selling or offering to sell time shares on or after that date.

NORTH CAROLINA GENERAL ASSEMBLY  
SENATE

RECORDED VOTE

1995 SESSION

SEQ. 646/62-- 7:47 PM

MAY 10, 1995

LEGISLATIVE DAY 61

LT. GOVERNOR WICKER

-- Presiding

LITTLE  
REDEFINE DEVELOPER

SENATE BILL 1015  
READING 2

AYE

44 ALBERTSON  
ALLRAN  
BALLANCE  
BALLANTINE  
BASNIGHT  
BLACKMON  
CARPENTER  
CARRINGTON  
CLARK  
COCHRANE  
CONDER

DAVIS  
EAST  
EDWARDS  
FORRESTER  
FOX  
GULLEY  
HARTSELL  
HOBBS  
HORTON  
HOYLE  
JORDAN

KERR  
KINCARD  
LEDBETTER  
LITTLE  
LUCAS  
MARTIN R  
MARTIN W  
MCDANIEL  
MCKOY  
ODOM  
PAGE

PARNELL  
PERDUE  
PLEXICO  
RAND  
SHAW  
SHERRON  
SIMPSON  
SOLES  
SPEED  
WARREN  
WEBSTER

NO

3 COOPER

DANNELLY  
WIENER

EXCUSED 0

NOT CAST 2 PLYLER SAWYER

ABSENT 1 SMITH

PAIRS 0

AYE  
NO

NORTH CAROLINA GENERAL ASSEMBLY AMENDMENT

(Please type or use ballpoint pen)

H. B. No. \_\_\_\_\_

DATE 5-11-95

S. B. No. 1015

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

Rep. )

Sen. )

~~\_\_\_\_\_~~ RAND

moves to amend the bill on page 1, line 10-16

by rewriting those lines to read:

"or selling time shares for the developer,  
developer, but shall not include an  
individual who sells no more than  
FOUR ~~one~~ time shares in any given calendar  
year;"

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

SIGNED

Authy L. Rand

ADOPTED

5-11-95

FAILED

TABLED

(39-8)

S. J. Smith



NORTH CAROLINA GENERAL ASSEMBLY  
SENATE

RECORDED VOTE

1995 SESSION

SEQ. 716/56-- 2:51 PM

MAY 11, 1995

LEGISLATIVE DAY 62

LT. GOVERNOR WICKER

-- Presiding

LITTLE  
REDEFINE DEVELOPER

SENATE BILL 1015

AMEND 1

AYE	39	ALBERTSON BALLANCE BASNIGHT BLACKMON CARPENTER CARRINGTON CONDER COOPER DANNELLY EAST	EDWARDS FORRESTER FOX GURNEY HOBBS HORTON HOYLE JORDAN KERR KINCAID	LEDBETTER LUCAS MARTIN JR. MARTIN W. MCDANIEL MCKOY ODOM BARNELL PERDUE PLEXICO	PLYLER RAND SHAW SHERRON SIMPSON SOLES SPEED WARREN WINNER
NO	8	ALLRAN BALLANTINE	CLARK COCHRANE	DAVIS HARTSELL	LITTLE PAGE

EXCUSED	0		
NOT CAST	1	WEBSTER	
ABSENT	2	SAWYER	SMITH
PAIRS	0		
AYE			
NO			

NORTH CAROLINA GENERAL ASSEMBLY  
SENATE

RECORDED VOTE

1995 SESSION

SEQ. 717/57-- 2:52 PM

MAY 11, 1995

LEGISLATIVE DAY 62

LT. GOVERNOR WICKER

-- Presiding

LITTLE  
REDEFINE DEVELOPER

SENATE BILL 1015  
READING 3

AYE	44	ALBERTSON	PARNELL
		ALLRAN	PERDUE
		BALLANTINE	PLEXICO
		BASNIGHT	PLYLER
		BLACKMON	RAND
		CARPENTER	SHAW
		CARRINGTON	SIMPSON
		CLARK	SOLES
		COCHRANE	SPEED
		CONDER	WARREN
		COOPER	WINNER

NO 0

EXCUSED 0

NOT CAST 4 BALLANCE HORTON SHERRON WEBSTER

ABSENT 2 SAWYER SMITH

PAIRS 0

AYE  
NO



NORTH CAROLINA GENERAL ASSEMBLY  
SENATE

RECORDED VOTE

1995 SESSION

SEQ. 717/57-- 2:52 PM

MAY 11, 1995

LEGISLATIVE DAY 62

LT. GOVERNOR WICKER

-- Presiding

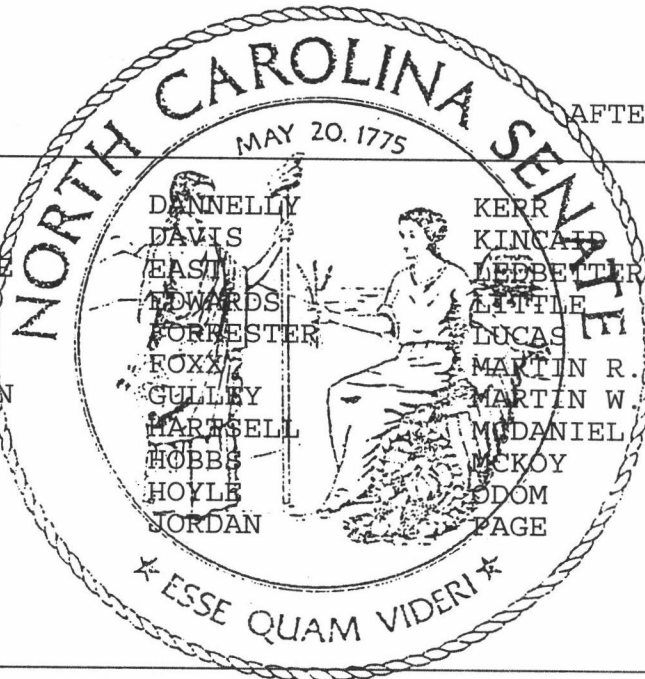
LITTLE  
REDEFINE DEVELOPER

SENATE BILL 1015  
READING 3

AFTER RECONSIDERATION

AFTER RECONSIDERATION

AYE 44 ALBERTSON  
ALLRAN  
BALLANTINE  
BASNIGHT  
BLACKMON  
CARPENTER  
CARRINGTON  
CLARK  
COCHRANE  
CONDER  
COOPER



PARNELL  
PERDUE  
PLEXICO  
PLYLER  
RAND  
SHAW  
SIMPSON  
SOLES  
SPEED  
WARREN  
WINNER

NO 0

EXCUSED 0

NOT CAST 4 BALLANCE HORTON SHERRON WEBSTER

ABSENT 2 SAWYER SMITH

PAIRS 0  
AYE  
NO

(COPY)

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1995

FILED - SENATE

S

81016 MAY 3 1995D

SENATE DRS9609-LH207(4.26) PRINCIPAL CLERK

Short Title: No Handguns for Felons.

(Public)

Sponsors: Senator Odom.

Referred to:

- 1 A BILL TO BE ENTITLED  
2 AN ACT TO PROHIBIT A FELON FROM PURCHASING, OWNING,  
3 POSSESSING OR HAVING CUSTODY, CARE, OR CONTROL OF A  
4 HANDGUN EXCEPT IN HIS OR HER OWN HOME OR PLACE OF  
5 BUSINESS.  
6 The General Assembly of North Carolina enacts:  
7 Section 1. G.S. 14-415.1 (a) reads as rewritten:  
8 "(a) It shall be unlawful for any person who has been convicted of any crime set  
9 out in subsection (b) of this section to purchase, own, possess, or have in his custody,  
10 care, or control any handgun or other firearm with a barrel length of less than 18  
11 inches or an overall length of less than 26 inches, or any weapon of mass death and  
12 destruction as defined in G.S. 14-288.8(c), within five years from the date of such  
13 conviction, or the unconditional discharge from a correctional institution, or  
14 termination of a suspended sentence, probation, or parole upon such conviction,  
15 whichever is later. G.S. 14-288.8(c).  
16 Every person violating the provisions of this section shall be punished as a Class H  
17 felon.  
18 Nothing in this subsection would prohibit the right of any person to have  
19 possession of a firearm within his own home or on his lawful place of business."  
20 Sec. 2. This act becomes effective December 1, 1995.

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1995

S

D

SENATE DRS8627-LD100A(4.26)

Short Title: Change Medical Board Name.

FILED - SENATE

S 1017

MAY 3 1995

(Public)

Sponsors: Senator Odom.

PRINCIPAL CLERK

Referred to:

- 1 A BILL TO BE ENTITLED  
2 AN ACT TO CHANGE THE NAME OF THE BOARD OF MEDICAL  
3 EXAMINERS OF THE STATE OF NORTH CAROLINA TO THE NORTH  
4 CAROLINA MEDICAL BOARD AND TO MAKE CONFORMING CHANGES  
5 THROUGHOUT THE GENERAL STATUTES.  
6 The General Assembly of North Carolina enacts:  
7 Section 1. G.S. 90-2 reads as rewritten:  
8 "**§ 90-2. ~~Board of Examiners.~~ Medical Board.**  
9 (a) In order to properly regulate the practice of medicine and surgery for the  
10 benefit and protection of the people of North Carolina, there is established ~~a Board~~  
11 ~~of Medical Examiners of the State of North Carolina.~~ the North Carolina Medical  
12 Board. The Board shall consist of 12 members.  
13 (1) Seven of the members shall be duly licensed physicians elected and  
14 nominated to the Governor by the North Carolina Medical Society.  
15 (2) Of the remaining five members, all to be appointed by the  
16 Governor, at least three shall be public members and at least one  
17 shall be a physician assistant as defined in G.S. 90-18.1 or a nurse  
18 practitioner as defined in G.S. 90-18.2. A public member shall not  
19 be a health care provider nor the spouse of a health care provider.  
20 For purposes of board membership, 'health care provider' means  
21 any licensed health care professional and any agent or employee of  
22 any health care institution, health care insurer, health care  
23 professional school, or a member of any allied health profession.  
24 For purposes of this section, a person enrolled in a program to  
25 prepare him to be a licensed health care professional or an allied

NORTH CAROLINA GENERAL ASSEMBLY  
SENATE

RECORDED VOTE

1995 SESSION

SEQ. 647/63-- 7:48 PM

MAY 10, 1995

LEGISLATIVE DAY 61

LT. GOVERNOR WICKER

-- Presiding

ODOM  
CHANGE MEDICAL BOARD NAME

SENATE BILL 1017  
READING 2

AYE

45 ALBERTSON  
ALLRAN  
BALLANCE  
BALLANTINE  
BASNIGHT  
BLACKMON  
CARPENTER  
CARRINGTON  
CLARK  
COCHRANE  
CONDER  
COOPER



JORDAN  
KEAR  
KINCAID  
LEDBETTER  
LITTLE  
LUCAS  
MARTIN R.  
MARTIN W.  
MCKOY  
ODOM  
PAGE

PARNELL  
PERDUE  
PLEXICO  
RAND  
SHERRON  
SIMPSON  
SOLES  
SPEED  
WARREN  
WEBSTER  
WINNER

NO

1 MCDANIEL

EXCUSED 0

NOT CAST 3 PLYLER SAWYER SHAW

ABSENT 1 SMITH

PAIRS 0

AYE  
NO

# NORTH CAROLINA

## HOUSE OF REPRESENTATIVES

### ROLL CALL

Bill # 875  
LEGISLATIVE DAY 66  
S1017  
READING 2

5/18/95  
1:27 PM  
IN CHAIR: SPEAKER

CHANGE MEDICAL BOARD NAME

#### AYES - 105

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

#### NOES - 0

#### EXCUSED ABSENCE - 8

DICKSON	FITCH	MILLER, G.	RUSSELL
DOCKHAM	GAMBLE	REYNOLDS	WRIGHT

#### EXCUSED VOTE - 0

#### NOT VOTING - 7

SPEAKER	CREECH	EDWARDS	SHAW
ALLRED	EARLE	HOLMES	

S1017

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1995

S

D

FILED - SENATE

SENATE DRSA637-LDQ062(2.21)

S 1 0 1 8 MAY 3 1995

PRINCIPAL CLERK

Short Title: Agriculture/EEO Officer Funds/AB.

(Public)

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Sponsors: Senator Jordan.

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Referred to:

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- 1 A BILL TO BE ENTITLED  
2 AN ACT TO APPROPRIATE FUNDS FOR AN EQUAL EMPLOYMENT  
3 OPPORTUNITY OFFICER IN THE DEPARTMENT OF AGRICULTURE.  
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 forty-seven thousand five hundred ninety-six  
7 dollars (\$47,596) for the 1995-96 fiscal year and forty-one thousand five hundred  
8 forty-six dollars (41,546) for the 1996-97 fiscal year to establish and support a full-  
9 time Equal Employment Opportunity (EEO) officer.  
10 Sec. 2. This act becomes effective July 1, 1995.



GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1995

S

D

SENATE DRS5627-LC263(4.26)

Short Title: Allow Property Tax Refund.

FILED - SENATE  
S 1019 MAY 8 1995  
(Public)  
PRINCIPAL CLERK

Sponsors: Senator Dannelly.

Referred to:

1 A BILL TO BE ENTITLED  
2 AN ACT TO ALLOW PROPERTY TAX REFUNDS FOR OVERPAYMENTS DUE  
3 TO CLERICAL ERRORS IN THE APPRAISAL OF PROPERTY.

4 The General Assembly of North Carolina enacts:

5 Section 1. G.S. 105-381(a) reads as rewritten:

6 "(a) Statement of Defense. -- Any taxpayer asserting a valid defense to the  
7 enforcement of the collection of a tax assessed upon ~~his~~ the taxpayer's property shall  
8 proceed as ~~hereinafter provided.~~ provided in this section.

9 (1) For the purpose of this subsection, a valid defense shall include  
10 any of the following:

11 a. A tax imposed through clerical ~~error~~, error in the  
12 computation of the tax or in the appraisal of the property.

13 b. An illegal ~~tax~~, tax.

14 c. A tax levied for an illegal purpose.

15 (2) If a tax has not been paid, the taxpayer ~~may~~ may, at any time  
16 before paying the tax, make a demand for the release of the tax  
17 claim by submitting to the governing body of the taxing unit a  
18 written statement of ~~his~~ the defense to payment or enforcement of  
19 the tax and a request for release of the ~~tax at any time prior to~~  
20 ~~payment of the tax.~~

21 (3) If a tax has been paid, the taxpayer, at any time within five years  
22 after ~~said~~ the tax first became due or within six months ~~from~~ after  
23 the date of payment of ~~such~~ the tax, whichever is ~~the later date,~~  
24 later, may make a demand for a refund of the tax paid by  
25 submitting to the governing body of the taxing unit a written

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1995

S

D

SENATE DRS1686-LE151A(4.17)

FILED - SENATE

S 1020 MAY 3 1995

PRINCIPAL CLERK

Short Title: Piedmont Triad Pilot School Project.

(Public)

Sponsors: Senator Cochrane.

Referred to:

- 1 A BILL TO BE ENTITLED  
2 AN ACT TO CREATE THE PIEDMONT TRIAD HORIZON EDUCATION  
3 CONSORTIUM PUBLIC SCHOOL PILOT PROJECT.  
4 The General Assembly of North Carolina enacts:  
5 Section 1. (a) The State Board of Education may authorize a two-year  
6 pilot project to be administered through an interlocal agreement among the local  
7 school administrative units that comprise the Piedmont Triad Horizon Education  
8 Consortium. These local school administrative units are the Davidson County,  
9 Thomasville City, Lexington City, Guilford County, Forsyth County, and Randolph  
10 County School Administrative Units.  
11 The pilot project shall consist of a learning environment in which  
12 creativity, technological sophistication, high motivation, accountability,  
13 responsiveness, and other elements that contribute to excellence in education are the  
14 norm. The pilot project shall serve students from ages four through seven in multiage  
15 groupings. No State school funds shall be used for the cost of including four-year-  
16 olds in the pilot project.  
17 (b) Notwithstanding any other provisions of law:  
18 (1) Students who participate in the pilot project shall receive 210 days  
19 of instruction during the school term;  
20 (2) Teachers who participate in the pilot project shall be employed on  
21 a 12-month basis, which shall include 210 days of providing  
22 instruction and additional days for staff development;  
23 (3) The local boards of education participating in the pilot project may  
24 use State funds appropriated for teacher assistants for certificated  
25 teachers to implement the pilot project.

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1995

S

D

SENATE DRSA635-LF288(4/26) FILED - SENATE

S 1021 MAY 3 1995

Short Title: Home Health Area Clar.

PRINCIPAL CLERK (Public)

Sponsors: Senator Cochrane.

Referred to:

- 1 A BILL TO BE ENTITLED  
2 AN ACT TO CLARIFY THAT HOME HEALTH AGENCIES ARE RESTRICTED  
3 TO SERVING PATIENTS WITHIN THEIR SERVICE AREA, TO SUNSET  
4 THIS RESTRICTION IN TWO YEARS, AND TO REQUIRE THE HEALTH  
5 PLANNING COMMISSION TO DETERMINE WHETHER TO RECOMMEND  
6 THE RESTRICTION BE CONTINUED.  
7 The General Assembly of North Carolina enacts:  
8 Section 1. Article 9 of Chapter 131E of the General Statutes is amended  
9 by inserting a new section to read:  
10 "**§ 131E-180.1. Home health agency service restriction.**  
11 A home health agency shall not serve patients located outside its service area.  
12 For those home health agencies for which no certificate of need was issued, the  
13 home health agency's geographic service area is only those counties in which patients  
14 were served as shown on the existing home health agency's licensure renewal form  
15 on file with the Licensure Section of the Division of Facility Services as of January 1,  
16 1991.  
17 For those home health agencies for which a certificate of need was issued the  
18 home health agency's geographic service area is as follows:  
19 (1) Where the service area is identified on the certificate of need  
20 issued to the home health agency, the agency's geographic service  
21 area is the service area identified on the certificate of need.  
22 (2) Where the service area is not identified on the certificate of need  
23 issued to the home health agency, the agency's geographic service  
24 area is the proposed geographic service area that is identified in the

NORTH CAROLINA GENERAL ASSEMBLY  
SENATE

RECORDED VOTE

1995 SESSION

SEQ. 648/64-- 7:56 PM MAY 10, 1995 LEGISLATIVE DAY 61

LT. GOVERNOR WICKER

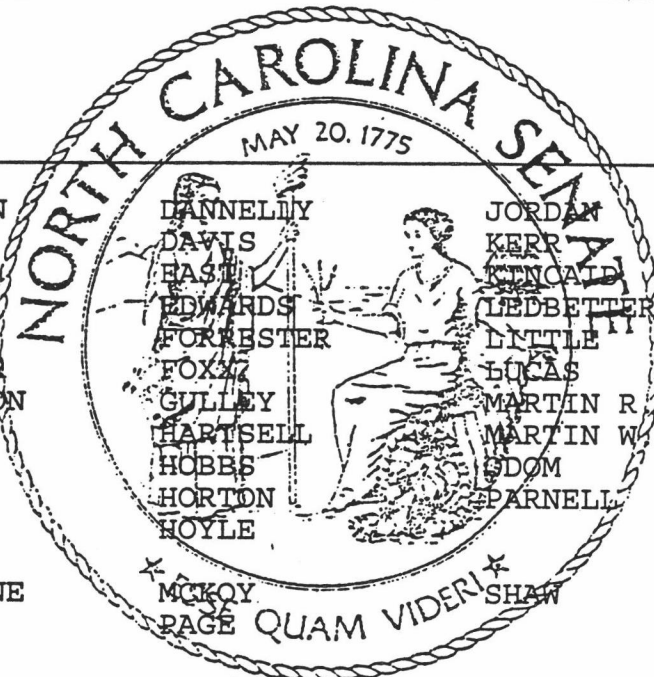
-- Presiding

COCHRANE  
HOME HEALTH AREA CLARIFICATION

SENATE BILL 1021  
READING 2

AYE 42 ALBERTSON  
ALLRAN  
BALLANCE  
BASNIGHT  
BLACKMON  
CARPENTER  
CARRINGTON  
CLARK  
COCHRANE  
CONDER  
COOPER

NO 6 BALLANTINE  
MCDANIEL



JORDAN  
KERR  
KENCALD  
LEDBETTER  
LITTLE  
LUCAS  
MARTIN R  
MARTIN W  
ODOM  
PARNELL

PERDUE  
PLEXICO  
PLYLER  
RAND  
SHERRON  
SIMPSON  
SOLES  
SPEED  
WARREN  
WINNER

SHAW

WEBSTER

EXCUSED 0

NOT CAST 1 SAWYER

ABSENT 1 SMITH

PAIRS 0

AYE  
NO

EQ. # 1293  
LEGISLATIVE DAY 89  
S1021HCS  
READING 2

NORTH CAROLINA  
HOUSE OF REPRESENTATIVES  
ROLL CALL

6/28/95  
3:38 PM  
IN CHAIR: SPEAKER

HOME HEALTH AREA CLARIFICATION

AYES - 104

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

NOES - 2

CRAWFORD  
FOX

EXCUSED ABSENCE - 5

BOWIE	SUTTON	WAINWRIGHT	WRIGHT
BRASWELL			

EXCUSED VOTE - 0

NOT VOTING - 9

SPEAKER	CREECH	DECKER	GRAY
ALDRIDGE	CULPEPPER	ELLIS	TALLENT
BARBEE			

EV

# 1295  
LEGISLATIVE DAY 90  
S1021HCS  
READING 3

NORTH CAROLINA  
HOUSE OF REPRESENTATIVES  
ROLL CALL

6/29/95  
11:25 AM  
IN CHAIR: SPEAKER

HOME HEALTH AREA CLARIFICATION

AYES - 108

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

NOES - 1

JUSTUS

EXCUSED ABSENCE - 1

BRASWELL

EXCUSED VOTE - 0

NOT VOTING - 10

SPEAKER	BRAWLEY	MCLAUGHLIN	RUSSELL
BARNES	BROWN, J.	ROGERS	WAINWRIGHT
BOWEN	CARPENTER		

S1021HCS

NORTH CAROLINA GENERAL ASSEMBLY  
SENATE

RECORDED VOTE

1995 SESSION

SEQ. 1130/7-- 2:51 PM

JUNE 29, 1995

LEGISLATIVE DAY 90

SENATOR BASNIGHT

-- Presiding

COCHRANE  
HOME HEALTH AREA CLARIFICATION  
HOUSE COM SUB/2ND EDITION

SENATE BILL 1021

MOTION 8  
TO CONCUR

AYE

44 ALBERTSON  
ALLRAN  
BALLANCE  
BALLANTINE  
BASNIGHT  
BLACKMON  
CARPENTER  
CARRINGTON  
CLARK  
COCHRANE  
CONDER

NO

2 KINCAID

EXCUSED

0

NOT CAST

3

PLEXICO

ABSENT

1

SMITH

PAIRS

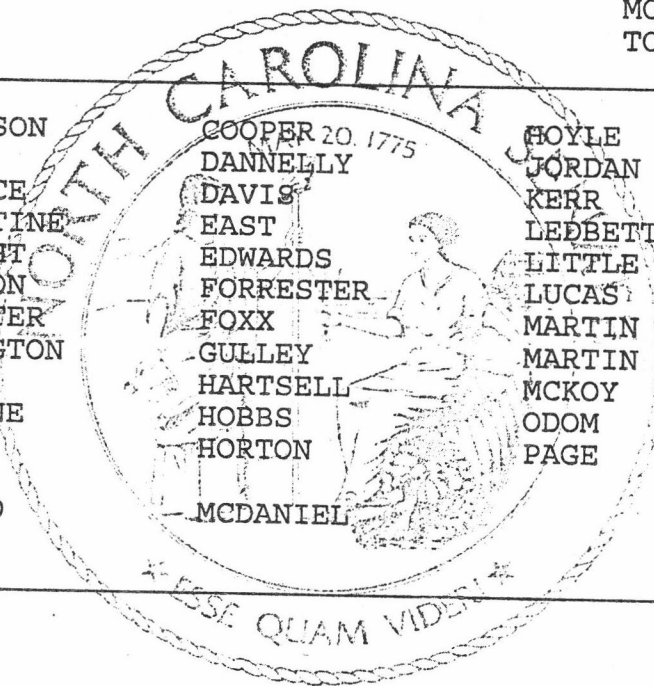
0

AYE

NO

WARREN

WEBSTER



HOYLE  
JORDAN  
KERR  
LEDBETTER  
LITTLE  
LUCAS  
MARTIN R.  
MARTIN W.  
MCKOY  
ODOM  
PAGE

PARNELL  
PERDUE  
PLYLER  
RAND  
SAWYER  
SHAW  
SHERRON  
SIMPSON  
SOLES  
SPEED  
WINNER



## GENERAL ASSEMBLY OF NORTH CAROLINA

PRINCIPAL CLERK

SESSION 1995

S

D

SENATE DRS1694-LD157(4.5)

Short Title: Licensing Home Inspectors.

(Public)

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Sponsors: Senator Cochran.

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Referred to:

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- 1 A BILL TO BE ENTITLED  
2 AN ACT TO ELIMINATE THE CATEGORY OF ASSOCIATE HOME  
3 INSPECTORS, TO PROVIDE FOR THE LICENSING OF CERTAIN  
4 APPLICANTS WITHOUT REQUIRING AN EXAMINATION, AND TO MAKE  
5 VARIOUS CONFORMING AMENDMENTS.  
6 The General Assembly of North Carolina enacts:  
7 Section 1. G.S. 143-151.45(1) is repealed.  
8 Sec. 2. G.S. 143-151.50 reads as rewritten:  
9 **"§ 143-151.50. License required to perform home inspections for compensation or to**  
10 **claim to be a 'licensed home inspector'.**  
11 (a) Requirement. -- To perform a home inspection for compensation on or after  
12 October 1, 1996, or to claim to be a licensed home inspector ~~or a licensed associate~~  
13 ~~home inspector~~ on or after that date, an individual must be licensed by the Board.  
14 An individual who is not licensed by the Board may perform a home inspection  
15 without compensation.  
16 (b) Form of License. -- The Board may issue a license only to an individual and  
17 may not issue a license to a partnership, an association, a corporation, a firm, or  
18 another group. A licensed home ~~inspector or licensed associate home inspector,~~  
19 inspector, however, may perform home inspections for or on behalf of a partnership,  
20 an association, a corporation, a firm, or another group, may conduct business as one  
21 of these entities, and may enter into and enforce contracts as one of these entities."  
22 Sec. 3. G.S. 143-151.51(5) reads as rewritten:  
23 "(5) Meet one of the following ~~three~~ conditions:  
24 a. Have a high school diploma or its ~~equivalent, have been~~  
25 ~~engaged as a licensed associate home inspector for at least~~



GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1995

S

D

SENATE DRS2626-LH203(4.25)

FILED - SENATE

S 1023

MAY 3 1995

PRINCIPAL CLERK

Short Title: Interbasin Transfers.

(Public)

Sponsors: Senator Cochrane.

Referred to:

- 1 A BILL TO BE ENTITLED  
2 AN ACT TO AMEND THE PROCEDURE FOR OBTAINING AN INTERBASIN  
3 TRANSFER PERMIT.  
4 The General Assembly of North Carolina enacts:  
5 Section 1. G.S. 143-215.22I reads as rewritten:  
6 "§ 143-215.22I. Regulation of surface water transfers.  
7 (a) No person, without first securing a certificate from the Commission, may:  
8 (1) Initiate a transfer of 2,000,000 gallons of water or more per day  
9 from one river basin to another.  
10 (2) Increase the amount of an existing transfer of water from one river  
11 basin to another ~~by twenty-five percent (25%) or more~~ above the  
12 average daily amount transferred during the year ending July 1,  
13 1993, if the total transfer including the increase is 2,000,000 gallons  
14 or more per day.  
15 (2a) Construct a facility designed to increase an existing transfer of  
16 water from one river basin to another if the increase equals or  
17 exceeds twenty-five percent (25%) of the capacity of the existing  
18 facilities or if the increase would cause the transfer to equal or  
19 exceed 2,000,000 gallons per day.  
20 (3) Increase an existing transfer of water from one river basin to  
21 another above the amount approved by the Commission in a  
22 certificate issued under G.S. 162A-7 prior to July 1, 1993.  
23 (b) Notwithstanding the provisions of subsection (a) of this section, a certificate  
24 shall not be required to transfer water from one river basin to another up to the full



NORTH CAROLINA GENERAL ASSEMBLY  
AMENDMENT  
Senate Bill 1023

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

S1023V1-ART-001.01

Date 5-9- 1993

Comm. Sub. [NO]  
Amends Title [NO]  
First Edition

Senator Cochrane

- 1 moves to amend the bill on page 1, line 11
- 2 by removing the strike-through of language on that line.
- 3
- 4
- 5
- 6

SIGNED Betsy Cochrane  
Amendment Sponsor

SIGNED \_\_\_\_\_  
Committee Chair if Senate Committee Amendment

ADOPTED 5/9/95 FAILED \_\_\_\_\_ TABLED \_\_\_\_\_  
44-1 S. Fink

NORTH CAROLINA GENERAL ASSEMBLY  
SENATE

RECORDED VOTE

1995 SESSION

SEQ. 560/38-- 6:19 PM

MAY 9, 1995

LEGISLATIVE DAY 60

SENATOR BASNIGHT

-- Presiding

COCHRANE  
INTERBASIN TRANSFERS

SENATE BILL 1023

AMEND 1



AYE	44	ALBERTSON ALLRAN BALLANCE BALLANTINE BASNIGHT BLACKMON CARPENTER CARRINGTON CLARK COCHRANE CONDER	COOPER DANIELLY DAVIS EAST FORRESTER FOX GILLEY HARTSELL HORTON HOYLE JORDAN	KERR KINCAID LEDBETTER LITTLE LUCAS MARTIN W MCDANIEL MCKOY ODOM PAGE PARNELL	PERDUE PLEXICO PLYLER RAND SHAW SIMPSON SOLES SPEED WARREN WEBSTER WINNER
NO	1	SHERRON			

EXCUSED 0

NOT CAST 4 EDWARDS HOBBS MARTIN R. SAWYER

ABSENT 1 SMITH

PAIRS 0

AYE  
NO

NTINUED)

NORTH CAROLINA GENERAL ASSEMBLY  
SENATE

RECORDED VOTE

1995 SESSION

SEQ. 561/39-- 6:26 PM

MAY 9, 1995

LEGISLATIVE DAY 60

SENATOR BASNIGHT

-- Presiding

COCHRANE  
INTERBASIN TRANSFERS

SENATE BILL 1023  
READING 2

AYE

46

ALBERTSON  
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EXCUSED

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HOBBS

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NO

(CONTINUED)

NORTH CAROLINA GENERAL ASSEMBLY  
SENATE

RECORDED VOTE

1995 SESSION

SEQ. 577/55-- 8:42 PM

MAY 9, 1995

LEGISLATIVE DAY 60

SENATOR BASNIGHT

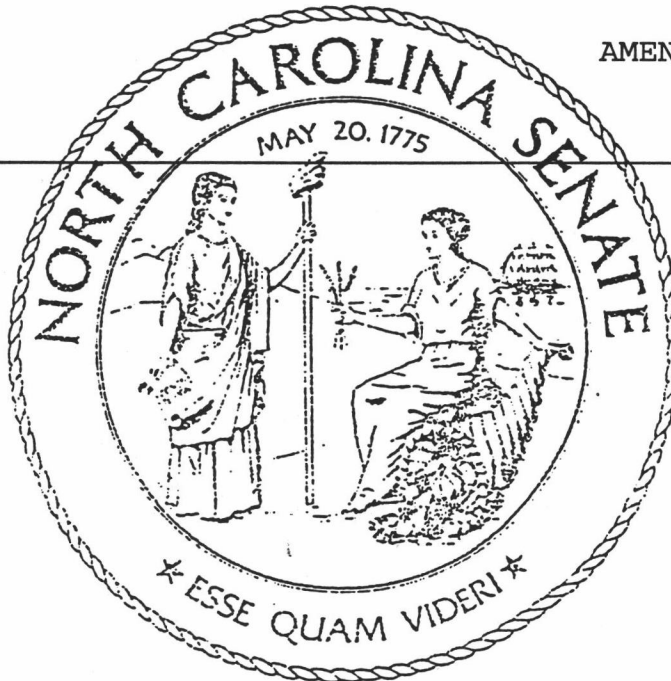
-- Presiding

COCHRANE  
INTERBASIN TRANSFERS

SENATE BILL 1023

AMEND 1

RECORDED  
ABSENT 1 HOBBS  
ADJUSTED TOTAL  
AYE 44  
NO 1  
NOT CAST 3  
ABSENT 2



(COPY)

NORTH CAROLINA GENERAL ASSEMBLY  
SENATE

RECORDED VOTE

1995 SESSION

SEQ. 577/55-- 8:42 PM

MAY 9, 1995

LEGISLATIVE DAY 60

SENATOR BASNIGHT

-- Presiding

COCHRANE  
INTERBASIN TRANSFERS

SENATE BILL 1023

AMEND 1

AYE

44

ALBERTSON  
ALLRAN  
BALLANCE  
BALLANTINE  
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BLACKMON  
CARPENTER  
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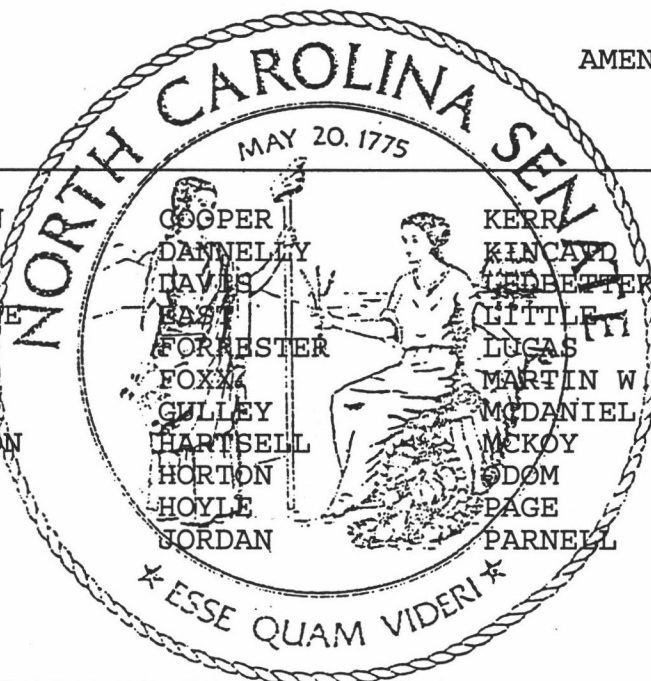
KERR  
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PLEXICO  
PLYLER  
RAND  
SHAW  
SIMPSON  
SOLES  
SPEED  
WARREN  
WEBSTER  
WINNER

NO

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SHERRON



EXCUSED

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NOT CAST

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EDWARDS

MARTIN R.

SAWYER

ABSENT

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HOBBS

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PAIRS

0

AYE

NO

(COPY)

NORTH CAROLINA GENERAL ASSEMBLY  
SENATE

RECORDED VOTE

1995 SESSION

SEQ. 578/56-- 8:44 PM

MAY 9, 1995

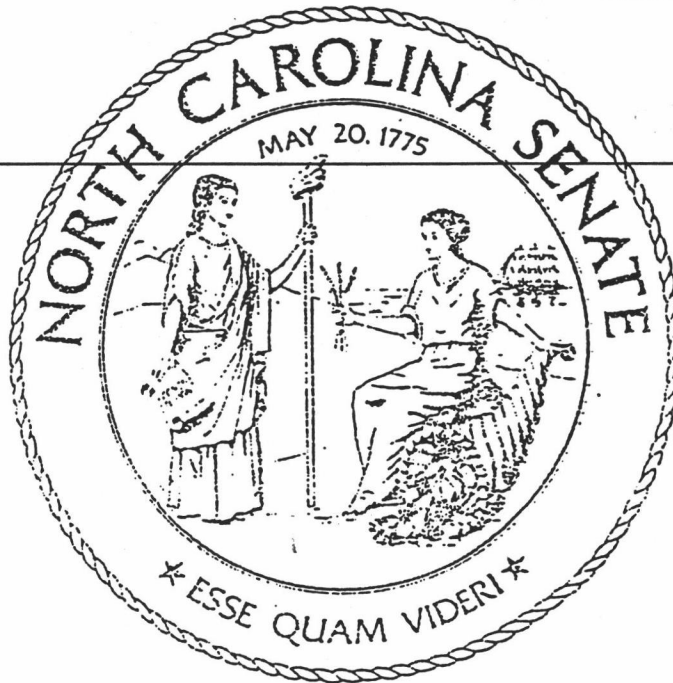
LEGISLATIVE DAY 60

SENATOR BASNIGHT

-- Presiding

COCHRANE  
INTERBASIN TRANSFERS

SENATE BILL 1023  
READING 2



RECORDED  
ABSENT 1 HOBBS  
ADJUSTED TOTAL  
AYE 46  
NO 0  
NOT CAST 2  
ABSENT 2  
(COPY)

NORTH CAROLINA GENERAL ASSEMBLY  
SENATE

RECORDED VOTE

1995 SESSION

SEQ. 578/56-- 8:44 PM

MAY 9, 1995

LEGISLATIVE DAY 60

SENATOR BASNIGHT

-- Presiding

COCHRANE  
INTERBASIN TRANSFERS

SENATE BILL 1023  
READING 2



AYE	46	ALBERTSON	DANNELLY	LEDBETTER	PLEXICO
		ALLRAN	DAVIS	LITTLE	PLYLER
		BALLANCE	EAST	LUCAS	RAND
		BALLANTINE	FORBSTER	MARTIN R	SHAW
		BASNIGHT	FOX	MARTIN W	SHERRON
		BLACKMON	GULLEY	MODANIEL	SIMPSON
		CARPENTER	HARTSELL	MCKOY	SOLES
		CARRINGTON	HORTON	ODOM	SPEED
		CLARK	HOYLE	PAGE	WARREN
		COCHRANE	JORDAN	PARNELL	WEBSTER
		CONDER	KERR	PERDUE	WINNER
		COOPER	KINCAID		
NO	0				

EXCUSED	0		
NOT CAST	2	EDWARDS	SAWYER
ABSENT	2	HOBBS	SMITH
PAIRS	0		
AYE			
NO			

(COPY)



GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1995

FILED - SENATE

S1024 MAY 1995

PRINCIPAL CLERK

S

SENATE DRS3643-LE164(4.25)

Short Title: Subcontractor Claims/Gov't. Bldgs.

(Public)

Sponsors: Senator Hartsell.

Referred to:

1 A BILL TO BE ENTITLED  
2 AN ACT TO MODIFY THE STATUTES GOVERNING PUBLIC  
3 CONSTRUCTION CONTRACTS TO PERMIT A CONTRACTOR TO  
4 PRESENT THE CLAIMS OF ITS SUBCONTRACTOR.  
5 The General Assembly of North Carolina enacts:  
6 Section 1. G.S. 143-134.1 is amended by adding a new subsection to  
7 read:  
8 "(a1) On all public construction contracts that are let by a board or governing  
9 body of the State government or any political subdivision of State government, it  
10 shall not be a bar to a claim brought by a party against a board or governing body of  
11 the State government or any political subdivision of State government that the  
12 asserting party's claim is based on work performed by the asserting party's  
13 subcontractor for which the subcontractor has not been paid at the time of the  
14 commencement of the action."  
15 Sec. 2. This act becomes effective January 1, 1996, and applies to all  
16 contracts entered into on or after that date.

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1995

S

D

SENATE DRS1700-RN030A(4.20) FILED - SENATE

S 1 0 2 5 MAY 3 1995

Short Title: Self-Insureds Financial Responsibility. PRINCIPAL CLERK (Public)

Sponsors: Senator Kincaid.

Referred to:

- 1 A BILL TO BE ENTITLED  
2 AN ACT TO ENHANCE THE FINANCIAL RESPONSIBILITY REQUIREMENTS  
3 FOR SELF-INSURED GROUP WORKERS' COMPENSATION FUNDS.  
4 The General Assembly of North Carolina enacts:  
5 Section 1. G.S. 58-2-165 reads as rewritten:  
6 "§ 58-2-165. Annual, semiannual, monthly, or quarterly statements to be filed with  
7 Commissioner.  
8 (a) Every insurance company shall file in the Commissioner's office, on or before  
9 March 1 of each year, a statement showing the business standing and financial  
10 condition of the company, association, or order on the preceding December 31,  
11 signed and sworn to by the chief managing agent or officer thereof, before the  
12 Commissioner or some officer authorized by law to administer oaths. Provided, the  
13 Commissioner may, for good and sufficient cause shown by an applicant company,  
14 extend the filing date of the company's annual statement, for a reasonable period of  
15 time, not to exceed 30 days. In addition, the Commissioner may require any  
16 insurance company, association, or order to file its statement semiannually, quarterly,  
17 or monthly.  
18 (b) The Commissioner may require statements under this section, G.S. 58-2-170,  
19 and G.S. 58-2-190 to be filed in a format that can be read by electronic data  
20 processing equipment.  
21 (c) All statements filed under this section must be prepared in accordance with  
22 the appropriate NAIC Annual Statement Instructions Handbook and pursuant to the  
23 NAIC Accounting Practices and Procedures Manual and on the NAIC Model  
24 Financial Statement Blank, unless further modified by the Commissioner as the  
25 Commissioner considers to be appropriate.

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1995

S

D

SENATE DRS5624-LF239A(3.29)

FILED - SENATE

S 1 0 2 6 MAY 3 1995  
(Public)

PRINCIPAL CLERK

Short Title: Blind Supp. Emp. Funds.

Sponsors: Senators Ledbetter and Martin of Guilford (cosponsors).

Referred to:

- 1 A BILL TO BE ENTITLED  
2 AN ACT TO APPROPRIATE FUNDS FOR BLIND SUPPORTED EMPLOYMENT  
3 FOR INDIVIDUALS WHO ARE MOST SEVERELY DISABLED WITHIN THE  
4 DIVISION OF SERVICES FOR THE BLIND, DEPARTMENT OF HUMAN  
5 RESOURCES, AND TO REQUIRE THIS ITEM TO BECOME PART OF THE  
6 DEPARTMENT'S CONTINUATION BUDGET.  
7 The General Assembly of North Carolina enacts:  
8 Section 1. There is appropriated from the General Fund to the Division  
9 of Services for the Blind, Department of Human Resources, the sum of one million  
10 two hundred forty thousand dollars (\$1,240,000) for the 1995-96 fiscal year and the  
11 sum of one million three hundred two thousand dollars (\$1,302,000) for the 1996-97  
12 fiscal year for the Division's cost in implementing statewide the mandatory supported  
13 employment section of the federal Rehabilitation Act of 1973, 42 U.S.C. § 701 et seq.,  
14 as amended. These funds shall be used to fund 31 non-State positions in local  
15 supported employment programs across North Carolina. These positions shall be  
16 monitored by the staff of the Division for internal control to ensure compliance with  
17 the Division policies and rules governing the program.  
18 Sec. 2. These positions shall become part of the Department of Human  
19 Resource's continuation budget.  
20 Sec. 3. This act becomes effective July 1, 1995.

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1995

S

D

SENATE DRS4616-LC187(3.10)

FILED - SENATE

Short Title: Exempt Class Picture Sales.

S 1 027 MAY 3 1995 (Public)

PRINCIPAL CLERK

Sponsors: Senator Lucas.

Referred to:

- 1 A BILL TO BE ENTITLED  
2 AN ACT TO EXEMPT FROM STATE AND LOCAL SALES TAX SALES OF  
3 SCHOOL PICTURES TO PUBLIC SCHOOLS OR PUBLIC SCHOOL  
4 STUDENTS.  
5 The General Assembly of North Carolina enacts:  
6 Section 1. G.S. 105-164-13 is amended by adding a new subdivision to  
7 read:  
8 "(26b) Sales of student photographs to public schools or to public school  
9 students pursuant to an annual school fund-raising program under  
10 which the school either resells the photographs to its students or  
11 receives a commission for allowing the photographs to be sold  
12 directly to its students."  
13 Sec. 2. This act becomes effective July 1, 1995.



NORTH CAROLINA GENERAL ASSEMBLY  
AMENDMENT  
Senate Bill 1027

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

S1027-ARB-1

Date 6/1, 1995

Comm. Sub. ☐  
Amends Title ☐

Senator Lucas

- 1 moves to amend the bill on page 1, line 6, by deleting "G.S. 105-  
2 164-13" and substituting "G.S. 105-164.13";  
3  
4 and on page 1, line 9, by deleting "an annual" and substituting "a".

SIGNED Jeane Lucas

Amendment Sponsor

SIGNED J. H. H. H.

Committee Chair if Senate Committee Amendment

ADOPTED ☒

7-6-95

FAILED ☐

TABLED ☐

(V)

S. J. H.

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1995

S

D

SENATE DRS1698-LH198(4.12)

FILED - SENATE

S 1 028 MAY 3 1995

Short Title: Active Sentences Required/Some Offenses.

(Public)

PRINCIPAL CLERK

Sponsors: Senator Page.

Referred to:

- 1 A BILL TO BE ENTITLED  
2 AN ACT TO REQUIRE THAT PERSONS CONVICTED OF CERTAIN CRIMES  
3 BE SENTENCED TO AN ACTIVE PUNISHMENT OF IMPRISONMENT, TO  
4 PROVIDE THAT A PERSON MAY BE SENTENCED TO AN INTERMEDIATE  
5 OR ACTIVE PUNISHMENT FOR ASSAULT ON A FEMALE, AND TO  
6 AMEND THE LAW REGARDING PRIOR CONVICTIONS AND THEIR  
7 EFFECT ON THE PRIOR RECORD LEVEL FOR FELONY SENTENCING.  
8 The General Assembly of North Carolina enacts:  
9 Section 1. G.S. 14-190.6 reads as rewritten:  
10 **"§ 14-190.6. Employing or permitting minor to assist in offense under Article.**  
11 Every person 18 years of age or older who intentionally, in any manner, hires,  
12 employs, uses or permits any minor under the age of 16 years to do or assist in doing  
13 any act or thing constituting an offense under this Article and involving any material,  
14 act or thing he knows or reasonably should know to be obscene within the meaning  
15 of G.S. 14-190.1, shall be guilty of a Class I felony. Notwithstanding the disposition  
16 under G.S. 15A-1340.17, the court shall impose an active punishment on any person  
17 convicted under this section."  
18 Sec. 2. G.S. 14-190.7 reads as rewritten:  
19 **"§ 14-190.7. Dissemination to minors under the age of 16 years.**  
20 Every person 18 years of age or older who knowingly disseminates to any minor  
21 under the age of 16 years any material which he knows or reasonably should know to  
22 be obscene within the meaning of G.S. 14-190.1 shall be guilty of a Class I felony.  
23 Notwithstanding the disposition under G.S. 15A-1340.17, the court shall impose an  
24 active punishment on any person convicted under this section."  
25 Sec. 3. G.S. 14-190.8 reads as rewritten:

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1995

S

D

SENATE DRS1648\*-LE113B(3.25)

FILED - SENATE

Short Title: School Health Services Limited.

S 1 0 2 9

MAY 3 1995

(Public)

Sponsors: Senator Page.

PRINCIPAL CLERK

Referred to:

1 A BILL TO BE ENTITLED  
2 AN ACT TO REQUIRE PARENTAL CONSENT FOR SERVICES PROVIDED AT  
3 SCHOOL-BASED HEALTH CLINICS AND TO LIMIT THE SCOPE OF THE  
4 SERVICES PROVIDED.  
5 The General Assembly of North Carolina enacts:  
6 Section 1. G.S. 115C-47 is amended by adding a new subdivision to read:  
7 "(38) To Adopt Rules Concerning the Operation of School-Based  
8 Health Clinics. -- As used in this subdivision, 'school-based health  
9 clinic' means any arrangement made for the provision of medical  
10 or health services in or by a school for students enrolled in that  
11 school, regardless of the source of funds for the services, except  
12 for services provided in accordance with G.S. 115C-307(c).  
13 Local boards of education shall adopt rules concerning the  
14 operation of school-based health clinics. These rules shall apply  
15 to all school-based health clinics after August 15, 1995. These  
16 rules shall provide that school personnel shall not provide any  
17 health or medical care to students under the age of 18, except as  
18 provided in G.S. 115C-307(c), without the written consent of the  
19 students' parents or guardians. The parents or guardians shall be  
20 provided a complete written explanation of the scope of services  
21 offered by the school-based health clinic and the parental consent  
22 options prior to their completion of the consent form. The  
23 signatures of parents or guardians on the consent form shall be  
24 verified by the school. The consent form shall offer the parent or  
25 guardian of a student the following options:

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1995

S

D

SENATE DRS2588\*(4.5)

FILED - SENATE

S 1030 MAY 3 1995

Short Title: Amend Structured Sentencing.

(Public)

PRINCIPAL CLERK

Sponsors: Senator Page.

Referred to:

1 A BILL TO BE ENTITLED

2 AN ACT TO AMEND THE STRUCTURED SENTENCING ACT TO INCREASE  
3 THE PENALTIES FOR MOST FELONIES AND MISDEMEANORS, AMEND  
4 THE FELONY PRIOR RECORD LEVEL SCHEDULE, CHANGE THE TYPES  
5 OF ALTERNATIVE PENALTIES AVAILABLE AS INTERMEDIATE  
6 PUNISHMENTS, AMEND THE LIST OF AGGRAVATING MITIGATING  
7 FACTORS, AMEND THE CONDITIONS THAT MAY BE IMPOSED FOR  
8 POST-RELEASE SUPERVISION AND PROBATION, AND REPEAL  
9 PROBATION CASELOAD GOALS.

10 The General Assembly of North Carolina enacts:

11 Section 1. G.S. 15A-1340.17(c) reads as rewritten:

12 "(c) Punishments for Each Class of Offense and Prior Record Level; Punishment  
13 Chart Described. -- The authorized punishment for each class of offense and prior  
14 record level is as specified in the chart below. Prior record levels are indicated by  
15 the Roman numerals placed horizontally on the top of the chart. Classes of offense  
16 are indicated by the letters placed vertically on the left side of the chart. Each cell  
17 on the chart contains the following components:

18 (1) A sentence disposition or dispositions: 'C' indicates that a  
19 community punishment is authorized; 'I' indicates that an  
20 intermediate punishment is authorized; 'A' indicates that an active  
21 punishment is authorized; and 'Life Imprisonment Without Parole'  
22 indicates that the defendant shall be imprisoned for the remainder  
23 of the prisoner's natural life.

24 (2) A presumptive range of minimum durations, if the sentence of  
25 imprisonment is neither aggravated or mitigated; any minimum



GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1995

S

D

SENATE DRS4611-LT123(4.25)

FILED - SENATE  
S 1031 MAY 31 1995  
PRINCIPAL CLERK (Public)

Short Title: Insurance Rates and Liability.

Sponsors: Senator Parnell.

Referred to:

1 A BILL TO BE ENTITLED  
2 AN ACT TO AMEND THE LAW GOVERNING THE COMPUTATION OF  
3 INSURANCE RATES, TO REQUIRE THE MOTOR VEHICLE REINSURANCE  
4 FACILITY TO PROVIDE FOR THE DISTRIBUTION OF GAINS AND THE  
5 RECOUPMENT OF LOSSES IN THE FACILITY PLAN OF OPERATION, TO  
6 DEFINE MEMBERS OF LIMITED LIABILITY COMPANIES AS EMPLOYEES  
7 FOR PURPOSES OF WORKERS' COMPENSATION, TO PROVIDE THAT  
8 CONTRACTORS ARE NOT LIABLE FOR THE DEATH OF OR INJURY TO  
9 SUBCONTRACTORS UNDER THE WORKERS' COMPENSATION ACT, TO  
10 PROVIDE FOR THE IMMUNITY OF THE RATE BUREAU FOR THE  
11 RELEASE OF ERRONEOUS INFORMATION OR THE FAILURE TO  
12 RELEASE CERTAIN INFORMATION RELATED TO SAFETY  
13 CONSULTATION SERVICES AND WORKERS' COMPENSATION  
14 COVERAGE, AND TO MAKE OTHER CHANGES TO THE WORKERS'  
15 COMPENSATION AND INSURANCE LAWS.  
16 The General Assembly of North Carolina enacts:  
17 Section 1. G.S. 58-36-25(b) reads as rewritten:  
18 "(b) Whenever a Bureau rate is held to be unfairly discriminatory or excessive  
19 and no longer effective by order of the Commissioner issued under G.S. 58-36-20, the  
20 members of the Bureau, in accordance with rules and regulations established and  
21 adopted by the governing committee, shall have the option to continue to use such  
22 rate for the interim period pending judicial review of such order, provided each such  
23 member shall place in escrow account the purportedly unfairly discriminatory or  
24 excessive portion of the premium collected during such interim period. ~~Upon a final~~  
25 ~~determination by the Court, the Commissioner shall order the escrowed funds to be~~

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1995

S

D

SENATE DRS1699-LR184(4.26)

FILED - SENATE

S 1032

MAY 3 1995

(Public)

Short Title: Emergency Management Compact.

PRINCIPAL CLERK

Sponsors: Senator Parnell.

Referred to:

1 A BILL TO BE ENTITLED  
2 AN ACT ENACTING AND ENTERING INTO THE SOUTHERN REGIONAL  
3 EMERGENCY MANAGEMENT ASSISTANCE COMPACT.

4 The General Assembly of North Carolina enacts:

5 Section 1. Chapter 166A of the General Statutes is amended by adding a  
6 new Article to read:

7 "ARTICLE 4.

8 "Southern Regional Emergency Management Assistance Compact.

9 "§ 166A-34. Title of Article; entering into Compact.

10 (a) This Article may be cited as the Southern Regional Emergency Management  
11 Assistance Compact.

12 (b) The Southern Regional Emergency Management Assistance Compact,  
13 hereinafter 'Compact', is hereby enacted into law and entered into by this State with  
14 all other states legally joining therein, in the form substantially as set forth in this  
15 Article. This Compact is made and entered into by and between the party states  
16 which enact this Compact. For the purposes of this Article, the term 'states' means  
17 the several states, the Commonwealth of Puerto Rico, the District of Columbia, and  
18 all United States territorial possessions and the term 'party states' means the  
19 participating member states which enact and enter into this Compact.

20 "§ 166A-35. Purposes and authorities.

21 (a) The purpose of this Compact is to provide for mutual assistance between the  
22 party states in managing any emergency or disaster that is duly declared by the  
23 governor of the affected state or states, whether arising from natural disaster,  
24 technological hazard, man-made disaster, civil emergency aspects of resources  
25 shortages, community disorders, insurgency, or enemy attack.

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1995

S

D

SENATE DRS8626-LL045B(1.11)

FILED - SENATE

S 1033

MAY 3 1995

(Public)

Short Title: Eliminate Dept. of CCPS.

PRINCIPAL CLERK

Sponsors: Senator Ballance.

Referred to:

- 1 A BILL TO BE ENTITLED  
2 AN ACT TO ELIMINATE THE DEPARTMENT OF CRIME CONTROL AND  
3 PUBLIC SAFETY AND PLACE ITS DIVISIONS WITHIN THE APPROPRIATE  
4 DEPARTMENTS AND TO APPROPRIATE FUNDS FOR THOSE  
5 RELOCATED DIVISIONS.  
6 The General Assembly of North Carolina enacts:  
7 Section 1. There is established within the Office of the Governor the  
8 Office of Public Safety.  
9 Sec. 2. The statutory authority, powers, duties, and functions, records,  
10 personnel, property, unexpended balances of appropriations, allocations or other  
11 funds, including the functions of budgeting and purchasing, of the Crime Prevention  
12 Division of the Department of Crime Control and Public Safety are transferred to the  
13 Department of Justice.  
14 Sec. 3. The statutory authority, powers, duties, and functions, records,  
15 personnel, property, unexpended balances of appropriations, allocations or other  
16 funds, including the functions of budgeting and purchasing, of the Highway Patrol  
17 Division of the Department of Crime Control and Public Safety are transferred to the  
18 Office of Public Safety in the Office of the Governor.  
19 Sec. 4. The statutory authority, powers, duties, and functions, records,  
20 personnel, property, unexpended balances of appropriations, allocations or other  
21 funds, including the functions of budgeting and purchasing, of the Department of  
22 Crime Control and Public Safety, Division of Victim and Justice Services, to conduct  
23 the Community Service Work Program, are transferred to the Department of  
24 Correction, Division of Adult Probation and Parole.

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1995

S

D

SENATE DRS7658-LB371(4.26) FILED - SENATE

S 1034 MAY 31995

Short Title: Gaming Study Commission.

PRINCIPAL CLERK (Public)

Sponsors: Senator Ballance.

Referred to:

- 1 A BILL TO BE ENTITLED  
2 AN ACT TO CREATE THE NORTH CAROLINA GAMING STUDY  
3 COMMISSION.  
4 The General Assembly of North Carolina enacts:  
5 Section 1. The North Carolina Gaming Study Commission is created.  
6 The Commission shall consist of 10 members as follows:  
7 (1) Five members appointed by the President Pro Tempore of the  
8 Senate, at least one of whom is not a member of the General  
9 Assembly; and  
10 (2) Five members appointed by the Speaker of the House of  
11 Representatives, at least one of whom is not a member of the  
12 General Assembly.  
13 Sec. 2. The President Pro Tempore of the Senate shall designate one  
14 appointee as cochairman and the Speaker of the House of Representatives shall  
15 designate one appointee as cochairman.  
16 Sec. 3. The Commission shall study gaming in North Carolina.  
17 Sec. 4. The Commission may submit an interim report of its findings and  
18 recommendations to the General Assembly on or before the reconvening of the 1995  
19 Regular Session of the General Assembly in 1996 by filing the report with the  
20 President Pro Tempore of the Senate and the Speaker of the House of  
21 Representatives. The Commission shall submit a final report of its findings and  
22 recommendations to the General Assembly on or before the first day of the 1997  
23 Session of the General Assembly by filing the report with the President Pro Tempore  
24 of the Senate and the Speaker of the House of Representatives. Upon filing its final  
25 report, the Commission shall terminate.

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1995

S

D

SENATE DRS3644-LH202A(4.20)

FILED - SENATE

Short Title: Bail Bond Forfeitures.

S 1035

MAY 31 1995

(Public)

Sponsors: Senator Ballance.

PRINCIPAL CLERK

Referred to:

1 A BILL TO BE ENTITLED  
2 AN ACT TO CHANGE SOME PROCEDURES WITH REGARD TO SURETY  
3 BONDS.

4 The General Assembly of North Carolina enacts:

5 Section 1. G.S. 15A-531 reads as rewritten:

6 "§ 15A-531. Definitions.

7 As used in this Article the following definitions apply unless the context clearly  
8 requires otherwise:

9 (1) Bail Bond. -- An undertaking by the principal to appear in court as  
10 required upon penalty of forfeiting bail to the State of North  
11 Carolina in a stated amount. Bail bonds include an unsecured  
12 appearance bond, an appearance bond secured by a cash deposit of  
13 the full amount of the bond, an appearance bond secured by a  
14 mortgage pursuant to G.S. 58-74-5, and an appearance bond  
15 secured by at least one solvent surety. A surety bond shall be  
16 considered the same as a cash deposit for all purposes in this  
17 Article.

18 (2) Obligor. -- A principal or a surety on a bail bond.

19 (3) Principal. -- A defendant or material witness obligated to appear in  
20 court as required upon penalty of forfeiting bail under a bail bond.

21 (4) Surety. -- One who, with the principal, is liable for the amount of  
22 the bail bond upon forfeiture of bail."

23 Sec. 2. G.S. 15A-540(a) reads as rewritten:

24 "(a) A surety may surrender his principal to the sheriff of the county in which the  
25 principal is bonded to ~~appear.~~ appear or to the sheriff where the defendant was

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1995

S

D

SENATE DRS2634(4.28)

FILED - SENATE

S 1036 MAY 31 1995

Short Title: State Nutrition Assistance Funds.

(Public)

PRINCIPAL CLERK

Sponsors: Senator Ballance.

Referred to:

1 A BILL TO BE ENTITLED  
2 AN ACT TO APPROPRIATE FUNDS TO THE DEPARTMENT OF HUMAN  
3 RESOURCES TO ESTABLISH A STATE NUTRITION ASSISTANCE  
4 PROGRAM.

5 The General Assembly of North Carolina enacts:

6 Section 1. There is appropriated from the General Fund to the  
7 Department of Human Resources the sum of one million two hundred thousand  
8 dollars (\$1,200,000) for each year of the 1995-97 fiscal biennium to establish and  
9 operate a State Nutrition Assistance Program (SNAP) to allow the six North Carolina  
10 food banks to purchase commodities that would be given to SNAP-certified pantries  
11 across the State so as to provide families and children with the nutrients they need.  
12 These funds shall be allocated as follows:

- 13 (1) \$1,000,000 each fiscal year to purchase the commodities; and  
14 (2) \$200,000 each fiscal year for transporting, storing, and handling the  
15 commodities at the food bank level.

16 Sec. 2. This act becomes effective July 1, 1995.

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1995

S

D

SENATE DRS7660-LD171(4.20)

FILED - SENATE

Short Title: No Tobacco Sales to Minors.

S 1037 MAY 3 1995 (Public)

Sponsors: Senator Gulley.

PRINCIPAL CLERK

Referred to:

1 A BILL TO BE ENTITLED  
2 AN ACT TO STRENGTHEN THE ENFORCEMENT OF THE CRIMINAL  
3 STATUTE THAT PROHIBITS SELLING CIGARETTES TO MINORS, TO  
4 ESTABLISH A CIVIL PENALTY FOR THE SALE OR DISTRIBUTION OF  
5 TOBACCO PRODUCTS TO MINORS LESS THAN EIGHTEEN YEARS OF  
6 AGE, AND TO AUTHORIZE THE ATTORNEY GENERAL TO BRING A  
7 CIVIL ACTION TO SEEK CIVIL REMEDIES.  
8 Whereas, approximately 419,000 Americans (11,000 in North Carolina)  
9 die each year of diseases caused by cigarette smoking; and  
10 Whereas, the Surgeon General of the Public Health Service has  
11 determined that smoking is the leading preventable cause of death in this country;  
12 and  
13 Whereas, nicotine in tobacco has been found by the 1988 report of the  
14 Surgeon General, The Health Consequences of Smoking: Nicotine Addiction, to be a  
15 powerfully addictive drug; therefore, it is important to prevent young people from  
16 using nicotine when they are immature and incapable of making an informed and  
17 rational decision; and  
18 Whereas, most adults who smoke wish to quit, a majority of current adult  
19 smokers have tried to quit without success, and one-half of all teenagers who have  
20 been smoking for five years or more have made at least one serious but unsuccessful  
21 attempt to quit; and  
22 Whereas, every day more than 3,000 minors begin smoking; and  
23 Whereas, most smokers start at age 13-14; about 60% of current smokers  
24 had started smoking by age 14; 90% began by age 20; and



GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1995

S

D

SENATE DRS4614-LLX207(4.20)

FILED - SENATE

5 1038

MAY 3 1995

Short Title: Animal Welfare Revisions.

PRINCIPAL CLERK (Public)

Sponsors: Senator Gulley.

Referred to:

- 1 A BILL TO BE ENTITLED  
2 AN ACT TO CLARIFY JURISDICTIONAL AUTHORITY FOR ENFORCEMENT  
3 OF THE WELFARE AND CONTROL LAWS, TO ESTABLISH THE ANIMAL  
4 WELFARE DIVISION WITHIN THE DEPARTMENT OF AGRICULTURE, TO  
5 CREATE AN ANIMAL WELFARE ACT ENFORCEMENT FUND, TO  
6 REDUCE COSTS OF ANIMAL CONTROL BY REQUIRING CITIES AND  
7 COUNTIES TO CHARGE A LOWER ANIMAL TAX ON PETS THAT HAVE  
8 BEEN SPAYED OR NEUTERED, TO PROVIDE FOR LOCAL PROGRAMS  
9 FOR THE SPAYING AND NEUTERING OF ANIMALS, AND TO ESTABLISH  
10 A PET FUND WITHIN THE NEWLY CREATED ANIMAL WELFARE  
11 DIVISION TO PROVIDE ASSISTANCE TO THOSE PROGRAMS.  
12 The General Assembly of North Carolina enacts:  
13 Section 1. G.S. 19A-23 reads as rewritten:  
14 "§ 19A-23. Definitions.  
15 For the purposes of this Article, the following terms, when used in the Article or  
16 the rules or orders made pursuant thereto, shall be construed respectively to mean:  
17 (1) 'Adequate feed' means the provision at suitable intervals, not to  
18 exceed 24 hours, of a quantity of wholesome foodstuff suitable for  
19 the species and age, sufficient to maintain a reasonable level of  
20 nutrition in each animal. Such foodstuff shall be served in a  
21 sanitized receptacle, dish, or container.  
22 (2) 'Adequate water' means a constant access to a supply of clean,  
23 fresh, potable water provided in a sanitary manner or provided at  
24 suitable intervals for the species and not to exceed 24 hours at any  
25 interval.



## GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1995

S

D

SENATE DRS2150-RR036.01(4.1)

Short Title: N.C. Fair Campaign Act.

(Public)

Sponsors: Senator Gulley.

Referred to:

1 A BILL TO BE ENTITLED  
2 AN ACT TO PROVIDE INCENTIVES FOR CANDIDATES FOR THE GENERAL  
3 ASSEMBLY TO LIMIT THEIR CAMPAIGN EXPENDITURES.  
4 The General Assembly of North Carolina enacts:  
5 Section 1. Chapter 163 of the General Statutes is amended by adding a  
6 new Article to read:

7 "ARTICLE 22D.  
8 "North Carolina Fair Campaign Act.

9 "§ 163-278.58. Purpose.

10 The General Assembly finds that exorbitant campaign costs threaten valued  
11 traditions of North Carolina: a citizen legislature, equal opportunity for access to the  
12 General Assembly, and public trust in the institution of the General Assembly. The  
13 purpose of the North Carolina Fair Campaign Act is to encourage candidates for the  
14 General Assembly of North Carolina to limit their campaign expenditures by  
15 providing public benefits as incentives to those candidates and to their supporters.

16 "§ 163-278.59. Eligibility for public benefits: application, certification, and  
17 decertification.

18 (a) Eligibility. -- The public benefits provided in G.S. 163-278.61 shall be made  
19 available for an election only with regard to an eligible candidate for the General  
20 Assembly in that election. For the purpose of this Article, an 'eligible candidate for  
21 the General Assembly' for an election is a candidate for the General Assembly who  
22 is certified for that election by the State Board of Elections in accordance with  
23 subsection (c) of this section to have:

24 (1) Agreed to abide by the expenditure limits set out in G.S. 163-  
25 278.60; and

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1995

FILED - SENATE

S 1040 MAY 3 1995 D

S

SENATE DRS2630-RR044(4.26) PRINCIPAL CLERK

Short Title: Positive Campaigns.

(Public)

Sponsors: Senator Gulley.

Referred to:

- 1 A BILL TO BE ENTITLED  
2 AN ACT TO ESTABLISH NORTH CAROLINIANS FOR POSITIVE  
3 CAMPAIGNS AND MAKE RELATED CHANGES.  
4 The General Assembly of North Carolina enacts:  
5 Section 1. Article 22C of Chapter 163 is repealed.  
6 Sec. 2. Chapter 163 of the General Statutes is amended to add Article  
7 22D to read as follows:  
8 "ARTICLE 22D.  
9 "North Carolinians for Positive Campaigns.  
10 "§ 163-278.60. Definitions.  
11 (1) 'Board' means the Board of Directors for North Carolinians for  
12 Positive Campaigns.  
13 (2) 'Candidate' means that as defined in G.S. 163-278.6(4).  
14 (3) 'Communications media' means that as defined in G.S. 163-  
15 278.6(5).  
16 (4) 'Committee' means the Media Access Advisory Committee, as  
17 established in G.S. 163-278.66.  
18 (5) 'Competitive election' means a contested election for a political  
19 office in North Carolina in which two or more candidates received  
20 in excess of twenty-five percent (25%) of the votes cast in that  
21 election.  
22 (6) 'Contribute' and 'contribution' means those as defined in G.S.  
23 163-278.6(6).  
24 (7) 'Fund' means the Fund of North Carolinians for Positive  
25 Campaigns.

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1995

FILED - SENATE

S 1041

MAY 3 1995

PRINCIPAL CLERK

S

D

SENATE DRS9620-RT005(1.1)

Short Title: Minimum Streamflow/Small Hydropower Dams.

(Public)

Sponsors: Senator Blackmon.

Referred to:

- 1 A BILL TO BE ENTITLED  
2 AN ACT TO ESTABLISH THE MINIMUM STREAMFLOW IN THE LENGTH  
3 OF THE STREAM AFFECTED BY CERTAIN DAMS OPERATED BY SMALL  
4 HYDROELECTRIC POWER PRODUCERS AND TO PROVIDE THAT THE  
5 MINIMUM STREAMFLOWS THUS SPECIFIED ARE THE POLICY OF THE  
6 STATE FOR SUCH DAMS, WHETHER OR NOT A PARTICULAR DAM IS  
7 SUBJECT TO THE DAM SAFETY LAW OF 1967.  
8 The General Assembly of North Carolina enacts:  
9 Section 1. G.S. 143-215.31 reads as rewritten:  
10 "§ 143-215.31. Supervision over maintenance and operation of dams.  
11 (a) The Commission shall have jurisdiction and supervision over the maintenance  
12 and operation of dams to safeguard life and property and to satisfy minimum  
13 streamflow requirements. The Commission may adopt standards for the maintenance  
14 and operation of dams as may be necessary for the purposes of this Part. The  
15 Commission may vary the standards applicable to various dams, giving due  
16 consideration to the minimum flow requirements of the stream, the type and location  
17 of the structure, the hazards to which it may be exposed, and the peril of life and  
18 property in the event of failure of a dam to perform its function.  
19 (b) The Department, consistent with rules adopted by the Commission, may  
20 impose any condition or requirement in orders and written approvals issued under  
21 this Part that is necessary to ensure that stream classifications, water quality standards,  
22 and aquatic habitat requirements are met and maintained, including conditions and  
23 requirements relating to the release or discharge of designated flows from dams, the  
24 location and design of water intakes and outlets, the amount and timing of the

NORTH CAROLINA GENERAL ASSEMBLY  
SENATE

RECORDED VOTE

1995 SESSION

SEQ. 649/65-- 7:58 PM

MAY 10, 1995

LEGISLATIVE DAY 61

LT. GOVERNOR WICKER

-- Presiding

BLACKMON  
STREAMFLOW/HYDROPOWER DAMS

SENATE BILL 1041  
READING 2

AYE 48 ALBERTSON  
ALLRAN  
BALLANCE  
BALLANTINE  
BASNIGHT  
BLACKMON  
CARPENTER  
CARRINGTON  
CLARK  
COCHRANE  
CONDER  
COOPER



PERDUE  
PLEXICO  
PLYLER  
RAND  
SHAW  
SHERRON  
SIMPSON  
SOLES  
SPEED  
WARREN  
WEBSTER  
WINNER

NO 0

EXCUSED 0

NOT CAST 1 SAWYER

ABSENT 1 SMITH

PAIRS 0

AYE  
NO

EQ. # 975  
LEGISLATIVE DAY 75  
S1041  
READING 2

NORTH CAROLINA  
HOUSE OF REPRESENTATIVES  
ROLL CALL

6/05/95  
7:44 PM  
IN CHAIR: SPEAKER

MINIMUM STREAMFLOW/ SMALL HYDROPOWER DAMS

AYES - 102

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

NOES - 3

CARPENTER	KISER	RAYFIELD
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EXCUSED ABSENCE - 8

BERRY	FOX	LEE	THOMPSON
DOCKHAM	HUNTER, R.	TALLENT	WRIGHT

EXCUSED VOTE - 0

NOT VOTING - 7

SPEAKER	DAUGHTRY	FITCH	WOOD
CUNNINGHAM	DAVIS	GRAY	

S1041

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1995

S

D

SENATE DRS3631-LD180(4.25)

FILED - SENATE

S 1042 MAY 3 1995

Short Title: Guaranteed Energy Savings Contracts.

(Public)

PRINCIPAL CLERK

Sponsors: Senator Blackmon.

Referred to:

- 1 A BILL TO BE ENTITLED  
2 AN ACT TO MAKE VARIOUS AMENDMENTS REGARDING GUARANTEED  
3 ENERGY SAVINGS CONTRACTS IN ORDER TO ENHANCE THE  
4 VIABILITY OF GUARANTEED ENERGY SAVINGS CONTRACTS BY  
5 LOCAL GOVERNMENTAL UNITS AND TO REPEAL THE SUNSET FOR  
6 LOCAL GOVERNMENTAL UNITS TO ENTER INTO THESE CONTRACTS.  
7 The General Assembly of North Carolina enacts:  
8 Section 1. G.S. 143-64.17(3) reads as rewritten:  
9 "(3) 'Guaranteed energy savings contract' means a contract for the  
10 evaluation, recommendation, or implementation of energy  
11 conservation measures, including the design and installation of  
12 equipment or the repair or replacement of existing equipment, in  
13 which all payments, except obligations on termination of the  
14 contract before its expiration, are to be made over time, and in  
15 which energy savings are guaranteed to exceed costs. ~~A guaranteed~~  
16 ~~energy savings contract may not require the local governmental~~  
17 ~~unit to purchase a maintenance contract or other maintenance~~  
18 ~~agreement from the qualified provider who installs energy~~  
19 ~~conservation measures under the contract if the local governmental~~  
20 ~~unit uses its own forces for maintenance or if the local~~  
21 ~~governmental unit can purchase maintenance services at a lower~~  
22 ~~cost from another provider or contractor."~~  
23 Sec. 2. G.S. 143-64.17B reads as rewritten:  
24 "§ 143-64.17B. Guaranteed energy savings contracts.



NORTH CAROLINA GENERAL ASSEMBLY  
AMENDMENT  
Senate Bill 1042

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

S1042-ARN-001

Page 1 of 2

Date 5-10, 1995

Comm. Sub. ☐  
Amends Title ☐  
First Edition

Senator

Blackmon

1 moves to amend the bill on page 2, line 29, by rewriting that line  
2 to read:

3  
4 "termination of the contract before its ~~expiration~~ expiration,  
5 provided that any such obligations are disclosed when the contract  
6 is executed.";

7  
8 and on page 2, lines 30-32 by rewriting those lines to read:

9  
10 "(e) A guaranteed energy savings contract may not require the  
11 local governmental unit to purchase a maintenance contract or other  
12 maintenance agreement from the qualified provider who installs  
13 energy conservation measures under the contract if the local unit of  
14 government takes appropriate action to budget for its own forces or  
15 another provider to maintain new systems installed and existing  
16 systems affected by the guaranteed energy savings contract.";

17  
18 and on page 2, line 33, by rewriting that line to read:

19  
20 "Sec. 3. Section 10 of Chapter 775 of the 1993 Session Laws reads  
21 as rewritten:

- see page two -



NORTH CAROLINA GENERAL ASSEMBLY  
AMENDMENT  
Senate Bill 1042

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

S1042-ARN-001

Page 2 of 2

1           ~~Sec. 10.~~ A local governmental unit may not enter into a  
2 guaranteed energy savings contract under Part 2 of Article 3B of  
3 Chapter 143 of the General Statutes, as enacted by this act, on or  
4 after July 1, 1997: 1999."  
5

SIGNED John S. Blackmon  
Amendment Sponsor

SIGNED \_\_\_\_\_  
Committee Chair if Senate Committee Amendment

ADOPTED 5-10-95 FAILED \_\_\_\_\_

TABLED \_\_\_\_\_

(48-0) J. Fink



NORTH CAROLINA GENERAL ASSEMBLY  
SENATE

RECORDED VOTE

1995 SESSION

SEQ. 650/66-- 8:03 PM

MAY 10, 1995

LEGISLATIVE DAY 61

LT. GOVERNOR WICKER

-- Presiding

BLACKMON  
GUARANTEED ENERGY SAVINGS CONTRACTS

SENATE BILL 1042

AMEND 1

AYE 48 ALBERTSON  
ALLRAN  
BALLANCE  
BALLANTINE  
BASNIGHT  
BLACKMON  
CARPENTER  
CARRINGTON  
CLARK  
COCHRANE  
CONDER  
COOPER



PERDUE  
PLEXICO  
PLYLER  
RAND  
SHAW  
SHERRON  
SIMPSON  
SOLES  
SPEED  
WARREN  
WEBSTER  
WINNER

NO 0

EXCUSED 0

NOT CAST 1 SAWYER

ABSENT 1 SMITH

PAIRS 0

AYE  
NO

NORTH CAROLINA GENERAL ASSEMBLY  
SENATE

RECORDED VOTE

1995 SESSION

SEQ. 651/67-- 8:04 PM

MAY 10, 1995

LEGISLATIVE DAY 61

LT. GOVERNOR WICKER

-- Presiding

BLACKMON  
GUARANTEED ENERGY SAVINGS CONTRACTS

SENATE BILL 1042  
READING 2

AYE

46

ALBERTSON  
ALLRAN  
BALLANCE  
BALLANTINE  
BASNIGHT  
BLACKMON  
CARPENTER  
CARRINGTON  
CLARK  
COCHRANE  
COOPER  
DANNELLY

DAVIS  
EAST  
EDWARDS  
FORRESTER  
FOX  
GULLEY  
HARTSELL  
HOBBS  
HORTON  
HOYLE  
JORDAN  
KINCAID

LEDBETTER  
LITTLE  
LUCAS  
MARTIN R  
MARTIN W  
MCDANIEL  
MCKOY  
ODOM  
PAGE  
PARNELL  
PERDUE

PLEXICO  
PLYLER  
RAND  
SHAW  
SHERRON  
SIMPSON  
SOLES  
SPEED  
WARREN  
WEBSTER  
WINNER

NO

0



EXCUSED

0

NOT CAST

3

CONDER

KERR

SAWYER

ABSENT

1

SMITH

PAIRS

0

AYE

NO

# 1094  
LEGISLATIVE DAY 81  
S1042HCS  
READING 2

NORTH CAROLINA  
HOUSE OF REPRESENTATIVES  
ROLL CALL

6/14/95  
2:08 PM  
IN CHAIR: SPEAKER

GUARANTEED ENERGY SAVINGS CONTRACTS

AYES - 110

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

NOES - 0

EXCUSED ABSENCE - 6

CHURCH	CULPEPPER	HOLMES	SHARPE
CREECH	ESPOSITO		

EXCUSED VOTE - 0

NOT VOTING - 4

SPEAKER	GAMBLE	HUNTER, R.	SHAW
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S1042HCS

NORTH CAROLINA GENERAL ASSEMBLY  
SENATE

RECORDED VOTE

1995 SESSION

SEQ. 1022/17-- 5:02 PM

JUNE 19, 1995

LEGISLATIVE DAY 83

LT. GOVERNOR WICKER

-- Presiding

BLACKMON  
GUARANTEED ENERGY SAVINGS CONTRACTS  
HOUSE COM SUB/3RD EDITION

SENATE BILL 1042

MOTION 8  
TO CONCUR

AYE	50	ALBERTSON	DAVIS	20. 1775	LEDBETTER	PLYLER
		ALLRAN	EAST		LITTLE	RAND
		BALLANCE	EDWARDS		LUCAS	SAWYER
		BALLANTINE	FORRESTER		MARTIN R.	SHAW
		BASNIGHT	FOXX		MARTIN W.	SHERRON
		BLACKMON	GULLEY		MCDANIEL	SIMPSON
		CARPENTER	HARTSELL		MCKOY	SMITH
		CARRINGTON	HOBBS		ODOM	SOLES
		CLARK	HORTON		PAGE	SPEED
		COCHRANE	HOYLE		PARNELL	WARREN
		CONDER	JORDAN		PERDUE	WEBSTER
		COOPER	KERR		PLEXICO	WINNER
		DANNELLY	KINCAID			

NO 0

EXCUSED 0

NOT CAST 0

ABSENT 0

PAIRS 0

AYE

NO

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1995

FILED - SENATE

S

§ 1048 MAY 3 1995 D

SENATE DRS5628-LD173A(4.24)

PRINCIPAL CLERK

Short Title: No Seat Belt/Damages Limit.

(Public)

Sponsors: Senator Webster.

Referred to:

1 A BILL TO BE ENTITLED

2 AN ACT TO LIMIT THE DAMAGES THAT CAN BE RECOVERED FOR  
3 PERSONAL INJURY OR WRONGFUL DEATH IN A CIVIL SUIT ARISING  
4 OUT OF AN ACCIDENT INVOLVING A MOTOR VEHICLE IF THE  
5 CLAIMANT IS AN INDIVIDUAL AT LEAST SIXTEEN YEARS OF AGE  
6 WHO IS NOT PREGNANT AND FAILED TO WEAR AN AVAILABLE,  
7 FUNCTIONAL SEAT BELT.

8 The General Assembly of North Carolina enacts:

9 Section 1. The title of Article 43D of Chapter 1 of the General Statutes  
10 reads as rewritten:

11 "~~Abolition of Parent-Child Immunity Liability~~ in Certain Motor  
12 Vehicle Cases."

13 Sec. 2. Article 43D of Chapter 1 of the General Statutes is amended by  
14 adding a new section to read:

15 "§ 1-539.22. Limitation on liability regarding seat belt use.

16 (a) In a civil action for personal injury or wrongful death, an individual who is  
17 injured in an accident involving a motor vehicle may recover only for medical and  
18 funeral expenses when that individual, at the time of the accident, was not using an  
19 available, functional safety restraint device.

20 (b) This section does not apply to individuals who are pregnant or who are less  
21 than 16 years of age at the time of the accident.

22 (c) As used in this section, 'motor vehicle' has the same meaning as in G.S. 20-  
23 4.01."

24 Sec. 3. G.S. 28A-18-2(b) reads as rewritten:

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1995

FILED - SENATE

S

S 1044 MAY 19 1995

SENATE DRS9618-LN166(4.26)

PRINCIPAL CLERK

Short Title: Vaccine Program/Savings.

(Public)

Sponsors: Senator Speed.

Referred to:

1 A BILL TO BE ENTITLED

2 AN ACT TO SAVE THE STATE OF NORTH CAROLINA THE COST OF  
3 VACCINES AND THE ADMINISTRATION OF VACCINES WHERE  
4 INSURANCE COVERAGE IS PROVIDED.

5 The General Assembly of North Carolina enacts:

6 Section 1. G.S. 130A-433 reads as rewritten:

7 "**§ 130A-433. Contracts for purchase of vaccines; distribution; fee; rules.**

8 (a) Notwithstanding any law to the contrary, the Secretary may enter into  
9 contracts with the manufacturers and suppliers of covered vaccines and with other  
10 public entities either within or without the State for the purchase of covered vaccines  
11 and may provide for the distribution ~~or sale~~ of the covered vaccines to health care  
12 providers. Local health departments shall distribute the covered vaccines at the  
13 request of the Department. The Secretary shall adopt rules to implement this Article  
14 except for subsection (b) of this section.

15 (b) A health care provider who receives vaccine from the State may charge no  
16 more than a reasonable fee established by the Commission for Health Services for the  
17 administration of the ~~vaccine~~. vaccine and may not provide this vaccine to patients  
18 who have health insurance coverage for the full cost of these immunizations. As used  
19 in this subsection, the term 'health insurance coverage' does not apply to or include  
20 Medicaid coverage. Vaccines provided by the State to local health departments for  
21 administration shall be administered at no cost to the patient."

22 Sec. 2. This act becomes effective July 1, 1995.

S

PRINCIPAL CLERK D

## SENATE JOINT RESOLUTION DRSJR3642-LG099(3.15)

---

Sponsors: Senator Speed.

---

Referred to:

---

1 A JOINT RESOLUTION AUTHORIZING THE LEGISLATIVE RESEARCH  
2 COMMISSION TO STUDY THE ISSUES INVOLVED IN THE EMERGENCY  
3 MEDICAL SERVICES ACT OF 1973.

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

5 Section 1. The Legislative Research Commission may study issues  
6 relating to the Emergency Services Act of 1973 in order to:

- 7 (1) Determine whether the Emergency Medical Services Act of 1973  
8 provides the State with the most integrated and coordinated  
9 approach to emergency medical care;
- 10 (2) Determine whether all residents of the State have access to high  
11 quality emergency medical services care;
- 12 (3) Determine what impact the reduction in federal assistance has had  
13 in emergency medical care in North Carolina;
- 14 (4) Determine whether the current structure of providing emergency  
15 medical services in North Carolina serves the public in the best,  
16 most comprehensive manner; and
- 17 (5) Determine whether the recommendations of the National Highway  
18 Traffic Safety Administration's "Assessment of Emergency Medical  
19 Services in North Carolina" should be implemented.

20 Sec. 2. The Legislative Research Commission may make an interim  
21 report, including any legislative recommendations, to the the 1995 General Assembly,  
22 Regular Session 1996, and may make a final report to the 1997 General Assembly.

23 Sec. 3. This resolution is effective upon ratification.



GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1995

S

SENATE DRS3641-LD167(4.18)

FILED - SENATE  
\$1046 MAY D<sub>3</sub> 1995  
PRINCIPAL CLERK

Short Title: Deletions from State Parks Preserve.

(Public)

Sponsors: Senator Speed.

Referred to:

- 1 A BILL TO BE ENTITLED  
2 AN ACT TO REMOVE CERTAIN PROPERTY FROM THE STATE NATURE  
3 AND HISTORIC PRESERVE AND TO AUTHORIZE THE DELETION OF  
4 VARIOUS PROPERTIES FROM THE STATE PARKS SYSTEM.  
5 The General Assembly of North Carolina enacts:  
6 Section 1. Article 25B of Chapter 143 of the General Statutes is  
7 amended by adding the following new section to read:  
8 "§ 143-260.10G. Removal of land in Crowders Mountain State Park from the State  
9 Nature and Historic Preserve.  
10 (a) Notwithstanding the provisions of G.S. 143-260.10(6), the portion of that  
11 certain tract or parcel of property at Crowders Mountain State Park in Gaston  
12 County, Crowders Mountain Township, described in Deed Book 1240, Page 451, and  
13 containing 225 square feet and as shown in a survey by R&W Engineering and  
14 Surveying entitled 'Conveyance of 0.0052 acres owned by Crowders Mountain State  
15 Park, Gaston Co., NC' and dated January 18, 1995, is removed from the State Nature  
16 and Historic Preserve.  
17 (b) The property described in subsection (a) of the section is deleted from the  
18 State Parks System pursuant to G.S. 113-44.14.  
19 (c) The State may only exchange this property for other property for the  
20 expansion of Crowders Mountain State Park or sell this land and use the proceeds for  
21 that purpose. The State shall not otherwise sell or exchange this land."  
22 Sec. 2. Pursuant to G.S. 113-44.14, the General Assembly authorizes the  
23 deletion of the following properties from the State Parks System:  
24 (1) The 73-acre tract identified as a portion of the property legally  
25 described in the Department of the Army Lease for Recreation



NORTH CAROLINA GENERAL ASSEMBLY  
SENATE

RECORDED VOTE

1995 SESSION

SEQ. 652/68-- 8:08 PM MAY 10, 1995 LEGISLATIVE DAY 61

LT. GOVERNOR WICKER

-- Presiding

SPEED  
DELETIONS FROM STATE PARKS PRESERVE

SENATE BILL 1046  
READING 2

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

NO 1 MCDANIEL

EXCUSED 0  
NOT CAST 1 SAWYER  
ABSENT 1 SMITH  
PAIRS 0  
AYE  
NO



PLEXICO  
PLYLER  
RAND  
SHAW  
SHERRON  
SIMPSON  
SOLES  
SPEED  
WARREN  
WEBSTER  
WINNER

NORTH CAROLINA GENERAL ASSEMBLY  
SENATE

RECORDED VOTE

1995 SESSION

SEQ. 653/69-- 8:09 PM

MAY 10, 1995

LEGISLATIVE DAY 61

LT. GOVERNOR WICKER

-- Presiding

SPEED  
DELETIONS FROM STATE PARKS PRESERVE

SENATE BILL 1046  
READING 3

AYE

46 ALBERTSON  
ALLRAN  
BALLANCE  
BALLANTINE  
BASNIGHT  
BLACKMON  
CARPENTER  
CARRINGTON  
CLARK  
COCHRANE  
CONDER  
COOPER



PLEXICO  
PLYLER  
RAND  
SHAW  
SHERRON  
SIMPSON  
SOLES  
SPEED  
WARREN  
WEBSTER  
WINNER

NO

1 MCDANIEL

EXCUSED 0

NOT CAST 2 KERR SAWYER

ABSENT 1 SMITH

PAIRS 0

AYE  
NO

# NORTH CAROLINA

## HOUSE OF REPRESENTATIVES

### ROLL CALL

Q. # 907  
LEGISLATIVE DAY 71  
S1046  
READING 2

5/29/95  
7:17 PM  
IN CHAIR: SPEAKER

#### DELETIONS FROM STATE PARKS PRESERVE

#### AYES - 109

ADAMS	CUNNINGHAM	HURLEY	RAMSEY
ALDRIDGE	DAUGHTRY	IVES	RAYFIELD
ALEXANDER	DAVIS	JUSTUS	REDWINE
ALLRED	DECKER	KISER	REYNOLDS
ARNOLD	DICKSON	LEE	RICHARDSON
BAKER	DOCKHAM	LEMMOND	ROBINSON, J.
BARBEE	EARLE	LOCKE	ROGERS
BEALL	EASTERLING	LUEBKE	RUSSELL
BLACK	EDDINS	MCCALLISTER	SEXTON
BLUE	ELLIS	MCCOMAS	SHARPE
BOWEN	ESPOSITO	MCCOMBS	SHERRILL
BOWIE	FITCH	MCCRARY	SHUBERT
BOYD-MCINTYRE	FOX	MCMAHAN	SUTTON
BRAWLEY	GAMBLE	MERCER	TALLENT
BROWN, J.	GARDNER	MICHAUX	THOMPSON
BROWN, W.	GRADY	MILLER, G.	TOLSON
BUCHANAN	GRAY	MILLER, K.	WAINWRIGHT
CANSLER	HACKNEY	MINER	WARNER
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	HUNT	PRESTON	WRIGHT
CULPEPPER	HUNTER, R.	PULLEY	YONGUE
CUMMINGS			

#### NOES - 0

#### EXCUSED ABSENCE - 3

BARNES	LINNEY	ROBINSON, G.
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#### EXCUSED VOTE - 0

#### NOT VOTING - 8

SPEAKER	BRASWELL	HUNTER, H.	OLDHAM
BERRY	EDWARDS	MCLAUGHLIN	SHAW

S1046

# NORTH CAROLINA

## HOUSE OF REPRESENTATIVES

### ROLL CALL

Bill # 919  
LEGISLATIVE DAY 72  
S1046  
READING 3

5/30/95  
1:47 PM  
IN CHAIR: SPEAKER

#### DELETIONS FROM STATE PARKS PRESERVE

#### AYES - 113

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	DICKSON	LINNEY	ROGERS
BARNES	DOCKHAM	LOCKE	RUSSELL
BEALL	EARLE	LUEBKE	SEXTON
BERRY	EASTERLING	MCALLISTER	SHARPE
BLACK	EDDINS	MCCOMAS	SHAW
BLUE	EDWARDS	MCCOMBS	SHERRILL
BOWEN	ELLIS	MCLAUGHLIN	SHUBERT
BOWIE	ESPOSITO	MCMAHAN	SUTTON
BOYD-MCINTYRE	FOX	MERCER	TALLENT
BRASWELL	GAMBLE	MICHAUX	THOMPSON
BRAWLEY	GARDNER	MILLER, G.	TOLSON
BROWN, J.	GRADY	MILLER, K.	WAINWRIGHT
BROWN, W.	GRAY	MINER	WARNER
BUCHANAN	HAYES	MITCHELL	WATSON
CANSLER	HIATT	MORGAN	WEATHERLY
CAPPS	HIGHTOWER	NICHOLS	WILKINS
CARPENTER	HILL	NYE	WILSON, C.
CHURCH	HOLMES	OLDHAM	WILSON, G.
CLARY	HOWARD	OWENS	WOMBLE
COCKLEREECE	HUNT	PATE	WOOD
CRAWFORD	HUNTER, H.	PRESTON	WRIGHT
CREECH	HUNTER, R.	PULLEY	YONGUE
CULP			

#### NOES - 1

HENSLEY

#### EXCUSED ABSENCE - 4

FITCH

MCCRARY

NEELY

ROBINSON, G.

#### EXCUSED VOTE - 0

#### NOT VOTING - 2

SPEAKER

HACKNEY

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1995

FILED - SENATE

S

S 1047 MAY 31 1995

SENATE DRS3628-LF234(3.28)

PRINCIPAL CLERK

Short Title: Recovery Care Centers.

(Public)

Sponsors: Senator Edwards.

Referred to:

1 A BILL TO BE ENTITLED  
2 AN ACT TO CREATE RECOVERY CARE CENTERS BY ALLOWING  
3 CERTAIN AMBULATORY SURGICAL FACILITIES TO ADMIT PATIENTS  
4 FOR UP TO SEVENTY-TWO HOURS.  
5 The General Assembly of North Carolina enacts:  
6 Section 1. (a) G.S. 131E-146(1) reads as rewritten:  
7 "(1) 'Ambulatory surgical facility' means a facility designed for the  
8 provision of an ambulatory surgical program. An ambulatory  
9 surgical facility serves patients who require local, regional or  
10 general anesthesia and a period of post-operative observation. An  
11 ambulatory surgical facility may only admit patients for a period of  
12 less than 24 hours unless otherwise authorized by this subdivision  
13 and ~~must~~ shall provide at least one designated operating room and  
14 at least one designated recovery room, have available the necessary  
15 equipment and trained personnel to handle emergencies, provide  
16 adequate quality assurance and assessment by an evaluation and  
17 review committee, and maintain adequate medical records for each  
18 patient. An ambulatory surgical facility may be operated as a part  
19 of a ~~physician~~ physician's or dentist's office, provided the facility is  
20 licensed under G.S. Chapter 131E, Article 6, Part D, but the  
21 performance of incidental, limited ambulatory surgical procedures  
22 ~~which that~~ do not constitute an ambulatory surgical program as  
23 defined in subdivision (1a) of this section and ~~which that~~ are  
24 performed in a ~~physician~~ physician's or dentist's office does not  
25 make that office an ambulatory surgical facility. An ambulatory

S 1048

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1995

S

SENATE DRS3638-LR182(425)

FILED - SENATE  
MAY 3 1995  
PRINCIPAL CLERK

D

Short Title: Study Local Gov't. Services.

(Public)

Sponsors: Senator McDaniel.

Referred to:

- 1 A BILL TO BE ENTITLED  
2 AN ACT CREATING THE LOCAL GOVERNMENT SERVICES AND  
3 REGIONAL PLANNING STUDY COMMISSION AND APPROPRIATING  
4 FUNDS TO THE GENERAL ASSEMBLY FOR THE WORK OF THE  
5 COMMISSION.  
6 The General Assembly of North Carolina enacts:  
7 Section 1. (a) The Local Government Services and Regional Planning  
8 Study Commission is created. The Commission shall consist of 14 members: seven  
9 members appointed by the President Pro Tempore of the Senate, and seven members  
10 appointed by the Speaker of the House of Representatives. Of those appointments,  
11 the President Pro Tempore of the Senate shall designate one Senator as cochair and  
12 the Speaker of the House of Representatives shall designate one Representative as  
13 cochair. When a vacancy occurs in the membership of the Commission, the vacancy  
14 shall be filled by the same appointing officer who made the initial appointment.  
15 (b) Appointments of the members of the Commission shall be completed  
16 by the appointing officers as soon as practicable, but not more than 30 days after the  
17 adjournment of the 1995 Session of the General Assembly. The cochairs shall call  
18 the initial meeting of the Commission not more than 15 days after the appointment of  
19 the last member of the Commission. Subsequent meetings may be held upon the  
20 joint call of the cochairs.  
21 Sec. 2. (a) The Commission shall:  
22 (1) Study the consolidation of city and county services in North  
23 Carolina.

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1995

FILED - SENATE

S

SENATE DRS3646-LCX255(4.20)

S 1 049

MAY 3 1995

D

PRINCIPAL CLERK

Short Title: Clarify Investment Tax Credit.

(Public)

Sponsors: Senator Sherron.

Referred to:

1 A BILL TO BE ENTITLED  
2 AN ACT TO CLARIFY THE QUALIFIED BUSINESS TAX CREDIT TO  
3 ELIMINATE AN UNINTENDED LOOPHOLE THAT ALLOWS DOUBLE  
4 CREDITS FOR THE SAME INVESTMENT AND ALLOWS CREDITS FOR  
5 INVESTMENTS IN CERTAIN INVESTMENT BUSINESSES.  
6 The General Assembly of North Carolina enacts:  
7 Section 1. G.S. 105-163.011(b1) reads as rewritten:  
8 "(b1) Pass-Through Entities. -- This subsection does not apply to a pass-through  
9 entity that is a qualified grantee business, a qualified business venture, or a North  
10 Carolina Enterprise Corporation. Subject to the limitations provided in G.S.  
11 105-163.012, a pass-through entity that purchases the equity securities or subordinated  
12 debt of a qualified grantee business, a qualified business venture, or a North Carolina  
13 Enterprise Corporation directly from the business or Corporation is eligible for a tax  
14 credit equal to twenty-five percent (25%) of the amount invested. The aggregate  
15 amount of credit allowed a pass-through entity for one or more investments in a  
16 single taxable year under this Division, whether directly or indirectly as owner of  
17 another pass-through entity, may not exceed seven hundred fifty thousand dollars  
18 (\$750,000). The pass-through entity is not eligible for the credit for the year in which  
19 the investment by the pass-through entity is made but shall be eligible for the credit  
20 for the taxable year beginning during the calendar year in which the application for  
21 the credit becomes effective as provided in subsection (c) of this section.  
22 Each individual who is an owner of a pass-through entity is allowed as a credit  
23 against the tax imposed by Division II of this Article for the taxable year an amount  
24 equal to the owner's allocated share of the credits for which the pass-through entity is  
25 eligible under this subsection. The aggregate amount of credit allowed an individual

NORTH CAROLINA GENERAL ASSEMBLY  
SENATE

RECORDED VOTE

1995 SESSION

SEQ. 867/10-- 4:35 PM

JUNE 7, 1995

LEGISLATIVE DAY 77

LT. GOVERNOR WICKER

-- Presiding

SHERRON  
CLARIFY INVESTMENT TAX CREDIT  
COM SUB/2ND EDITION

SENATE BILL 1049  
READING 2

AYE 46 ALBERTSON  
ALLRAN  
BALLANCE  
BALLANTINE  
BASNIGHT  
CARPENTER  
CARRINGTON  
CLARK  
COCHRANE  
CONDER  
COOPER  
DANNELLY

DAVIS 20. 1775  
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EDWARDS  
FORRESTER  
FOXX  
GULLEY  
HARTSELL  
HOBBS  
HORTON  
HOYLE  
JORDAN  
KERR

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

PLEXICO  
PLYLER  
RAND  
SHAW  
SHERRON  
SMITH  
SOLES  
SPEED  
WARREN  
WEBSTER  
WINNER

NO 1 PAGE

EXCUSED 0

NOT CAST 2 BLACKMON

SIMPSON

ABSENT 1 SAWYER

PAIRS 0

AYE  
NO





NORTH CAROLINA GENERAL ASSEMBLY  
AMENDMENT

Senate Bill 1049

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

SL049-ALC-6/8

Page 1 of 2

Date 6.20, 1995

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

Rep./Sen. Sherron

1 moves to amend the bill on page 2, lines 16 - 19,  
2 by rewriting the lines to read:  
3 "section.

4 For the purpose of this Article, a credit for an investment in a  
5 qualified grantee business that is an investment business, as  
6 provided in G.S. 105-163.013(c), is allowed only upon the grantee  
7 business's subsequent investment of a like amount of funds in a  
8 qualified business venture or a qualified grantee business that is  
9 not an investment business, as evidenced by a certificate issued by  
10 the investment business pursuant to G.S. 105-163.013(c). This  
11 credit is allowed as if the individual's investment in the qualified  
12 grantee business had been made on the date of the subsequent  
13 investment in a qualified business venture or a qualified grantee  
14 business that is not an investment business."  
15

16 and on page 3, line 30,  
17 by deleting the phrase "reinvested the investment" and substituting  
18 the phrase "invested a like amount";  
19

20 and on page 4, lines 28 - 43,  
21 by rewriting the lines to read:

22 "A qualified grantee business that is an investment business may  
23 account for its investments in qualified business ventures and in  
24 qualified grantee businesses that are not investment businesses, and  
25 may allocate amounts so invested among some or all of the  
26 individuals who have invested in the investment business. The  
27 allocation may be on any basis determined by the investment business  
28 as long as each dollar so invested is allocated to no more than one  
29 individual investor and the amount allocated to each individual  
30 investor does not exceed the amount that individual investor has  
31 previously invested in the investment business. An investment  
32 business making this allocation shall provide each affected  
33 individual investor with a statement certifying (i) the amount  
34 allocated to the investor, (ii) that the amount has been invested in  
35 qualified business ventures or in qualified grantee businesses that  
36 are not investment businesses, and (iii) the names of these

See page two



NORTH CAROLINA GENERAL ASSEMBLY  
AMENDMENT

Senate Bill 1049

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

S1049-ALC-6/8

Page 2 of 2

1 businesses and the dates funds were invested in each. After a  
2 certification has been provided under this subsection, the  
3 allocation may not be revoked or modified.

4 To remain qualified as a qualified grantee business, the business  
5 must renew its registration annually as prescribed by rule by filing  
6 an application for renewal in which the business certifies the facts  
7 listed in this subsection. In the case of a qualified grantee  
8 business that is an investment business, the application must  
9 include copies of certificates issued by it pursuant to this  
10 subsection during the twelve-month period preceding the application  
11 for renewal.'

12 Sec. 3. This act is effective for taxable years beginning on or  
13 after January 1, 1995, but does not apply to investments made before  
14 July 1, 1995, or to investments made pursuant to commitments to  
15 invest entered into before July 1, 1995."  
16  
17

SIGNED [Signature]  
Amendment Sponsor

SIGNED \_\_\_\_\_  
Committee Chair if Senate Committee Amendment

ADOPTED 6/20/95 FAILED \_\_\_\_\_ TABLED \_\_\_\_\_  
(47-2)

[Signature]

NORTH CAROLINA GENERAL ASSEMBLY  
SENATE

RECORDED VOTE

1995 SESSION

SEQ. 1035/12-- 3:09 PM

JUNE 20, 1995

LEGISLATIVE DAY

LT. GOVERNOR WICKER

-- Presiding

SHERRON  
CLARIFY INVESTMENT TAX CREDIT  
COM SUB/2ND EDITION

SENATE BILL 1049

AMEND 1

AYE

47

ALBERTSON  
ALLRAN  
BALLANCE  
BALLANTINE  
BASNIGHT  
BLACKMON  
CARPENTER  
CARRINGTON  
COCHRANE  
CONDER  
COOPER  
DANNELLY

DAVIS 20.1775  
EDWARDS  
FORRESTER  
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LEDBETTER  
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MARTIN R.  
MARTIN W.  
MCDANIEL  
MCKOY  
ODOM  
PAGE  
PARNELL  
PERDUE  
PLEXICO

PLYLER  
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SAWYER  
SHAW  
SHERRON  
SIMPSON  
SMITH  
SOLES  
SPEED  
WARREN  
WINNER

NO

2

CLARK

WEBSTER

EXCUSED

0

NOT CAST

1

EAST

ABSENT

0

PAIRS

0

AYE

NO

NORTH CAROLINA GENERAL ASSEMBLY  
SENATE

RECORDED VOTE

1995 SESSION

SEQ. 1036/13-- 3:09 PM

JUNE 20, 1995

LEGISLATIVE DAY 8

LT. GOVERNOR WICKER

-- Presiding

SHERRON  
CLARIFY INVESTMENT TAX CREDIT  
COM SUB/2ND EDITION

SENATE BILL 1049  
READING 3

AYE

47 ALBERTSON  
ALLRAN  
BALLANCE  
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BASNIGHT  
BLACKMON  
CARPENTER  
CARRINGTON  
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CONDER  
COOPER  
DANNELLY

DAVIS 20 1775  
EDWARDS  
FORRESTER  
FOXX  
GULLEY  
HARTSELL  
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LEDBETTER

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MARTIN R.  
MARTIN W.  
MCDANIEL  
MCKOY  
ODOM  
PAGE  
PARNELL  
PERDUE  
PLEXICO  
PLYLER

RAND  
SAWYER  
SHAW  
SHERRON  
SIMPSON  
SMITH  
SOLES  
SPEED  
WARREN  
WEBSTER  
WINNER

NO

1 CLARK

EXCUSED 0

NOT CAST 2 EAST

KERR

ABSENT 0

PAIRS 0

AYE

NO

# 1624  
LEGISLATIVE DAY 101  
S1049HCS  
READING 2

NORTH CAROLINA  
HOUSE OF REPRESENTATIVES  
ROLL CALL

7/19/95  
10:14 AM  
IN CHAIR: SPEAKER

CLARIFY INVESTMENT TAX CREDIT

AYES - 105

ADAMS	DAVIS	IVES	RAMSEY
ALDRIDGE	DECKER	JUSTUS	RAYFIELD
ALEXANDER	DICKSON	KISER	REDWINE
ALLRED	DOCKHAM	LEE	REYNOLDS
ARNOLD	EARLE	LEMMOND	RICHARDSON
BAKER	EASTERLING	LINNEY	ROBINSON, J.
BARBEE	EDDINS	LOCKE	ROGERS
BARNES	EDWARDS	LUEBKE	RUSSELL
BEALL	ELLIS	MCALLISTER	SEXTON
BERRY	ESPOSITO	MCCOMAS	SHARPE
BLACK	FITCH	MCCOMBS	SHERRILL
BOYD-MCINTYRE	FOX	MCCRARY	SHUBERT
BROWN, W.	GAMBLE	MCLAUGHLIN	TALLENT
BUCHANAN	GRADY	MCMAHAN	THOMPSON
CANSLER	GRAY	MERCER	TOLSON
CAPPS	HACKNEY	MICHAUX	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	HOWARD	OWENS	WOMBLE
CULPEPPER	HUNT	PATE	WOOD
CUMMINGS	HUNTER, R.	PRESTON	WRIGHT
CUNNINGHAM	HURLEY	PULLEY	YONGUE
DAUGHTRY			

NOES - 0

EXCUSED ABSENCE - 7

BLUE	GARDNER	MINER	SUTTON
BRAWLEY	MILLER, G.	ROBINSON, G.	

EXCUSED VOTE - 0

NOT VOTING - 8

SPEAKER	BOWIE	BROWN, J.	MILLER, K.
BOWEN	BRASWELL	HUNTER, H.	SHAW

S1049HCS

# NORTH CAROLINA

## HOUSE OF REPRESENTATIVES

### ROLL CALL

# 1641  
LEGISLATIVE DAY 102  
S1049HCS  
READING 3

7/20/95  
10:37 AM  
IN CHAIR: SPEAKER

CLARIFY INVESTMENT TAX CREDIT

AYES - 111

ADAMS  
ALDRIDGE  
ALEXANDER  
ARNOLD  
BAKER  
BARBEE  
BARNES  
BEALL  
BLACK  
BOWEN  
BOWIE  
BOYD-MCINTYRE  
BRASWELL  
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  
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  
MILLER, G.  
MINER  
MITCHELL  
MORGAN  
NEELY  
NYE  
OLDHAM  
OWENS  
PATE  
PRESTON  
PULLEY  
RAMSEY

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

NOES - 1

ALLRED

EXCUSED ABSENCE - 6

BERRY  
BLUE

BRAWLEY  
GARDNER  
NICHOLS

SUTTON

EXCUSED VOTE - 0

NOT VOTING - 2

SPEAKER

MILLER, K.

S1049HCS

NORTH CAROLINA GENERAL ASSEMBLY  
SENATE

RECORDED VOTE

1995 SESSION

SEQ. 1429/9--10:54 AM

JULY 25, 1995

LEGISLATIVE DAY 105

LT. GOVERNOR WICKER

-- Presiding

SHERRON  
CLARIFY INVESTMENT TAX CREDIT  
HOUSE COM SUB/4TH EDITION

SENATE BILL 1049  
READING 2

MOTION 8  
TO CONCUR

AYE

47

ALBERTSON  
BALLANCE  
BALLANTINE  
BASNIGHT  
BLACKMON  
CARRINGTON  
CLARK  
COCHRANE  
CONDER  
COOPER  
DANNELLY  
DAVIS

EAST 20. 1775  
EDWARDS  
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  
SAWYER  
SHAW  
SHERRON  
SIMPSON  
SMITH  
SOLES  
SPEED  
WARREN  
WEBSTER  
WINNER

NO

0

EXCUSED

0

NOT CAST

2

ALLRAN

CARPENTER

ABSENT

1

FORRESTER

PAIRS

0

AYE

NO



NORTH CAROLINA GENERAL ASSEMBLY  
SENATE

RECORDED VOTE

1995 SESSION

SEQ. 1436/4-- 3:23 PM

JULY 26, 1995

LEGISLATIVE DAY 106

LT. GOVERNOR WICKER

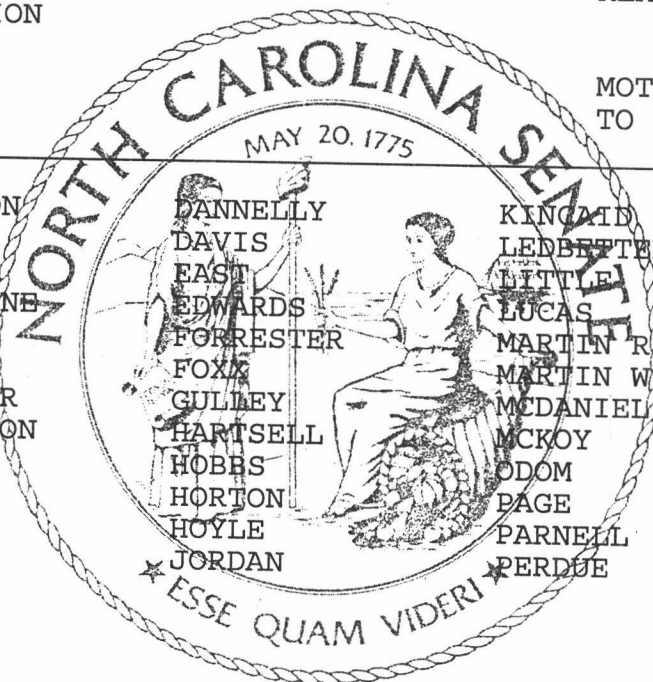
-- Presiding

SHERRON  
CLARIFY INVESTMENT TAX CREDIT  
HOUSE COM SUB/4TH EDITION

SENATE BILL 1049  
READING 3

MOTION 8  
TO CONCUR

AYE	47	ALBERTSON ALLRAN BALLANCE BALLANTINE BASNIGHT BLACKMON CARPENTER CARRINGTON CLARK COCHRANE CONDER COOPER	DANNELLY DAVIS EAST EDWARDS FORRESTER FOX GULLEY HARTSELL HOBBS HORTON HOYLE JORDAN	KINCAID LEDBETTER LITTLE LUCAS MARTIN R MARTIN W MEDANIEL MCKOY ODOM PAGE PARNELL PERDUE	PLYLER RAND SAWYER SHERRON SIMPSON SMITH SOLES SPEED WARREN WEBSTER WINNER
NO	0				



EXCUSED	0		
NOT CAST	2	KERR	SHAW
ABSENT	1	PLEXICO	
PAIRS	0		
AYE			
NO			



GENERAL ASSEMBLY OF NORTH CAROLINA - SENATE

SESSION 1995

S 1050 MAY 3 1995

S

PRINCIPAL CLERK<sup>D</sup>

SENATE JOINT RESOLUTION DRSJR5631-LD181(4.25)

---

Sponsors: Senator Sherron.

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Referred to:

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1 A BILL TO BE ENTITLED  
2 A JOINT RESOLUTION AUTHORIZING THE LEGISLATIVE RESEARCH  
3 COMMISSION TO STUDY THE DESIRABILITY AND THE FEASIBILITY OF  
4 MERGING THE DIVISION OF TRAVEL AND TOURISM OF THE  
5 DEPARTMENT OF COMMERCE AND THE DIVISION OF PARKS AND  
6 RECREATION OF THE DEPARTMENT OF ENVIRONMENT, HEALTH, AND  
7 NATURAL RESOURCES.

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

9 Section 1. The Legislative Research Commission shall study the  
10 desirability and the feasibility of merging the Division of Travel and Tourism of the  
11 Department of Commerce with the Division of Parks and Recreation of the  
12 Department of Environment, Health, and Natural Resources.

13 Sec. 2. The study committee may submit an interim report to the 1996  
14 Regular Session of the 1995 General Assembly. The study committee shall submit a  
15 final report of its recommendations and legislative proposals to the 1997 General  
16 Assembly.

17 Sec. 3. This resolution is effective upon ratification.

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1995

S

SENATE DRS3651-LF088(1.18)

FILED - SENATE  
S1051 MAY 3 1995  
PRINCIPAL CLERK

Short Title: ICF/MR Crim. Checks/AB.

(Public)

Sponsors: Senator Sherron.

Referred to:

- 1 A BILL TO BE ENTITLED  
2 AN ACT TO EXTEND ACCESS TO CRIMINAL RECORD CHECKS TO  
3 INTERMEDIATE CARE FACILITIES FOR THE MENTALLY RETARDED.  
4 The General Assembly of North Carolina enacts:  
5 Section 1. G.S. 114-19.3 reads as rewritten:  
6 "§ 114-19.3. Criminal record checks of personnel of hospitals, nursing homes,  
7 intermediate care facilities for the mentally retarded (ICF/MR), and area mental  
8 health, developmental disabilities, and substance abuse authorities and their contract  
9 agencies.  
10 The Department of Justice may provide a criminal record check to a hospital or  
11 nursing home licensed under Chapter 131E of the General Statutes and to a ~~hospital~~  
12 hospital, intermediate care facility for the mentally retarded (ICF/MR), or an area  
13 mental health, developmental disabilities, and substance abuse authority licensed  
14 under Chapter 122C of the General Statutes, including a contract agency of an area  
15 authority that is subject to the provisions of Article 4 of Chapter 122C of the General  
16 Statutes, of an individual who is employed by the hospital, nursing home, ICF/MR,  
17 area authority, or contract agency or of an individual who has applied for  
18 employment with the hospital, nursing home, ICF/MR, area authority, or contract  
19 agency if the employee or applicant consents to the record check. The information  
20 shall be kept confidential by the hospital, nursing home, ICF/MR, area authority, or  
21 contract agency that received the information. Upon the disclosure of confidential  
22 information under this section by a hospital, nursing home, ICF/MR, area authority,  
23 or contract agency, the Department may refuse to provide further criminal record  
24 checks to the hospital, nursing home, ICF/MR, area authority, or contract agency.

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1995

FILED - SENATE

S

**S 1052** MAY 1995

SENATE DRS3647-LCX243(4.11)

PRINCIPAL CLERK

Short Title: Transit Authority Vehicle Rental Tax.

(Public)

Sponsors: Senator Sherron.

Referred to:

- 1 A BILL TO BE ENTITLED  
2 AN ACT AUTHORIZING REGIONAL TRANSPORTATION AUTHORITIES TO  
3 LEVY A TAX ON GROSS RECEIPTS DERIVED FROM THE SHORT-TERM  
4 LEASE OR RENTAL OF PASSENGER MOTOR VEHICLES IN LIEU OF A  
5 VEHICLE REGISTRATION TAX.  
6 The General Assembly of North Carolina enacts:  
7 Section 1. Chapter 105 of the General Statutes is amended by adding a  
8 new Subchapter to read:  
9 "SUBCHAPTER IX. MULTICOUNTY TAXES.  
10 "**§ 105-550. Definitions.**  
11 The definitions in G.S. 160A-601 and the following definitions apply to this  
12 Subchapter:  
13 (1) Lease or rental. -- Defined in G.S. 105-164.3.  
14 (2) Long-term lease or rental. -- Defined in G.S. 105-187.1.  
15 (3) Motorcycle. -- Defined in G.S. 20-4.01.  
16 (4) Private passenger vehicle. -- Defined in G.S. 20-4.01.  
17 (5) Short-term lease or rental. -- A lease or rental that is not a long-  
18 term lease or rental.  
19 "**§ 105-551. Tax on gross receipts authorized.**  
20 (a) Tax. -- The Board of Trustees of an Authority may impose a privilege tax on a  
21 person who leases or rents private passenger vehicles or motorcycles based on the  
22 gross receipts derived by the person from the short-term lease or rental of these  
23 vehicles. The tax rate must be a percentage and may not exceed ten percent (10%).  
24 A tax imposed under this section applies to short-term leases or rentals made by a

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1995

S

SENATE DRS2623-LK222(4.26)

FILED - SENATE D  
S 1053 MAY 3 1995  
PRINCIPAL CLERK

Short Title: Raleigh Outer Loop.

(Public)

Sponsors: Senator Sherron.

Referred to:

1 A BILL TO BE ENTITLED  
2 AN ACT TO PROVIDE THAT FUNDS FROM THE HIGHWAY TRUST FUND  
3 MAY BE USED TO COMPLETE THE OUTER LOOP AROUND RALEIGH.  
4 The General Assembly of North Carolina enacts:  
5 Section 1. G.S. 136-180 reads as rewritten:  
6 "§ 136-180. Urban loops.  
7 Funds allocated from the Trust Fund for urban loops may be used only for the  
8 following urban loops:  
9  
10 Loop Description Affected  
11 Counties  
12 Asheville Western Multilane facility on new Buncombe  
13 Loop location from I-26 west of  
14 Asheville to US-19/23  
15 north of Asheville for the  
16 purpose of connecting these  
17 roads. The funds may be  
18 used to improve existing  
19 corridors.  
20 Charlotte Outer Loop Multilane facility on Mecklenburg  
21 new location encircling  
22 City of Charlotte  
23 Durham Northern Loop Multilane facility on new Durham,  
24 location from I-85 west of Orange  
25 Durham to US-70 east of

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1995

S

D

SENATE DRS2625-LL208(4.20)

Short Title: Advance Rental Payments.

FILED - SENATE  
S1054 MAY 3 1995  
PRINCIPAL CLERK

(Public)

Sponsors: Senator Sherron.

Referred to:

1 A BILL TO BE ENTITLED  
2 AN ACT TO REQUIRE THAT CERTAIN ADVANCE RENTAL PAYMENTS BE  
3 DEPOSITED IN TRUST ACCOUNTS AND THAT THE LANDLORD  
4 DELIVER PERIODIC ACCOUNTINGS TO THE TENANT.

5 The General Assembly of North Carolina enacts:

6 Section 1. Chapter 42 of the General Statutes is amended by adding a  
7 new Article to read:

8 "ARTICLE 7.

9 "Advance Rental Payments Act.

10 "§ 42-61. Advance payments from tenants.

11 A landlord or the landlord's agent, with the written agreement of the tenant of a  
12 residential dwelling unit, may require the tenant to pay all or part of any required  
13 rent or security deposit in advance of the commencement of the tenancy. In the  
14 event the landlord or the landlord's agent requires the tenant to make any payment  
15 of monies, other than a security deposit, more than 30 days prior to the  
16 commencement of the tenancy, whether the payment is denominated as rent or  
17 otherwise, the landlord or the landlord's agent shall deposit the money in a trust  
18 account with a licensed and insured bank, credit union, or savings institution located  
19 in North Carolina not later than three banking days following receipt. Advance  
20 payments deposited in a trust account shall not earn interest unless the landlord and  
21 tenant first agree in writing that the funds be deposited in an interest bearing account  
22 and provide for the disbursement of the interest accrued.

23 "§ 42-62. Use of advance payments.

24 All advance payments other than tenant security deposits shall be maintained in a  
25 trust account and may not be disbursed from that trust account until:

NORTH CAROLINA GENERAL ASSEMBLY  
SENATE

RECORDED VOTE

1995 SESSION

SEQ. 724/64-- 3:36 PM

MAY 11, 1995

LEGISLATIVE DAY 62

LT. GOVERNOR WICKER

-- Presiding

SHERRON  
ADVANCE RENTAL PAYMENTS.

SENATE BILL 1054  
READING 2

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



EXCUSED	0		
NOT CAST	2	BLACKMON	LEDBETTER
ABSENT	2	SAWYER	SMITH
PAIRS	0		
AYE			
NO			

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1995

S

D

SENATE DRS5630-LC058B(1.1)

FILED - SENATE

S 1055 MAY 3 1995

PRINCIPAL CLERK

(Public)

Short Title: Recycled Newsprint Tax Change.

Sponsors: Senator Kerr.

Referred to:

- 1 A BILL TO BE ENTITLED  
2 AN ACT TO MODIFY THE EXCISE TAX ON NEWSPRINT.  
3 The General Assembly of North Carolina enacts:  
4 Section 1. G.S. 105-102.6 reads as rewritten:  
5 "**§ 105-102.6. ~~Producers~~ Publishers of newsprint publications.**  
6 (a) Purpose. -- The purpose of this section is to provide ~~an incentive for the use of~~  
7 ~~recycled newsprint.~~ incentives for the recycling of newsprint and for the use of  
8 newsprint that contains recycled content.  
9 (b) Definitions. -- The following definitions apply in this section:  
10 (1) Net Gross tonnage of newsprint consumed. -- The weight in metric  
11 tons of all newsprint acquired consumed by a producer, publisher.  
12 ~~less the weight in metric tons of any acquired newsprint the~~  
13 ~~producer diverts from solid waste.~~  
14 (2) Newsprint. -- Uncoated paper, whether supercalendered or  
15 machine finished, made primarily from mechanical wood pulp  
16 combined with some chemical wood pulp, weighing between 24.5  
17 and 35 pounds for 500 sheets of paper two feet by three feet in  
18 size, and having a brightness of less than 60.  
19 (2.1) Nonvirgin newsprint. -- Newsprint that contains recycled  
20 postconsumer recovered paper.  
21 (3) Postconsumer ~~waste~~ recovered paper. -- Paper products, generated  
22 by a business or consumer, that have served their intended end  
23 uses and have been separated or diverted from solid waste.

SENATE

RECORDED VOTE

1995 SESSION

SEQ. 888/10-- 2:04 PM

JUNE 8, 1995

LEGISLATIVE DAY 78

LT. GOVERNOR WICKER

-- Presiding

KERR  
RECYCLED NEWSPRINT TAX CHANGE

SENATE BILL 1055  
READING 2

AYE	47	ALLRAN	DAVIS	LEDBETTER
		BALLANCE	EAST	LITTLE
		BALLANTINE	EDWARDS	LUCAS
		BASNIGHT	FORRESTER	MARTIN R.
		BLACKMON	FOXX	MARTIN W.
		CARPENTER	GULLEY	MCDANIEL
		CARRINGTON	HARTSELL	MCKOY
		CLARK	HORTON	ODOME
		COCHRANE	HOYLE	PAGE
		CONDER	JORDAN	PARNEHL
		COOPER	KERR	PERDUE
		DANNELLY	KINCAID	PLEXICO

PLYLER  
RAND  
SHAW  
SHERRON  
SIMPSON  
SMITH  
SOLES  
SPEED  
WARREN  
WEBSTER  
WINNER

NO 0

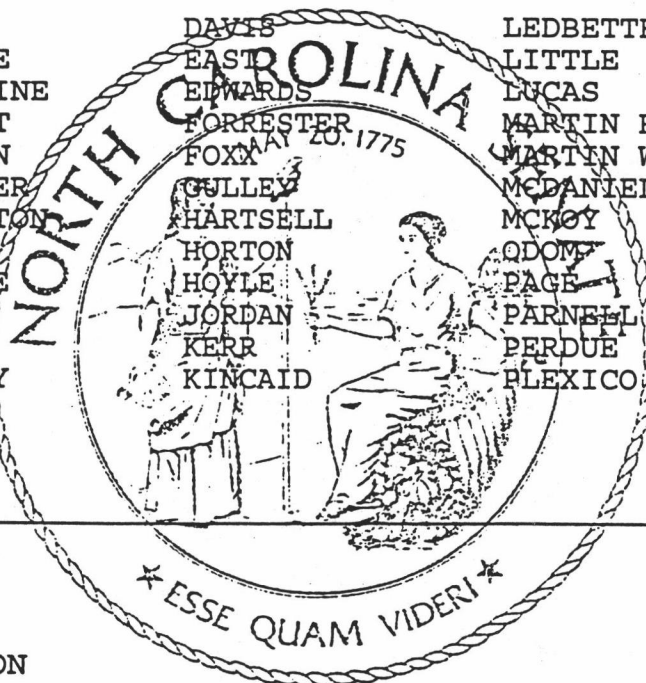
EXCUSED 0

NOT CAST 1 ALBERTSON

ABSENT 2 HOBBS SAWYER

PAIRS 0

AYE  
NO





NORTH CAROLINA GENERAL ASSEMBLY  
SENATE

RECORDED VOTE

1995 SESSION

SEQ. 932/17-- 5:35 PM

JUNE 12, 1995

LEGISLATIVE DAY 79

LT. GOVERNOR WICKER

-- Presiding

KERR  
RECYCLED NEWSPRINT TAX CHANGE

SENATE BILL 1055  
READING 3

AYE	48	ALBERTSON	DANNELLY	KINCAID	PLEXICO
		ALLRAN	DAVIS	LEDBETTER	PLYLER
		BALLANCE	EAST	LITTLE	RAND
		BALLANTINE	FORRESTER	LUCAS	SHAW
		BASNIGHT	FOXX	MARTIN R.	SHERRON
		BLACKMON	GULLEY	MARTIN W.	SIMPSON
		CARPENTER	HARTSELL	MCDANIEL	SMITH
		CARRINGTON	HOBBS	MCKOY	SOLES
		CLARK	HORTON	ODOM	SPEED
		COCHRANE	HOYLE	PAGE	WARREN
		CONDER	JORDAN	PARNELL	WEBSTER
		COOPER	KERR	PERDUE	WINNER

NO 0

EXCUSED 0

NOT CAST 0

ABSENT 2 EDWARDS

SAWYER

PAIRS 0

AYE

NO

# NORTH CAROLINA

## HOUSE OF REPRESENTATIVES



ROLL CALL

Q. # 1594  
LEGISLATIVE DAY 99  
S1055  
READING 2

7/17/95  
4:25 PM  
IN CHAIR: SPEAKER

RC

### RECYCLED NEWSPRINT TAX CHANGE

#### AYES - 101

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

#### NOES - 2

ARNOLD NICHOLS

#### EXCUSED ABSENCE - 9

BARBEE	BROWN, J.	LUEBKE	SUTTON
BLUE	GARDNER	ROBINSON, G.	WAINWRIGHT
BRAWLEY			

#### EXCUSED VOTE - 0

#### NOT VOTING - 8

SPEAKER	DECKER	GAMBLE	MICHAUX
BROWN, W.	EASTERLING	GRAY	MORGAN

EV

SEQ. # 1611  
LEGISLATIVE DAY 100  
S1055

NORTH CAROLINA  
HOUSE OF REPRESENTATIVES  
ROLL CALL

7/18/95  
4:22 PM  
IN CHAIR: SPEAKER

RECYCLED NEWSPRINT TAX CHANGE  
MOTION #3

*Rep. Morgan calls previous question or motion to suspend rules*

ALDRIDGE  
ALLRED  
ARNOLD  
BAKER  
BARBEE  
BERRY  
BOWIE  
BROWN, J.  
BROWN, W.  
BUCHANAN  
CANSLER  
CAPPS  
CARPENTER  
CHURCH  
CLARY  
COCKLEREECE  
CRAWFORD  
CREECH  
CULP

CULPEPPER  
CUMMINGS  
DAUGHTRY  
DAVIS  
DECKER  
DICKSON  
DOCKHAM  
EDDINS  
EDWARDS  
ELLIS  
ESPOSITO  
GAMBLE  
GRADY  
GRAY  
HAYES  
HIATT  
HILL  
HOLMES  
HOWARD

AYES - 75

HUNT  
HUNTER, R.  
HURLEY  
IVES  
JUSTUS  
KISER  
LEMMOND  
LINNEY  
MCALLISTER  
MCCOMAS  
MCCOMBS  
MCLAUGHLIN  
MCMAHAN  
MERCER  
MINER  
MITCHELL  
MORGAN  
NEELY  
NICHOLS

PATE  
PRESTON  
PULLEY  
RAMSEY  
RAYFIELD  
REYNOLDS  
ROBINSON, J.  
ROGERS  
SHARPE  
SHERRILL  
SHUBERT  
TALLENT  
THOMPSON  
WATSON  
WEATHERLY  
WILSON, C.  
WILSON, G.  
WOOD

ALEXANDER  
BARNES  
BEALL  
BLACK  
BOYD-MCINTYRE  
CUNNINGHAM  
EARLE  
EASTERLING

FITCH  
FOX  
HENSLEY  
HIGHTOWER  
HUNTER, H.  
LEE  
LOCKE  
LUEBKE

NOES - 30

MCCRARY  
MILLER, G.  
NYE  
OLDHAM  
OWENS  
REDWINE  
RICHARDSON

SHAW  
TOLSON  
WAINWRIGHT  
WILKINS  
WOMBLE  
WRIGHT  
YONGUE

BLUE  
BOWEN

EXCUSED ABSENCE - 8  
BRAWLEY  
GARDNER  
HACKNEY  
ROBINSON, G.

SEXTON  
SUTTON

EXCUSED VOTE - 0

SPEAKER  
ADAMS

NOT VOTING - 7  
BRASWELL  
MICHAX  
MILLER, K.  
RUSSELL

WARNER

S1055

# NORTH CAROLINA

## HOUSE OF REPRESENTATIVES

### ROLL CALL

EQ. # 1612  
LEGISLATIVE DAY 100  
S1055  
READING 3

7/18/95  
4:23 PM  
IN CHAIR: SPEAKER

EV

RECYCLED NEWSPRINT TAX CHANGE  
MOTION #12

*Rep. Luebke's motion to suspend rules 31(d) to amend title*

#### AYES - 41

ALEXANDER  
BARNES  
BEALL  
BLACK  
BOYD-MCINTYRE  
BROWN, W.  
CHURCH  
CUNNINGHAM  
EARLE  
EASTERLING  
FITCH

FOX  
GAMBLE  
HENSLEY  
HIGHTOWER  
HILL  
HUNTER, H.  
HUNTER, R.  
LEE  
LINNEY  
LOCKE

LUEBKE  
MCALLISTER  
MCCRARY  
MCLAUGHLIN  
MILLER, G.  
NYE  
OLDHAM  
OWENS  
RAMSEY  
REDWINE

RICHARDSON  
ROGERS  
SHAW  
TOLSON  
WAINWRIGHT  
WILKINS  
WOMBLE  
WOOD  
WRIGHT  
YONGUE

#### NOES - 64

ALDRIDGE  
ALLRED  
ARNOLD  
BAKER  
BARBEE  
BERRY  
BOWIE  
BROWN, J.  
BUCHANAN  
CANSLER  
CAPPS  
CARPENTER  
CLARY  
COCKLEREECE  
CRAWFORD  
CREECH

CULP  
CULPEPPER  
CUMMINGS  
DAUGHTRY  
DAVIS  
DECKER  
DICKSON  
DOCKHAM  
EDDINS  
EDWARDS  
ELLIS  
ESPOSITO  
GRADY  
GRAY  
HAYES  
HIATT

HOLMES  
HOWARD  
HUNT  
HURLEY  
IVES  
JUSTUS  
KISER  
LEMMOND  
MCCOMAS  
MCCOMBS  
MCMAHAN  
MERCER  
MINER  
MITCHELL  
MORGAN  
NEELY

NICHOLS  
PATE  
PRESTON  
PULLEY  
RAYFIELD  
REYNOLDS  
ROBINSON, J.  
SHARPE  
SHERRILL  
SHUBERT  
TALLENT  
THOMPSON  
WATSON  
WEATHERLY  
WILSON, C.  
WILSON, G.

#### EXCUSED ABSENCE - 8

BLUE  
BOWEN

BRAWLEY  
GARDNER

HACKNEY  
ROBINSON, G.

SEXTON  
SUTTON

#### EXCUSED VOTE - 0

#### NOT VOTING - 7

SPEAKER  
ADAMS

BRASWELL  
MICHAUX

MILLER, K.  
RUSSELL

WARNER

# NORTH CAROLINA

## HOUSE OF REPRESENTATIVES

### ROLL CALL

RC

SEQ. # 1613  
LEGISLATIVE DAY 100  
S1055  
READING 3

7/18/95  
4:27 PM  
IN CHAIR: SPEAKER

#### RECYCLED NEWSPRINT TAX CHANGE

#### AYES - 105

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

#### NOES - 0

#### EXCUSED ABSENCE - 8

BLUE	BRAWLEY	HACKNEY	SEXTON
BOWEN	GARDNER	ROBINSON, G.	SUTTON

#### EXCUSED VOTE - 0

#### NOT VOTING - 7

SPEAKER	CULPEPPER	MILLER, K.	WARNER
BRASWELL	MICHAUX	RUSSELL	

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1995

FILED - SENATE

S

S1056 MAY 31 1995 D

SENATE DRS4617-LN158A(4.10) PRINCIPAL CLERK

Short Title: Cancer/Heart Disease Research.

(Public)

Sponsors: Senator Martin of Guilford.

Referred to:

- 1 A BILL TO BE ENTITLED  
2 AN ACT TO ESTABLISH A GRANT PROGRAM FOR RESEARCH ON  
3 CANCER AND HEART DISEASE, AND TO ALLOW TAXPAYERS TO  
4 CONTRIBUTE TO CANCER AND HEART DISEASE RESEARCH WHEN  
5 THEY FILE THEIR STATE INCOME TAX RETURNS.  
6 The General Assembly of North Carolina enacts:  
7 Section 1. (a) The North Carolina Biotechnology Center shall establish  
8 a grant program for research in the areas of heart disease and cancer. The Program  
9 shall be self-supporting and shall be funded from contributions, gifts, and other  
10 private sources. In developing the grant program, the North Carolina Biotechnology  
11 Center shall establish criteria for awarding grants directed toward heart disease and  
12 cancer research that includes research in the areas of prevention, treatment and care,  
13 including pain control, rehabilitation, and identification and categorization of  
14 symptomology and syndromes.  
15 (b) The Center shall establish a committee to review competitive grant  
16 applications submitted by public and private medical institutions and institutions of  
17 higher education. The committee shall have the authority to award grants to  
18 applicants who meet the criteria established by the North Carolina Biotechnology  
19 Center. The committee shall consist of 17 members appointed as follows:  
20 (1) The 13 public members of the Advisory Committee on Cancer  
21 Coordination and Control appointed to that Committee by the  
22 Governor pursuant to G.S. 130A-33.50(b);  
23 (2) The two public members of the Advisory Committee on Cancer  
24 Coordination and Control appointed to that Committee by the

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1995

S

D

SENATE DRS3649-LE163(4.26)

FILED - SENATE  
S1057 MAY 3 1995  
PRINCIPAL CLERK  
(Public)

Short Title: Redefine Educ. for Deaf Students.

Sponsors: Senator Martin of Guilford.

Referred to:

- 1 A BILL TO BE ENTITLED  
2 AN ACT TO REDEFINE EDUCATION OF DEAF AND HARD-OF-HEARING  
3 STUDENTS IN CENTRAL NORTH CAROLINA AND TO APPROPRIATE  
4 FUNDS FOR THAT PURPOSE.  
5 The General Assembly of North Carolina enacts:  
6 Section 1. There is appropriated from the General Fund to the  
7 Department of Human Resources funds for the 1995-96 fiscal year and funds for the  
8 1996-97 fiscal year to be used to modify the manner in which the State provides a  
9 public education for deaf and hard-of-hearing students in central North Carolina.  
10 Sec. 2. This act becomes effective July 1, 1995.

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1995

S

SENATE DRS7659-LB366(4.24)

FILED - SENATE

S1058 MAY 3 1995

Short Title: Administrative Law Judge Salaries.

(Public)

Sponsors: Senator Martin of Guilford.

Referred to:

- 1 A BILL TO BE ENTITLED  
2 AN ACT TO EQUALIZE THE SALARIES OF ADMINISTRATIVE LAW  
3 JUDGES WITHIN THE OFFICE OF ADMINISTRATIVE HEARINGS AT A  
4 PERCENTAGE OF THE SALARY OF THE DIRECTOR OF THE OFFICE OF  
5 ADMINISTRATIVE HEARINGS.  
6 The General Assembly of North Carolina enacts:  
7 Section 1. G.S. 7A-753 reads as rewritten:  
8 "**§ 7A-753. Additional administrative law judges; appointment; specialization.**  
9 The Chief Administrative Law Judge shall appoint additional administrative law  
10 judges to serve in the Office of Administrative Hearings in such numbers as the  
11 General Assembly provides. No person shall be appointed or designated an  
12 administrative law judge except as provided in this Article.  
13 The Chief Administrative Law Judge may designate certain administrative law  
14 judges as having the experience and expertise to preside at specific types of contested  
15 cases and assign only these designated administrative law judges to preside at those  
16 cases.  
17 The salary of an administrative law judge shall be ninety percent (90%) of the  
18 salary of the Director of the Office of Administrative Hearings.  
19 In lieu of merit and other increment raises, an administrative law judge shall  
20 receive longevity pay on the same basis as is provided to employees of the State who  
21 are subject to the State Personnel Act."  
22 Sec. 2. This act becomes effective July 1, 1995.



GENERAL ASSEMBLY OF NORTH CAROLINA

S-1059

SESSION 1995

FILED - SENATE

S

S 1059 MAY 31 1995

SENATE DRSA144-LF277(4.25)

PRINCIPAL CLERK

Short Title: Senior Center Capital Funds.

(Public)

Sponsors: Senator Martin of Guilford.

Referred to:

- 1 A BILL TO BE ENTITLED  
2 AN ACT TO APPROPRIATE FUNDS FOR CAPITAL IMPROVEMENTS TO  
3 SENIOR CENTERS STATEWIDE.  
4 The General Assembly of North Carolina enacts:  
5 Section 1. There is appropriated from the General Fund to the Division  
6 of Aging, Department of Human Resources, the sum of one million dollars  
7 (\$1,000,000) for the 1995-96 fiscal year for capital improvements to Senior Centers  
8 statewide, including for repair, renovations, upkeep, and construction. Funds  
9 received by Senior Centers shall be matched by non-State funds on the basis of 10  
10 non-State dollars for every 100 State dollars.  
11 Sec. 2. This act becomes effective July 1, 1995.

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1995

S

SENATE DRS3640-LL119(2.23)

FILED - SENATE D  
S1060 MAY 3 1995  
PRINCIPAL CLERK

Short Title: AOC Substance Abuse Pilot Program.

(Public)

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Sponsors: Senator Martin of Guilford.

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Referred to:

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- 1 A BILL TO BE ENTITLED  
2 AN ACT TO ESTABLISH A PILOT PROGRAM FOR DEFERRED  
3 PROSECUTION OF ALCOHOL AND SUBSTANCE ABUSERS.  
4 The General Assembly of North Carolina enacts:  
5 Section 1. The Administrative Office of the Courts and the Department  
6 of Human Resources shall jointly develop and implement a deferred prosecution pilot  
7 program for first and second time alcohol and substance abusers. The program shall  
8 be available to persons arrested for the first or second time for an impaired driving  
9 offense or for possession of a controlled substance pursuant to G.S. 90-95(a)(3). The  
10 program shall provide for the deferral of prosecution for up to 18 months conditioned  
11 upon the successful completion of the program, avoidance of any further alcohol or  
12 substance abuse, and the payment of a fee to cover the cost of participation in the  
13 program.  
14 The program as developed shall be designed to promote early  
15 intervention, at or as soon as practicable after arrest, and shall focus on involving  
16 family or friends in the defendant's therapy. The program shall allow for local  
17 flexibility based upon resources available within the community, and may provide for  
18 the specialized training of court personnel in the assessment and treatment of alcohol  
19 and substance abusers. The fees charged for participation in the program should be  
20 designed to vary with the defendant's ability to pay but shall be sufficient  
21 cumulatively to reimburse the service providers.  
22 The Administrative Office of the Courts and the Department of Human  
23 Resources shall report on the development and implementation of this pilot program  
24 to the Joint Legislative Commission on Governmental Operations, the Chairs of the  
25 Senate and House Appropriations Committees, the Chairs of the Senate and House

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1995

S

SENATE DRSA617-LF278(4.25)

FILED - SENATE  
S 1061 MAY 9 1995  
PRINCIPAL CLERK

Short Title: Add. Thomas S. Funds.

(Public)

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Sponsors: Senator Martin of Guilford.

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Referred to:

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- 1 A BILL TO BE ENTITLED  
2 AN ACT TO APPROPRIATE ADDITIONAL FUNDS FOR THOMAS S.  
3 SERVICES TO AID IN BRINGING CLOSURE TO THE LAWSUIT.  
4 The General Assembly of North Carolina enacts:  
5 Section 1. There is appropriated from the General Fund to the Division  
6 of Mental Health, Developmental Disabilities, and Substance Abuse Services,  
7 Department of Human Resources, the sum of fifteen million dollars (\$15,000,000) for  
8 the 1995-96 fiscal year and the sum of fifteen million dollars (\$15,000,000) for the  
9 1996-97 fiscal year, to provide additional funds for Thomas S. services, to allow the  
10 discharge of Thomas S. class members currently in hospitals, to start up community  
11 services to serve them, and to aid in bringing closure to the Thomas S. lawsuit.  
12 Sec. 2. This act becomes effective July 1, 1995.

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1995

S

SENATE DRSA632-LF287(4.26)

FILED - SENATE  
81062 MAY 3 1995  
PRINCIPAL CLERK

Short Title: DHR New Services/Funds.

(Public)

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Sponsors: Senator Martin of Guilford.

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Referred to:

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- 1 A BILL TO BE ENTITLED  
2 AN ACT TO APPROPRIATE FUNDS FOR NEW HUMAN RESOURCES  
3 SERVICES.  
4 The General Assembly of North Carolina enacts:  
5 Section 1. This act becomes effective July 1, 1995.

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1995

S

FILED - SENATE

SENATE DRSA633-LF286(4.26)

S 1063 MAY 3 1995

PRINCIPAL CLERK

Short Title: DHR Services/Funds.

(Public)

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Sponsors: Senator Martin of Guilford.

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Referred to:

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- 1 A BILL TO BE ENTITLED  
2 AN ACT TO APPROPRIATE FUNDS FOR HUMAN RESOURCES SERVICES.  
3 The General Assembly of North Carolina enacts:  
4 Section 1. This act becomes effective July 1, 1995.

## NORTH CAROLINA GENERAL ASSEMBLY AMENDMENT

(Please type or use ballpoint pen)

EDITION No. \_\_\_\_\_

H. B. No. \_\_\_\_\_

S. B. No. 1063COMMITTEE SUBSTITUTE ✓

DATE

5/11/95

Amendment No.

1 (one)  
(to be filled in by  
Principal Clerk)

Rep.)

Sen.)

BILL MARTIN1 moves to amend the bill on page 2, line 11

2 ( ) WHICH CHANGES THE TITLE

3 by DELETING THE WORDS "HABILITATION,4 HABILITATION" AND SUBSTITUTING5 THE WORD "HABILITATION"

6 \_\_\_\_\_

7 AND, FURTHER, MOVES TO AMEND THE8 BILL ON PAGE 2, LINE 33 BY DELETING9 THAT LINE IN ITS ENTIRETY

10 \_\_\_\_\_

11 AND, FURTHER, MOVES TO AMEND THE12 BILL ON PAGE 2, LINE 34 BY DELETING13 THE WORDS "SEC. 5" AND SUBSTI-14 TUTING THE WORDS "SEC. 4"

15 \_\_\_\_\_

16 \_\_\_\_\_

17 \_\_\_\_\_

18 \_\_\_\_\_

19 \_\_\_\_\_

SIGNED

[Signature]

ADOPTED

5-11-95

FAYED

TABLED

(44-1)[Signature]

NORTH CAROLINA GENERAL ASSEMBLY  
SENATE

RECORDED VOTE

1995 SESSION

SEQ. 704/44-- 2:14 PM

MAY 11, 1995

LEGISLATIVE DAY 62

LT. GOVERNOR WICKER

-- Presiding

MARTIN W.  
MH SUB. ABUSE WOMEN/CHILD  
COM SUB/2ND EDITION

SENATE BILL 1063

AMEND 1

AYE 44 ALBERTSON  
ALLRAN  
BALLANCE  
BLACKMON  
CARPENTER  
CARRINGTON  
CLARK  
COCHRANE  
CONDER  
COOPER  
DANNELLY  
NO 1 BALLANTINE



EXCUSED 0  
NOT CAST 3 BASNIGHT JORDAN WARREN  
ABSENT 2 SAWYER SMITH  
PAIRS 0  
AYE  
NO

NORTH CAROLINA GENERAL ASSEMBLY  
SENATE

RECORDED VOTE

1995 SESSION

SEQ. 705/45-- 2:19 PM

MAY 11, 1995

LEGISLATIVE DAY 62

LT. GOVERNOR WICKER

-- Presiding

MARTIN W.  
MH SUB. ABUSE WOMEN/CHILD  
COM SUB/2ND EDITION

SENATE BILL 1063  
READING 2

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

EXCUSED 0

NOT CAST 3 BALLANCE BASNIGHT JORDAN

ABSENT 2 SAWYER SMITH

PAIRS 0

AYE

NO



GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1995

S

D

SENATE DRS2621-LF284(4.25)

FILED - SENATE  
S 1064 MAY 3 1995  
PRINCIPAL CLERK

Short Title: Job-Training Improvements/Funds.

(Public)

Sponsors: Senator Martin of Guilford.

Referred to:

- 1 A BILL TO BE ENTITLED  
2 AN ACT TO STRUCTURE A MORE EFFECTIVE JOB-TRAINING SYSTEM  
3 FOR NORTH CAROLINA AND TO APPROPRIATE FUNDS.  
4 The General Assembly of North Carolina enacts:  
5 Section 1. The General Assembly shall structure a more effective job-  
6 training system for North Carolina.  
7 Sec. 2. There is appropriated from the General Fund to the Department  
8 of Human Resources the sum of seventy-five thousand dollars (\$75,000) for the 1995-  
9 96 fiscal year and the sum of seventy-five thousand dollars (\$75,000) for the 1996-97  
10 fiscal year to implement this act.  
11 Sec. 3. Unless otherwise noted, this act becomes effective July 1, 1995.

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1995

S

SENATE DRSA639-LL197(4.17)

FILED - SENATE D  
S1065 MAY 3 1995  
PRINCIPAL CLERK

Short Title: Drug Court Programs.

(Public)

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Sponsors: Senators Martin of Guilford, Ballantine, Edwards, Gulley, Horton, Jordan, Lucas, McDaniel, McKoy, Odom, Rand, Sawyer, Shaw, and Sherron.

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Referred to:

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- 1 A BILL TO BE ENTITLED  
2 AN ACT TO DIRECT THE ESTABLISHMENT OF DRUG COURT PROGRAMS  
3 IN CUMBERLAND, DURHAM, FORSYTH, GUILFORD, AND NEW  
4 HANOVER COUNTIES.  
5 The General Assembly of North Carolina enacts:  
6 Section 1. The Judicial Department shall establish drug court programs  
7 in Cumberland, Durham, Forsyth, Guilford, and New Hanover Counties that  
8 combine fast-track prosecution and treatment models.  
9 Sec. 2. This act becomes effective July 1, 1995.

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1995

S

SENATE DRS2632-RH017(5.3)

FILED - SENATE  
S1066 MAY 3 1995 D  
PRINCIPAL CLERK

Short Title: Last Best Chance.

(Public)

Sponsors: Senator Perdue.

Referred to:

1 A BILL TO BE ENTITLED  
2 AN ACT TO ESTABLISH A RESIDENTIAL EDUCATION CENTER FOR  
3 DISRUPTIVE YOUTH WHO ARE AT RISK OF ENTERING THE JUVENILE  
4 JUSTICE SYSTEM, AND TO MAKE AN APPROPRIATION.

5 The General Assembly of North Carolina enacts:

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

8 "ARTICLE 9B.

9 "Disruptive Youth Residential Education Center.

10 "§ 115C-150.5. Plan; administration; rules.

11 The Department of Human Resources, in collaboration with the State Board of  
12 Education, shall develop a plan for the establishment of a residential center for  
13 disruptive youth ages 13 to 18 who have been adjudicated delinquent or who are at  
14 high risk of entering the juvenile justice system. These youth are not 'children with  
15 special needs' within the meaning of G.S. 115C-109 unless they meet that definition  
16 because of some other condition. For budgetary purposes, the center shall be located  
17 administratively in the Division of Youth Services of the Department of Human  
18 Resources. The State Board of Education shall adopt rules to administer this Article  
19 and shall provide technical assistance to the Department of Human Resources at that  
20 Department's request.

21 "§ 115C-150.6. Admission of students.

22 The superintendent of a local school administrative unit, or the superintendent's  
23 representative, may refer to the Department of Human Resources for admission into  
24 the residential center students who:

25 (1) Are 13 to 18 years old;

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1995

FILED - SENATE

S

D

SENATE DRSA638-LE035(1.12) S1067 MAY 3 1995

PRINCIPAL CLERK

Short Title: Basic School Grant Funds.

(Public)

Sponsors: Senator Perdue.

Referred to:

- 1 A BILL TO BE ENTITLED  
2 AN ACT TO APPROPRIATE FUNDS FOR BASIC SCHOOL GRANTS.  
3 The General Assembly of North Carolina enacts:  
4 Section 1. There is appropriated from the General Fund to State Aid to  
5 Local School Administrative Units the sum of five million dollars (\$5,000,000) for the  
6 1995-96 fiscal year for Basic School Grants. The State Board shall use these funds to  
7 provide grants for local school administrative units to locally designed innovative  
8 alternative delivery programs for children in kindergarten through the third grade  
9 who are performing significantly below the grade level of children their age and  
10 children who are troubled or disruptive.  
11 The purposes of these alternative programs shall be to raise the student  
12 performance, improve student character, and create a coherent basic curriculum for  
13 these students. In awarding these grants, the State Board of Education shall give  
14 preference to applicants who agree to refocus their existing funds, personnel, and  
15 other resources on achieving these purposes.  
16 A local school administrative unit may apply for a grant, or two or three  
17 adjacent local school administrative units may apply jointly for a grant.  
18 The State Board of Education shall report to the Joint Legislative  
19 Education Oversight Committee prior to March 15, 1996, on how the funds are being  
20 used.  
21 Sec. 2. This act becomes effective July 1, 1995.

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1995

S

FILED - SENATE D

SENATE DRS7662-LH213(4.26)

51068 MAY 3 1995

PRESENTER CLERK

Short Title: UNC Expand Ed. Sites/Fund.

(Public)

Sponsors: Senators Perdue, Albertson, Ballantine, Edwards, Jordan, Kerr, Parnell,  
and Rand.

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 TO ESTABLISH PILOT  
4 PROGRAMS THAT OFFER EDUCATIONAL OPPORTUNITIES AT SITES  
5 LOCATED IN AREAS AWAY FROM THE CAMPUSES OF THE  
6 CONSTITUENT INSTITUTIONS.  
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 five hundred thousand  
10 dollars (\$500,000) for the 1995-96 fiscal year to establish pilot programs at sites  
11 located away from campuses of the constituent institutions and expand educational  
12 opportunities at those sites. The Board of Governors shall consider as sites for the  
13 pilot projects, those areas that are easily available to military personnel and other  
14 citizens so that both can receive maximum benefits from the increased educational  
15 opportunities.  
16 Sec. 2. This act becomes effective July 1, 1995.

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1995

S

SENATE DRS9625-LE166A(4.26)

FILED - SENATE D

1069 MAY 3 1995

PRINCIPAL CLERK

Short Title: Litigation Reserve/St. Educ. Bd.

(Public)

Sponsors: Senator Perdue.

Referred to:

- 1 A BILL TO BE ENTITLED  
2 AN ACT TO APPROPRIATE FUNDS FOR A LITIGATION RESERVE FOR THE  
3 STATE BOARD OF EDUCATION.  
4 The General Assembly of North Carolina enacts:  
5 Section 1. There is appropriated from the General Fund to the State  
6 Board of Education the sum of five hundred thousand dollars (\$500,000) for the  
7 1995-96 fiscal year for a litigation reserve.  
8 Sec. 2. This act becomes effective July 1, 1995.

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1995

S

D

SENATE DRS6624-LR147(3.29)

FILED - SENATE  
S1070 MAY 3 1995  
PRINCIPAL CLERK

Short Title: State/Local Gov't. Fiscal Study.

(Public)

Sponsors: Senator Perdue.

Referred to:

1 A BILL TO BE ENTITLED  
2 AN ACT TO ESTABLISH THE STATE AND LOCAL GOVERNMENT FISCAL  
3 RELATIONS STUDY COMMISSION.

4 Whereas, providing public services to North Carolina's citizens is a  
5 shared responsibility of the State and its local governments that involves complex  
6 fiscal and administrative relationships between State government and units of local  
7 government; and

8 Whereas, North Carolina's system of shared responsibility for  
9 administering and financing those services must function well in meeting both the  
10 needs of the State as a whole and the needs of its people as residents of local  
11 communities; and

12 Whereas, North Carolina local governments, particularly counties, have a  
13 major role in administering many statewide services, especially in the areas of  
14 education, health, and welfare; and

15 Whereas, North Carolina municipalities are responsible for providing  
16 many public services in urban environments, such as city streets, law enforcement,  
17 and fire protection, at a higher level than is needed in rural areas; and

18 Whereas, the public services administered by North Carolina's local  
19 governments account for most of the public employment in the State and nearly  
20 three-quarters of all direct public spending, Now, therefore,  
21 The General Assembly of North Carolina enacts:

22 Section 1. (a) The State and Local Government Fiscal Relations Study  
23 Commission is established to study whether North Carolina's current system of  
24 shared responsibility for administering and financing public services is meeting the  
25 needs of the State and its communities, and how that system might be improved to

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1995

S

SENATE DRS3629-LD023(1.12)

FILED - SENATE  
D  
S1071 MAY 3 1995  
PRINCIPAL CLERK

Short Title: Common Sense Regulatory Commission.

(Public)

Sponsors: Senator Perdue.

Referred to:

1 A BILL TO BE ENTITLED  
2 AN ACT TO CREATE THE COMMON SENSE REGULATORY REVIEW  
3 COMMISSION, WHICH SHALL DEVELOP A NEW APPROACH TO STATE  
4 REGULATIONS IN NORTH CAROLINA AND SHALL DEVELOP A  
5 STRATEGY TO ESTABLISH AN ENVIRONMENT COMMISSION  
6 PATTERNED AFTER THE NORTH CAROLINA UTILITIES COMMISSION.  
7 Whereas, North Carolinians agree on the need for a clean environment,  
8 safe workplaces, fair business practices, and safe and healthy children; and  
9 Whereas, North Carolinians do not agree on how to achieve these goals;  
10 and  
11 Whereas, regulations to accomplish these goals have become more  
12 complex, more legalistic, more prescriptive, and less understandable to the average  
13 citizen and the arguments regarding regulations have become more continuous; and  
14 Whereas, growing animosity toward the cost and complexity of regulation  
15 and to the bureaucracies developed to promote and enforce regulations threatens to  
16 unravel the consensus on the goals themselves; and  
17 Whereas, the correct place to focus this debate is on the regulatory  
18 apparatus, not on the goals; and  
19 Whereas, we need a good dose of common sense in our regulatory  
20 process; and  
21 Whereas, common sense solutions are possible; and  
22 Whereas, what is needed in State government is a formal process to  
23 reassess the rule-making process and to review rules in all areas of State government;  
24 and



GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1995

S

D

SENATE DRS2635\*-LG094B(3.14) FILED - SENATE

81072 MAY 3 1995

Short Title: Machining Tech. Partnership Funds.

PRINCIPAL CLERK (Public)

Sponsors: Senators Martin of Guilford and 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 NORTH CAROLINA A & T  
4 STATE UNIVERSITY TO SUPPORT THE PIEDMONT TRIAD CENTER FOR  
5 ADVANCED MANUFACTURING AND TO THE STATE BOARD OF  
6 COMMUNITY COLLEGES TO ESTABLISH A "SEAMLESS EDUCATION  
7 PILOT PROJECT".

8 Whereas, there are 750 metalworking industries in the Triad area making  
9 the Piedmont Triad one of the most highly concentrated metalworking areas in the  
10 United States; and

11 Whereas, available information indicates that these industries cannot  
12 expand further without qualified skilled workers in machining technology; and

13 Whereas, the General Assembly recognizes that the availability of  
14 machining technology education and training is seriously lacking in the Piedmont  
15 Triad area which affects employment opportunities in Guilford, Forsyth, Randolph,  
16 Alamance, and surrounding counties; and

17 Whereas, the Piedmont Triad Center for Advanced Manufacturing (PT  
18 CAM), a cooperative partnership between North Carolina A & T State University,  
19 Guilford Technical Community College, Forsyth Technical Community College,  
20 Rockingham Community College, economic development entities, business and  
21 industry in the Piedmont Triad area, and the Guilford County Public Schools, was  
22 formed to address the problems of the manufacturing industry in the Piedmont Triad  
23 area; and

24 Whereas, the Piedmont Triad Center for Advanced Manufacturing has set  
25 up a number of programs including apprenticeships, internships, and cooperative

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1995

S

SENATE DRS9626-LH027(1.1)

FILED - SENATE  
S 1073 MAY 8 1995  
D  
PRINCIPAL CLERK

Short Title: Life Sentence Appeals.

(Public)

Sponsors: Senator Allran.

Referred to:

1 A BILL TO BE ENTITLED

2 AN ACT TO PROVIDE THAT THE COURT OF APPEALS SHALL HEAR  
3 APPEALS IN CRIMINAL CASES IN WHICH LIFE SENTENCES ARE  
4 IMPOSED AND TO PROVIDE THAT A DIRECT APPEAL OF RIGHT TO  
5 THE SUPREME COURT EXISTS ONLY WHEN A SENTENCE OF DEATH IS  
6 IMPOSED.

7 The General Assembly of North Carolina enacts:

8 Section 1. G.S. 7A-27 reads as rewritten:

9 "§ 7A-27. Appeals of right from the courts of the trial divisions.

10 (a) Appeal lies of right directly to the Supreme Court in all cases in which the  
11 defendant is convicted of murder in the first degree and the judgment of the superior  
12 court includes a sentence of ~~death or imprisonment for life.~~ death.

13 (b) From any final judgment of a superior court, other than the one described in  
14 subsection (a) of this section, or one based on a plea of guilty or nolo contendere,  
15 including any final judgment entered upon review of a decision of an administrative  
16 agency, appeal lies of right to the Court of Appeals.

17 (c) From any final judgment of a district court in a civil action appeal lies of right  
18 directly to the Court of Appeals.

19 (d) From any interlocutory order or judgment of a superior court or district court  
20 in a civil action or proceeding which

21 (1) Affects a substantial right, or

22 (2) In effect determines the action and prevents a judgment from  
23 which appeal might be taken, or

24 (3) Discontinues the action, or

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1995

S

SENATE DRS9622-LH208(4.25)

FILED - SENATE  
S1074 MAY 3 1995  
PRINCIPAL CLERK

Short Title: Extremely Serious Assault/Felony.

(Public)

Sponsors: Senator Rand.

Referred to:

- 1 A BILL TO BE ENTITLED  
2 AN ACT TO PUNISH AS A FELONY AN ASSAULT COMMITTED WITH  
3 INTENT TO KILL OR INTENT TO INFLICT EXTREMELY SERIOUS INJURY  
4 AND AN ASSAULT INFLICTING EXTREMELY SERIOUS INJURY.  
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 "§ 14-32.3. Felonious assault with intent to kill or inflict extremely serious injury or  
9 inflicting extremely serious injury; punishment.  
10 (a) For purposes of this section, extremely serious injury means injury resulting in:  
11 (1) Permanent physical or mental handicap or disability to another  
12 person; or  
13 (2) Protracted hospitalization of another person.  
14 (b) Any person who assaults another person and inflicts extremely serious injury  
15 shall be punished as a Class H felon.  
16 (c) Any person who assaults another person with intent to kill or intent to inflict  
17 extremely serious injury and who inflicts serious injury shall be punished as a Class H  
18 felon."  
19 Sec. 2. This act becomes effective December 1, 1995, and applies to  
20 offenses occurring on or after that date.

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1995

S

D

SENATE DRS3648-LR177(418)

FILED - SENATE

51075 MAY 3 1995

Short Title: SBI Subpoena Authority.

PRINCIPAL CLERK (Public)

Sponsors: Senator Rand.

Referred to:

- 1 A BILL TO BE ENTITLED  
2 AN ACT TO PROVIDE ADMINISTRATIVE SUBPOENA AUTHORITY TO THE  
3 STATE BUREAU OF INVESTIGATION.  
4 The General Assembly of North Carolina enacts:  
5 Section 1. Chapter 114 of the General Statutes is amended by adding a  
6 new section to read:  
7 "§ 114-15.4. Administrative subpoena authority.  
8 (a) Pursuant to regulations promulgated by the Attorney General, the Director of  
9 the State Bureau of Investigation and any Special Agent in Charge designated by the  
10 Director may, upon a determination that reasonable suspicion exists that a person  
11 who is a third-party keeper of records, may possess or may have care, custody or  
12 control of any books, records, papers, documents or other tangible things, or objects  
13 in any form which may be relevant to an active law enforcement investigation  
14 conducted by the State Bureau of Investigation, issue in writing and cause to be  
15 served upon the person, a subpoena requiring production of the materials at the place  
16 designated in the subpoena. The subpoena shall:  
17 (1) Describe the materials to be produced with reasonably sufficient  
18 clarity to enable the materials to be identified; and  
19 (2) Prescribe a return date that provides a reasonable period of time  
20 within which the materials can be assembled and made available  
21 for inspection and copying.  
22 (b) A subpoena issued under this section may be served by any person designated  
23 in the subpoena to serve it. Service upon a natural person may be made by personal  
24 delivery of the subpoena to him. Service upon a domestic or foreign corporation, or  
25 upon a partnership or other business entity, may be made by delivering the subpoena

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1995

S

SENATE DRSA634-LF285(4.26)

FILED - SENATE

61076 MAY 3 1995  
PRINCIPAL CLERK

Short Title: Nursing Hm. Admin. Act Fees.

(Public)

Sponsors: Senator Hoyle.

Referred to:

- 1 A BILL TO BE ENTITLED  
2 AN ACT TO INCREASE THE AMOUNT OF CERTAIN FEES SET BY THE  
3 NORTH CAROLINA STATE BOARD OF EXAMINERS FOR NURSING  
4 HOME ADMINISTRATORS.  
5 The General Assembly of North Carolina enacts:  
6 Section 1. G.S. 90-280 reads as rewritten:  
7 "**§ 90-280. Fees; display of license; duplicate license; inactive list.**  
8 (a) Each applicant for an examination administered by the Board and each  
9 applicant for an administrator-in-training program shall pay a fee set by the Board  
10 not to exceed two hundred dollars (\$200.00).  
11 (b) Each person licensed as a nursing home administrator shall be required to pay  
12 a license fee in an amount set by the Board not to exceed ~~two hundred fifty dollars~~  
13 ~~(\$250.00).~~ five hundred dollars (\$500.00). A license shall expire on the thirtieth day  
14 of September of the second year following its issuance and shall be renewable  
15 biennially upon payment of a renewal fee set by the Board not to exceed ~~two~~  
16 ~~hundred fifty dollars (\$250.00).~~ five hundred dollars (\$500.00).  
17 (c) Each person licensed as a nursing home administrator shall display his license  
18 certificate, along with the current certificate of renewal, in a conspicuous place in ~~his~~  
19 the person's place of employment.  
20 (d) Any person licensed as a nursing home administrator may receive a duplicate  
21 license by payment of a fee set by the Board not to exceed twenty-five dollars  
22 (\$25.00).  
23 (e) Any person licensed as a nursing home administrator who is not acting,  
24 serving, or holding ~~himself~~ out to be a nursing home administrator may have ~~his~~ the  
25 person's name placed on an inactive list for ~~such~~ a period of time not to exceed five

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1995

FILED - SENATE

S

SENATE DRSA641-LH037(1.6)

S 1077 MAY 3 1995

PRINCIPAL CLERK

Short Title: Lake Gaston Settlement.

(Public)

Sponsors: Senator Rand.

Referred to:

- 1 A BILL TO BE ENTITLED
- 2 AN ACT REGARDING THE LAKE GASTON SETTLEMENT.
- 3 The General Assembly of North Carolina enacts:
- 4 Section 1. The laws of North Carolina are amended with regard to the
- 5 Lake Gaston Settlement.
- 6 Sec. 2. This act is effective upon ratification.

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1995

S

D

SENATE DRS7661-LE138B(4.7)

FILED - SENATE  
S 1078 MAY 3 1995

PRINCIPAL CLERK

Short Title: Moral, Ethical, & Virtuous/Educ.

(Public)

Sponsors: Senator Odom.

Referred to:

1 A BILL TO BE ENTITLED  
2 AN ACT TO AUTHORIZE LOCAL BOARDS OF EDUCATION TO HAVE  
3 MATERIALS POSTED TO EDUCATE STUDENTS ABOUT THE MORAL,  
4 ETHICAL, AND VIRTUOUS PRINCIPLES OF THE WORLD'S RELIGIONS  
5 AND THE GREAT PHILOSOPHERS OF CIVILIZATION.  
6 The General Assembly of North Carolina enacts:  
7 Section 1. G.S. 115C-47 is amended by adding a new subdivision to read:  
8 "(38) To have materials posted in designated classrooms to educate  
9 students about moral, ethical, and virtuous principles. -- Each local  
10 board of education may adopt a policy to require the posting in  
11 designated classrooms or places of information, tenets, principles,  
12 or teachings from the world's religions and from the great  
13 philosophers of civilization, that will serve to educate students  
14 about moral, ethical, and virtuous principles. The policy shall  
15 specify the specific materials that may be posted at each grade  
16 level. These materials may contain, but are not limited to, tenets  
17 or basic principles of the Christian, Jewish, Islamic, Hindu,  
18 Buddhist, or other major religions, such as the Ten  
19 Commandments and the Torah. These materials are encouraged  
20 to promote (i) honesty; (ii) morality; (iii) courtesy; (iv) the dignity  
21 and necessity of honest labor; (v) principles that tend to promote  
22 and develop an upright and desirable citizenry; (vi) respect for  
23 others; (vii) kindness; (viii) responsibility for one's acts; (ix)  
24 perseverance; and (x) respect for human life.



## NORTH CAROLINA GENERAL ASSEMBLY AMENDMENT

(Please type or use ballpoint pen)

EDITION No. \_\_\_\_\_

H. B. No. \_\_\_\_\_

S. B. No. 1078

COMMITTEE SUBSTITUTE \_\_\_\_\_

DATE

5/8/95

Amendment No.

1 (one)(to be filled in by  
Principal Clerk)

Rep.)

Sen.)

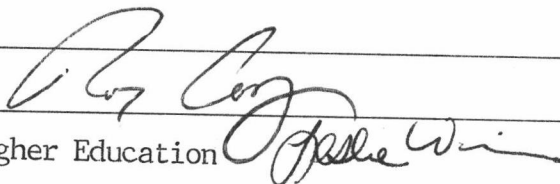
Cooper1 moves to amend the bill on page 1, lines 16 - 19

2 ( ) WHICH CHANGES THE TITLE

3 by rewriting the lines to read:

4  
5 "level. These materials may contain  
6 tenets or basic principles including,  
7 by way of illustration and not  
8 limitation, the Ten Commandments  
9 and the ~~Deke~~ Torah, of the  
10 Christian, Jewish, Islamic,  
11 Hindu, Buddhist, or other major  
12 religions ~~and~~ philosophies, and the  
13 materials must include ~~principles~~ ~~principles~~ ~~principles~~  
14 from several religions and philosophies.  
15 These materials are encouraged"  
16  
17  
18  
19

SIGNED



Adopted by the Committee on Education/Higher Education

ADOPTED

5-9-95

FAILED

TABLED



NORTH CAROLINA GENERAL ASSEMBLY  
SENATE

RECORDED VOTE

1995 SESSION

SEQ. 562/40-- 6:28 PM

MAY 9, 1995

LEGISLATIVE DAY 60

SENATOR BASNIGHT

-- Presiding

ODOM  
MORAL, ETHICAL, AND VIRTUOUS/EDUC.

SENATE BILL 1078  
READING 2

AYE	40	ALBERTSON	DANNELLY	LITTLE	PLEXICO
		ALLRAN	DAVIS	LUCAS	PLYLER
		BALLANCE	EAST	MARTIN R	RAND
		BALLANTINE	FORRESTER	MARTIN W	SHAW
		BASNIGHT	FOX	MCDANIEL	SHERRON
		CARPENTER	HARTSELL	MCKOY	SIMPSON
		CARRINGTON	HORTON	ODOM	SOLES
		CLARK	HOYLE	PAGE	WARREN
		CONDER	KERR	PARNELL	WEBSTER
		COOPER	LEDBETTER	PERDUE	WINNER

NO 0

EXCUSED 0

NOT CAST	9	BLACKMON	GULLEY	JORDAN	SAWYER
		COCHRANE	HOBBS	KINCAID	SPEED
		EDWARDS			

ABSENT 1 SMITH

PAIRS 0  
AYE  
NO

(INUED)

NORTH CAROLINA GENERAL ASSEMBLY  
SENATE

RECORDED VOTE

1995 SESSION

SEQ. 579/57-- 8:47 PM

MAY 9, 1995

LEGISLATIVE DAY 60

SENATOR BASNIGHT

-- Presiding

ODOM  
MORAL, ETHICAL, AND VIRTUOUS/EDUC.

SENATE BILL 1078  
READING 2

AYE	40	ALBERTSON	DANNELLY	LITTLE	PLEXICO
		ALLRAN	DAVIS	LUCAS	PLYLER
		BALLANCE	EAST	MARTIN R	RAND
		BALLANTINE	FORRESTER	MARTIN W	SHAW
		BASNIGHT	FOX	MCDANIEL	SHERRON
		CARPENTER	HARSELL	MCKOY	SIMPSON
		CARRINGTON	HORTON	ODOM	SOLES
		CLARK	HOYLE	PAGE	WARREN
		CONDER	KERR	PARNELL	WEBSTER
		COOPER	LEDBETTER	PERDUE	WINNER

NO 0

EXCUSED 0

NOT CAST	8	BLACKMON	EDWARDS	JORDAN	SAWYER
		COCHRANE	GULLEY	KINCAID	SPEED

ABSENT	2	HOBBS	SMITH
--------	---	-------	-------

PAIRS 0  
AYE  
NO

(COPY)

NORTH CAROLINA GENERAL ASSEMBLY  
SENATE

RECORDED VOTE

1995 SESSION

SEQ. 579/57-- 8:47 PM

MAY 9, 1995

LEGISLATIVE DAY 60

SENATOR BASNIGHT

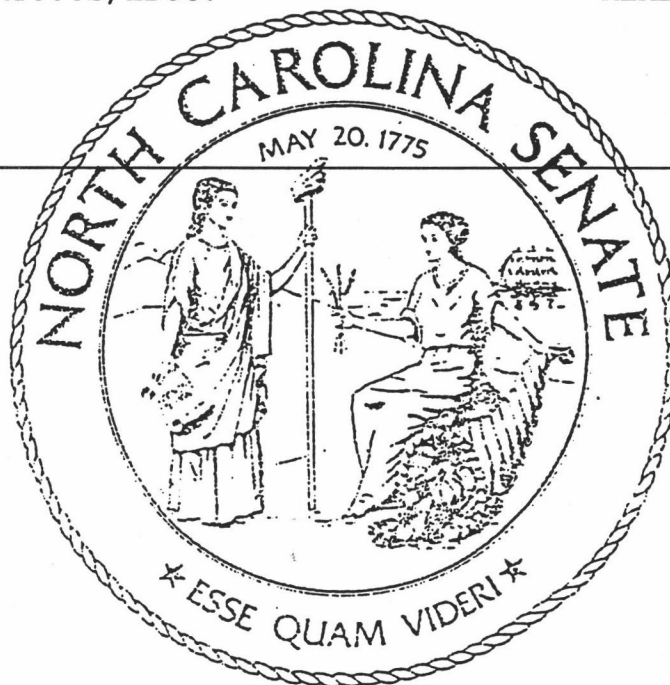
-- Presiding

ODOM  
MORAL, ETHICAL, AND VIRTUOUS/EDUC.

SENATE BILL 1078  
READING 2

RECORDED  
ABSENT 1 HOBBS  
ADJUSTED TOTAL  
AYE 40  
NO 0  
NOT CAST 8  
ABSENT 2

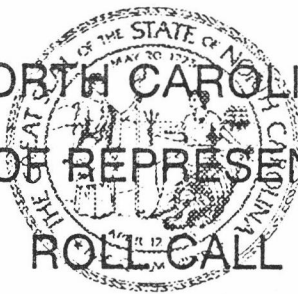
Y)



EV

SEQ. # 1167  
LEGISLATIVE DAY 83  
HCS  
READING 2

NORTH CAROLINA  
HOUSE OF REPRESENTATIVES



6/19/95  
8:44 PM  
IN CHAIR: SPEAKER

CHARACTER EDUCATION REQUIRED

AYES - 101

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

NOES - 7

BARNES	HENSLEY	HURLEY	MICHAUX
HACKNEY	HUNTER, H.	LUEBKE	

EXCUSED ABSENCE - 7

CARPENTER	REDWINE	THOMPSON	WILSON, C.
HUNTER, R.	SUTTON	WAINWRIGHT	

EXCUSED VOTE - 0

NOT VOTING - 5

SPEAKER	GRAY	HUNT	MERCER
CULP			

S1078HCS

NORTH CAROLINA GENERAL ASSEMBLY  
SENATE

RECORDED VOTE

1995 SESSION

SEQ. 1126/3-- 1:50 PM

JUNE 29, 1995

LEGISLATIVE DAY 90

LT. GOVERNOR WICKER

-- Presiding

ODOM  
CHARACTER EDUCATION REQUIRED  
HOUSE COM SUB/3RD EDITION

SENATE BILL 1078

MOTION 8  
TO CONCUR

AYE	19	ALLRAN BALLANTINE CARPENTER CARRINGTON CLARK	COCHRANE DAVIS EAST FORRESTER FOXX	HORTON KINCAID LEDBETTER MCDANIEL MCKOY	PAGE SHAW SIMPSON WEBSTER
NO	28	ALBERTSON BALLANCE BASNIGHT BLACKMON CONDER COOPER DANNELLY	EDWARDS GULLEY HOBBS HOYLE JORDAN KERR LITTLE	LUCAS MARTIN R. MARTIN W. ODOM PARNELL PERDUE PLEXICO	PLYLER RAND SHERRON SOLES SPEED WARREN WINNER

EXCUSED 0

NOT CAST 2 HARTSELL

SAWYER

ABSENT 1 SMITH

PAIRS 0

AYE  
NO

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1995

S

SENATE DRS9611-LG170(4.24)

FILED - SENATE D

81079 MAY 3 1995

WILLIAM H. CLARK

Short Title: Minority Eco. Development Funds.

(Public)

Sponsors: Senator McKoy.

Referred to:

- 1 A BILL TO BE ENTITLED  
2 AN ACT TO APPROPRIATE FUNDS TO THE DEPARTMENT OF COMMERCE  
3 FOR USE BY THE NORTH CAROLINA MINORITY CREDIT UNION  
4 SUPPORT CENTER TO IMPROVE MINORITY ECONOMIC DEVELOPMENT  
5 IN ECONOMICALLY DISADVANTAGED RURAL AND URBAN AREAS OF  
6 NORTH CAROLINA.  
7 The General Assembly of North Carolina enacts:  
8 Section 1. There is appropriated from the General Fund to the  
9 Department of Commerce the sum of one million five hundred thousand dollars  
10 (\$1,500,000) for the 1995-96 fiscal year and the sum of one million five hundred  
11 thousand dollars (\$1,500,000) for the 1996-97 fiscal year to be allocated to the North  
12 Carolina Minority Credit Union Support Center for the development of appropriate  
13 guaranteed loan programs for small business development and economic growth in  
14 rural and economically disadvantaged communities. These funds shall be equally  
15 allocated to rural and urban areas. The North Carolina Minority Credit Union  
16 Support Center shall report annually to the Joint Legislative Commission on  
17 Governmental Operations on the use of funds allocated in this section.  
18 Sec. 2. This act becomes effective July 1, 1995.

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1995

S

SENATE DRS1689-LD184(4.26)

FILED - SENATE

S 1080 MAY 3 1995

PRINCIPAL CLERK

Short Title: Siting of Swine Operations.

(Public)

Sponsors: Senator Albertson.

Referred to:

- 1 A BILL TO BE ENTITLED  
2 AN ACT TO PLACE CERTAIN RESTRICTIONS ON THE SITING OF SWINE  
3 OPERATIONS.  
4 The General Assembly of North Carolina enacts:  
5 Section 1. Chapter 106 of the General Statutes is amended by adding a  
6 new Article to read:  
7 "ARTICLE 67.  
8 "Swine Industry.  
9 "§ 106-800. Requirements for siting swine operations.  
10 (a) A swine operation shall be located at least 1,500 feet from any residence and  
11 at least 2,500 feet from any school, hospital, church, or other building that is  
12 occupied by people on a regular basis.  
13 (b) As used in this section, 'swine operation' means a facility that is used, or that  
14 is capable of being used, for the production of 200 or more swine."  
15 Sec. 2. This act becomes effective January 1, 1996, and applies to any  
16 swine operation constructed on or after that date.



NORTH CAROLINA GENERAL ASSEMBLY  
AMENDMENT  
Senate Bill 1080

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

S1080-ALD-9

Date 5-10, 1995

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

*Senator Alburtson*

- 1 moves to amend the bill on page 1, line 11,  
2 by adding after the word "residence" the following: "that is not  
3 abandoned"; and  
4  
5 on page 1, lines 14 and 15, by deleting those lines and substituting  
6 the following: "sited closer to a residence than is allowed under  
7 subsection (a) of this section:  
8       (1) If the owner of the residence indicates his or her  
9       consent in a statement signed by the owner, notarized,  
10       and filed in the register of deeds' office in the  
11       county in which the property is located; or  
12       (2) When the residence is owned by the owner of the swine  
13       operation."  
14

SIGNED *Charles W. Alburtson*  
Amendment Sponsor

SIGNED \_\_\_\_\_  
Committee Chair if Senate Committee Amendment

ADOPTED 5-10-95 FAILED \_\_\_\_\_ TABLED \_\_\_\_\_

(47-0)

*S. J. [unclear]*



NORTH CAROLINA GENERAL ASSEMBLY  
SENATE

RECORDED VOTE

1995 SESSION

SEQ. 654/70-- 8:10 PM MAY 10, 1995 LEGISLATIVE DAY 61

LT. GOVERNOR WICKER

-- Presiding

ALBERTSON  
SITING OF SWINE OPERATIONS  
COM SUB/2ND EDITION

SENATE BILL 1080

AMEND 1

AYE 47

ALBERTSON  
ALLRAN  
BALLANCE  
BALLANTINE  
BASNIGHT  
BLACKMON  
CARPENTER  
CARRINGTON  
CLARK  
COCHRANE  
CONDER  
COOPER



BANNELLY  
DAVIS  
EAST  
EDWARDS  
FORRESTER  
FOX  
HARTSELL  
HOBBS  
HORTON  
HOYLE  
JORDAN  
KERR

KINCAID  
LEDBETTER  
LITTLE  
LUCAS  
MARTIN R  
MARTIN W  
MCDANIEL  
MCKOY  
ODOM  
PAGE  
PARNEILL  
PERDUE

PLEXICO  
PLYLER  
RAND  
SHAW  
SHERRON  
SIMPSON  
SOLES  
SPEED  
WARREN  
WEBSTER  
WINNER

NO 0

EXCUSED 0

NOT CAST 2 GULLEY SAWYER

ABSENT 1 SMITH

PAIRS 0

AYE  
NO

NORTH CAROLINA GENERAL ASSEMBLY  
SENATE

RECORDED VOTE

1995 SESSION

SEQ. 655/71-- 8:13 PM MAY 10, 1995 LEGISLATIVE DAY 61

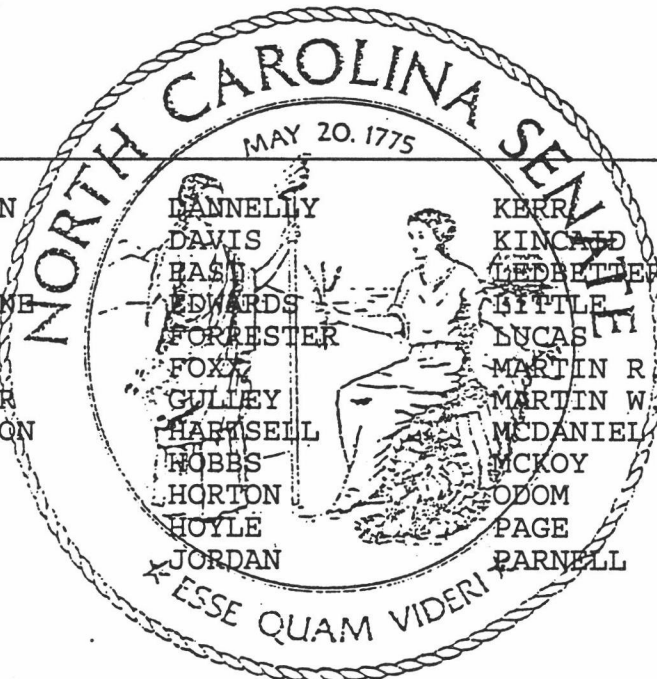
LT. GOVERNOR WICKER

-- Presiding

ALBERTSON  
SITING OF SWINE OPERATIONS  
COM SUB/2ND EDITION

SENATE BILL 1080  
READING 2

AYE 48 ALBERTSON  
ALLRAN  
BALLANCE  
BALLANTINE  
BASNIGHT  
BLACKMON  
CARPENTER  
CARRINGTON  
CLARK  
COCHRANE  
CONDER  
COOPER



NO 0

EXCUSED 0

NOT CAST 1 SAWYER

ABSENT 1 SMITH

PAIRS 0

AYE  
NO

EV

EQ. # 1400  
LEGISLATIVE DAY 91  
S1080HCS #2  
READING 2

NORTH CAROLINA  
HOUSE OF REPRESENTATIVES



ROLL CALL

6/30/95  
4:13 PM  
IN CHAIR: SPEAKER

SITING OF SWINE OPERATIONS

AYES - 106

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

NOES - 3

DAVIS	KISER	TOLSON
-------	-------	--------

EXCUSED ABSENCE - 4

BRASWELL	DECKER	REDWINE	WAINWRIGHT
----------	--------	---------	------------

EXCUSED VOTE - 1

NICHOLS

NOT VOTING - 6

SPEAKER	MERCER	SHARPE	SUTTON
BROWN, J.	PULLEY		



NORTH CAROLINA GENERAL ASSEMBLY  
AMENDMENT  
Senate Bill 1080

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

S1080V5-ART-003.01

Date 7/6/1995

Comm. Sub. [YES]  
Amends Title [NO]  
Fifth Edition

Representative Watson

- 1 moves to amend the bill on page 2, line 27,  
2 by adding, at the end of that line:  
3  
4 "The outer perimeter of the land area onto which waste is applied  
5 from a lagoon that is a component of a swine farm shall be at least  
6 50 feet from any property boundary and from any perennial stream or  
7 river, other than an irrigation ditch or canal."

SIGNED Cynthia B. Watson  
Amendment Sponsor

SIGNED \_\_\_\_\_  
Committee Chair if Senate Committee Amendment

ADOPTED

7/6/95

FAILED

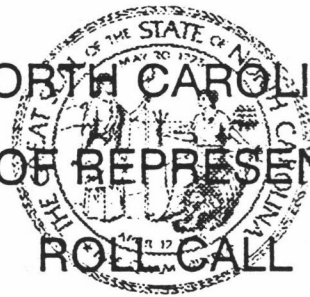
TABLED

97-7 EV

*Dr. W. W. W.*

# NORTH CAROLINA

## HOUSE OF REPRESENTATIVES



7/06/95

4:21 PM

IN CHAIR: SPEAKER

Q. # 1472  
LEGISLATIVE DAY 94  
S1080HCS # 2  
READING 3

AMEND #1 - Watson  
SITING OF SWINE OPERATIONS

### AYES - 97

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

### NOES - 7

ALEXANDER	EDWARDS	LEE	TOLSON
CARPENTER	KISER	MERCER	

### EXCUSED ABSENCE - 7

BARNES	BRASWELL	PULLEY	WRIGHT
BLUE	IVES	WARNER	

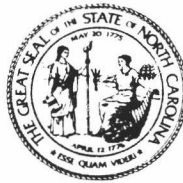
### EXCUSED VOTE - 1

NICHOLS

### NOT VOTING - 8

SPEAKER	BLACK	MCALLISTER	ROGERS
ALDRIDGE	CUNNINGHAM	MILLER, K.	SHERRILL

S1080HCS



NORTH CAROLINA GENERAL ASSEMBLY  
AMENDMENT  
Senate Bill 1080

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

S1080V5-ART-002.02

Page 1 of 2

Date 7/6, 1995

Comm. Sub. [YES]  
Amends Title [NO]  
Fifth Edition

Representative Richardson

1 moves to amend the bill on page 2, line 31,  
2 by rewriting that line to read:

3  
4 "property and recorded with the Register of Deeds.  
5 '§ 106-804. Enforcement.

6 (a) Civil penalty. -- The Commissioner of Agriculture may assess a  
7 civil penalty of not more than two thousand dollars (\$2,000.00)  
8 against any person who violates this Article. Each day of a  
9 continuing violation constitutes a separate violation for which a  
10 separate civil penalty may be assessed.

11 (b) Injunctive relief. -- Whenever the Commissioner of Agriculture  
12 has reasonable cause to believe that any person has violated or is  
13 threatening to violate any of the provisions of this Article, the  
14 Commissioner of Agriculture may, either before or after the  
15 institution of any other action or proceeding authorized by this  
16 Article, request the Attorney General to institute a civil action in  
17 the name of the State upon the relation of the Commissioner of  
18 Agriculture for injunctive relief to restrain the violation or  
19 threatened violation and for any other and further relief that the  
20 court shall deem proper. The Attorney General may institute the  
21 action in the superior court of the county in which the violation  
22 occurred or may occur or, in the Attorney General's discretion, in  
23 the superior court of the county in which the person responsible for  
24 the violation or threatened violation resides or in which the  
25 person's principal place of business is located. Upon a  
26 determination by the court that the alleged violation of the  
27 provisions of this Article has occurred or is threatened, the court  
28 shall grant the relief necessary to prevent or abate the violation  
29 or threatened violation. Neither the institution of the action nor  
30 any of the proceedings thereon shall relieve any party to the  
31 proceedings from any penalty prescribed for violation of this  
32 Article. In addition, any resident of a county in which there is  
33 located or proposed to be located a swine house or a lagoon that is



NORTH CAROLINA GENERAL ASSEMBLY  
AMENDMENT  
Senate Bill 1080

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

S1080V5-ART-002.02

- 1 a component of a swine farm may institute a civil action in the  
2 superior court of that county for injunctive relief to restrain the  
3 violation or threatened violation of this Article and for any other  
4 and further relief that the court shall deem proper.'".

SIGNED William D. Richardson  
Amendment Sponsor

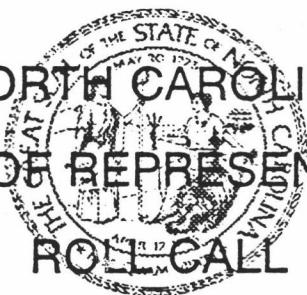
SIGNED \_\_\_\_\_  
Committee Chair if Senate Committee Amendment

ADOPTED \_\_\_\_\_ FAILED \_\_\_\_\_

TABLED 7/6/9  
51-50 EV  
DLW

# NORTH CAROLINA

## HOUSE OF REPRESENTATIVES



# 1468  
LEGISLATIVE DAY 94  
S1080HCS #2  
READING 3

7/06/95  
3:47 PM  
IN CHAIR: SPEAKER

AMEND #2 - Richardson's  
SITING OF SWINE OPERATIONS  
MOTION #2 - Rep Mitchell moves

SPEAKER *Richardson*

AYES - <sup>51</sup>50 *Kilpatrick*

ALLRED  
ARNOLD  
BERRY  
BOWEN  
BOWIE  
BRAWLEY  
BROWN, J.  
BROWN, W.  
BUCHANAN  
CANSLER  
CAPPS  
CARPENTER  
COCKLEREECE

CREECH  
CULP  
CUMMINGS  
DAUGHTRY  
DAVIS  
DOCKHAM  
EDDINS  
EDWARDS  
HILL  
KISER  
LOCKE  
MCCOMAS  
MCCOMBS

MCCRARY  
MCMAHAN  
MERCER  
MINER  
MITCHELL  
MORGAN  
NYE  
OWENS  
PATE  
RAMSEY  
RAYFIELD  
REYNOLDS

ROBINSON, G.  
ROBINSON, J.  
ROGERS  
RUSSELL  
SEXTON  
SHARPE  
SHERRILL  
SHUBERT  
THOMPSON  
TOLSON  
WEATHERLY  
WILSON, G.

NOES - 50

ADAMS  
ALEXANDER  
BAKER  
BARBEE  
BEALL  
BLUE  
BOYD-MCINTYRE  
CRAWFORD  
CULPEPPER  
CUNNINGHAM  
DECKER  
DICKSON  
EARLE

EASTERLING  
ELLIS  
ESPOSITO  
FITCH  
FOX  
GAMBLE  
GARDNER  
GRADY  
GRAY  
HACKNEY  
HIATT  
HIGHTOWER  
HOWARD

HUNT  
HUNTER, H.  
HURLEY  
LEE  
LEMOND  
LINNEY  
LUEBKE  
MCALLISTER  
MCLAUGHLIN  
MICHAUX  
MILLER, G.  
NEELY

OLDHAM  
PRESTON  
REDWINE  
RICHARDSON  
SHAW  
SUTTON  
TALLENT  
WILKINS  
WILSON, C.  
WOMBLE  
WOOD  
YONGUE

EXCUSED ABSENCE - 6

BARNES  
BRASWELL

IVES  
PULLEY

WARNER

WRIGHT

EXCUSED VOTE - 1

NICHOLS

NOT VOTING - <sup>23</sup>12 *Kilpatrick*

~~SPEAKER~~ *Kilpatrick*  
ALDRIDGE  
BLACK  
CHURCH

CLARY  
HAYES  
HENSLEY

HOLMES  
HUNTER, R.  
JUSTUS

MILLER, K.  
WAINWRIGHT  
WATSON

*Speaker votes "aye". Total 51-50*

S1080HCS





NORTH CAROLINA GENERAL ASSEMBLY  
AMENDMENT  
Senate Bill 1080

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

S1080V5-ART-001.02

Date 7/6, 1995

Comm. Sub. [YES]  
Amends Title [NO]  
Fifth Edition

Representative Richardson

- 1 moves to amend the bill on page 2, line 27, . . .  
2 by adding, at the end of that line: *an existing well*  
3  
4 "A swine house or a lagoon that is a component of a swine farm shall  
5 be located at least 500 feet from a drinking water well that is  
6 located on land owned by another landowner and at least 1,000 feet  
7 from any perennial stream or river, other than an irrigation ditch  
8 or canal, that is down gradient from the swine house or lagoon."

SIGNED William D. Richardson  
Amendment Sponsor

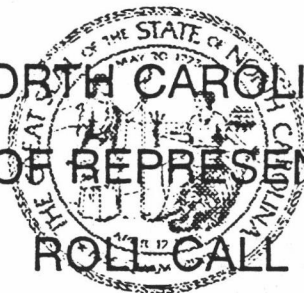
SIGNED \_\_\_\_\_  
Committee Chair if Senate Committee Amendment

ADOPTED \_\_\_\_\_ FAILED \_\_\_\_\_

TABLED 7/6/95  
65-39 EV  
Shuler

# NORTH CAROLINA

## HOUSE OF REPRESENTATIVES



7/06/95

4:01 PM

IN CHAIR: SPEAKER

# 1469  
LEGISLATIVE DAY 94  
S1080HCS - 2  
READING 3

AMEND #3 *Richardson*

SITING OF SWINE OPERATIONS

MOTION #2 *Rep Mitchell moves that amendment as lie upon the table*

### AYES - 65

ARNOLD	DAUGHTRY	KISER	REYNOLDS
BARBEE	DAVIS	LEMMOND	ROBINSON, G.
BEALL	DECKER	MCCOMBS	ROBINSON, J.
BERRY	DICKSON	MCLAUGHLIN	ROGERS
BLACK	DOCKHAM	MCMAHAN	RUSSELL
BOWEN	EDWARDS	MERCER	SEXTON
BROWN, J.	ESPOSITO	MILLER, K.	SHARPE
BROWN, W.	FOX	MINER	SHERRILL
BUCHANAN	GAMBLE	MITCHELL	SHUBERT
CANSLER	GRADY	MORGAN	TALLENT
CAPPS	HAYES	NYE	THOMPSON
CARPENTER	HIATT	OWENS	TOLSON
CLARY	HILL	PATE	WATSON
COCKLEREECE	HOLMES	PRESTON	WEATHERLY
CREECH	HOWARD	RAMSEY	WILKINS
CULP	JUSTUS	RAYFIELD	WILSON, G.
CUMMINGS			

### NOES - 39

ADAMS	EASTERLING	LEE	OLDHAM
ALEXANDER	EDDINS	LINNEY	REDWINE
ALLRED	FITCH	LOCKE	RICHARDSON
BAKER	GARDNER	LUEBKE	SHAW
BLUE	HACKNEY	MCALLISTER	SUTTON
BOWIE	HENSLEY	MCCOMAS	WILSON, C.
BOYD-MCINTYRE	HIGHTOWER	MCCRARY	WOMBLE
CRAWFORD	HUNT	MICHAUX	WOOD
CULPEPPER	HUNTER, H.	MILLER, G.	YONGUE
EARLE	HURLEY	NEELY	

### EXCUSED ABSENCE - 6

BARNES	IVES	WARNER	WRIGHT
BRASWELL	PULLEY		

### EXCUSED VOTE - 1

NICHOLS

### NOT VOTING - 9

SPEAKER	CHURCH	ELLIS	HUNTER, R.
ALDRIDGE	CUNNINGHAM	GRAY	WAINWRIGHT
BRAWLEY			

NORTH CAROLINA GENERAL ASSEMBLY AMENDMENT

(Please type or use ballpoint pen)

EDITION No. \_\_\_\_\_

H. B. No. \_\_\_\_\_

DATE 7-6-95

S. B. No. 1080

Amendment No. 4

(to be filled in by  
Principal Clerk)

COMMITTEE SUBSTITUTE \_\_\_\_\_

Rep. )

Sen. )

Howard Hunter, Jr.

1 moves to amend the bill on page 2, line 5

2 ( ) WHICH CHANGES THE TITLE

3 by deleting "Not"

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SIGNED

Howard Hunter, Jr.

ADOPTED \_\_\_\_\_

FAILED 7/6/95

TABLED \_\_\_\_\_

19-77 EV Swick

# NORTH CAROLINA

## HOUSE OF REPRESENTATIVES



Q. # 1470  
LEGISLATIVE DAY 94  
S1080HCS # 2  
READING 3

7/06/95  
4:16 PM  
IN CHAIR: SPEAKER

AMEND #4 - H. Hunter  
SITING OF SWINE OPERATIONS

### AYES - 19

ADAMS	FOX	LINNEY	SHAW
ALEXANDER	HACKNEY	LUEBKE	SUTTON
BLUE	HENSLEY	MICHAUX	WOMBLE
EASTERLING	HIGHTOWER	OLDHAM	YONGUE
FITCH	HUNTER, H.	RICHARDSON	

### NOES - 77

ARNOLD	DAUGHTRY	KISER	RAYFIELD
BAKER	DAVIS	LEE	REDWINE
BEALL	DECKER	LEMMOND	REYNOLDS
BERRY	DICKSON	LOCKE	ROBINSON, G.
BOWEN	DOCKHAM	MCCOMAS	ROBINSON, J.
BOWIE	EDDINS	MCCOMBS	RUSSELL
BOYD-MCINTYRE	EDWARDS	MCCRARY	SEXTON
BRAWLEY	ESPOSITO	MCLAUGHLIN	SHARPE
BROWN, J.	GAMBLE	MCMAHAN	SHERRILL
BROWN, W.	GRADY	MERCER	SHUBERT
BUCHANAN	GRAY	MILLER, G.	TALLEN
CANSLER	HAYES	MINER	THOMPSON
CAPPS	HIATT	MITCHELL	TOLSON
CARPENTER	HILL	NEELY	WATSON
CHURCH	HOLMES	NYE	WEATHERLY
CLARY	HUNT	OWENS	WILKINS
COCKLEREECE	HUNTER, R.	PATE	WILSON, C.
CREECH	HURLEY	PRESTON	WILSON, G.
CULP	JUSTUS	RAMSEY	WOOD
CUMMINGS			

### EXCUSED ABSENCE - 6

BARNES	IVES	WARNER	WRIGHT
BRASWELL	PULLEY		

### EXCUSED VOTE - 1

NICHOLS

### NOT VOTING - 17

SPEAKER	CRAWFORD	ELLIS	MILLER, K.
ALDRIDGE	CULPEPPER	GARDNER	MORGAN
ALLRED	CUNNINGHAM	HOWARD	ROGERS
BARBEE	EARLE	MCALLISTER	WAINWRIGHT
BLACK			

NORTH CAROLINA GENERAL ASSEMBLY AMENDMENT

(Please type or use ballpoint pen)

EDITION No. 5K

H. B. No. \_\_\_\_\_

DATE 6 July 1995

S. B. No. 1080

Amendment No. 5

COMMITTEE SUBSTITUTE \_\_\_\_\_

(to be filled in by  
Principal Clerk)

Rep. ) Watson  
Sen. ) \_\_\_\_\_

perfecting am. #1

Amendment #1

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

2 ( ) WHICH CHANGES THE TITLE

3 by inserting the word "residential" before

4 the word "property".

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SIGNED Cynthia B. Watson

ADOPTED 7/6/95 FAILED \_\_\_\_\_ TABLED \_\_\_\_\_

97-3 ev. Black

# NORTH CAROLINA

## HOUSE OF REPRESENTATIVES

### ROLL CALL

# 1471  
LEGISLATIVE DAY 94  
S1080HCS #12  
READING 3

7/06/95  
4:19 PM  
IN CHAIR: SPEAKER

AMEND #5 - *Vote on Amendment #1*  
SITING OF SWINE OPERATIONS

#### AYES - 97

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

#### NOES - 3

CARPENTER	EDWARDS	KISER
-----------	---------	-------

#### EXCUSED ABSENCE - 7

BARNES	BRASWELL	PULLEY	WRIGHT
BLUE	IVES	WARNER	

#### EXCUSED VOTE - 1

NICHOLS

#### NOT VOTING - 12

SPEAKER	COCKLEREECE	EARLE	MCALLISTER
ALDRIDGE	CRAWFORD	ELLIS	MILLER, K.
BLACK	CUNNINGHAM	HENSLEY	ROGERS

S1080HCS

NORTH CAROLINA GENERAL ASSEMBLY AMENDMENT

(Please type or use ballpoint pen)

EDITION No. \_\_\_\_\_

H. B. No. \_\_\_\_\_

DATE 7-6-95

S. B. No. 1080

Amendment No. 6

COMMITTEE SUBSTITUTE \_\_\_\_\_

(to be filled in by  
Principal Clerk)

Rep. )

Sen. )

Howard Hunter Jr.

1 moves to amend the bill on page 2, line line 21

2 ( ) WHICH CHANGES THE TITLE

3 by deleting "animal units" and substituting "Animals"

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13 \_\_\_\_\_

14 \_\_\_\_\_

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19 \_\_\_\_\_

SIGNED

Howard Hunter Jr.

ADOPTED

7/6/95

FAILED

TABLED

71-27 EV Weeks

Q. # 1473  
LEGISLATIVE DAY 94  
S1080HCS #2  
READING 3

NORTH CAROLINA  
HOUSE OF REPRESENTATIVES  
ROLL CALL

7/06/95  
4:23 PM  
IN CHAIR: SPEAKER

AMEND #6 - H. Hunter  
SITING OF SWINE OPERATIONS

AYES - 71

ADAMS	DAUGHTRY	HUNT	OWENS
ALEXANDER	DECKER	HUNTER, H.	PRESTON
ALLRED	DICKSON	HUNTER, R.	RAMSEY
ARNOLD	EARLE	JUSTUS	RICHARDSON
BAKER	EASTERLING	LEE	ROBINSON, J.
BARBEE	ELLIS	LEMMOND	RUSSELL
BEALL	ESPOSITO	LINNEY	SHARPE
BERRY	FITCH	LOCKE	SHAW
BOWIE	FOX	LUEBKE	SUTTON
BOYD-MCINTYRE	GARDNER	MCCOMAS	TALLENT
BROWN, J.	GRADY	MCCRARY	WAINWRIGHT
BROWN, W.	GRAY	MCMAHAN	WEATHERLY
CANSLER	HACKNEY	MICHAUX	WILKINS
CAPPS	HAYES	MILLER, G.	WILSON, C.
CHURCH	HENSLEY	MINER	WILSON, G.
CRAWFORD	HIATT	MORGAN	WOMBLE
CREECH	HIGHTOWER	NEELY	YONGUE
CULPEPPER	HOWARD	OLDHAM	

NOES - 27

BRAWLEY	DAVIS	MITCHELL	SEXTON
BUCHANAN	DOCKHAM	NYE	SHUBERT
CARPENTER	EDDINS	PATE	THOMPSON
CLARY	HILL	RAYFIELD	TOLSON
COCKLEREECE	HOLMES	REDWINE	WATSON
CULP	KISER	REYNOLDS	WOOD
CUMMINGS	MCCOMBS	ROBINSON, G.	

EXCUSED ABSENCE - 7

BARNES	BRASWELL	PULLEY	WRIGHT
BLUE	IVES	WARNER	

EXCUSED VOTE - 1

NICHOLS

NOT VOTING - 14

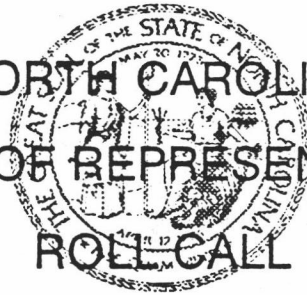
SPEAKER	CUNNINGHAM	MCALLISTER	MILLER, K.
ALDRIDGE	EDWARDS	MCLAUGHLIN	ROGERS
BLACK	GAMBLE	MERCER	SHERRILL
BOWEN	HURLEY		

S1080HCS



# NORTH CAROLINA

## HOUSE OF REPRESENTATIVES



7/06/95

4:25 PM

IN CHAIR: SPEAKER

Q. # 1474  
LEGISLATIVE DAY 94  
S1080HCS #2  
READING 3

SITING OF SWINE OPERATIONS

MOTION #3 *Rep Daughtry call the previous question*

### AYES - 74

ALLRED	CULP	HUNT	REYNOLDS
ARNOLD	CUMMINGS	JUSTUS	ROBINSON, G.
BAKER	DAUGHTRY	KISER	ROBINSON, J.
BARBEE	DAVIS	LEE	RUSSELL
BEALL	DECKER	LEMMOND	SEXTON
BERRY	DICKSON	LINNEY	SHARPE
BOWEN	DOCKHAM	MCCOMAS	SHAW
BOWIE	EDDINS	MCCOMBS	SHERRILL
BRAWLEY	ELLIS	MCLAUGHLIN	SHUBERT
BROWN, J.	ESPOSITO	MCMAHAN	SUTTON
BROWN, W.	GAMBLE	MINER	TALLENT
BUCHANAN	GARDNER	MITCHELL	THOMPSON
CANSLER	GRADY	MORGAN	TOLSON
CAPPS	GRAY	NEELY	WATSON
CARPENTER	HAYES	PATE	WEATHERLY
CHURCH	HIATT	PRESTON	WILSON, C.
CLARY	HILL	RAMSEY	WILSON, G.
COCKLEREECE	HOLMES	RAYFIELD	WOOD
CREECH	HOWARD		

### NOES - 29

ADAMS	FITCH	LOCKE	OWENS
ALEXANDER	FOX	LUEBKE	REDWINE
BLACK	HACKNEY	MCCRARY	RICHARDSON
BOYD-MCINTYRE	HENSLEY	MICHAUX	WAINWRIGHT
CRAWFORD	HIGHTOWER	MILLER, G.	WILKINS
CULPEPPER	HUNTER, H.	NYE	WOMBLE
EARLE	HUNTER, R.	OLDHAM	YONGUE
EASTERLING			

### EXCUSED ABSENCE - 7

BARNES	BRASWELL	PULLEY	WRIGHT
BLUE	IVES	WARNER	

### EXCUSED VOTE - 1

NICHOLS

### NOT VOTING - 9

SPEAKER	EDWARDS	MCALLISTER	MILLER, K.
ALDRIDGE	HURLEY	MERCER	ROGERS
CUNNINGHAM			

Bill # 1475  
LEGISLATIVE DAY 94  
S1080HCS #2  
READING 3

NORTH CAROLINA  
HOUSE OF REPRESENTATIVES



7/06/95  
4:25 PM  
IN CHAIR: SPEAKER

SITING OF SWINE OPERATIONS

AYES - 101

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

NOES - 3

CARPENTER	DAVIS	KISER
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EXCUSED ABSENCE - 7

BARNES	BRASWELL	PULLEY	WRIGHT
BLUE	IVES	WARNER	

EXCUSED VOTE - 1

NICHOLS

NOT VOTING - 8

SPEAKER	CUNNINGHAM	HURLEY	MERCER
ALDRIDGE	EDWARDS	MCALLISTER	MILLER, K.

S1080HCS

NORTH CAROLINA GENERAL ASSEMBLY  
SENATE

RECORDED VOTE

1995 SESSION

SEQ. 1271/15-- 7:14 PM

JULY 10, 1995

LEGISLATIVE DAY 96

LT. GOVERNOR WICKER

-- Presiding

ALBERTSON  
SITING OF SWINE OPERATIONS  
HOUSE COM SUB NO.2/6TH EDITION

SENATE BILL 1080

MOTION 8  
TO CONCUR

AYE	42	ALBERTSON ALLRAN BASNIGHT CARPENTER CARRINGTON CLARK COCHRANE CONDER COOPER DANNELLY DAVIS	EAST EDWARDS FORRESTER FOXX GULLEY HARTSELL HOBBS HORTON JORDAN KERR KINCAID	LEDBETTER LITTLE LUCAS MARTIN R. MARTIN W. MCKOY ODOM PAGE PARNELL PERDUE	PLEXICO PLYLER RAND SIMPSON SMITH SOLES SPEED WARREN WEBSTER WINNER
NO	4	BALLANCE	BALLANTINE	MCDANIEL	SHAW

EXCUSED 0

NOT CAST 2 SAWYER SHERRON

ABSENT 2 BLACKMON HOYLE

PAIRS 0  
AYE  
NO

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1995

S

SENATE DRS9614-LG185(4.26)

CLERK OF THE SENATE D  
S 1081 MAY 3 1995  
PRINCIPAL CLERK

Short Title: Expand Industrial Comm. Staff/Funds.

(Public)

Sponsors: Senator Hobbs.

Referred to:

- 1 A BILL TO BE ENTITLED  
2 AN ACT TO APPROPRIATE FUNDS TO THE DEPARTMENT OF COMMERCE  
3 TO EXPAND THE STAFF OF THE INDUSTRIAL COMMISSION.  
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 six hundred seventy-five thousand seventy-eight  
7 dollars (\$675,078) for the 1995-96 fiscal year and the sum of six hundred seventy-five  
8 thousand seventy-eight dollars (\$675,078) for the 1996-97 fiscal year to provide  
9 additional staff to the Industrial Commission, to be allocated for each fiscal year as  
10 follows:  
11 (1) \$166,841 for six legal secretarial positions;  
12 (2) \$139,534 for five claims examiner positions;  
13 (3) \$95,616 for three administrative assistant positions;  
14 (4) \$170,514 for four agency legal specialist positions;  
15 (5) \$78,066 for three dockets records clerk positions; and  
16 (6) \$24,507 for a receptionist position.  
17 Sec. 2. This act becomes effective July 1, 1995.

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1995

S

SENATE DRS5626-LG186(4.26)

FILED - SENATE  
91082 MAY 3 1995  
CLERK

Short Title: Industrial Commission Funds.

(Public)

Sponsors: Senator Hobbs.

Referred to:

- 1 A BILL TO BE ENTITLED  
2 AN ACT TO APPROPRIATE FUNDS TO THE DEPARTMENT OF COMMERCE  
3 FOR CAPITAL PROJECTS AND OTHER EXPENSES OF THE INDUSTRIAL  
4 COMMISSION.  
5 The General Assembly of North Carolina enacts:  
6 Section 1. There is appropriated from the General Fund to the  
7 Department of Commerce the sum of two million three hundred seventy-five  
8 thousand dollars (\$2,375,000) for the 1995-96 fiscal year and the sum of two million  
9 three hundred seventy-five thousand dollars (\$2,375,000) for the 1996-97 fiscal year  
10 for capital projects and other expenses of the Industrial Commission. These funds  
11 shall be allocated for each fiscal year as follows:  
12 (1) \$1,850,000 to complete electronic document system;  
13 (2) \$175,000 for medical fee revision assistance;  
14 (3) \$150,000 to upgrade the telephone system; and  
15 (4) \$200,000 to provide for moving into adequate office space and  
16 designing of work areas.  
17 Sec. 2. This act becomes effective July 1, 1995.

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1995

S

SENATE DRS3637-LC259(4.25)

FILED - SENATE  
S 1083 MAY 3 1995 D  
PRINCIPAL CLERK

Short Title: Public School Volunteerism Tax Credit.

(Public)

Sponsors: Senator Hobbs.

Referred to:

1 A BILL TO BE ENTITLED  
2 AN ACT TO PROVIDE AN INCOME TAX CREDIT FOR AN EMPLOYER'S  
3 EXPENSES IN ALLOWING AN EMPLOYEE TO DO VOLUNTEER WORK  
4 FOR A PUBLIC SCHOOL.  
5 The General Assembly of North Carolina enacts:  
6 Section 1. Division I of Article 4 of Chapter 105 of the General Statutes  
7 is amended by adding a new section to read:  
8 "**§ 105-130.43. Credit for expenses for employee volunteer work in the schools.**  
9 (a) Credit. -- There is allowed as a credit against the tax imposed by this Division  
10 an amount equal to seven percent (7%) of a corporation's expenditures during the  
11 taxable year for wages paid to an employee while the employee worked as a  
12 classroom volunteer for a public school in this State during the employee's regular  
13 working hours. The credit is limited to (i) wages paid for up to two hours of work  
14 per employee per week and (ii) up to one thousand dollars (\$1,000) of wages per  
15 employee for the taxable year. The credit applies only to wages paid for hours the  
16 employee would have otherwise been at work and does not apply to work performed  
17 during an employee's lunch hour or leave time. The credit applies only to classroom  
18 volunteer work approved by the public school. The credit does not apply to work at  
19 a community college or an institution of higher education.  
20 (b) Carryforward. -- The credit allowed by this section may not exceed the amount  
21 of tax imposed by this Division for the taxable year reduced by the sum of all credits  
22 allowed, except payments of tax made by or on behalf of the corporation. Any  
23 unused portion of this credit may be carried forward for the next succeeding five  
24 years.

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1995

S

SENATE DRS9615-LD188(4.26)

FILED - SENATE  
S1084 MAY 3 1995 D  
PRINCIPAL CLERK

Short Title: Amend Reprocessed Oil Regulation.

(Public)

Sponsors: Senator Hobbs.

Referred to:

1 A BILL TO BE ENTITLED  
2 AN ACT TO AMEND ARTICLE 2 OF CHAPTER 119 OF THE GENERAL  
3 STATUTES REGARDING THE REGULATION OF REREFINED OR  
4 REPROCESSED OIL.

5 The General Assembly of North Carolina enacts:

6 Section 1. G.S. 119-13.1 reads as rewritten:

7 "§ 119-13.1. Definitions.

8 As used in this Article:

9 (1) 'Lubricating oil' means any oil classified for the use in an internal  
10 combustion engine, hydraulic system, gear box, differential, or  
11 wheel bearings.

12 (1a) 'Rerefined or reprocessed oil' means lubricating oil for use  
13 in internal combustion engines, which has been rerefined or  
14 processed in whole or part from previously used lubricating  
15 oils; used oil that is refined to remove the physical and  
16 chemical contaminants acquired through use and that, by  
17 itself or when blended with new lubricating oil or additives,  
18 meets applicable American Petroleum Institute (A.P.I.) and  
19 Society of Automotive Engineers (S.A.E.) service  
20 classifications.

21 (1b) 'Recycled oil' means any oil prepared from used oil for energy  
22 recovery or reuse as a petroleum product by reclaiming,  
23 reprocessing, rerefining, or other means that use properly treated  
24 used oil as a substitute for petroleum products.

NORTH CAROLINA GENERAL ASSEMBLY  
SENATE

RECORDED VOTE

1995 SESSION

SEQ. 662/2-- 9:44 AM

MAY 11, 1995

LEGISLATIVE DAY 62

LT. GOVERNOR WICKER

-- Presiding

HOBBS  
AMEND REPROCESSED OIL REGULATION

SENATE BILL 1084  
READING 2

AYE	41	ALBERTSON BALLANCE BALLANTINE BLACKMON CARPENTER CARRINGTON CLARK COCHRANE CONDER COOPER DANNELLY	DAVIS EAST EDWARDS FORRESTER FOX GULLEY HARTSELL HOBBS MORTON HOYTE	JORDAN KERR KINCALP LEDBETTER LITTLE LUCAS MARTIN W MCKOY ODOM PAGE	PARNELL PLEXICO PLYLER RAND SHAW SHERRON SOLES SPEED WARREN WINNER
NO	2	MCDANIEL	WEBSTER		



EXCUSED	0				
NOT CAST	4	ALLRAN	BASNIGHT	PERDUE	SIMPSON
ABSENT	3	MARTIN R.	SAWYER	SMITH	
PAIRS	0				
AYE					
NO					



GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1995

S

SENATE DRS2633-RB006.2(4.11)

FILED - SENATE  
S 1085 MAY 3 1995  
PRINCIPAL CLERK

Short Title: Make Fees Tax Deductible.

(Public)

Sponsors: Senator Shaw.

Referred to:

1 A BILL TO BE ENTITLED  
2 AN ACT TO RESTRICT LOCAL GOVERNMENT AUTHORITY TO IMPOSE  
3 FEES THAT APPLY TO ALL PROPERTY WITHIN ITS TAXING  
4 JURISDICTION WITH THE INTENT THAT LOCAL GOVERNMENTS USE  
5 PROPERTY TAX REVENUES BECAUSE PROPERTY TAXES ARE  
6 DEDUCTIBLE FOR FEDERAL INCOME TAX PURPOSES AND FEES ARE  
7 NOT.

8 Whereas, federal tax law allows individuals to take an income tax  
9 deduction for local property taxes; and

10 Whereas, local property taxes have traditionally been imposed to raise  
11 revenue to provide local government services such as solid waste services; and

12 Whereas, in recent years many local governments have begun to  
13 substitute fees for property taxes in order to raise revenue for some local government  
14 services; and

15 Whereas, federal tax law does not allow these local government fees to be  
16 deducted like local property taxes; and

17 Whereas, it is the intent of this act to substitute property taxes, which can  
18 be deducted under federal tax law, for fees that are imposed on all property within a  
19 taxing jurisdiction; Now, therefore,

20 The General Assembly of North Carolina enacts:

21 Section 1. Chapter 153A of the General Statutes is amended by adding a  
22 new section to read:

23 "**§ 153A-155. Restrict imposition of fees.**

24 A county may not establish or impose a fee that applies to all property within its  
25 taxing jurisdiction. The services for which these fees would be assessed must be

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1995

S

SENATE DRS3625-RO18(4.26)

FILED - SENATE

S 1086 MAY 3 1995

PRINCIPAL CLERK

Short Title: Bank Stock as Collateral.

(Public)

Sponsors: Senator Warren.

Referred to:

- 1 A BILL TO BE ENTITLED  
2 AN ACT TO ALLOW BANKS TO MAKE LOANS SECURED BY SHARES OF  
3 ITS OWN STOCK OR THAT OF ITS PARENT HOLDING COMPANY  
4 UNDER CERTAIN CIRCUMSTANCES.  
5 The General Assembly of North Carolina enacts:  
6 Section 1. G.S. 53-64 reads as rewritten:  
7 "§ 53-64. Unlawful to loan on Loans secured by bank's own stock or stock of parent  
8 bank holding company.  
9 ~~It shall be unlawful for any bank to make any loan secured by the pledge of its~~  
10 ~~own shares of stock or the stock of its parent bank holding company, nor shall any~~  
11 ~~bank be the holder as pledgee, or as purchaser, of any portion of its capital stock or~~  
12 ~~of the capital stock of its parent bank holding company unless such stock is~~  
13 ~~purchased or pledged to it to prevent loss upon a debt previously contracted in good~~  
14 ~~faith. Provided, that whenever any bank shall have shares of its own stock or the~~  
15 ~~stock of its parent bank holding company sold to, or pledged to it, for the purpose of~~  
16 ~~preventing a loss upon a debt previously contracted, it shall dispose of all such shares~~  
17 ~~of stock within a period of six months from the date such stock was sold or pledged~~  
18 ~~to it and if not so disposed of, the same shall be charged to profit and loss and no~~  
19 ~~longer carried as an asset of the bank.~~  
20 (a) It shall be lawful for a bank to make a loan secured by the pledge of its own  
21 shares of stock or the stock of its parent holding company; provided that whenever  
22 any bank shall exercise its security interest in the shares of the bank or its parent  
23 holding company upon a loan default or other transfer, it shall dispose of all of such  
24 shares of stock within a period of six months. If such stock has not been disposed of  
25 within six months, the same shall be charged to profit and loss and no longer carried

NORTH CAROLINA GENERAL ASSEMBLY  
SENATE

RECORDED VOTE

1995 SESSION

SEQ. 663/3-- 9:51 AM

MAY 11, 1995

LEGISLATIVE DAY 62

LT. GOVERNOR WICKER

-- Presiding

WARREN  
BANK STOCK AS COLLATERAL

SENATE BILL 1086  
READING 2

AYE	42	ALBERTSON BALLANCE BALLANTINE BASNIGHT BLACKMON CARPENTER CARRINGTON COCHRANE CONDER COOPER DANNELLY	DAVIS EAST EDWARDS FORRESTER FOX GULLEY HARTSELL HOBBS HOYLE JORDAN KERR	KINCAID LEDBETTER LITTLE LUCAS MARTIN W. MCDANIEL MCKOY ODOM PAGE PARNELL	PERDUE PLEXICO PLYLER RAND SHERRON SIMPSON SOLES SPEED WARREN WINNER
NO	4	CLARK	HORTON	SHAW	WEBSTER

EXCUSED	0			
NOT CAST	1	ALLRAN		
ABSENT	3	MARTIN R.	SAWYER	SMITH
PAIRS	0			
AYE				
NO				

NORTH CAROLINA  
HOUSE OF REPRESENTATIVES  
ROLL CALL

EQ. # 1063  
LEGISLATIVE DAY 79  
S1086  
READING 2

6/12/95  
7:48 PM  
IN CHAIR: SPEAKER

BANK STOCK AS COLLATERAL

AYES - 94

ADAMS	CUMMINGS	IVES	PULLEY
ALDRIDGE	DAVIS	JUSTUS	RAMSEY
ALEXANDER	DECKER	LEE	RAYFIELD
ALLRED	DICKSON	LEMOND	REDWINE
BARBEE	DOCKHAM	LUEBKE	REYNOLDS
BEALL	EARLE	MCALLISTER	RICHARDSON
BERRY	EASTERLING	MCCOMAS	ROBINSON, J.
BLACK	EDDINS	MCCRARY	ROGERS
BOWEN	ELLIS	MCLAUGHLIN	RUSSELL
BOWIE	ESPOSITO	MCMAHAN	SEXTON
BOYD-MCINTYRE	GARDNER	MERCER	SHERRILL
BRASWELL	GRADY	MICHAUX	SHUBERT
BRAWLEY	GRAY	MILLER, G.	SUTTON
BROWN, J.	HACKNEY	MILLER, K.	TALLENT
CANSLER	HAYES	MINER	TOLSON
CAPPS	HENSLEY	MITCHELL	WARNER
CARPENTER	HIATT	MORGAN	WATSON
CHURCH	HILL	NEELY	WEATHERLY
CLARY	HOLMES	NYE	WILKINS
COCKLEREECE	HOWARD	OLDHAM	WILSON, G.
CRAWFORD	HUNT	OWENS	WOMBLE
CREECH	HUNTER, H.	PATE	WOOD
CULP	HUNTER, R.	PRESTON	YONGUE
CULPEPPER	HURLEY		

NOES - 2

BAKER  
LINNEY

EXCUSED ABSENCE - 6

BROWN, W.	NICHOLS	THOMPSON	WAINWRIGHT
BUCHANAN	SHARPE		

EXCUSED VOTE - ~~10~~ 12 *thanks*

ARNOLD	EDWARDS	LOCKE	ROBINSON, G.
BLUE	FOX	MCCOMBS	WILSON, C.
DAUGHTRY	GAMBLE	HIGHTOWER	KISER

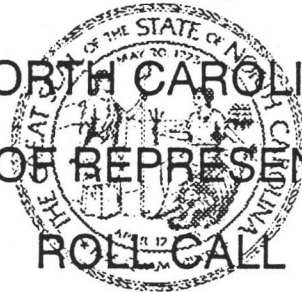
NOT VOTING - ~~8~~ 6 *thanks*

SPEAKER	CUNNINGHAM	HIGHTOWER	SHAW
BARNES	FITCH	KISER	WRIGHT

EV

Bill # 1092  
LEGISLATIVE DAY 81  
S1086  
READING 3

NORTH CAROLINA  
HOUSE OF REPRESENTATIVES



6/14/95  
2:05 PM  
IN CHAIR: SPEAKER

AMEND #1 - Neely  
BANK STOCK AS COLLATERAL

AYES - 96

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

NOES - 0

EXCUSED ABSENCE - 6

CHURCH	CULPEPPER	HOLMES	SHARPE
CREECH	ESPOSITO		

EXCUSED VOTE - 12

ARNOLD	EDWARDS	HIGHTOWER	MCCOMBS
BLUE	FOX	KISER	ROBINSON, G.
DAUGHTRY	GAMBLE	LOCKE	WILSON, C.

NOT VOTING - 6

SPEAKER	HUNTER, R.	SHAW	WRIGHT
ALDRIDGE	MCALLISTER		



NORTH CAROLINA GENERAL ASSEMBLY  
AMENDMENT  
Senate Bill 1086

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

SI086-ARO-001

Date June 14, 1995

Comm. Sub. F1  
Amends Title F1

Representative NEEL7

- 1 moves to amend the bill on page 2, line 5,  
2 by rewriting the line to read:  
3  
4 "the stock of its parent holding company. For purposes of this  
5 subsection, the phrase 'to carry' shall have the meaning set  
6 forth in 12 C.F.R. Part 221, by the Board of Governors of the  
7 Federal Reserve System."  
8

SIGNED ORNE  
Amendment Sponsor

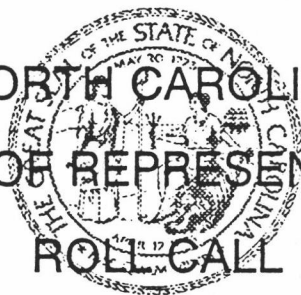
SIGNED \_\_\_\_\_  
Committee Chair if Senate Committee Amendment

ADOPTED 6/14/95 FAILED \_\_\_\_\_ TABLED \_\_\_\_\_

96-0 EV  
Stella

# 1093  
LEGISLATIVE DAY 81  
S1086  
READING 3

NORTH CAROLINA  
HOUSE OF REPRESENTATIVES



6/14/95  
2:06 PM  
IN CHAIR: SPEAKER

BANK STOCK AS COLLATERAL

AYES - 94

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

NOES - 2

ALLRED  
BAKER

EXCUSED ABSENCE - 6

CHURCH	CULPEPPER	HOLMES	SHARPE
CREECH	ESPOSITO		

EXCUSED VOTE - 12

ARNOLD	EDWARDS	HIGHTOWER	MCCOMBS
BLUE	FOX	KISER	ROBINSON, G.
DAUGHTRY	GAMBLE	LOCKE	WILSON, C.

NOT VOTING - 6

SPEAKER	CARPENTER	HUNTER, R.	SHAW
ALDRIDGE	CLARY		

NORTH CAROLINA GENERAL ASSEMBLY  
SENATE

RECORDED VOTE

1995 SESSION

SEQ. 1023/18-- 5:02 PM

JUNE 19, 1995

LEGISLATIVE DAY 83

LT. GOVERNOR WICKER

-- Presiding

WARREN  
BANK STOCK AS COLLATERAL

SENATE BILL 1086

HOUSE AMD. NO. 1

MOTION 8  
TO CONCUR

AYE	48	ALBERTSON	DAVIS 20. 1775	KINCAID	PLEXICO
		ALLRAN	EAST	LEDBETTER	PLYLER
		BALLANCE	EDWARDS	LITTLE	RAND
		BALLANTINE	FORRESTER	LUCAS	SAWYER
		BASNIGHT	FOXX	MARTIN R.	SHAW
		BLACKMON	GULLEY	MARTIN W.	SHERRON
		CARPENTER	HARTSELL	MCDANIEL	SIMPSON
		CARRINGTON	HOBBS	MCKOY	SMITH
		COCHRANE	HORTON	ODOM	SOLES
		CONDER	HOYLE	PAGE	SPEED
		COOPER	JORDAN	PARNELL	WARREN
		DANNELLY	KERR	PERDUE	WINNER
NO	2	CLARK	WEBSTER		

EXCUSED	0
NOT CAST	0
ABSENT	0
PAIRS	0
AYE	
NO	



GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1995

S

SENATE DRS6622-LE161(4.26)

FILED - SENATE  
31087 MAY 3 1995  
PRINCIPAL CLERK

Short Title: Implement St. Educ. Bd. Proposals.

(Public)

Sponsors: Senator Winner.

Referred to:

1 A BILL TO BE ENTITLED  
2 AN ACT TO IMPLEMENT THE RECOMMENDATIONS OF THE STATE  
3 BOARD OF EDUCATION.

4 The General Assembly of North Carolina enacts:

5 Section 1. The public school laws are hereby amended to (i) authorize  
6 the State Board of Education to implement its plan for reorganizing the State Board  
7 of Education, (ii) hold local school administrative units accountable for the academic  
8 performance of their students, and (iii) provide local school administrative units  
9 increased flexibility in providing educational services.

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

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1995

S

SENATE DRS7664-LE160B(4.26)

FILED - SENATE  
S1088 MAY 3 1995  
PRINCIPAL CLERK

Short Title: School Funding Study Commission.

(Public)

Sponsors: Senator Winner.

Referred to:

- 1 A BILL TO BE ENTITLED  
2 AN ACT TO ESTABLISH THE COMMISSION TO STUDY SCHOOL FUNDING.  
3 The General Assembly of North Carolina enacts:  
4 Section 1. **Establishment of Commission.**  
5 There is established the Commission to Study Education Funding. The  
6 Commission shall be located administratively under the State Board of Education but  
7 shall exercise all its prescribed statutory powers independently of the State Board of  
8 Education.  
9 Sec. 2. **Commission membership; chairs; term of office; vacancies.**  
10 (a) The Commission shall consist of 25 members appointed as follows:  
11 (1) One county commissioner, one member of a local board of  
12 education, one representative of a North Carolina business or  
13 industry who hires graduates of North Carolina public schools, one  
14 parent of a public school child who is an officer in that public  
15 school's parent-teacher organization, and one member who shall  
16 serve as chair, appointed by the Governor;  
17 (2) Three members of the Senate, one county commissioner, one  
18 member of a local board of education, one public school teacher,  
19 one superintendent of a local school administrative unit, and one  
20 representative of a North Carolina business or industry who hires  
21 graduates of North Carolina public schools, appointed by the  
22 President Pro Tempore of the Senate;  
23 (3) Three members of the House of Representatives, one county  
24 commissioner, one member of a local board of education, one  
25 public school principal, one school finance officer, and one parent

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1995

S

SENATE DRS9617\*-LGQ178(4.25)

FILED - SENATE  
S 1089 MAY 3 1995  
D  
PRINCIPAL CLERK

Short Title: Brevard Music Center Funds.

(Public)

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Sponsors: Senator Plexico.

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Referred to:

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- 1 A BILL TO BE ENTITLED  
2 AN ACT TO APPROPRIATE FUNDS FOR CAPITAL EXPENSES OF THE  
3 BREVARD MUSIC CENTER IN TRANSYLVANIA COUNTY.  
4 The General Assembly of North Carolina enacts:  
5 Section 1. There is appropriated from the General Fund to the Brevard  
6 Music Center, Inc., a nonprofit corporation, the sum of five hundred thousand dollars  
7 (\$500,000) for the 1995-96 fiscal year for capital expenses of the Brevard Music  
8 Center, which provides cultural programs that enrich Transylvania County and  
9 surrounding areas.  
10 Sec. 2. This act becomes effective July 1, 1995.

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1995

S

SENATE DRS3645-LRQ164A(4.5)

SENATE  
S1090 MAY 3 1995  
PRINCIPAL CLERK

Short Title: "Something Special" Funds.

(Public)

Sponsors: Senator Plexico.

Referred to:

- 1 A BILL TO BE ENTITLED  
2 AN ACT TO APPROPRIATE FUNDS TO PURCHASE AND RENOVATE A  
3 FACILITY FOR USE BY THE HENDERSON COUNTY SHELTERED  
4 WORKSHOP.  
5 The General Assembly of North Carolina enacts:  
6 Section 1. There is appropriated from the General Fund to the  
7 Henderson County Sheltered Workshop, Inc., (Something Special) the sum of two  
8 hundred thousand dollars (\$200,000) for the 1995-96 fiscal year to purchase and  
9 renovate a 45,000 square foot building to house its rehabilitation services.  
10 Sec. 2. This act becomes effective July 1, 1995.

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1995

S

FILED - SENATE

D

SENATE DRS1695-LD187A(4.26) 1091 MAY 3 1995

PRINCIPAL CLERK

Short Title: Amend Real Property Lien Law.

(Public)

Sponsors: Senator Ballantine.

Referred to:

1 A BILL TO BE ENTITLED  
2 AN ACT TO AMEND ARTICLE 2 OF CHAPTER 44A OF THE GENERAL  
3 STATUTES REGARDING LIENS ON REAL PROPERTY.

4 The General Assembly of North Carolina enacts:

5 Section 1. (a) The title of Article 2 of Chapter 44A of the General  
6 Statutes reads as rewritten:

7 "ARTICLE 2.

8 "~~Statutory~~ Liens on Real ~~Property~~. Property and on Funds."

9 (b) The title of Part 1 of Article 2 of Chapter 44A of the General Statutes  
10 reads as rewritten:

11 "Part 1. General Provisions: Liens of Mechanics, Laborers and  
12 Materialmen Dealing with Owner. Persons Furnishing Labor,  
13 Services, Materials, and Equipment."

14 Sec. 2. G.S. 44A-7 reads as rewritten:

15 "§ 44A-7. Definitions.

16 Unless the context otherwise requires in this Article:

17 (1) 'Improve' means to build, effect, alter, repair, or demolish any  
18 improvement upon, connected with, or on or beneath the surface  
19 of any real property, or to excavate, clear, grade, fill or landscape  
20 any real property, or to construct driveways and private roadways,  
21 or to furnish materials, including trees and shrubbery, for any of  
22 such purposes, or to perform any labor upon such improvements,  
23 or supplying rental equipment, tools, appliances or machinery or  
24 the reasonable value of the use of equipment utilized on the real  
25 property for the improvement, and shall also mean and include

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1995

S

SENATE DRS1697-LD094A(3.8)

FILED - SENATE  
S 1092 MAY 3 1995  
D

Short Title: Private Protective Services Changes.

(Public)

Sponsors: Senator Ballantine.

Referred to:

1 A BILL TO BE ENTITLED  
2 AN ACT TO REORGANIZE CHAPTER 74C OF THE GENERAL STATUTES  
3 REGARDING PRIVATE PROTECTIVE SERVICES AND TO MAKE VARIOUS  
4 AMENDMENTS TO THAT CHAPTER.  
5 The General Assembly of North Carolina enacts:  
6 Section 1. The title of Article 1 of Chapter 74C of the General Statutes  
7 reads as rewritten:  
8 "~~Private Protective Services Board~~. General Provisions."  
9 Sec. 2. G.S. 74C-1, 74C-2, 74C-3, 74C-4, 74C-5, 74C-6, 74C-7, 74C-8,  
10 74C-9, 74C-10, 74C-12, 74C-15, 74C-16, 74C-17, 74C-18, 74C-19, 74C-20, and 74C-21  
11 are designated as Article 1 of Chapter 74C of the General Statutes.  
12 Sec. 3. The Revisor of Statutes is directed to change in the General  
13 Statutes all cross-references to statutes recodified by this act to be references to the  
14 statutes as recodified.  
15 Sec. 4. G.S. 74C-11, 74C-13, and 74C-14 are recodified as G.S. 74C-24,  
16 74C-25, and 74C-26 respectively, and are designated as Article 1A of Chapter 74C of  
17 the General Statutes, to be entitled "Guard and Patrol".  
18 Sec. 5. G.S. 74C-2 reads as rewritten:  
19 "§ 74C-2. Licenses required.  
20 (a) No private person, firm, association, or corporation shall engage in, perform  
21 any services as, or in any way represent or hold itself out as engaging in a private  
22 protective services profession or activity in this State without having first complied  
23 with the provisions of this Chapter. Compliance with the licensing requirements of  
24 this Chapter shall not relieve any person, firm, association or corporation from  
25 compliance with any other licensing law.

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1995

S

D

SENATE DRS5632-LH196(4.11)

FILED - SENATE  
S1093 MAY 3 1995  
PRINCIPAL CLERK (Public)

Short Title: Guilty But Mentally Ill.

Sponsors: Senator McDaniel.

Referred to:

1 A BILL TO BE ENTITLED

2 AN ACT TO REPEAL THE DEFENSE OF NOT GUILTY BY REASON OF  
3 INSANITY AND TO ESTABLISH THE SENTENCE OF GUILTY BUT  
4 MENTALLY ILL.

5 The General Assembly of North Carolina enacts:

6 Section 1. Chapter 14 of the General Statutes is amended by adding a  
7 new Article to read:

8 "ARTICLE 2C.

9 "Insanity.

10 "§ 14-7.20. Presumption of sanity; defense of insanity; guilty but mentally ill.

11 (a) Presumption. -- The law presumes that every person is sane. The presumption  
12 may be rebutted by the defendant upon proof to the satisfaction of the jury.

13 (b) Insanity Defense. -- It is a defense to a criminal charge that at the time of the  
14 offense, as a result of mental disease or defect, the defendant:

15 (1) Did not know the nature and quality of the defendant's act; or

16 (2) Did not know that the act was wrong.

17 (c) Guilty But Mentally Ill. -- If the jury finds that the defendant committed the  
18 offense but that at the time of the offense the defendant, although aware of the nature  
19 and quality of the defendant's act and that the act was wrong, lacked, as a result of  
20 mental disease or defect, substantial capacity to conform his or her conduct to the  
21 requirements of law, the jury must return a verdict of 'guilty but mentally ill'.

22 (d) Exclusion. -- As used in this Article, the terms 'mental disease or defect' do  
23 not include an abnormality manifested only by repeated criminal or otherwise  
24 antisocial conduct.

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1995

S

SENATE DRS9607-LD174(4.24)

FILED - SENATE  
S1094 MAY 3 1995  
PRINCIPAL CLERK D

Short Title: Nursing Home Administrator Fees.

(Public)

Sponsors: Senator Hoyle.

Referred to:

- 1 A BILL TO BE ENTITLED  
2 AN ACT TO INCREASE CERTAIN FEES UNDER THE NURSING HOME  
3 ADMINISTRATOR ACT.  
4 The General Assembly of North Carolina enacts:  
5 Section 1. G.S. 90-280 reads as rewritten:  
6 "§ 90-280. Fees; display of license; duplicate license; inactive list.  
7 (a) Each applicant for an examination administered by the Board and each  
8 applicant for an administrator-in-training program shall pay a fee set by the Board  
9 not to exceed two hundred dollars (\$200.00).  
10 (b) Each person licensed as a nursing home administrator shall be required to pay  
11 a license fee in an amount set by the Board not to exceed ~~two hundred fifty dollars~~  
12 ~~(\$250.00)~~ five hundred dollars (\$500.00). A license shall expire on the thirtieth day  
13 of September of the second year following its issuance and shall be renewable  
14 biennially upon payment of a renewal fee set by the Board not to exceed ~~two~~  
15 ~~hundred fifty dollars (\$250.00)~~ five hundred dollars (\$500.00).  
16 (c) Each person licensed as a nursing home administrator shall display his license  
17 certificate, along with the current certificate of renewal, in a conspicuous place in his  
18 place of employment.  
19 (d) Any person licensed as a nursing home administrator may receive a duplicate  
20 license by payment of a fee set by the Board not to exceed twenty-five dollars  
21 (\$25.00).  
22 (e) Any person licensed as a nursing home administrator who is not acting,  
23 serving, or holding himself out to be a nursing home administrator may have his  
24 name placed on an inactive list for such period of time not to exceed five years upon  
25 payment of a fee set by the Board not to exceed twenty-five dollars (\$25.00).



NORTH CAROLINA GENERAL ASSEMBLY  
SENATE

RECORDED VOTE

1995 SESSION

SEQ. 1255/29-- 1:19 PM

JULY 7, 1995

LEGISLATIVE DAY 95

LT. GOVERNOR WICKER

-- Presiding

HOYLE  
NURSING HOME ADMINISTRATOR FEES

SENATE BILL 1094  
READING 2

AYE

35 ALBERTSON  
ALLRAN  
BALLANCE  
BASNIGHT  
BLACKMON  
CARPENTER  
CARRINGTON  
CONDER  
COOPER

DANIELLO, 1775  
EDWARDS  
GULLEY  
HARTSELL  
HOBBS  
HORTON  
HOYLE  
JORDAN  
KERR

LEDBETTER  
LITTLE  
LUCAS  
MARTIN R.  
MARTIN W.  
MCKOY  
ODOM  
PARNELL  
PERDUE

PLEXICO  
RAND  
SHAW  
SHERRON  
SOLES  
SPEED  
WARREN  
WINNER

NO

11 BALLANTINE  
CLARK  
COCHRANE

DAVIS  
EAST  
FORRESTER

FOXX  
MCDANIEL  
PAGE

SIMPSON  
WEBSTER

EXCUSED 0

NOT CAST 3 KINCAID

PLYLER

SMITH

ABSENT 1 SAWYER

PAIRS 0

AYE  
NO

S # 2082  
LEGISLATIVE DAY 134  
S1094  
READING 2

NORTH CAROLINA  
HOUSE OF REPRESENTATIVES  
ROLL CALL

RC  
6/20/96  
12:46 PM  
IN CHAIR: SPEAKER

NURSING HOME ADMINISTRATOR FEES

AYES - 102

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

NOES - 6

BAKER	CREECH	LINNEY	MILLER, K.
BERRY	HAYES		

EXCUSED ABSENCE - 7

BEALL	FOX	OLDHAM	WARNER
CULP	HUNT	ROBINSON, G.	

EXCUSED VOTE - 0

NOT VOTING - 5

SPEAKER	CRAWFORD	LEMMOND	WILSON, C.
BARBEE			

# NORTH CAROLINA

## HOUSE OF REPRESENTATIVES



RC

S # 2150  
LEGISLATIVE DAY 135  
S1094  
READING 3

6/21/96  
12:16 PM  
IN CHAIR: RUSSELL

### NURSING HOME ADMINISTRATOR FEES

#### AYES - 100

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

#### NOES - 4

BAKER	BERRY	CREECH	LINNEY
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#### EXCUSED ABSENCE - 8

ALDRIDGE	BLUE	HUNT	ROBINSON, G.
BEALL	FOX	OLDHAM	WARNER

#### EXCUSED VOTE - 0

#### NOT VOTING - 8

SPEAKER	DICKSON	HENSLEY	MILLER, K.
BRASWELL	GAMBLE	MCLAUGHLIN	RUSSELL

S1094

GENERAL ASSEMBLY OF NORTH CAROLINA

FILED - SENATE

SESSION 1995

S 1095

MAY 4 1995

S

PRINCIPAL CLERK

SENATE JOINT RESOLUTION DRSJR2638\*-LG168A(4.24)

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Sponsors: Senator Cochrane.

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Referred to:

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1 A JOINT RESOLUTION RECOGNIZING THE ONE HUNDREDTH YEAR OF  
2 WOMEN SERVING IN STATE LEGISLATURES AND THE MANY  
3 CONTRIBUTIONS WOMEN SERVING OR FORMERLY SERVING, IN  
4 VARIOUS CAPACITIES IN THE GENERAL ASSEMBLY OF THE STATE OF  
5 NORTH CAROLINA HAVE MADE TO OUR LEGISLATIVE PROCESS, AND  
6 HONORING NORTH CAROLINA'S WOMEN LEGISLATORS WHO ARE  
7 NOW DECEASED.

8       Whereas, the National Foundation for Women Legislators, Inc., which  
9 serves as the educational arm of the National Order of Women Legislators, the oldest  
10 professional association for women legislators in the country, is coordinating state,  
11 regional, and national celebrations to commemorate the 100th year of women serving  
12 in state legislatures; and

13       Whereas, women state legislators were elected to serve before American  
14 women had the universal right to vote; and

15       Whereas, in January 1895, the first three women were sworn in to serve  
16 as state legislators; and

17       Whereas, the members of the General Assembly recognize the 100th year  
18 of women in state legislatures; and

19       Whereas, the General Assembly proudly recognizes the women who are  
20 currently serving and the women who have formerly served in the legislature from  
21 across the State for their outstanding contributions and accomplishments as  
22 America's true "Timeless Pioneers"; and

23       Whereas, the celebration of this centennial will elevate public knowledge  
24 and awareness of women in State history; and

25       Whereas, the women legislators have served diligently, enthusiastically,  
26 and have devoted most of their lives to their communities, and to our great State; and

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1995

FILED - SENATE

S 1096

MAY 5 1995

S

D

SENATE JOINT RESOLUTION DRSJR2639-LG152(412) CLERK

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Sponsors: Senators Martin of Guilford, Basnight, Soles, Perdue, Shaw, Sawyer, Dannelly, Kincaid, Ballantine, Cochrane, Kerr, Conder, Warren, Rand, Plyler, Odom, Hartsell, Cooper, Gulley, Allran, and Lucas.

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Referred to:

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1 A JOINT RESOLUTION HONORING THE LIFE AND MEMORY OF MARY  
2 FRANCES POWELL SEYMOUR, FORMER MEMBER OF THE GENERAL  
3 ASSEMBLY.

4       Whereas, Mary Frances Powell was born in the City of Raleigh, on April  
5 12, 1922, to Robert C. Powell, former City Commissioner of Public Safety, and Annie  
6 Rebecca Seymour Powell, a political activist; and

7       Whereas, Mary Frances Powell was a graduate of Needham B. Broughton  
8 High School and Peace College; she also studied at Harvard University, the  
9 University of Michigan, the Center for Creative Leadership, and Guilford Technical  
10 and Community College; and

11       Whereas, Mary Frances Powell married Hubert E. Seymour, Jr., on  
12 February 3, 1945, and was the mother of two sons; and

13       Whereas, Mary Frances Powell Seymour worked for the Social Security  
14 Administration and the United States Air Force; and was a legal assistant, court  
15 reporter, and a licensed real estate broker; and

16       Whereas, Mary Frances Powell Seymour liked the City of Greensboro so  
17 much that she made it her home, becoming very active in the city's civic and  
18 governmental affairs; and

19       Whereas, Mary Frances Powell Seymour was a devoted and lifelong  
20 servant of her community and State, serving as a member of the Womens Professional  
21 Forum, the O. Henry Woman's Club, the Greensboro Council of Garden Clubs, Inc.,  
22 the Greensboro Legal Auxiliary, the Chamber of Commerce, the Community  
23 Development Council, the Tarheel Trail Girl Scout Council, Inc., the Board of  
24 Visitors of Peace College, the Board of Directors of Hayes Taylor YMCA, the North

EV

NORTH CAROLINA

HOUSE OF REPRESENTATIVES

ROLL CALL

SEQ # 1159  
LEGISLATIVE DAY 83  
SJR1096HCS  
READING 2

6/19/95  
7:47 PM  
IN CHAIR: SPEAKER

HONOR. MARY FRANCES POWELL SEYMOUR, ETC.

AYES - 109

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

NOES - 0

EXCUSED ABSENCE - 7

CARPENTER	REDWINE	THOMPSON	WILSON, C.
HUNTER, R.	SUTTON	WAINWRIGHT	

EXCUSED VOTE - 0

NOT VOTING - 4

CAPPS	CUNNINGHAM	HUNTER, H.	MCLAUGHLIN
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SJR1096HCS

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1995

FILED - SENATE

S 1097

MAY 9 1995

S

D

SENATE JOINT RESOLUTION DRSJR5636-LG202(5.5)

PRINCIPAL CLERK

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Sponsors: Senator Rand.

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Referred to:

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1 A JOINT RESOLUTION SUPPORTING THE REPUBLIC OF CHINA ON  
2 TAIWAN'S PARTICIPATION IN THE UNITED NATIONS AND OTHER  
3 INTERNATIONAL ASSOCIATIONS.

4 Whereas, China has been a divided nation since 1949, and the  
5 Governments of the Republic of China on Taiwan and the People's Republic of  
6 China on Mainland China have exercised exclusive jurisdiction over separate parts of  
7 China; and

8 Whereas, the Republic of China on Taiwan has the 19th largest gross  
9 national product in the world, a strong and vibrant economy, and one of the largest  
10 foreign exchange reserves of any nation; and

11 Whereas, the Republic of China on Taiwan has dramatically improved its  
12 record on human rights and routinely holds free and fair elections in a multiparty  
13 system, as evidenced most recently by the December 4, 1994, balloting for local and  
14 provincial officials; and

15 Whereas, the Republic of China on Taiwan's 21 million people are not  
16 represented in the United Nations and their human rights as citizens of the world are  
17 therefore severely abridged; and

18 Whereas, the Republic of China on Taiwan has in recent years repeatedly  
19 expressed its strong desire to participate in the United Nations; and

20 Whereas, the Republic of China on Taiwan has much to contribute to the  
21 work and funding of the United Nations; and

22 Whereas, the Republic of China on Taiwan has demonstrated its  
23 commitment to the world community by responding to international disasters and  
24 crises such as environmental destruction in the Persian Gulf and famine in Rwanda  
25 by providing financial donations, medical assistance, and other forms of aid; and



GENERAL ASSEMBLY OF NORTH CAROLINA

FILED - SENATE

SESSION 1995

S 1098

JUN 22 1995

S

PRINCIPAL CLERK

SENATE RESOLUTION DRSR9647-LG207(6.13)

---

Sponsors: Senators Smith, Cochrane, and Hartsell.

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Referred to:

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1 A SENATE RESOLUTION RECOGNIZING THE ONE HUNDREDTH  
2 ANNIVERSARY OF SPENCER SHOPS.

3 Whereas, Southern Railway began construction on Spencer Shops, a  
4 massive steam locomotive and freight car rebuild and repair facility in Rowan County  
5 in 1896; and

6 Whereas, the communities of Spencer and East Spencer sprang up  
7 around the shops providing a community and homes for the thousands who were  
8 employed by the shops; and

9 Whereas, Spencer Shops continued to provide jobs and critical services  
10 for the Southern Railway until 1979; and

11 Whereas, Southern Railway donated the 57-acre complex to the State of  
12 North Carolina; and

13 Whereas, thousands of dollars and volunteer hours have been invested in  
14 the preservation and restoration of Spencer Shops; and

15 Whereas, Spencer Shops is now the home of the North Carolina  
16 Transportation Museum and hosts over 80,000 visitors per year whose tourism dollars  
17 are estimated to have an economic impact of \$30,000,000 through the year 2000; and

18 Whereas, a major restoration of the Spencer Shops Roundhouse will be  
19 completed in 1996; and

20 Whereas, transportation, and particularly the railway industry, has been  
21 an important factor in the economic growth of North Carolina and the prosperity  
22 enjoyed by its citizens;

23 Now, therefore, be it resolved by the Senate:

24 Section 1. The Senate wishes to recognize the 100th Anniversary of the  
25 Spencer Shops in Rowan County. The Senate further wishes to encourage the  
26 citizens of this State as well as railway enthusiasts throughout the country to join the



NORTH CAROLINA GENERAL ASSEMBLY  
SENATE

RECORDED VOTE

1995 SESSION

SEQ. 1209/15-- 4:30 PM

JULY 6, 1995

LEGISLATIVE DAY 9

LT. GOVERNOR WICKER

-- Presiding

SMITH  
100TH ANNIVERSARY/SPENCER SHOPS

SENATE RES. 1098

MOTION 7  
TO ADOPT

AYE

47

ALBERTSON  
ALLRAN  
BALLANTINE  
BASNIGHT  
BLACKMON  
CARPENTER  
CARRINGTON  
CLARK  
COCHRANE  
CONDER  
COOPER  
DANNELLY

DAVIS 20.1775  
EAST  
EDWARDS  
FORRESTER  
FOXX  
GULLEY  
HARTSELL  
HOBBS  
HORTON  
HOYLE  
JORDAN  
KERR

KINGAID  
LADBETTER  
LITTLE  
LUCAS  
MARTIN R.  
MARTIN W.  
MCDANIEL  
MCKOY  
ODOM  
PAGE  
PARNELL  
PERDUE

PLEXICO  
PLYLER  
RAND  
SHERRON  
SIMPSON  
SMITH  
SOLES  
SPEED  
WARREN  
WEBSTER  
WINNER

NO

0

EXCUSED

0

NOT CAST

2

BALLANCE

SHAW

ABSENT

1

SAWYER

PAIRS

0

AYE

NO

(CONTINUED)

NORTH CAROLINA GENERAL ASSEMBLY  
SENATE

RECORDED VOTE

1995 SESSION

SEQ. 1220/26-- 5:48 PM

JULY 6, 1995

LEGISLATIVE DAY 94

LT. GOVERNOR WICKER

-- Presiding

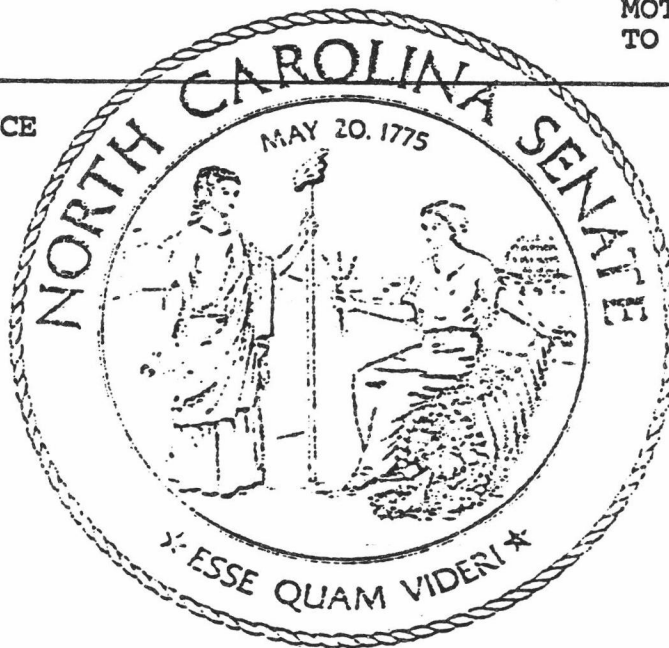
SMITH  
100TH ANNIVERSARY/SPENCER SHOPS

SENATE RES. 1098

MOTION 7  
TO ADOPT

RECORDED		
ABSENT	1	BALLANCE
ADJUSTED TOTAL		
AYE	47	
NO	0	
NOT CAST	1	
ABSENT	2	

(COPY)



NORTH CAROLINA GENERAL ASSEMBLY  
SENATE

RECORDED VOTE

1995 SESSION

SEQ. 1220/26-- 5:48 PM

JULY 6, 1995

LEGISLATIVE DAY 94

LT. GOVERNOR WICKER

-- Presiding

SMITH  
100TH ANNIVERSARY/SPENCER SHOPS

SENATE RES. 1098

MOTION 7  
TO ADOPT

AYE

47

ALBERTSON  
ALLRAN  
BALLANTINE  
BASNIGHT  
BLACKMON  
CARPENTER  
CARRINGTON  
CLARK  
COCHRANE  
CONDER  
COOPER  
DANNELLY

DAVIS 20. 1775  
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  
SHERRON  
SIMPSON  
SMITH  
SOLES  
SPEED  
WARREN  
WEBSTER  
WINNER

NO

0

EXCUSED

0

NOT CAST

1

SHAW

ABSENT

2

BALLANCE

SAWYER

PAIRS

0

AYE

NO

(COPY)

GENERAL ASSEMBLY OF NORTH CAROLINA

FILED - SENATE

SESSION 1995

1099

JUN 28 1995

S

PRINCIPAL CLERK

D

SENATE JOINT RESOLUTION DRSJR7705-LG206(6.9)

---

Sponsors: Senator Kerr.

---

Referred to:

---

1 A JOINT RESOLUTION HONORING THE LIFE AND MEMORY OF NANCY  
2 WINBON CHASE, FORMER STATE LEGISLATOR.

3 Whereas, Nancy Winbon Chase was born on a farm in Wayne County on  
4 October 12, 1903, to Robert Edward Winbon and Kate Davis Winbon; and

5 Whereas, Nancy Winbon Chase graduated from Fremont High School in  
6 1921; and

7 Whereas, Nancy Winbon married John B. Chase on January 27, 1922, and  
8 was the mother of two sons, John B. Chase, Jr. and Thomas Edward Chase; and

9 Whereas, Nancy Winbon Chase served as Chair of the North Carolina  
10 Farm Bureau Women for 10 years; she received in 1956, the Bureau's Award for  
11 Distinguished Service to Agriculture; and was honored in 1964 by the Progressive  
12 Farmer magazine as the "South's Most Outstanding Woman of the Year"; and

13 Whereas, Nancy Winbon Chase's devotion to her community and State  
14 are evidenced by her participation on numerous boards, organizations, and  
15 committees including the Board of Directors of the North Carolina Farm Bureau  
16 Federation, the North Carolina Farm Bureau Tobacco Advisory Committee, the  
17 Wayne County Mental Health Association Board, the Wayne County Area Mental  
18 Health Board, the Board of North Carolina Mental Health Foundation, the Eureka  
19 School Board, the Charles B. Aycock School Board, the Board of Trustees of Wayne  
20 Community College, the Board of Trustees of Louisburg College, the Advisory  
21 Committee of the North Carolina School of Nursing, the Goldsboro Area Chamber  
22 of Commerce, the Wayne County Sheltered Workshop Committee, the Governor's  
23 Study Commission on the Education and Employment of Women, the Governor's  
24 Study Committee on Architectural Barriers, and the Charles B. Aycock Birthplace  
25 Committee; and

GENERAL ASSEMBLY OF NORTH CAROLINA - SENATE

SESSION 1995

S1100

JUL 7 1995

S

PRINCIPAL CLERK

D

SENATE JOINT RESOLUTION DRSJR3680-LG136A(4.4)

---

Sponsors: Representative Rand.

---

Referred to:

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1 A JOINT RESOLUTION HONORING THE CONTRIBUTIONS OF THE 82ND  
2 AIRBORNE DIVISION AND REMEMBERING THE TWENTY-FOUR  
3 PARATROOPERS FROM THE 82ND AIRBORNE DIVISION WHO LOST  
4 THEIR LIVES DURING A ROUTINE TRAINING MISSION ON MARCH 23,  
5 1994.

6 Whereas, "The All Americans have served the course of freedom for  
7 more than 50 years, from the trenches of the Meuse-Argonne, through the four  
8 airborne assaults of World War II, to the great victories of Just Cause and Desert  
9 Storm"; and

10 Whereas, from the drop zones of Sicily and Normandy to the desert sands  
11 of Iraq, the troops of the 82nd Airborne Division of the United States Army have  
12 distinguished themselves as being the first to answer the call to go in harm's way; and

13 Whereas, many of these soldiers also fearlessly and courageously served  
14 our country during conflicts in Vietnam, Grenada, and Panama; and

15 Whereas, the dedication and commitment shown by the troops at Fort  
16 Bragg is duly recognized and appreciated; and

17 Whereas, the members of the 82nd Airborne Division undertake  
18 extremely rigorous training to become the most highly trained military force in the  
19 world; and

20 Whereas, on March 23, 1994, an F-16D Fighting Falcon collided in  
21 midair with a C-130 Hercules transport plane, and crashed into a C-141 Starlifter  
22 parked in front of the Green Ramp at Pope Air Force Base and exploded, thereby  
23 sending debris and burning fuel down upon paratroopers preparing for airborne  
24 operations; and

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1995

FILED - SENATE

S

S1101 JUL 19 1995

SENATE RESOLUTION DRSR5660-LG211(7.19) PRINCIPAL CLERK

---

Sponsors: Senator Webster.

---

Referred to:

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1 A SENATE RESOLUTION HONORING THE MEMORY OF AMY JEAN  
2 JACKSON AND COMMENDING THE HEROISM OF ROBERT JACKSON, JR.

3 Whereas, on July 7, 1995, Amy Jean Jackson, age 11, and Robert  
4 "Bobby" G. Jackson, Jr., age 13, the children of Robert G. Jackson, Sr. and Shana  
5 Myatt Jackson, became the victims of violent crimes committed against them on a  
6 farm in rural Caswell County; and

7 Whereas, Amy Jean Jackson lost her life and her younger brother, who  
8 exhibited great courage and valor in the aid of his sister, sustained grave injuries; and

9 Whereas, this tragic event is but one example of the many violent crimes  
10 committed against the citizens of North Carolina; and

11 Whereas, Amy Jean Jackson will be remembered as an outgoing, bright,  
12 friendly, athletic girl, who was very supportive of her brother; and

13 Whereas, Bobby Jackson deserves special recognition for his heroism  
14 during such a terrible incident;

15 Now, therefore, be it resolved by the Senate:

16 Section 1. The Senate mourns the loss of Amy Jean Jackson and extends  
17 its sympathy to her family and friends and further commends the heroism of Bobby  
18 Jackson.

19 Sec. 2. The Principal Clerk shall transmit a certified copy of this  
20 resolution to the family of Amy Jean Jackson.

21 Sec. 3. This resolution is effective upon adoption.

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1995

FILED - SENATE  
S 1102 JUL 20 1995  
PRINCIPAL CLERK D

S

SENATE JOINT RESOLUTION DRSJR3684-LG211(7.19)

---

Sponsors: Senator Webster.

---

Referred to:

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1 A JOINT RESOLUTION HONORING THE MEMORY OF AMY JEAN JACKSON  
2 AND COMMENDING THE HEROISM OF ROBERT G. JACKSON, JR.

3 Whereas, on July 7, 1995, Amy Jean Jackson, age 11, and Robert  
4 "Bobby" G. Jackson, Jr., age 13, the children of Robert G. Jackson, Sr. and Shana  
5 Myatt Jackson, became the victims of violent crimes committed against them on a  
6 farm in rural Caswell County; and

7 Whereas, Amy Jean Jackson lost her life and her younger brother, who  
8 exhibited great courage and valor in the aid of his sister, sustained grave injuries; and

9 Whereas, this tragic event is but one example of the many violent crimes  
10 committed against the citizens of North Carolina; and

11 Whereas, Amy Jean Jackson will be remembered as an outgoing, bright,  
12 friendly, athletic girl, who was very supportive of her brother; and

13 Whereas, Bobby Jackson deserves special recognition for his heroism  
14 during such a terrible incident;

15 Now, therefore, be it resolved by the Senate, the House of Representatives  
16 concurring:

17 Section 1. The General Assembly mourns the loss of Amy Jean Jackson  
18 and extends its sympathy to her family and friends and further commends the  
19 heroism of Bobby Jackson.

20 Sec. 2. The Secretary of State shall transmit a certified copy of this  
21 resolution to the family of Amy Jean Jackson.

22 Sec. 3. This resolution is effective upon ratification.

NORTH CAROLINA GENERAL ASSEMBLY AMENDMENT

(Please type or use ballpoint pen)

H. B. No. \_\_\_\_\_

DATE 7/27/95

S. B. No. 1102

Amendment No. 1

SJR.

(to be filled in by  
Principal Clerk)

Rep. MORAN  
Sen. )

moves to amend the bill on page 1, line 7

by deleting "younger"

SIGNED [Signature]

ADOPTED 7/29/95 FAILED \_\_\_\_\_ TABLED \_\_\_\_\_

101-0 EV Stallins



# NORTH CAROLINA

## HOUSE OF REPRESENTATIVES

### ROLL CALL

EV

7/27/95

6:40 PM

IN CHAIR: SPEAKER

Q. # 1741

LEGISLATIVE DAY 106

SJR1102

READING 2

AMEND #1

*Rep. Morgan*

HONOR AMY JACKSON/ COMMEND R.G. JACKSON

#### AYES - 101

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

#### NOES - 0

#### EXCUSED ABSENCE - 9

BARNES	MILLER, K.	ROBINSON, G.	WEATHERLY
CANSLER	OLDHAM	WAINWRIGHT	WILSON, G.
GRAY			

#### EXCUSED VOTE - 0

#### NOT VOTING - 10

SPEAKER	DAUGHTRY	HUNTER, H.	TALLENT
ARNOLD	EDWARDS	MCLAUGHLIN	WILSON, C.
CREECH	HUNT		

SJR1102

# NORTH CAROLINA

## HOUSE OF REPRESENTATIVES

### ROLL CALL

EV

2. # 1742  
LEGISLATIVE DAY 106  
SJR1102  
READING 2

7/27/95  
6:45 PM  
IN CHAIR: SPEAKER

HONOR AMY JACKSON/ COMMEND R.G. JACKSON

#### AYES - 100

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

#### NOES - 0

#### EXCUSED ABSENCE - 9

BARNES	MILLER, K.	ROBINSON, G.	WEATHERLY
CANSLER	OLDHAM	WAINWRIGHT	WILSON, G.
GRAY			

#### EXCUSED VOTE - 0

#### NOT VOTING - 11

ARNOLD	FITCH	HUNTER, H.	TOLSON
CREECH	HENSLEY	LINNEY	WILSON, C.
EDWARDS	HUNT	TALLENT	

SJR1102

NORTH CAROLINA GENERAL ASSEMBLY  
SENATE

RECORDED VOTE

1995 SESSION

SEQ. 1487/8-- 2:38 PM

JULY 28, 1995

LEGISLATIVE DAY 108

LT. GOVERNOR WICKER

-- Presiding

WEBSTER  
MEM./AMY JEAN JACKSON

SENATE RES. 1102

HOUSE AMD. NO. 1

MOTION 8  
TO CONCUR

AYE	45	ALBERTSON ALLRAN BALLANCE BALLANTINE BASNIGHT BLACKMON CARPENTER CARRINGTON CLARK COCHRANE CONDER COOPER	DANNELLYO. 1775 DAVIS EAST EDWARDS FOXX GULLEY HARTSELL HOBBS HORTON HOYLE JORDAN	KINCAID LEDBETTER LITTLE LUCAS MARTIN R. MARTIN W. MCDANIEL MCKOY ODOM PAGE PARNELL	PERDUE PLYLER RAND SAWYER SHAW SIMPSON SOLES SPEED WARREN WEBSTER WINNER
NO	0				

EXCUSED 0

NOT CAST 2 KERR SHERRON

ABSENT 3 FORRESTER PLEXICO SMITH

PAIRS 0

AYE  
NO

(COPY)

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1995

FILED - SENATE  
S 1103 JUL 20 1995  
PRINCIPAL CLERK D

S

SENATE JOINT RESOLUTION DRSJR2668-LB364C(4.19)

---

Sponsors: Senator Rand.

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Referred to:

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1 A JOINT RESOLUTION SETTING THE TIME FOR ADJOURNMENT OF THE  
2 1995 GENERAL ASSEMBLY TO MEET IN 1996, LIMITING THE SUBJECTS  
3 THAT MAY BE CONSIDERED IN THAT SESSION, AND PROVIDING FOR  
4 ADJOURNMENT SINE DIE OF THE GENERAL ASSEMBLY.

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

6 Section 1. At 5:00 p.m. on Tuesday, July 25, 1995, the House of  
7 Representatives and the Senate shall adjourn to reconvene at noon on Tuesday, April  
8 16, 1996. During that session only the following matters may be considered:

- 9 (1) Bills directly and primarily affecting the State budget for fiscal year  
10 1996-97, provided that no such bill may be introduced in the  
11 House of Representatives or filed for introduction in the Senate  
12 after 4:00 p.m. Thursday, May 2, 1996, and any such measure must  
13 have been submitted to the Bill Drafting Division of the Legislative  
14 Services Office by 4:00 p.m. Thursday, April 25, 1996.
- 15 (2) Bills and resolutions introduced in 1995 and having passed third  
16 reading in 1995 in the house in which introduced, received in the  
17 other house in accordance with Senate Rule 41 or House Rule  
18 31.1(d) as appropriate, and not disposed of in the other house by  
19 tabling, unfavorable committee report, indefinite postponement, or  
20 failure to pass any reading, and do not violate the rules of either  
21 body.
- 22 (3) Bills and resolutions implementing the recommendations of:  
23 a. Study commissions authorized or directed to report to the  
24 1996 Session; or  
25 b. The Joint Legislative Ethics Committee or its Advisory  
26 Subcommittee.

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1995

SENATE

S 1 1 0 4

MAY 13 1996

S

PRINCIPAL CLERK

SENATE DRS2677\*-LKZ243(5.1)

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

(Public)

Sponsors: Senator Edwards.

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

FILED - SENATE

§ 1105 MAY 13 1996

S

PRINCIPAL CLERK D

SENATE JOINT RESOLUTION DRSJR7721-LG227A(3.18)

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Sponsors: Senator Hartsell.

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Referred to:

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1 A JOINT RESOLUTION AUTHORIZING THE 1995 GENERAL ASSEMBLY,  
2 1996 SESSION, TO CONSIDER A BILL TO BE ENTITLED AN ACT TO  
3 MAKE VARIOUS TECHNICAL AMENDMENTS TO THE GENERAL  
4 STATUTES AS RECOMMENDED BY THE GENERAL STATUTES  
5 COMMISSION.

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

7 Section 1. The 1995 General Assembly, Regular Session 1996, may  
8 consider "A BILL TO BE ENTITLED AN ACT TO MAKE VARIOUS  
9 TECHNICAL AMENDMENTS TO THE GENERAL STATUTES AS  
10 RECOMMENDED BY THE GENERAL STATUTES COMMISSION."

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

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1995

S

D

SENATE DRS7741-LF314(3.25)

FILED - SENATE

S 1106 MAY 18 1996

PRINCIPAL CLERK

Short Title: Alzheimer's Chapters' Funds.

(Public)

---

Sponsors: Senator Perdue.

---

Referred to:

---

1

A BILL TO BE ENTITLED

2

AN ACT TO APPROPRIATE FUNDS FOR THE FOUR ALZHEIMER'S  
CHAPTERS.

3

4

The General Assembly of North Carolina enacts:

5

6

Section 1. There is appropriated from the General Fund to the Division  
of Aging, Department of Human Resources, the sum of one hundred thousand dollars  
(\$100,000) for the 1996-97 fiscal year to continue the support of the four Alzheimer's  
Chapters.

9

10

This item shall become part of the Department's continuation budget.  
Sec. 2. This act becomes effective July 1, 1996.

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1995

FILED - SENATE

S 1107 MAY 13 1996

S

PRINCIPAL CLERK

SENATE DRS5664-LC280(1.1)

Short Title: Federal Pension Withholding Funds.

(Public)

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Sponsors: Senator Perdue.

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Referred to:

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1 A BILL TO BE ENTITLED  
2 AN ACT TO APPROPRIATE FUNDS TO THE DEPARTMENT OF REVENUE  
3 SO THAT NORTH CAROLINA MAY FACILITATE THE WITHHOLDING OF  
4 STATE INCOME TAXES FROM FEDERAL PENSION CHECKS FOR  
5 RETIREES WHO REQUEST WITHHOLDING.  
6 The General Assembly of North Carolina enacts:  
7 Section 1. There is appropriated from the General Fund to the  
8 Department of Revenue the sum of one hundred twelve thousand eight hundred  
9 thirteen dollars (\$112,813) for the 1996-97 fiscal year for start-up costs for  
10 participation in the United States Office of Personnel Management's voluntary  
11 program for withholding State income tax from civil service pension benefits. It is  
12 the intent of the General Assembly to appropriate an additional thirty-seven thousand  
13 two hundred forty-four dollars (\$37,244) each year beginning in 1997 for the  
14 recurring costs of participating in the program.  
15 Sec. 2. This act becomes effective July 1, 1996.





NORTH CAROLINA GENERAL ASSEMBLY  
AMENDMENT  
Senate Bill 1107

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

S1107-ARB-1

Page 1 of L

Date May 22, 1996

Comm. Sub. ☐  
Amends Title ☐

Senator Kern

- 1 moves to amend the bill on page 1, lines 8 and 9, by changing the  
2 sum "one hundred twelve thousand eight hundred thirteen dollars  
3 (\$112,813)" to "one hundred nineteen thousand three hundred eighty-  
4 two dollars (\$119,382)";  
5  
6 and on page 1, lines 12 and 13, by changing the sum "thirty-seven  
7 thousand two hundred forty-four dollars (\$37,244)" to "forty-one  
8 thousand six hundred nineteen dollars (\$41,619)".

SIGNED G. Kern  
Amendment Sponsor

SIGNED A. K. Sherrin  
Committee Chair if Senate Committee Amendment

ADOPTED 5/23/96

FAILED \_\_\_\_\_

TABLED \_\_\_\_\_

(✓)

S. First

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1995

S

SENATE DRS2672-LC286(1.1)

FILED - SENATE D  
S11 108 MAY 13 1996  
PRINCIPAL CLEER

Short Title: Chocolate Milk/Soft Drink Tax.

(Public)

Sponsors: Senator Perdue.

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 has been added.  
15 (2) A bottled soft drink that contains at least thirty-five percent (35%)  
16 natural milk measured by volume and is not exempt under  
17 subdivision (1).  
18 (3) Natural juice.  
19 (3a) Juice that would be natural if it did not contain sugar.  
20 (4) Natural water.  
21 (5) A base product used to make a bottled soft drink subject to tax  
22 under this Article.  
23 (6) Coffee or tea in any form.  
24 (7) A bottled soft drink or base product sold outside the State.

NORTH CAROLINA GENERAL ASSEMBLY  
SENATE

RECORDED VOTE

1995 SESSION  
SECOND REGULAR SESSION

SEQ. 1637/25-- 8:33 PM

JUNE 10, 1996

LEGISLATIVE DAY 126

LT. GOVERNOR WICKER

-- Presiding

PERDUE  
SOFT DRINK TAX ON MILK DRINKS  
COM SUB/2ND EDITION

SENATE BILL 1108  
READING 2

AYE

49

ALBERTSON  
ALLRAN  
BALLANCE  
BALLANTINE  
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.  
MARTIN W.  
MCDANIEL  
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SOLES  
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WARREN  
WEBSTER  
WINNER

NO

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PAIRS

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AYE

NO

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1995

S

SENATE DRS7731\*-LLZ225(3.19)

FILED - SENATE <sup>D</sup>  
S 1 1 0 9 MAY 13 1996  
PRINCIPAL CLERK

Short Title: Extend Ports Study.

(Public)

Sponsors: Senator Perdue.

Referred to:

1 A BILL TO BE ENTITLED  
2 AN ACT TO EXTEND THE STATE PORTS STUDY COMMISSION.  
3 The General Assembly of North Carolina enacts:  
4 Section 1. Section 16.1(e) of Chapter 542 of the 1995 Session Laws reads  
5 as rewritten:  
6 "(e) The Commission shall report the results of its study and its recommendations  
7 to the ~~1995 General Assembly by May 1, 1996.~~ General Assembly. The Commission  
8 may make an interim report to the 1996 Regular Session of the 1995 General  
9 Assembly and shall make a final report upon the convening of the 1997 General  
10 Assembly. The Commission shall terminate upon filing of its final report."  
11 Sec. 2. This act becomes effective April 30, 1996.

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1995

S

SENATE DRS2685-LF312(3.25)

FILED - SENATE

D

S 1 110 MAY 13 1996

PRINCIPAL CLERK

Short Title: Home, Community Care Aging Funds.

(Public)

Sponsors: Senator Perdue.

Referred to:

- 1 A BILL TO BE ENTITLED  
2 AN ACT TO APPROPRIATE FUNDS FOR COMMUNITY AND HOME CARE  
3 SERVICES FOR THE AGING.  
4 The General Assembly of North Carolina enacts:  
5 Section 1. There is appropriated from the General Fund to the Division  
6 of Aging, Department of Human Resources, the sum of ten million dollars  
7 (\$10,000,000) for the 1996-97 fiscal year for community and home care services for  
8 the aging for those 15,500 people who are not eligible for Medicaid who are on the  
9 waiting list for these services. These funds shall be used for home care, home-  
10 delivered meals, adult day care, and related services that enable seniors to remain in  
11 their own homes and communities and shall be distributed pursuant to the income  
12 eligibility rules and the other rules adopted for the Division of Aging's use of these  
13 funds pursuant to G.S. 143B-181.1(a)(10).  
14 Sec. 2. This act becomes effective July 1, 1996.

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1995

S

SENATE DRS8694-LC309B(2.26)

FILED - SENATE

S 1 11 1 MAY 13 1996

PRINCIPAL CLERK

Short Title: Repeal 30-Day Rule.

(Public)

Sponsors: Senator Perdue.

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."

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1995

FILED - SENATE

S 1112 MAY 13 1995  
D

S

SENATE DRS1772\*-RDZ006.7(5.8)

PRINCIPAL CLERK

Short Title: Prohibit Shellfish Leases In Core Banks.

(Public)

Sponsors: Senators Perdue and Shaw.

Referred to:

1 A BILL TO BE ENTITLED

2 AN ACT TO PROHIBIT THE ISSUANCE OF NEW SHELLFISH CULTIVATION  
3 LEASES IN CORE BANKS, TO ESTABLISH A MORATORIUM ON  
4 SHELLFISH LEASES IN THE REMAINING AREA IN CARTERET COUNTY,  
5 AND TO REQUIRE THAT THE JOINT LEGISLATIVE COMMISSION ON  
6 SEAFOOD AND AQUACULTURE STUDY THE SHELLFISH LEASE  
7 PROGRAM.

8 The General Assembly of North Carolina enacts:

9 Section 1. (a) Notwithstanding G.S. 113-202, the Secretary of the  
10 Department of Environment, Health, and Natural Resources shall not grant shellfish  
11 cultivation leases for the area along Portsmouth Island and Core Banks in Carteret  
12 County.

13 (b) For purposes of this act the area along Portsmouth Island and Core  
14 Banks is the area bounded by a line beginning at the northern tip of Portsmouth  
15 Island at 35°03'42"N - 76°02'06"W and running 339°M to a point on North Rock at  
16 35°06'18"N - 76°04'00"W, thence 243°M to Hodges Reef Light at 35°02'42"N -  
17 76°10'00"W, thence, 229.5°M to Marker No. 37 located 0.9 miles off Bells Point at  
18 34°43'30"N - 76°29'00"W, thence, 207°M to the Cape Lookout Lighthouse at  
19 34°37'24"N - 76°31'30"W, thence enclosed on the east by Core Banks and  
20 Portsmouth Island back to the point of beginning.

21 Sec. 2. This act does not prohibit the renewal or transfer of shellfish  
22 cultivation leases in Core Sound in accordance with G.S. 113-202 if the lease being  
23 renewed or transferred existed prior to or on the effective date of this act.

24 Sec. 3. Notwithstanding G.S. 113-202, a moratorium on new shellfish  
25 cultivation leases shall be imposed in the remaining area of Carteret County not

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1995

FILED - SENATE

S

S 1113 MAY 13 1996 D

SENATE DRS1777-LE177(59) PRINCIPAL CLERK

Short Title: Richmond School Board/Oath of Office.

(Local)

Sponsors: Senators Conder and Plyler.

Referred to:

- 1 A BILL TO BE ENTITLED  
2 AN ACT TO CHANGE THE DATE FOR THE OATH OF OFFICE FOR  
3 MEMBERS OF THE RICHMOND COUNTY BOARD OF EDUCATION.  
4 Whereas, Section 3.7 of Chapter 615 of the 1967 Session Laws, as  
5 amended by Section 1 of Chapter 128 of the 1983 Session Laws, provided that  
6 members of the Richmond County Board of Education shall take office on the last  
7 Monday in June of the year of their election; and  
8 Whereas, Section 8 of Chapter 88 of the 1989 Session Laws repealed  
9 Chapter 128 of the 1983 Session Laws; and  
10 Whereas, every present member of the Richmond County Board of  
11 Education has taken his or her oath of office in June following his or her election;  
12 and  
13 Whereas, G.S. 115C-37(d) provides that newly elected members of boards  
14 of education shall take their oath of office in December following their election; and  
15 Whereas, important decisions must be made between June and December  
16 following an election of school board members; Now, therefore,  
17 The General Assembly of North Carolina enacts:  
18 Section 1. The Richmond County Board of Education shall hold a  
19 meeting on the last Monday in June following the election of members of the board  
20 of education. At that June meeting, newly elected members of the Richmond County  
21 Board of Education shall qualify by taking the oath of office prescribed in Article VI,  
22 Section 7 of the Constitution.  
23 Sec. 2. This act is effective upon ratification.



GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1995

FILED - SENATE

S

**S 1114** MAY 13 1996 <sup>D</sup>

SENATE DRS7723\*-RHZ002.4(5.6)

PRINCIPAL CLERK

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

(Public)

Sponsors: Senators Lucas, Dannelly, Hartsell, Hobbs, Perdue, Plexico, and Winner.

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 - SENATE

S

S 1115 MAY 13 1995

SENATE DRS8687\*-RHZX012.4(5.6)

PRINCIPAL CLERK

Short Title: Sch. Facilities Bonds.

(Public)

Sponsors: Senators Winner, Hobbs, Conder, and Edwards.

Referred to:

A BILL TO BE ENTITLED

AN ACT TO IMPLEMENT THE RECOMMENDATION OF THE SCHOOL CAPITAL CONSTRUCTION STUDY COMMISSION TO AUTHORIZE THE ISSUANCE OF GENERAL OBLIGATION BONDS OF THE STATE, SUBJECT TO A VOTE OF THE QUALIFIED VOTERS OF THE STATE, TO PROVIDE FUNDS FOR GRANTS TO COUNTIES FOR PUBLIC SCHOOL CAPITAL OUTLAY PROJECTS, IN ORDER TO PROMOTE EQUITY IN LOCAL SCHOOL FACILITIES ACROSS THE STATE AND TO ENABLE LOCAL GOVERNMENTS TO GIVE LOCAL PROPERTY TAX RELIEF.

The General Assembly of North Carolina enacts:

Section 1. Short title. This act shall be known and may be cited as the "Public School Building Bond Act of 1996".

Sec. 2. Purpose. It is the intent of the General Assembly by this act to provide for the issuance of one billion eight hundred million dollars (\$1,800,000,000) general obligation bonds of the State to facilitate the providing of public school buildings by making grants to counties to provide funds for new public school capital outlay projects.

Sec. 3. Definitions. As used in this act, unless the context otherwise requires:

(1) "Bonds" means bonds issued under this act.

(2) "Cost" means, without intending thereby to limit or restrict any proper definition of this term in financing the cost of facilities or purposes authorized by this act:

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1995

S

SENATE DRS5687\*-LBZ379A(10.11)

FILED - SENATE  
D  
S1116 MAY 13 1996  
PRINCIPAL CLERK

Short Title: Religious Holiday Absentee Vote.

(Public)

Sponsors: Senator Winner.

Referred to:

- 1 A BILL TO BE ENTITLED  
2 AN ACT TO ALLOW PERSONS WHO ARE UNABLE TO GO TO THE POLLS  
3 BECAUSE OF OBSERVANCE OF A RELIGIOUS HOLIDAY TO CAST AN  
4 ABSENTEE BALLOT.  
5 The General Assembly of North Carolina enacts:  
6 Section 1. G.S. 163-226(a) reads as rewritten:  
7 "(a) Who May Vote Absentee Ballot; Generally. -- Any qualified voter of the State  
8 may vote by absentee ballot in a statewide primary, general, or special election on  
9 constitutional amendments, referenda or bond proposals, and any qualified voter of a  
10 county is authorized to vote by absentee ballot in any primary or election conducted  
11 by the county board of elections, in the manner provided in this Article if:  
12 (1) ~~He~~ The voter expects to be absent from the county in which he is  
13 registered during the entire period that the polls are open on the  
14 day of the specified election in which ~~he~~ the voter desires to vote;  
15 ~~or~~  
16 (2) ~~He~~ The voter is unable to be present at the voting place to vote in  
17 person on the day of the specified election in which ~~he~~ the voter  
18 desires to vote because of ~~his~~ the voter's sickness or other physical  
19 disability; ~~or~~  
20 (3) ~~He~~ The voter is incarcerated, whether in ~~his~~ the voter's county of  
21 residence or elsewhere, shall be entitled to vote by absentee ballot  
22 in the county of ~~his~~ the voter's residence in any election, specified  
23 herein, in which ~~he~~ the voter otherwise would be entitled to vote.  
24 Absentee voting shall be in the same manner as provided in this  
25 Article. The chief custodian or superintendent of the institution or

NORTH CAROLINA GENERAL ASSEMBLY  
SENATE

RECORDED VOTE

1995 SESSION  
SECOND REGULAR SESSION

SEQ. 1559/2-- 2:06 PM

MAY 29, 1996

LEGISLATIVE DAY 120

LT. GOVERNOR WICKER

-- Presiding

WINNER  
RELIGIOUS HOLIDAY ABSENTEE VOTE

SENATE BILL 1116  
READING 2

AYE

49

ALBERTSON  
ALLRAN  
BALLANCE  
BALLANTINE  
BLACKMON  
BLUST  
CARPENTER  
CARRINGTON  
CLARK  
COCHRANE  
CONDER  
COOPER  
DANNELLY

DAVIS  
MAY 20, 1775  
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

NO

0

EXCUSED

0

NOT CAST

1

BASNIGHT

ABSENT

0

PAIRS

0

AYE

NO

EV

# NORTH CAROLINA

## HOUSE OF REPRESENTATIVES

### ROLL CALL

6/13/96

3:59 PM

IN CHAIR: SPEAKER

# 1977  
LEGISLATIVE DAY 129  
S1116  
READING 2

#### RELIGIOUS HOLIDAY ABSENTEE VOTE

#### AYES - 104

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

#### NOES - 1

MILLER, K.

#### EXCUSED ABSENCE - 7

CANSLER	GAMBLE	REDWINE	WAINWRIGHT
CULP	HACKNEY	ROBINSON, G.	

#### EXCUSED VOTE - 0

#### NOT VOTING - 8

ARNOLD	BOWEN	HUNTER, H.	WRIGHT
BLACK	CARPENTER	SUTTON	YONGUE

S1116

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1995

FILED SENATE  
S 1117 MAY 13  
PRINCIPAL CLERK

S

D

SENATE DRS2675\*-RHZ003.2(5.6)

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

(Public)

Sponsors: Senators Dannelly, Hartsell, Hobbs, Lucas, Perdue, Plexico, and Winner.

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.



NORTH CAROLINA GENERAL ASSEMBLY  
AMENDMENT  
Senate Bill 1117

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

S1117-ARH-001

Page 1 of 1

Date 5/30, 1996

Comm. Sub. ☐  
Amends Title ☐

Senator Dannelly

- 1 moves to amend the bill on page 2, lines 37-42,  
2 by rewriting the lines to read:  
3 "(3) Has a bachelors degree from an accredited college or  
4 accredited university and (i) has a graduate degree from a public  
5 school administration program that meets the public school  
6 administrator program approval standards set by the State Board of  
7 Education. Education, or (ii) has a masters degree from an  
8 accredited college or accredited university and has completed a  
9 public school administration program that meets the public school  
10 administration approval standards set by the State Board of  
11 Education."

SIGNED C. S. Dannelly  
Amendment Sponsor

SIGNED J. C. O'Neil  
Committee Chair if Senate Committee Amendment

ADOPTED 5/30/96 FAILED \_\_\_\_\_

TABLED \_\_\_\_\_

(V)

S. J. Kirk



NORTH CAROLINA GENERAL ASSEMBLY  
SENATE

RECORDED VOTE

1995 SESSION  
SECOND REGULAR SESSION

SEQ. 1569/8-- 1:31 PM

MAY 30, 1996

LEGISLATIVE DAY 121

LT. GOVERNOR WICKER

-- Presiding

DANNELLY  
NC STDS. BD. FOR PUBLIC SCH. ADMIN.

SENATE BILL 1117  
READING 2

AYE	44	ALBERTSON	DAVIS	KINCAID	PLYLER
		ALLRAN	EAST	LEDBETTER	RAND
		BALLANTINE	EDWARDS	LITTLE	SHAW
		BASNIGHT	FORRESTER	LUCAS	SHERRON
		CARPENTER	FOXX	MARTIN R.	SIMPSON
		CARRINGTON	GULLEY	MCDANIEL	SMITH
		CLARK	HARTSELL	ODOM	SOLES
		COCHRANE	HOBBS	PAGE	SPEED
		CONDER	HOYLE	PARNELL	WARREN
		COOPER	JORDAN	PERDUE	WEBSTER
		DANNELLY	KERR	PLEXICO	WINNER
NO	0				

EXCUSED 0

NOT CAST 5 BALLANCE  
BLACKMON

BLUST

HORTON

MARTIN W.

ABSENT 1 MCKOY

PAIRS 0  
AYE  
NO



GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1995

FILED - SENATE

S

S 1118 MAY 13 1996 D

SENATE DRS7724\*-RCZ013.2(5.6) PRINCIPAL CLERK

Short Title: Pembroke State Univ. Name Change.

(Public)

Sponsors: Senators Parnell, Dannelly, Hartsell, Hobbs, Lucas, Perdue, Plexico, and Winner.

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 NAME OF PEMBROKE STATE UNIVERSITY TO THE UNIVERSITY OF  
5 NORTH CAROLINA AT PEMBROKE.

6 The General Assembly of North Carolina enacts:

7 Section 1. G.S. 116-2(4) reads as rewritten:

8 "(4) 'Constituent institution' or 'institution' means one of the 16 public  
9 senior institutions, to wit, the University of North Carolina at  
10 Chapel Hill, North Carolina State University at Raleigh, the  
11 University of North Carolina at Greensboro, the University of  
12 North Carolina at Charlotte, the University of North Carolina at  
13 Asheville, the University of North Carolina at Wilmington,  
14 Appalachian State University, East Carolina University, Elizabeth  
15 City State University, Fayetteville State University, North Carolina  
16 Agricultural and Technical State University, North Carolina  
17 Central University, North Carolina School of the Arts, Pembroke  
18 State University, redesignated effective July 1, 1996, as the  
19 'University of North Carolina at Pembroke', Western Carolina  
20 University, and Winston-Salem State University."

21 Sec. 2. G.S. 116-4 reads as rewritten:

22 "§ 116-4. Constituent institutions of the University of North Carolina.

23 On July 1, 1972, the University of North Carolina shall be composed of the  
24 following institutions: the University of North Carolina at Chapel Hill, North

NORTH CAROLINA GENERAL ASSEMBLY  
SENATE

RECORDED VOTE

1995 SESSION  
SECOND REGULAR SESSION

SEQ. 1533/3--12:22 PM

MAY 16, 1996

LEGISLATIVE DAY 113

LT. GOVERNOR WICKER

-- Presiding

PARNELL  
PEMBROKE STATE UNIV. NAME CHANGE

SENATE BILL 1118  
READING 2

AYE	47	ALBERTSON	COOPER	KERR	PLEXICO
		ALLRAN	DAVIS	LEDBETTER	PLYLER
		BALLANCE	EAST	LITTLE	RAND
		BALLANTINE	EDWARDS	LUCAS	SHAW
		BASNIGHT	FORRESTER	MARTIN R.	SHERRON
		BLACKMON	FOXX	MARTIN W.	SIMPSON
		BLUST	GULLEY	MCDANIEL	SMITH
		CARPENTER	HARTSELL	MCKOY	SOLES
		CARRINGTON	HOBBS	ODOM	SPEED
		CLARK	HORTON	PAGE	WARREN
		COCHRANE	HOYLE	PARNELL	WINNER
		CONDER	JORDAN	PERDUE	

NO 0

EXCUSED 0

NOT CAST 2 KINCAID WEBSTER

ABSENT 1 DANNELLY

PAIRS 0

AYE  
NO

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1995

FILED - SENATE

S 1119 MAY 13 1996

S

D

SENATE DRS1769\*-RRZ053(5.8) PRINCIPAL CLERK

Short Title: Friday Canvass.

(Public)

Sponsors: Senator Gulley.

Referred to:

1 A BILL TO BE ENTITLED  
2 AN ACT TO PROVIDE FOR HOLDING THE CANVASS FOR PRIMARIES AND  
3 ELECTIONS ON THE THIRD RATHER THAN THE SECOND DAY AFTER  
4 ELECTION DAY.

5 The General Assembly of North Carolina enacts:

6 Section 1. G.S. 163-175 reads as rewritten:

7 "**§ 163-175. County board of elections to canvass returns.**

8 On the ~~second~~ third day (Sunday excepted) next after every primary and election,  
9 the county board of elections shall meet at 11:00 A.M. at the county courthouse or at  
10 the office of the county board of elections (the choice of location to be at the option  
11 of the county board of elections) to canvass the votes cast in the county and prepare  
12 the county abstracts. If the returns from any precinct have not been received by the  
13 county board by 12:00 noon on that day, or if the returns of any precinct are  
14 incomplete or defective, the board shall have authority to dispatch a peace officer to  
15 the residences of the election officials of the delinquent precinct for the purpose of  
16 securing proper returns for that precinct.

17 In the presence of such persons as choose to attend, the members of the county  
18 board of elections shall open the precinct returns, canvass and judicially determine  
19 the results of the voting in the county, and prepare and sign duplicate abstracts  
20 showing:

- 21 (1) In a primary, the total number of votes cast in each precinct and in  
22 the county for each candidate of each political party for each  
23 office.  
24 (2) In an election, the number of legal votes cast in [each] precinct for  
25 each candidate, the name of each person voted for, the political



NORTH CAROLINA GENERAL ASSEMBLY  
AMENDMENT  
Senate Bill 1119

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

S1119-ARR-001

Date June 4, 1996

Comm. Sub. ☐  
Amends Title ☐

Senator Hartsell

- 1
- 2 moves to amend the bill on page 2, line 13,
- 3 on page 3, line 23,
- 4 on page 4, line 30, and
- 5 on page 5, line 38,
- 6 by inserting after the period on those lines the following:
- 7
- 8 "In accepting the filing of complaints concerning the conduct of an
- 9 election, a board of elections shall be subject to the rules
- 10 concerning Sundays and holidays set forth in G.S. 103-5."
- 11
- 12

SIGNED Walter L. Hartsell  
Amendment Sponsor

SIGNED W.O.D.  
Committee Chair if Senate Committee Amendment

ADOPTED 6/5/96 FAILED \_\_\_\_\_ TABLED \_\_\_\_\_  
(V) S. Fink

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1995

S

FILED - SENATE  
61120 MAY 13 1996

D

SENATE DRS8691\*-RRZ054A(5.8)

PRINCIPAL CLERK

Short Title: Voter's Testimony.

(Public)

Sponsors: Senator Gulley.

Referred to:

1 A BILL TO BE ENTITLED  
2 AN ACT TO PROHIBIT THE USE OF INELIGIBLE VOTER'S TESTIMONY  
3 ABOUT HOW THE VOTE WAS CAST; TO GIVE THE PERSON  
4 PROTESTING THE ELECTION THE RIGHT TO CALL FOR A NEW  
5 ELECTION WHEN THE NUMBER OF INELIGIBLE VOTERS EXCEEDS THE  
6 MARGIN OF VICTORY; AND TO MAKE RELATED CHANGES.

7 The General Assembly of North Carolina enacts:

8 Section 1. G.S. 163-33 reads as rewritten:

9 "§ 163-33. Powers and duties of county boards of elections.

10 The county boards of elections within their respective jurisdictions shall exercise  
11 all powers granted to such boards in this Chapter, and they shall perform all the  
12 duties imposed upon them by law, which shall include the following:

- 13 (1) To make and issue such rules, regulations, and instructions, not  
14 inconsistent with law or the rules established by the State Board of  
15 Elections, as it may deem necessary for the guidance of election  
16 officers and voters.  
17 (2) To appoint all chief judges, judges, assistants, and other officers of  
18 elections, and designate the precinct in which each shall serve;  
19 and, after notice and hearing, to remove any chief judge, judge of  
20 elections, assistant, or other officer of election appointed by it for  
21 incompetency, failure to discharge the duties of office, failure to  
22 qualify within the time prescribed by law, fraud, or for any other  
23 satisfactory cause. In exercising the powers and duties of this  
24 subdivision, the board may act only when a majority of its

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1995

S

1

SENATE BILL 1121\*

Short Title: Modified At-Large Election Methods.

(Public)

---

Sponsors: Senators Gulley; and Winner.

---

Referred to: Judiciary II/Election Laws.

---

May 14, 1996

- 1 A BILL TO BE ENTITLED  
2 AN ACT TO ADD TO THE MODES OF ELECTION THAT MAY BE CHOSEN  
3 LOCALLY FOR CITY AND COUNTY GOVERNMENTS THE FOLLOWING:  
4 CUMULATIVE VOTING AND PREFERENCE VOTING.  
5 The General Assembly of North Carolina enacts:  
6 Section 1. G.S. 160A-101 reads as rewritten:  
7 "§ 160A-101. Optional forms.  
8 Any city may change its name or alter its form of government by adopting any one  
9 or combination of the options prescribed by this section:  
10 (1) Name of the corporation:  
11 The name of the corporation may be changed to any name not  
12 deceptively similar to that of another city in this State.  
13 (2) Style of the corporation:  
14 The city may be styled a city, town, or village.  
15 (3) Style of the governing board:  
16 The governing board may be styled the board of commissioners,  
17 the board of aldermen, or the council.  
18 (4) Terms of office of members of the council:  
19 Members of the council shall serve terms of office of either two  
20 or four years. All of the terms need not be of the same length, and  
21 all of the terms need not expire in the same year.  
22 (5) Number of members of the council:  
23 The council shall consist of any number of members not less than  
24 three nor more than 12.

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1995

FILED - SENATE

S

61122

MAY 13 1996

SENATE DRS4667\*-RRZY055(5.8)

PRINCIPAL CLERK

Short Title: Lift ESC Voter Sunset.

(Public)

Sponsors: Senator Gulley.

Referred to:

1 A BILL TO BE ENTITLED  
2 AN ACT TO REPEAL THE SUNSET ON DESIGNATION OF EMPLOYMENT  
3 SECURITY COMMISSION OFFICES AS VOTER REGISTRATION AGENCIES  
4 AND TO PROVIDE FOR FUNDING.  
5 The General Assembly of North Carolina enacts:  
6 Section 1. Section 73 of Chapter 762 of the 1993 Session Laws, as  
7 amended by Section 25.10 of Chapter 507 of the 1995 Session Laws, reads as  
8 rewritten:  
9 "Sec. 73. Sections 1 through 68 of this act become effective January 1, 1995, and  
10 apply to all primaries and elections occurring on or after that date. The remainder of  
11 this act is effective upon ratification and shall apply to all primaries and elections  
12 occurring on or after the date of ratification. Prosecutions for, or sentences based on,  
13 offenses occurring before the effective date of any section of this act are not abated or  
14 affected by this act and the statutes that would be applicable to those prosecutions or  
15 sentences but for the provisions of this act remain applicable to those prosecutions or  
16 sentences. ~~G.S. 163-82.20(a)(3) and G.S. 163-82.20(b1) as enacted in Section 2 of this~~  
17 ~~act expire July 1, 1996.~~"  
18 Sec. 2. G.S. 96-5(c) reads as rewritten:  
19 "(c) There is hereby created in the State treasury a special fund to be known as  
20 the Special Employment Security Administration Fund. All interest and penalties,  
21 regardless of when the same became payable, collected from employers under the  
22 provisions of this Chapter subsequent to June 30, 1947 as well as any appropriations  
23 of funds by the General Assembly, shall be paid into this fund. No part of said fund  
24 shall be expended or available for expenditure in lieu of federal funds made available  
25 to the Commission for the administration of this Chapter. Said fund shall be used by



GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1995

S 1123

MAY 13 1996

PRINCIPAL CLERK

S

D

SENATE DRS6647\*-RRZ058(5.8)

Short Title: NVRA Corrections.

(Public)

Sponsors: Senator Gulley.

Referred to:

1 A BILL TO BE ENTITLED  
2 AN ACT TO MAKE CORRECTIONS IN THE 1994 LEGISLATION DESIGNED  
3 TO BRING NORTH CAROLINA INTO COMPLIANCE WITH THE  
4 NATIONAL VOTER REGISTRATION ACT.  
5 The General Assembly of North Carolina enacts:  
6 Section 1. G.S. 163-22(e) reads as rewritten:  
7 "(e) The State Board of Elections shall determine, in the manner provided by law,  
8 the form and content of ballots, instruction sheets, pollbooks, talley sheets, abstract  
9 and return forms, certificates of election, and other forms to be used in primaries and  
10 elections. The Board shall furnish to the county ~~and municipal~~ boards of elections  
11 the registration application forms required pursuant to G.S. ~~163-67. 163-82.3.~~ The  
12 State Board of Elections shall direct the county boards of elections to purchase a  
13 sufficient quantity of all forms attendant to the registration and elections process. In  
14 addition, the State Board shall provide a source of supply from which the county  
15 boards of elections may purchase the quantity of pollbooks needed for the execution  
16 of its responsibilities. In the preparation of ballots, pollbooks, abstract and return  
17 forms, and all other forms, the State Board of Elections may call to its aid the  
18 Attorney General of the State, and it shall be the duty of the Attorney General to  
19 advise and aid in the preparation of these books, ballots and forms."  
20 Sec. 2. Article 4 of Chapter 163 of the General Statutes is amended by  
21 adding a new section to read:  
22 "§ 163-37. Duty of county board of commissioners.  
23 The respective boards of county commissioners shall appropriate reasonable and  
24 adequate funds necessary for the legal functions of the county board of elections,  
25 including reasonable and just compensation of the supervisor of elections."



NORTH CAROLINA GENERAL ASSEMBLY  
SENATE

RECORDED VOTE

1995 SESSION  
SECOND REGULAR SESSION

SEQ. 1560/3-- 2:15 PM

MAY 29, 1996


LEGISLATIVE DAY 120

LT. GOVERNOR WICKER

-- Presiding

GULLEY  
NVRA CORRECTIONS

SENATE BILL 1123  
READING 2

AYE	42	ALBERTSON ALLRAN BALLANCE BLUST CARPENTER CARRINGTON COCHRANE CONDER COOPER DANNELLY DAVIS	 <p>The seal of the North Carolina Senate is circular, featuring a rope border. Inside the border, the words "NORTH CAROLINA" are arched at the top, and "SENATE" is arched at the bottom. The center of the seal depicts two figures: a man on the left and a woman on the right, both dressed in 18th-century attire. The man is holding a scroll, and the woman is holding a bundle of wheat. Above the figures, the text "EAST MAY 20. 1775" is written. Below the figures, the Latin motto "ESSE QUAM VIDERI" is inscribed, flanked by two stars.</p>	LEDBETTER LITTLE LUCAS MARTIN R. MARTIN W. MCKOY ODOM PAGE BARNELL PERDUE	PLEXICO PLYLER RAND SHERRON SMITH SOLES SPEED WARREN WEBSTER WINNER
NO	7	BALLANTINE BASNIGHT	BLACKMON CLARK	MCDANIEL SHAW	SIMPSON

EXCUSED	0	
NOT CAST	1	JORDAN
ABSENT	0	
PAIRS	0	
AYE		
NO		

EV

S # 2169  
LEGISLATIVE DAY 135  
S1123HCS  
READING 2

NORTH CAROLINA  
HOUSE OF REPRESENTATIVES  
ROLL CALL

6/21/96  
4:13 PM  
IN CHAIR: RUSSELL

AMEND #2-91115  
NATIONAL VOTER REG. ACT CORRECTIONS  
MOTION #3-Rep. Ellis calls previous question

AYES - 78

ALEXANDER	CUMMINGS	LEE	RAYFIELD
ARNOLD	CUNNINGHAM	LEMOND	REYNOLDS
BAKER	DAVIS	LOCKE	ROGERS
BARBEE	DICKSON	MCCALLISTER	SEXTON
BARNES	DOCKHAM	MCCOMBS	SHARPE
BOWEN	EARLE	MCLAUGHLIN	SHERRILL
BOWIE	EDDINS	MCMAHAN	SHUBERT
BOYD-MCINTYRE	EDWARDS	MERCER	SUTTON
BRASWELL	ELLIS	MICHAUX	TALLENT
BRAWLEY	GAMBLE	MINER	TOLSON
BROWN, J.	GARDNER	MITCHELL	WAINWRIGHT
BROWN, W.	GRADY	MORGAN	WATSON
BUCHANAN	HAYES	NICHOLS	WEATHERLY
CANSLER	HIATT	NYE	WILKINS
CAPPS	HILL	OWENS	WILSON, C.
CARPENTER	HOWARD	PATE	WILSON, G.
CHURCH	HURLEY	PRESTON	WOMBLE
CLARY	IVES	PULLEY	WOOD
COCKLEREECE	JUSTUS	RAMSEY	YONGUE
CULP	KISER		

NOES - 18

ADAMS	FITCH	LUEBKE	RICHARDSON
ALLRED	HACKNEY	MCCRARY	ROBINSON, J.
BLACK	HENSLEY	MILLER, G.	SHAW
CULPEPPER	HIGHTOWER	REDWINE	WRIGHT
EASTERLING	HUNTER, H.		

EXCUSED ABSENCE - 11

ALDRIDGE	CREECH	HOLMES	ROBINSON, G.
BEALL	ESPOSITO	HUNT	WARNER
BLUE	FOX	OLDHAM	

EXCUSED VOTE - 0

NOT VOTING - 13

SPEAKER	DECKER	LINNEY	NEELY
BERRY	GRAY	MCCOMAS	RUSSELL
CRAWFORD	HUNTER, R.	MILLER, K.	THOMPSON
DAUGHTRY			

S1123HCS

EV

S # 2170  
LEGISLATIVE DAY 135  
S1123HCS  
READING 2

NORTH CAROLINA  
HOUSE OF REPRESENTATIVES  
ROLL CALL

6/21/96  
4:14 PM  
IN CHAIR: RUSSELL

AMEND #2 - ~~ELIS~~  
NATIONAL VOTER REG. ACT CORRECTIONS

AYES - 80

ADAMS	DAVIS	IVES	RAYFIELD
ALEXANDER	DECKER	JUSTUS	REDWINE
ARNOLD	DICKSON	KISER	REYNOLDS
BAKER	EARLE	LEE	RICHARDSON
BARNES	EASTERLING	LINNEY	ROGERS
BLACK	EDDINS	LUEBKE	SEXTON
BOWEN	EDWARDS	MCALLISTER	SHAW
BOYD-MCINTYRE	ELLIS	MCCOMAS	SHERRILL
BRASWELL	FITCH	MCCOMBS	SUTTON
BRAWLEY	GAMBLE	MCCRARY	TOLSON
BROWN, J.	GARDNER	MCLAUGHLIN	WAINWRIGHT
BROWN, W.	HACKNEY	MERCER	WATSON
BUCHANAN	HAYES	MICHAUX	WEATHERLY
CANSLER	HENSLEY	MILLER, G.	WILKINS
CAPPS	HIATT	MINER	WILSON, C.
CARPENTER	HIGHTOWER	MITCHELL	WILSON, G.
CHURCH	HILL	MORGAN	WOMBLE
COCKLEREECE	HOWARD	NYE	WOOD
CULP	HUNTER, H.	OWENS	WRIGHT
CUNNINGHAM	HURLEY	RAMSEY	YONGUE

NOES - 21

ALLRED	CUMMINGS	MCMAHAN	PULLEY
BARBEE	DOCKHAM	NEELY	ROBINSON, J.
BERRY	GRADY	NICHOLS	SHARPE
BOWIE	LEMMOND	PATE	SHUBERT
CLARY	LOCKE	PRESTON	TALLENT
CULPEPPER			

EXCUSED ABSENCE - 11

ALDRIDGE	CREECH	HOLMES	ROBINSON, G.
BEALL	ESPOSITO	HUNT	WARNER
BLUE	FOX	OLDHAM	

EXCUSED VOTE - 0

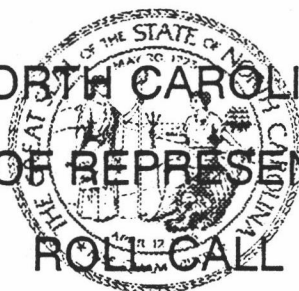
NOT VOTING - 8

SPEAKER	DAUGHTRY	HUNTER, R.	RUSSELL
CRAWFORD	GRAY	MILLER, K.	THOMPSON

EV

# NORTH CAROLINA

## HOUSE OF REPRESENTATIVES



S # 2171  
LEGISLATIVE DAY 135  
S1123HCS  
READING 2

6/21/96

4:21 PM

IN CHAIR: SPEAKER

AMEND #3-ELLIS

NATIONAL VOTER REG. ACT CORRECTIONS

MOTION #3 - *Rep. Ellis raises the previous question*

### AYES - 78

ADAMS	COCKLEREECE	MCALLISTER	ROGERS
ALEXANDER	CRAWFORD	MCCOMAS	RUSSELL
ARNOLD	CULP	MCCOMBS	SEXTON
BAKER	CULPEPPER	MCCRARY	SHARPE
BARBEE	DAUGHTRY	MCMAHAN	SHERRILL
BARNES	DAVIS	MERCER	SHUBERT
BERRY	EARLE	MINER	SUTTON
BLACK	EDDINS	MITCHELL	TALLENT
BOWEN	ELLIS	MORGAN	THOMPSON
BOYD-MCINTYRE	GAMBLE	NEELY	TOLSON
BRASWELL	GARDNER	NICHOLS	WAINWRIGHT
BRAWLEY	HAYES	OWENS	WATSON
BROWN, J.	HIGHTOWER	PATE	WEATHERLY
BROWN, W.	HILL	PULLEY	WILKINS
BUCHANAN	HOWARD	RAMSEY	WILSON, C.
CANSLER	IVES	RAYFIELD	WILSON, G.
CAPPS	JUSTUS	REDWINE	WOMBLE
CARPENTER	KISER	REYNOLDS	WOOD
CHURCH	LEE	ROBINSON, J.	YONGUE
CLARY	LEMMOND		

### NOES - 16

ALLRED	EASTERLING	HENSLEY	LUEBKE
BOWIE	FITCH	HUNTER, H.	MILLER, G.
CUMMINGS	GRADY	HUNTER, R.	PRESTON
DOCKHAM	HACKNEY	LOCKE	RICHARDSON

### EXCUSED ABSENCE - 11

ALDRIDGE	CREECH	HOLMES	ROBINSON, G.
BEALL	ESPOSITO	HUNT	WARNER
BLUE	FOX	OLDHAM	

### EXCUSED VOTE - 0

### NOT VOTING - 15

SPEAKER	EDWARDS	LINNEY	NYE
CUNNINGHAM	GRAY	MCLAUGHLIN	SHAW
DECKER	HIATT	MICHAUX	WRIGHT
DICKSON	HURLEY	MILLER, K.	

S1123HCS

EV

# NORTH CAROLINA

## HOUSE OF REPRESENTATIVES



S # 2172  
LEGISLATIVE DAY 135  
S1123HCS  
READING 2

6/21/96

4:21 PM

IN CHAIR: SPEAKER

AMEND #3-Ellis  
NATIONAL VOTER REG. ACT CORRECTIONS

### AYES - 73

ADAMS	DAVIS	HUNTER, R.	RAYFIELD
ALEXANDER	DECKER	IVES	REDWINE
BAKER	DICKSON	JUSTUS	RICHARDSON
BARNES	EARLE	KISER	ROGERS
BLACK	EASTERLING	LEE	SEXTON
BOWEN	EDDINS	LUEBKE	SHERRILL
BOYD-MCINTYRE	EDWARDS	MCALLISTER	SUTTON
BRASWELL	ELLIS	MCCOMAS	TOLSON
BRAWLEY	FITCH	MCCOMBS	WAINWRIGHT
BROWN, J.	GARDNER	MCCRARY	WATSON
BROWN, W.	HACKNEY	MERCER	WEATHERLY
BUCHANAN	HAYES	MICHAUX	WILKINS
CANSLER	HENSLEY	MILLER, G.	WILSON, C.
CAPPS	HIATT	MINER	WILSON, G.
CARPENTER	HIGHTOWER	MITCHELL	WOMBLE
CHURCH	HILL	MORGAN	WOOD
COCKLEREECE	HOWARD	OWENS	WRIGHT
CULP	HUNTER, H.	RAMSEY	YONGUE
CUNNINGHAM			

### NOES - 26

ALLRED	CULPEPPER	MICMAHAN	REYNOLDS
ARNOLD	CUMMINGS	NEELY	ROBINSON, J.
BARBEE	DAUGHTRY	NICHOLS	RUSSELL
BERRY	DOCKHAM	PATE	SHARPE
BOWIE	GRADY	PRESTON	SHUBERT
CLARY	LEMMOND	PULLEY	TALLENT
CRAWFORD	LOCKE		

### EXCUSED ABSENCE - 11

ALDRIDGE	CREECH	HOLMES	ROBINSON, G.
BEALL	ESPOSITO	HUNT	WARNER
BLUE	FOX	OLDHAM	

### EXCUSED VOTE - 0

### NOT VOTING - 10

SPEAKER	HURLEY	MILLER, K.	SHAW
GAMBLE	LINNEY	NYE	THOMPSON
GRAY	MCLAUGHLIN		

S1123HCS

# NORTH CAROLINA

## HOUSE OF REPRESENTATIVES

### ROLL CALL

EV

S # 2173  
LEGISLATIVE DAY 135  
S1123HCS  
READING 2

6/21/96  
4:33 PM  
IN CHAIR: SPEAKER

AMEND #4 - *Justus*  
NATIONAL VOTER REG. ACT CORRECTIONS  
MOTION #3 - *Rep Justus calls previous question*

#### AYES - 72

ALLRED	CULP	IVES	PRESTON
ARNOLD	CULPEPPER	JUSTUS	PULLEY
BAKER	CUMMINGS	KISER	RAMSEY
BARBEE	DAVIS	LEE	RAYFIELD
BERRY	DECKER	LEMOND	REYNOLDS
BOWEN	DICKSON	LINNEY	ROBINSON, J.
BOWIE	DOCKHAM	LOCKE	RUSSELL
BRAWLEY	EDDINS	MCCALLISTER	SEXTON
BROWN, J.	EDWARDS	MCCOMAS	SHARPE
BROWN, W.	ELLIS	MCCOMBS	SHERRILL
BUCHANAN	GAMBLE	MCLAUGHLIN	SHUBERT
CANSLER	GARDNER	MCPAHAN	TALLENT
CAPPS	GRADY	MINER	THOMPSON
CARPENTER	HAYES	MITCHELL	WATSON
CHURCH	HIATT	MORGAN	WEATHERLY
CLARY	HILL	NEELY	WILSON, C.
COCKLEREECE	HOWARD	NICHOLS	WILSON, G.
CRAWFORD	HURLEY	PATE	YONGUE

#### NOES - 30

ADAMS	FITCH	MICHAUX	SHAW
ALEXANDER	HACKNEY	MILLER, G.	SUTTON
BARNES	HENSLEY	NYE	TOLSON
BOYD-MCINTYRE	HIGHTOWER	OWENS	WAINWRIGHT
BRASWELL	HUNTER, H.	REDWINE	WILKINS
CUNNINGHAM	LUEBKE	RICHARDSON	WOMBLE
EARLE	MCCRARY	ROGERS	WRIGHT
EASTERLING	MERCER		

#### EXCUSED ABSENCE - 11

ALDRIDGE	CREECH	HOLMES	ROBINSON, G.
BEALL	ESPOSITO	HUNT	WARNER
BLUE	FOX	OLDHAM	

#### EXCUSED VOTE - 0

#### NOT VOTING - 7

SPEAKER	DAUGHTRY	HUNTER, R.	WOOD
BLACK	GRAY	MILLER, K.	

S1123HCS

S # 2174  
LEGISLATIVE DAY 135  
S1123HCS  
READING 2

NORTH CAROLINA  
HOUSE OF REPRESENTATIVES



6/21/96  
4:34 PM  
IN CHAIR: SPEAKER

AMEND #4 - Justus  
NATIONAL VOTER REG. ACT CORRECTIONS

AYES - 59

ALLRED	COCKLEREECE	IVES	PULLEY
ARNOLD	CULP	JUSTUS	RAYFIELD
BAKER	CUMMINGS	KISER	REYNOLDS
BARBEE	DAVIS	LEMMOND	ROBINSON, J.
BERRY	DECKER	LINNEY	RUSSELL
BOWIE	DICKSON	LOCKE	SEXTON
BRASWELL	DOCKHAM	MCCOMAS	SHARPE
BRAWLEY	EDDINS	MCCOMBS	SHUBERT
BROWN, J.	EDWARDS	MCPAHAN	TALLENT
BROWN, W.	ELLIS	MITCHELL	THOMPSON
BUCHANAN	GAMBLE	MORGAN	WATSON
CANSLER	GRADY	NEELY	WEATHERLY
CAPPS	HAYES	NICHOLS	WILSON, C.
CARPENTER	HIATT	PATE	WILSON, G.
CLARY	HOWARD	PRESTON	

NOES - 43

ADAMS	FITCH	MCCRARY	ROGERS
ALEXANDER	GARDNER	MCLAUGHLIN	SHAW
BARNES	HACKNEY	MERCER	SHERRILL
BLACK	HENSLEY	MICHAUX	SUTTON
BOWEN	HIGHTOWER	MILLER, G.	TOLSON
BOYD-MCINTYRE	HILL	MINER	WAINWRIGHT
CHURCH	HUNTER, H.	NYE	WILKINS
CULPEPPER	HURLEY	OWENS	WOMBLE
CUNNINGHAM	LEE	RAMSEY	WRIGHT
EARLE	LUEBKE	REDWINE	YONGUE
EASTERLING	MCALLISTER	RICHARDSON	

EXCUSED ABSENCE - 11

ALDRIDGE	CREECH	HOLMES	ROBINSON, G.
BEALL	ESPOSITO	HUNT	WARNER
BLUE	FOX	OLDHAM	

EXCUSED VOTE - 0

NOT VOTING - 7

SPEAKER	DAUGHTRY	HUNTER, R.	WOOD
CRAWFORD	GRAY	MILLER, K.	

S1123HCS

S# 2175  
LEGISLATIVE DAY 135  
S1123HCS  
READING 2

NORTH CAROLINA  
HOUSE OF REPRESENTATIVES  
ROLL CALL

6/21/96  
4:34 PM  
IN CHAIR: SPEAKER

NATIONAL VOTER REG. ACT CORRECTIONS

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

AYES - 71

ALLRED	DAVIS	LEE	RAMSEY
ARNOLD	DECKER	LEMMOND	RAYFIELD
BAKER	DICKSON	LINNEY	REYNOLDS
BARBEE	DOCKHAM	LOCKE	ROBINSON, J.
BERRY	EDDINS	MCALLISTER	RUSSELL
BOWEN	EDWARDS	MCCOMAS	SEXTON
BOWIE	ELLIS	MCCOMBS	SHARPE
BRAWLEY	GAMBLE	MCCRARY	SHERILL
BROWN, J.	GARDNER	MCMAHAN	SHUBERT
BUCHANAN	GRADY	MERCER	TALLENT
CANSLER	HAYES	MINER	THOMPSON
CAPPS	HIATT	MITCHELL	WAINWRIGHT
CARPENTER	HILL	MORGAN	WATSON
CHURCH	HOWARD	NEELY	WEATHERLY
CLARY	HURLEY	NICHOLS	WILKINS
COCKLEREECE	IVES	PATE	WILSON, C.
CULP	JUSTUS	PRESTON	WILSON, G.
CUMMINGS	KISER	PULLEY	

NOES - 30

ADAMS	EARLE	MCLAUGHLIN	ROGERS
ALEXANDER	EASTERLING	MICHAUX	SHAW
BARNES	FITCH	MILLER, G.	SUTTON
BLACK	HACKNEY	NYE	TOLSON
BOYD-MCINTYRE	HENSLEY	OWENS	WOMBLE
BRASWELL	HIGHTOWER	REDWINE	WRIGHT
BROWN, W.	HUNTER, H.	RICHARDSON	YONGUE
CULPEPPER	LUEBKE		

EXCUSED ABSENCE - 11

ALDRIDGE	CREECH	HOLMES	ROBINSON, G.
BEALL	ESPOSITO	HUNT	WARNER
BLUE	FOX	OLDHAM	

EXCUSED VOTE - 0

NOT VOTING - 8

SPEAKER	CUNNINGHAM	GRAY	MILLER, K.
CRAWFORD	DAUGHTRY	HUNTER, R.	WOOD

S1123HCS



NORTH CAROLINA  
HOUSE OF REPRESENTATIVES  
ROLL CALL

EV

# 2176  
LEGISLATIVE DAY 135  
S1123HCS  
READING 2

6/21/96  
4:35 PM  
IN CHAIR: SPEAKER

NATIONAL VOTER REG. ACT CORRECTIONS

AYES - <sup>76</sup>~~81~~ *Blaker*

<del>ADAMS</del>	CUMMINGS	KISER	REDWINE
<del>ALEXANDER</del>	<del>CUNNINGHAM</del>	LEMMOND	REYNOLDS
ALLRED	DAVIS	LINNEY	ROBINSON, J.
ARNOLD	DECKER	LOCKE	RUSSELL
BAKER	DICKSON	MCCALLISTER	SEXTON
BARBEE	DOCKHAM	MCCOMAS	SHARPE
BERRY	EDDINS	MCCOMBS	SHERRILL
BLACK	EDWARDS	MCCRARY	SHUBERT
BOWIE	ELLIS	MCPAHAN	SUTTON
BRAWLEY	GAMBLE	MINER	TALLENT
BROWN, J.	GARDNER	MITCHELL	THOMPSON
BUCHANAN	GRADY	MORGAN	WAINWRIGHT
CANSLER	HAYES	NEELY	WATSON
CAPPS	HIATT	NICHOLS	WEATHERLY
CARPENTER	HILL	NYE	WILKINS
CHURCH	HOWARD	OWENS	WILSON, C.
CLARY	<del>HUNTER, R.</del>	PATE	WILSON, G.
COCKLEREECE	HURLEY	PRESTON	WOMBLE
CRAWFORD	IVES	PULLEY	<del>WRIGHT</del>
CULP	JUSTUS	RAYFIELD	YONGUE
CULPEPPER			

NOES - <sup>28</sup>~~23~~ *Blaker*

BARNES	EASTERLING	LEE	RAMSEY
BOWEN	FITCH	LUEBKE	RICHARDSON
BOYD-MCINTYRE	HACKNEY	MCLAUGHLIN	ROGERS
BRASWELL	HENSLEY	MERCER	SHAW
BROWN, W.	HIGHTOWER	MICHAUX	TOLSON
EARLE	HUNTER, H.	MILLER, G.	

EXCUSED ABSENCE - 11

ALDRIDGE	CREECH	HOLMES	ROBINSON, G.
BEALL	ESPOSITO	HUNT	WARNER
BLUE	FOX	OLDHAM	

EXCUSED VOTE - 0

NOT VOTING - 5

SPEAKER	GRAY	MILLER, K.	WOOD
DAUGHTRY			

*Rep. Wright, Cunningham, Adams, Alexander  
and R. Hunter vote "no" - As order corrected  
DW*

S1123HCS

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1995

S

D

SENATE DRS2678\*-RRZ052(5.8)

FILED - SENATE

51124

MAY 13 1996

PRINCIPAL CLERK

Short Title: Pollworker Split Shifts.

(Public)

Sponsors: Senator Gulley.

Referred to:

1 A BILL TO BE ENTITLED

2 AN ACT TO ALLOW PRECINCT ASSISTANTS TO WORK SPLIT SHIFTS.

3 The General Assembly of North Carolina enacts:

4 Section 1. G.S. 163-42 reads as rewritten:

5 "§ 163-42. Assistants at polls; appointment; term of office; qualifications; oath of  
6 office.

7 Each county and municipal board of elections is authorized, in its discretion, to  
8 appoint two or more assistants for each precinct to aid the chief judge and judges.  
9 Not more than two assistants shall be appointed in precincts having 500 or less  
10 registered voters. Assistants shall be qualified voters of the precinct for which  
11 appointed. When the board of elections determines that assistants are needed in a  
12 precinct an equal number shall be appointed from different political parties, unless  
13 the requirement as to party affiliation cannot be met because of an insufficient  
14 number of voters of different political parties within a precinct.

15 In the discretion of the county board of elections, a precinct assistant may serve  
16 less than the full day prescribed for chief judges and judges in G.S. 163-47(a).

17 The chairman of each political party in the county shall have the right to  
18 recommend from three to 10 registered voters in each precinct for appointment as  
19 precinct assistants in that precinct. If the recommendations are received by it no later  
20 than the thirtieth day prior to the primary or election, the board shall make  
21 appointments of the precinct assistants for each precinct from the names thus  
22 recommended.

23 Before entering upon the duties of the office, each assistant shall take the oath  
24 prescribed in G.S. 163-41(a) to be administered by the chief judge of the precinct for  
25 which the assistant is appointed. Assistants serve for the particular primary or

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1995

S

SENATE DRS7729\*-RRZ057(5.8)

FILED - SENATE  
S1125 MAY 13 1996  
PRINCIPAL CLERK

D

Short Title: Gifts From Federal PAC.

(Public)

Sponsors: Senator Gulley.

Referred to:

- 1 A BILL TO BE ENTITLED  
2 AN ACT TO CODIFY THE STATE BOARD OF ELECTIONS' RULING  
3 CONCERNING CONTRIBUTIONS TO STATE CAMPAIGNS BY FEDERAL  
4 COMMITTEES.  
5 The General Assembly of North Carolina enacts:  
6 Section 1. Article 22A of Chapter 163 of the General Statutes is  
7 amended by adding a new section to read:  
8 "**§ 163-278.7A. Gifts from federal political committees.**  
9 It shall be permissible for a federal candidate's committee or a Federal Political  
10 Action Committee, as defined by the Federal Election Campaign Act and regulations  
11 adopted pursuant thereto, to make contributions to a North Carolina political  
12 committee registered under this Article with the State Board of Elections or a county  
13 board of elections, provided that the contributing committee:  
14 (1) Is registered with the State Board of Elections consistent with the  
15 provisions of this Article;  
16 (2) Complies with reporting requirements specified by the State Board  
17 of Elections; and  
18 (3) Appoints an assistant or deputy treasurer who is a resident of  
19 North Carolina and stipulates to the State Board of Elections that  
20 the designated in-State resident assistant or deputy treasurer shall  
21 be authorized to produce whatever records reflecting political  
22 activity in North Carolina the State Board of Elections deems  
23 necessary."  
24 Sec. 2. This act is effective upon ratification.

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1995

S 1126

MAY 13 1996

PRINCIPAL CLERK

S

D

SENATE DRS8690\*-RRZ051E(5.8)

Short Title: Countywide Pollworkers.

(Public)

Sponsors: Senator Gulley.

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.



NORTH CAROLINA GENERAL ASSEMBLY  
AMENDMENT  
Senate Bill 1126

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

51126-ARR-001

Page 1 of 1

Date June 11, 1996

Comm. Sub. ☐  
Amends Title ☐

Senator Hartsell

- 1 moves to amend the bill on page 2, line 25,  
2 by inserting after the word "elections" the words "by unanimous  
3 vote of all of its members"; and  
4  
5 on page 2, line 29,  
6 by inserting after the word "board" the words "by unanimous vote  
7 of all of its members"; and  
8  
9 on page 4, lines 22 and 33,  
10 by inserting after the word "elections" on each line the words  
11 "by unanimous vote of all of its members"; and  
12  
13 on page 4, lines 26 and 38,  
14 by inserting after the word "board" on each of those lines the  
15 words "by unanimous vote of all of its members".  
16

SIGNED [Signature]  
Amendment Sponsor

SIGNED [Signature]  
Committee Chair if Senate Committee Amendment

ADOPTED 6/18/96 FAILED \_\_\_\_\_ TABLED \_\_\_\_\_

(✓)

[Signature]



NORTH CAROLINA GENERAL ASSEMBLY  
AMENDMENT  
Senate Bill 1126

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

S1126-ARR-003

Date June 11, 1995

Comm. Sub. ☐  
Amends Title ☐

Senator Ballance

1 moves to amend the bill on page 6, line 24,  
2 by deleting the term "163-45" and substituting "163-41 or 163-  
3 42".  
4  
5  
6  
7  
8

SIGNED Frank Ballance  
Amendment Sponsor

SIGNED W.P.D.  
Committee Chair if Senate Committee Amendment

ADOPTED 6/18/96 FAILED \_\_\_\_\_ TABLED \_\_\_\_\_

(V)

S. Hark



NORTH CAROLINA GENERAL ASSEMBLY  
AMENDMENT  
Senate Bill 1126

AMENDMENT NO. 3 (three)  
(to be filled in by  
Principal Clerk)

S1126-ARR-002

Page 1 of 2

Date June 11, 1996

Comm. Sub. ☐  
Amends Title ☒ *yes*

Senator Horton

1 moves to amend the bill 1, line 3,  
2 by inserting after the word "OFFICIALS" the term ", OBSERVERS,";  
3 and

4  
5 on page 6, line 32,  
6 by inserting after that line the following:

7  
8 "Sec. 4.1. G.S. 163-45 reads as rewritten:

9 '§ 163-45. Observers; appointment.

10 The chairman of each political party in the county shall have  
11 the right to designate two observers to attend each voting place  
12 at each primary and election and such observers may, at the  
13 option of the designating party chairman, be relieved during the  
14 day of the primary or election after serving no less than four  
15 hours and provided the list required by this section to be filed  
16 by each chairman contains the names of all persons authorized to  
17 represent such chairman's political party. Not more than two  
18 observers from the same political party shall be permitted in the  
19 voting enclosure at any time. This right shall not extend to the  
20 chairman of a political party during a primary unless that party  
21 is participating in the primary. In any election in which an  
22 unaffiliated candidate is named on the ballot, ~~he or his~~ *the candidate or the candidates* campaign  
23 manager shall have the right to appoint two observers for each  
24 voting place consistent with the provisions specified herein.  
25 Persons appointed as observers must be registered voters of the  
26 precinct county for which appointed and must have good moral  
27 character. Observers shall take no oath of office.

28 Individuals authorized to appoint observers must submit in  
29 writing to the chief judge of each precinct a signed list of the  
30 observers appointed for that precinct. Individuals authorized to  
31 appoint observers must, prior to 10:00 A.M. on the fifth day  
32 prior to any primary or general election, submit in writing to





NORTH CAROLINA GENERAL ASSEMBLY  
AMENDMENT  
Senate Bill 1126

AMENDMENT NO. 3 (three)  
(to be filled in by  
Principal Clerk)

S1126-ARR-002

Page 2 of 2

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

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

22 Whether or not the observer attends to the polls for the  
23 requisite time provided by this section, each observer shall be  
24 entitled to obtain at times specified by the State Board of  
25 Elections, but not less than three times during election day with  
26 the spacing not less than one hour apart, a list of the persons  
27 who have voted in the precinct so far in that election day.  
28 Counties that use an "authorization to vote document" instead of  
29 poll books may comply with the requirement in the previous  
30 sentence by permitting each observer to inspect election records  
31 so that the observer may create a list of persons who have voted  
32 in the precinct so far that election day; each observer shall be  
33 entitled to make the inspection at times specified by the State  
34 Board of Elections, but not less than three times during election  
35 day with the spacing not less than one hour apart."; and

36  
37 on page 7, line 12,  
38 by inserting after the word "official" the following: "observer,"  
39  
40

SIGNED [Signature]  
Amendment Sponsor

SIGNED [Signature]  
Committee Chair Senate Committee Amendment

Adopted 6/18/96  
Changes Title  
Jink



## NORTH CAROLINA GENERAL ASSEMBLY AMENDMENT

(Please type or use ballpoint pen)

EDITION No. 1

H. B. No. \_\_\_\_\_

S. B. No. 1126

COMMITTEE SUBSTITUTE \_\_\_\_\_

DATE JUNE 18, 1996Amendment No. 4 (FOUR)  
(to be filled in by  
Principal Clerk)Rep.) PAGE  
Sen.)1 moves to amend the bill on page 2, line 31

2 ( ) WHICH CHANGES THE TITLE

3 by DELETING THE PERIOD AND INSERT IN LIEU4 THEREOF A COMMA AND THE FOLLOWING WORDS5 "PROVIDED THAT WHERE POSSIBLE THE COUNTY BOARD6 SHALL SEEK AND ADOPT THE RECOMMENDATION OF7 THE CHAIRMAN OF THE POLITICAL PARTY AFFECTED."8 COUNTY

9 \_\_\_\_\_

10 \_\_\_\_\_

11 \_\_\_\_\_

12 \_\_\_\_\_

13 \_\_\_\_\_

14 \_\_\_\_\_

15 \_\_\_\_\_

16 \_\_\_\_\_

17 \_\_\_\_\_

18 \_\_\_\_\_

19 \_\_\_\_\_

SIGNED Amil RagsADOPTED 6/18/96 FAILED \_\_\_\_\_ TABLED \_\_\_\_\_

44-0

Sunk

NORTH CAROLINA GENERAL ASSEMBLY  
SENATE

RECORDED VOTE

1995 SESSION  
SECOND REGULAR SESSION

SEQ. 1708/30-- 7:14 PM

JUNE 18, 1996

LEGISLATIVE DAY 131

LT. GOVERNOR WICKER

-- Presiding

GULLEY  
COUNTYWIDE POLLWORKERS

SENATE BILL 1126

AMEND 4

AYE	44	ALLRAN	COOPER	LEDBETTER	PLEXICO
		BALLANCE	DAVIS	LITTLE	PLYLER
		BALLANTINE	EAST	LUCAS	RAND
		BASNIGHT	FOXX	MARTIN R.	SHAW
		BLACKMON	GULLEY	MARTIN W.	SHERRON
		BLUST	HARTSELL	MCDANIEL	SMITH
		CARPENTER	HOBBS	MCKOY	SOLES
		CARRINGTON	HORTON	ODOM	SPEED
		CLARK	HOYLE	PAGE	WARREN
		COCHRANE	JORDAN	PARNELL	WEBSTER
		CONDER	KERR	PERDUE	WINNER

NO 0

EXCUSED 0

NOT CAST 3 EDWARDS KINCAID SIMPSON

ABSENT 3 ALBERTSON DANNELLY FORRESTER

PAIRS 0

AYE  
NO

NORTH CAROLINA GENERAL ASSEMBLY  
SENATE

RECORDED VOTE

1995 SESSION  
SECOND REGULAR SESSION

SEQ. 1709/31-- 7:15 PM

JUNE 18, 1996

LEGISLATIVE DAY 131

LT. GOVERNOR WICKER

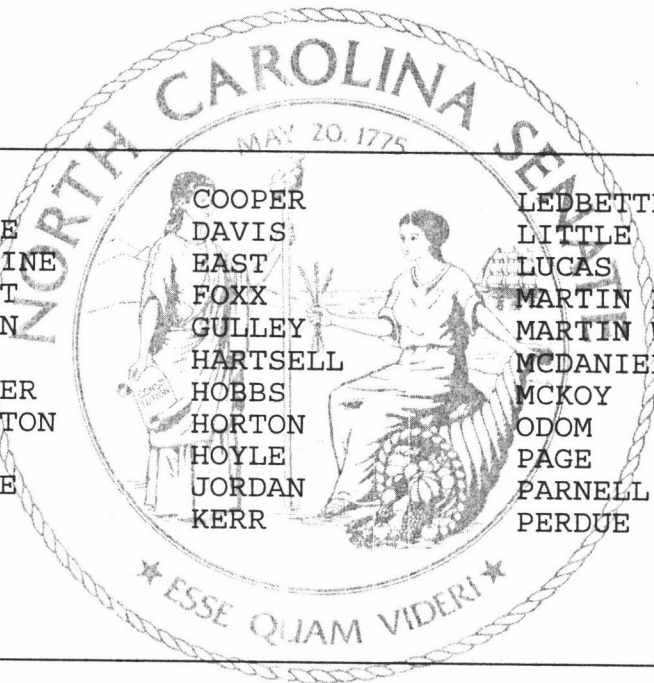
-- Presiding

GULLEY  
COUNTYWIDE POLLWORKERS

SENATE BILL 1126  
READING 2

AYE	44	ALLRAN	COOPER	LEDBETTER	PLEXICO
		BALLANCE	DAVIS	LITTLE	PLYLER
		BALLANTINE	EAST	LUCAS	RAND
		BASNIGHT	FOXX	MARTIN R.	SHAW
		BLACKMON	GULLEY	MARTIN W.	SHERRON
		BLUST	HARTSELL	MCDANIEL	SMITH
		CARPENTER	HOBBS	MCKOY	SOLES
		CARRINGTON	HORTON	ODOM	SPEED
		CLARK	HOYLE	PAGE	WARREN
		COCHRANE	JORDAN	PARNELL	WEBSTER
		CONDER	KERR	PERDUE	WINNER

NO 0



EXCUSED 0

NOT CAST 3 EDWARDS KINCAID SIMPSON

ABSENT 3 ALBERTSON DANNELLY FORRESTER

PAIRS 0  
AYE  
NO

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1995

S

D

SENATE DRS1775-LL237(5.7)

SENATE  
S 1127 MAY 13 1996  
PRINCIPAL CLERK

Short Title: 1996 Retirement Benefits Act.

(Public)

Sponsors: Senators Soles and Conder.

Referred to:

1 A BILL TO BE ENTITLED  
2 AN ACT TO PROVIDE POSTRETIREMENT INCREASES IN THE BENEFITS OF  
3 RETIREES AND OTHER BENEFICIARIES OF THE TEACHERS' AND  
4 STATE EMPLOYEES' RETIREMENT SYSTEM, THE CONSOLIDATED  
5 JUDICIAL RETIREMENT SYSTEM, THE LEGISLATIVE RETIREMENT  
6 SYSTEM, AND THE LOCAL GOVERNMENTAL EMPLOYEES'  
7 RETIREMENT SYSTEM.

8 The General Assembly of North Carolina enacts:

9 Section 1. G.S. 135-5 is amended by adding a new subsection to read:

10 "(bbb) From and after July 1, 1996, the retirement allowance to or on account of  
11 beneficiaries whose retirement commenced on or before July 1, 1995, shall be  
12 increased by four percent (4%) of the allowance payable on July 1, 1995, in  
13 accordance with G.S. 135-5(o). Furthermore, from and after July 1, 1996, the  
14 retirement allowance to or on account of beneficiaries whose retirement commenced  
15 after July 1, 1995, but before June 30, 1996, shall be increased by a prorated amount  
16 of four percent (4%) of the allowance payable as determined by the Board of  
17 Trustees based upon the number of months that a retirement allowance was paid  
18 between July 1, 1995, and June 30, 1996."

19 Sec. 2. G.S. 135-65 is amended by adding a new subsection to read:

20 "(q) From and after July 1, 1996, the retirement allowance to or on account of  
21 beneficiaries whose retirement commenced on or before July 1, 1995, shall be  
22 increased by four percent (4%) of the allowance payable on July 1, 1995.  
23 Furthermore, from and after July 1, 1996, the retirement allowance to or on account  
24 of beneficiaries whose retirement commenced after July 1, 1995, but before June 30,  
25 1996, shall be increased by a prorated amount of four percent (4%) of the allowance

GENERAL ASSEMBLY OF NORTH CAROLINA SENATE

SESSION 1995

S 1128 MAY 13 1996

S

D

PRINCIPAL CLERK

SENATE DRS4671-LH234F(4.25)

Short Title: Clean Water Management Fund.

(Public)

Sponsors: Senator Perdue.

Referred to:

- 1 A BILL TO BE ENTITLED  
2 AN ACT TO ESTABLISH THE CLEAN WATER MANAGEMENT TRUST FUND  
3 AND A BOARD OF TRUSTEES TO ADMINISTER THE FUND, TO PROVIDE  
4 TAX CREDITS FOR CERTAIN EFFORTS TO CLEAN UP OR PREVENT  
5 SURFACE WATER POLLUTION, AND TO PROVIDE THAT A CERTAIN  
6 PERCENTAGE OF GENERAL FUND REVERSIONS SHALL BE  
7 APPROPRIATED TO FUND THE CLEAN WATER MANAGEMENT TRUST  
8 FUND.  
9 The General Assembly of North Carolina enacts:  
10 Section 1. Chapter 113 of the General Statutes is amended by adding a  
11 new Article to read:  
12 "ARTICLE 13A.  
13 "Clean Water Management Trust Fund.  
14 "§ 113-145.1. Purpose.  
15 The General Assembly recognizes that a critical need exists in this State to clean  
16 up pollution in the State's surface waters and to protect and conserve those waters  
17 that are not yet polluted. The task of cleaning up polluted waters and protecting the  
18 State's surface water resources is multifaceted and requires different approaches that  
19 take into account the problems, the type of pollution, the geographical area, and the  
20 recognition that the hydrological and ecological values of each resource sought to be  
21 upgraded, conserved, and protected are unique.  
22 It is the intent of the General Assembly that moneys from the Fund created under  
23 this Article shall be used to help finance projects that specifically address surface  
24 water pollution problems and focus on upgrading surface waters, eliminating  
25 pollution, and protecting and conserving surface waters that have escaped pollution.



NORTH CAROLINA GENERAL ASSEMBLY  
AMENDMENT  
Senate Bill 1128

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

SB1128-SARD-003

Date MAY 21, 1996

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

Senator Barbara W. McKeithen

1 moves to amend the bill on page 2, line 13,  
2 by inserting a new subdivision to read:

3 "(2) Economically Distressed Units of Local Government.  
4 Counties designated as economically distressed by the  
5 Secretary of Commerce under G.S. 143B-437A and any  
6 cities located in those counties."  
7

8 Further, on page 2, lines 13, 15, and 17, by renumbering those  
9 subdivisions accordingly;

10  
11 Further, on page 4, lines 22 through 29, by rewriting those lines to  
12 read:

13  
14 "(f) Per Diem and Expenses. The Trustees shall receive per diem  
15 and necessary travel and subsistence expenses in accordance with the  
16 provisions of G.S. 138-5. Per Diem, subsistence, and travel expenses of  
17 the Trustees";  
18

19  
20 Further, on page 5, lines 27 through 30, by rewriting those lines to  
21 read:

22 "shall be allowed travel and subsistence expenses in accordance with the  
23 provisions of G.S. 138-6. The Executive Director's salary and expenses  
24 shall be paid from the Fund. The term of office of the Executive  
25 Director shall be at the pleasure of";  
26

27  
28 Further, on page 5, lines 42-43, by deleting those lines and by  
29 renumbering subsequent sections.

30  
31  
32 Further, on page 6, lines 22 through 29, by rewriting those lines to read:

GENERAL ASSEMBLY OF NORTH CAROLINA - SENATE

SESSION 1995

S 1129

MAY 13 1996

PRINCIPAL CLERK

S

D

SENATE DRS2673\*-RHZX011.4(5.6)

Short Title: 1996 Sch. Bonds Act.

(Public)

Sponsors: Senators Hobbs, Winner, Conder, and Edwards.

Referred to:

1 A BILL TO BE ENTITLED

2 AN ACT TO IMPLEMENT THE RECOMMENDATION OF THE SCHOOL  
3 CAPITAL CONSTRUCTION STUDY COMMISSION TO AUTHORIZE THE  
4 ISSUANCE OF GENERAL OBLIGATION BONDS OF THE STATE, SUBJECT  
5 TO A VOTE OF THE QUALIFIED VOTERS OF THE STATE, TO PROVIDE  
6 FUNDS FOR GRANTS TO COUNTIES FOR PUBLIC SCHOOL CAPITAL  
7 OUTLAY PROJECTS, IN ORDER TO PROMOTE EQUITY IN LOCAL  
8 SCHOOL FACILITIES ACROSS THE STATE AND TO ENABLE LOCAL  
9 GOVERNMENTS TO GIVE LOCAL PROPERTY TAX RELIEF.

10 The General Assembly of North Carolina enacts:

11 Section 1. Short Title. -- This act shall be known and may be cited as the  
12 "Public School Building Bond Act of 1996".

13 Sec. 2. Purpose. -- It is the intent of the General Assembly by this act to  
14 provide for the issuance of nine hundred fifty million dollars (\$950,000,000) general  
15 obligation bonds of the State to facilitate the providing of public school buildings by  
16 making grants to counties to provide funds for new public school capital outlay  
17 projects.

18 Sec. 3. Definitions. -- As used in this act, unless the context otherwise  
19 requires:

20 (1) "Bonds" means bonds issued under this act.

21 (2) "Cost" means, without intending thereby to limit or restrict any  
22 proper definition of this term in financing the cost of facilities or  
23 purposes authorized by this act:

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1995

FILED - SENATE

S 1130

MAY 13 1996

S

D

SENATE DRS5690\*-LR209(4.10)

CLERK

Short Title: Maxton Historic Funds.

(Public)

Sponsors: Senator Parnell.

Referred to:

1 A BILL TO BE ENTITLED  
2 AN ACT TO APPROPRIATE FUNDS TO THE TOWN OF MAXTON FOR  
3 PLANNING COSTS RELATED TO THE RESTORATION OF THE  
4 PATTERSON BUILDING, AN HISTORIC FLATIRON STRUCTURE  
5 LOCATED IN THE TOWN OF MAXTON.

6 The General Assembly of North Carolina enacts:

7 Section 1. There is appropriated from the General Fund to the Town of  
8 Maxton the sum of twenty-five thousand dollars (\$25,000) for planning costs,  
9 including traffic and land-use plans, associated with the restoration of the Patterson  
10 Building, an historic flatiron structure located in downtown Maxton.

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



GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1995

FILED - SENATE

1131 MAY 13 1996

PRINCIPAL CLERK

S

SENATE DRS5688\*-LR208(4.10)

Short Title: Maxton Property Conveyance.

(Local)

Sponsors: Senator Parnell.

Referred to:

- 1 A BILL TO BE ENTITLED  
2 AN ACT TO AUTHORIZE THE TOWN OF MAXTON TO CONVEY CERTAIN  
3 PROPERTY AT PRIVATE SALE TO THE HISTORIC PRESERVATION  
4 FOUNDATION OF NORTH CAROLINA, INC., A NONPROFIT  
5 CORPORATION.  
6 The General Assembly of North Carolina enacts:  
7 Section 1. Notwithstanding the provisions of Article 12 of Chapter 160A  
8 of the General Statutes, the Town of Maxton may convey at private sale, with or  
9 without monetary consideration, any or all of its right, title, and interest in the  
10 Patterson Building property, consisting of an historic flatiron structure and land  
11 located in the Town of Maxton, and more particularly described in a deed recorded  
12 at Book 873, Page 530 of the Robeson County Registry, to The Historic Preservation  
13 Foundation of North Carolina, Inc., a nonprofit corporation.  
14 Sec. 2. This act is effective upon ratification.

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1995

FILED - SENATE

S

SENATE DRS7732\*-LLZ227(4.3)

S 1132 MAY 13 1996

PRINCIPAL CLERK

Short Title: Extend CCPS Study.

(Public)

Sponsors: Senator Parnell.

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

SESSION 1995

FILED - SENATE

S 1133 MAY 13 1996

PRINCIPAL CLERK D

S

SENATE DRS8686\*-RHZ010.5(5.6)

Short Title: Sch. Facilities Trust Fund.

(Public)

Sponsors: Senators Hobbs, Winner, and Edwards.

Referred to:

1 A BILL TO BE ENTITLED  
2 AN ACT TO IMPLEMENT THE RECOMMENDATION OF THE SCHOOL  
3 CAPITAL CONSTRUCTION STUDY COMMISSION TO ESTABLISH THE  
4 SCHOOL FACILITIES TRUST FUND TO PROVIDE FUNDS FOR GRANTS  
5 TO COUNTIES FOR PUBLIC SCHOOL CAPITAL OUTLAY PROJECTS, IN  
6 ORDER TO PROMOTE EQUITY IN LOCAL SCHOOL FACILITIES ACROSS  
7 THE STATE AND TO REDUCE THE PRESSURE ON THE LOCAL  
8 PROPERTY TAX.

9 The General Assembly of North Carolina enacts:

10 Section 1. Chapter 115C of the General Statutes is amended by adding  
11 a new Article to read:

12 "ARTICLE 35A.  
13 "Public School Facilities Trust Fund.

14 "§ 115C-499.1. Purpose; definitions.

15 (a) It is the intent of the General Assembly by this Article to provide State  
16 revenues to help counties meet their continuing public school facilities needs.

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

18 (1) 'Ability to pay' means county wealth as used by the General  
19 Assembly for the current fiscal year to allocate supplemental  
20 funding to low-wealth counties.

21 (2) 'Average daily membership' means average daily membership as  
22 defined in the North Carolina Public Schools Allotment Policy  
23 Manual, adopted by the State Board of Education. If a county  
24 contains only part of a local school administrative unit, the average

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1995

FILED - SENATE  
S 1134 MAY 13 1996  
PRINCIPAL CLERK D

S

SENATE DRS4665\*-RHZ004.5(5.6)

Short Title: School Facilities Guidelines.

(Public)

Sponsors: Senators Hobbs, Winner, Conder, Edwards, and McDaniel.

Referred to:

- 1 A BILL TO BE ENTITLED  
2 AN ACT TO IMPLEMENT THE RECOMMENDATION OF THE SCHOOL  
3 CAPITAL CONSTRUCTION STUDY COMMISSION TO CLARIFY THAT  
4 THE STATE BOARD OF EDUCATION IS TO ESTABLISH SCHOOL  
5 FACILITIES GUIDELINES, TO DIRECT THE STATE BOARD OF  
6 EDUCATION TO ESTABLISH A CENTRAL CLEARINGHOUSE FOR  
7 PROTOTYPE DESIGNS OF SCHOOL FACILITIES, TO DIRECT THE STATE  
8 BOARD OF EDUCATION TO ESTABLISH THE SCHOOL FACILITIES TASK  
9 FORCE, AND TO MAKE AN APPROPRIATION TO IMPLEMENT THIS ACT.  
10 The General Assembly of North Carolina enacts:  
11 Section 1. G.S. 115C-81(b) reads as rewritten:  
12 "(b) The Basic Education Program shall include course requirements and  
13 descriptions similar in format to materials previously contained in the standard course  
14 of study and it shall provide:  
15 (1) A core curriculum for all students that takes into account the  
16 special needs of children and includes appropriate modifications  
17 for the learning disabled, the academically gifted, and the students  
18 with discipline and emotional problems;  
19 (2) A set of competencies, by grade level, for each curriculum area;  
20 (3) A list of textbooks for use in providing the curriculum;  
21 (4) Standards for student performance and promotion based on the  
22 mastery of competencies, including standards for graduation, that  
23 take into account children with special needs and, in particular,  
24 include appropriate modifications;  
25 (5) A program of remedial education;

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1995

FILED - SENATE

S1135 MAY 13 1996

PRINCIPAL CLERK

S

D

SENATE DRS4662\*-RHZ006.3(5.6)

Short Title: Sch. Budget Act Amdmts.

(Public)

Sponsors: Senators Hobbs, Winner, Conder, Edwards, and McDaniel.

Referred to:

- 1 A BILL TO BE ENTITLED  
2 AN ACT TO IMPLEMENT THE RECOMMENDATION OF THE SCHOOL  
3 CAPITAL CONSTRUCTION STUDY COMMISSION TO DIRECT THE STATE  
4 BOARD OF EDUCATION AND THE LOCAL GOVERNMENT COMMISSION  
5 TO MODIFY THEIR ACCOUNTING AND REPORTING SYSTEMS TO  
6 ALLOW TRACKING OF LOCAL EXPENDITURES IN SCHOOLS' CAPITAL  
7 OUTLAY FUNDS, TO DIRECT THE STATE BOARD OF EDUCATION TO  
8 DEVELOP A UNIFORM SYSTEM FOR SCHOOLS TO DEVELOP FIVE-  
9 YEAR CAPITAL NEEDS PLANS, AND TO AMEND THE SCHOOL BUDGET  
10 AND FISCAL CONTROL ACT.  
11 The General Assembly of North Carolina enacts:  
12 Section 1. The State Board of Education, in cooperation with the Local  
13 Government Commission, shall modify the uniform budget format used by local  
14 school administrative units to include five-year capital needs plans. In addition, the  
15 State Board of Education shall modify its accounting system in order to track local  
16 expenditures in the capital outlay fund of each local school administrative unit. The  
17 State Board of Education shall report these modifications to the Joint Legislative  
18 Education Oversight Committee by September 15, 1996.  
19 Sec. 2. Article 31 of Chapter 115C of the General Statutes is amended  
20 by adding the following new section to read:  
21 "§ 115C-426.2. Joint planning.  
22 In order to promote greater mutual understanding of immediate and long-term  
23 budgetary issues and constraints affecting public schools and county governments,  
24 local boards of education and boards of county commissioners are strongly  
25 encouraged to conduct periodic joint meetings during each fiscal year. In particular,

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1995

FILED - SENATE

S1138 MAY 13 1995

PRINCIPAL CLERK

S

SENATE DRS4663\*-RHZ005.1(5.6)

Short Title: Amend Local Sales Taxes.

(Public)

Sponsors: Senators Hobbs, Winner, Conder, Edwards, and McDaniel.

Referred to:

1 A BILL TO BE ENTITLED  
2 AN ACT TO IMPLEMENT THE RECOMMENDATION OF THE SCHOOL  
3 CAPITAL CONSTRUCTION STUDY COMMISSION TO MAKE PERMANENT  
4 THE REQUIREMENT THAT COUNTIES USE PART OF THE TWO HALF-  
5 CENT LOCAL SALES TAX PROCEEDS ONLY FOR PUBLIC SCHOOL  
6 BUILDINGS.

7 The General Assembly of North Carolina enacts:

8 Section 1. G.S. 105-487(a) reads as rewritten:

9 "(a) Except as provided in subsection (e), ~~forty percent (40%) of the revenue~~  
10 ~~received by a county from additional one-half percent (1/2%) sales and use taxes~~  
11 ~~levied under this Article during the first five fiscal years in which the additional taxes~~  
12 ~~are in effect in the county and (c) of this section, thirty percent (30%) of the revenue~~  
13 ~~received by a county from these taxes in the next 10 fiscal years in which the taxes~~  
14 ~~are in effect in the county~~ additional one-half percent (1/2%) sales and use taxes  
15 levied under this Article may be used by the county only for public school capital  
16 outlay purposes as defined in G.S. 115C-426(f) or to retire any indebtedness incurred  
17 by the county for these purposes."

18 Sec. 2. G.S. 105-502(a) reads as rewritten:

19 "(a) Sixty percent (60%) of the revenue received by a county under this Article  
20 ~~during the first 16 fiscal years in which the tax is in effect~~ may be used by the county  
21 only for public school capital outlay purposes as defined in G.S. 115C-426(f) or to  
22 retire any indebtedness incurred by the county for these purposes during the period  
23 beginning five years prior to the date the taxes took effect."

24 Sec. 3. This act becomes effective July 1, 1996.



NORTH CAROLINA GENERAL ASSEMBLY  
AMENDMENT  
Senate Bill 1136

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

S1136-ARB-1

Page 1 of 1

Date 5-29, 1996

Comm. Sub. ☐  
Amends Title ☐ [YES]

Senator Hobbs

- 1 moves to amend the bill on page 1, line 6, by rewriting the line to
- 2 read:
- 3 "CAPITAL OUTLAY PURPOSES."

SIGNED [Signature]  
Amendment Sponsor

SIGNED [Signature]  
Committee Chair if Senate Committee Amendment

ADOPTED 6/5/96 FAILED \_\_\_\_\_

TABLED \_\_\_\_\_

(V)

[Signature]



GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1995

S

SENATE DRS7726\*-RHZ008.1(5.7)

FILED - SENATE

81137

D

MAY 13 1995

PRINCIPAL CLERK

Short Title: School Acquisitions.

(Public)

Sponsors: Senators Hobbs, Conder, and Edwards.

Referred to:

- 1 A BILL TO BE ENTITLED  
2 AN ACT TO IMPLEMENT THE RECOMMENDATION OF THE SCHOOL  
3 CAPITAL CONSTRUCTION STUDY COMMISSION TO ALLOW  
4 ALAMANCE, ALEXANDER, ANSON, BEAUFORT, BERTIE, BUNCOMBE,  
5 BURKE, CALDWELL, CAMDEN, CASWELL, CATAWBA, CHATHAM,  
6 CHEROKEE, CLAY, CLEVELAND, CRAVEN, CUMBERLAND, DARE,  
7 DAVIDSON, DAVIE, DURHAM, GASTON, GATES, GRAHAM, GRANVILLE,  
8 GUILFORD, HENDERSON, HERTFORD, HOKE, HYDE, JONES, LENOIR,  
9 LINCOLN, MARTIN, MCDOWELL, MECKLENBURG, MITCHELL,  
10 MONTGOMERY, NEW HANOVER, NORTHAMPTON, ONSLOW, PAMLICO,  
11 PERQUIMANS, PERSON, PITT, POLK, ROBESON, ROCKINGHAM,  
12 RUTHERFORD, STOKES, SURRY, SWAIN, TRANSYLVANIA, TYRRELL,  
13 VANCE, WARREN, WASHINGTON, WAYNE, WILKES, WILSON, YADKIN,  
14 AND YANCEY COUNTIES TO ACQUIRE PROPERTY FOR USE BY THEIR  
15 COUNTY BOARDS OF EDUCATION.  
16 The General Assembly of North Carolina enacts:  
17 Section 1. G.S. 153A-158.1(e), as amended by Chapters 17 and 251 of  
18 the 1995 Session Laws, reads as rewritten:  
19 "(e) Scope. -- This section applies to Alamance, Alexander, Alleghany, Anson,  
20 Ashe, Avery, Beaufort, Bertie, Bladen, Brunswick, Buncombe, Burke, Cabarrus,  
21 Caldwell, Camden, Carteret, Caswell, Catawba, Chatham, Cherokee, Chowan, Clay,  
22 Cleveland, Columbus, Craven, Cumberland, Currituck, Dare, Davidson, Davie,  
23 Duplin, Durham, Edgecombe, Forsyth, Franklin, Gaston, Gates, Graham, Granville,  
24 Greene, Guilford, Halifax, Harnett, Haywood, Henderson, Hertford, Hoke, Hyde,  
25 Iredell, Jackson, Johnston, Jones, Lee, Lenoir, Lincoln, Macon, Madison, Martin,



GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1995

S

SENATE DRS8688\*RHZ013(5.6)

FILED - SENATE  
D

1138 MAY 13 1996

PRINCIPAL CLERK

Short Title: School Law Revision Com'n.

(Public)

Sponsors: Senators Winner, Dannelly, Hartsell, Hobbs, Lucas, Perdue, Plexico,  
and Simpson.

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

SESSION 1995

FILED - SENATE

S

S 1139 D  
MAY 13 1996

SENATE DRS8689\*-RHZ007.5(5.6)

PRINCIPAL CLERK

Short Title: ABC's Plan.

(Public)

Sponsors: Senators Winner, Dannelly, Hartsell, Hobbs, Lucas, Perdue, Plexico,  
and Simpson.

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



NORTH CAROLINA GENERAL ASSEMBLY  
AMENDMENT

Senate Bill 1139

AMENDMENT NO. 1 (ONE)

(to be filled in by

Principal Clerk)

Page 1 of 1

S1139-ale-01

Date 22 May, 1996

Comm. Sub. ☐  
Amends Title ☐  
SECOND EDITION

Senator Winnie

1 moves to amend the bill on page 33, line 14, by inserting after the  
2 line the following new section:

3  
4 "Sec. 31. Section 30 of this act becomes effective only if  
5 the General Assembly:

6 (1) Includes the funds set out in Section 30 of this act  
7 in the Current Operations Appropriations Act of 1996;  
8 or

9 (2) Adjourns sine die without enacting the Current  
10 Operations Appropriations Act of 1996.

11 Nothing is this act shall be construed to obligate the  
12 General Assembly to appropriate funds to implement the provisions of  
13 this act.";

14  
15 and by renumbering the remaining section of the bill accordingly.  
16

SIGNED V. Deshae Winnie  
Amendment Sponsor

SIGNED Per  
Committee Chair if Senate Committee Amendment

ADOPTED 5/23/96

FAILED \_\_\_\_\_

TABLED \_\_\_\_\_

(V)

Still

## NORTH CAROLINA GENERAL ASSEMBLY AMENDMENT

(Please type or use ballpoint pen)

EDITION No. 2nd

(1873)

H. B. No. \_\_\_\_\_

DATE May 33S. B. No. 1139Amendment No. 2 (Two)COMMITTEE SUBSTITUTE yw(to be filled in by  
Principal Clerk)

Rep.)

Sen.)

Route1 moves to amend the bill on page 24, line 11

2 ( ) WHICH CHANGES THE TITLE

3 by rewriting the line to read:4 "automobiles; school buses; mobile classroom  
5 units; photocopiers; and computers, computer  
6 hardware, computer software, and related  
7 support services by";8  
9 and on p. 24, line 13, by rewriting the line  
10 to read:11 "Computers, computer hardware, computer  
12 software, and related support services  
13 purchased under this section, shall meet the  
14 applicable technical standards specified";15  
16 and on page 24, lines 32-33, by inserting  
17 between the lines the following new subsection:  
18 "(g) Subsections (e) and (f) of this section  
19 shall not apply to contracts entered

SIGNED \_\_\_\_\_

ADOPTED \_\_\_\_\_

FAILED \_\_\_\_\_

TABLED \_\_\_\_\_

(see p 3)

## NORTH CAROLINA GENERAL ASSEMBLY AMENDMENT

(Please type or use ballpoint pen)

(P 2 of 3)

Second Edition

H. B. No. \_\_\_\_\_

DATE May 23S. B. No. 1139Amendment No. 2 (Two)(to be filled in by  
Principal Clerk)

Rep. )

Sen. )

moves to amend the bill on page \_\_\_\_\_, line \_\_\_\_\_,

by \_\_\_\_\_

into under this section so long as the term of each contract does not exceed three years, and the total amount financed during any three year period is no greater than two hundred fifty thousand dollars (\$250,000) or is no greater than three times the local board's annual state allocation for classroom materials, equipment, and instructional supplies, whichever is less. The local board shall submit information, including the principal and interest paid and the amount of outstanding obligation, concerning these contracts as part of the annual budget it submits to its board of county commissioners under Article 131 of

SIGNED \_\_\_\_\_

ADOPTED \_\_\_\_\_

FAILED \_\_\_\_\_

TABLED \_\_\_\_\_

see p. 3

## NORTH CAROLINA GENERAL ASSEMBLY AMENDMENT

(Please type or use ballpoint pen)

(3<sup>rd</sup> 5)EDITION No. 2<sup>ND</sup>

H. B. No. \_\_\_\_\_

DATE May 23S. B. No. 1139Amendment No. 2 (two)(to be filled in by  
Principal Clerk)COMMITTEE SUBSTITUTE ☒

Rep.)

Sen.)

Little

1 moves to amend the bill on page \_\_\_\_\_, line \_\_\_\_\_

2 ( ) WHICH CHANGES THE TITLE

3 by \_\_\_\_\_

4 this Chapter. " ;

5 \_\_\_\_\_

6 and on page 24, line 33, by deleting "(g)"7 → by substituting "(h)" ;

8 \_\_\_\_\_

9 and on page 24, line 38, by deleting "(h)"10 → by substituting "(i)" ;

11 \_\_\_\_\_

12 \_\_\_\_\_

13 \_\_\_\_\_

14 \_\_\_\_\_

15 \_\_\_\_\_

16 \_\_\_\_\_

17 \_\_\_\_\_

18 \_\_\_\_\_

19 \_\_\_\_\_

SIGNED \_\_\_\_\_

ADOPTED

5/23/96

FAILED

TABLED

(46-0)

S. Jink

NORTH CAROLINA GENERAL ASSEMBLY  
SENATE

RECORDED VOTE

1995 SESSION  
SECOND REGULAR SESSION

SEQ. 1541/4--11:12 AM

MAY 23, 1996

LEGISLATIVE DAY 117

LT. GOVERNOR WICKER

-- Presiding

WINNER  
ABC'S PLAN  
COM SUB/2ND EDITION

SENATE BILL 1139

AMEND 2

AYE	45	ALBERTSON	DAVIS	LEDBETTER	PLEXICO
		ALLRAN	EAST	LITTLE	PLYLER
		BALLANTINE	FORRESTER	LUCAS	RAND
		BLACKMON	FOXX	MARTIN R.	SHAW
		BLUST	HARTSELL	MARTIN W.	SIMPSON
		CARPENTER	HOBBS	MCDANIEL	SMITH
		CARRINGTON	HORTON	MCKOY	SOLES
		CLARK	HOYLE	ODOM	SPEED
		COCHRANE	JORDAN	PAGE	WARREN
		CONDER	KERR	PARNELL	WEBSTER
		COOPER	KINCAID	PERDUE	WINNER
		DANNELLY			

NO 0

EXCUSED 0

NOT CAST 3 BALLANCE BASNIGHT SHERRON

ABSENT 2 EDWARDS GULLEY

PAIRS 0

AYE

NO

INUED)



NORTH CAROLINA GENERAL ASSEMBLY  
SENATE

RECORDED VOTE

1995 SESSION  
SECOND REGULAR SESSION

SEQ. 1542/5--11:41 AM

MAY 23, 1996

LEGISLATIVE DAY 117

LT. GOVERNOR WICKER

-- Presiding

WINNER  
ABC'S PLAN  
COM SUB/2ND EDITION

SENATE BILL 1139  
READING 2

AYE	48	ALBERTSON	COOPER	KINCAID	PLEXICO
		ALLRAN	DANNELLY	LEDBETTER	PLYLER
		BALLANCE	DAVIS	LITTLE	RAND
		BALLANTINE	EAST	LUCAS	SHAW
		BASNIGHT	FORRESTER	MARTIN R.	SHERRON
		BLACKMON	FOXX	MARTIN W.	SIMPSON
		BLUST	HARTSELL	MCDANIEL	SMITH
		CARPENTER	HOBBS	MCKOY	SOLES
		CARRINGTON	HORTON	ODOM	SPEED
		CLARK	HOYLE	PAGE	WARREN
		COCHRANE	JORDAN	PARNELL	WEBSTER
		CONDER	KERR	PERDUE	WINNER
NO	0				

EXCUSED 0

NOT CAST 0

ABSENT 2 EDWARDS GULLEY

PAIRS 0  
AYE  
NO



NORTH CAROLINA GENERAL ASSEMBLY  
SENATE

RECORDED VOTE

1995 SESSION  
SECOND REGULAR SESSION

SEQ. 1543/6--11:12 AM MAY 23, 1996 LEGISLATIVE DAY 117

LT. GOVERNOR WICKER

-- Presiding

WINNER  
ABC'S PLAN  
COM SUB/2ND EDITION

SENATE BILL 1139

AMEND 2

AYE	46	ALBERTSON ALLRAN BALLANTINE BLACKMON BLUST CARPENTER CARRINGTON CLARK COCHRANE CONDER COOPER DANNELLY	DAVIS EAST FORRESTER FOXX 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
NO	0				

EXCUSED 0

NOT CAST 2 BALLANCE

BASNIGHT

ABSENT 2 EDWARDS

GULLEY

PAIRS 0

AYE  
NO

COPY)

NORTH CAROLINA GENERAL ASSEMBLY  
SENATE

RECORDED VOTE

1995 SESSION  
SECOND REGULAR SESSION

SEQ. 1543/6--11:12 AM

MAY 23, 1996

LEGISLATIVE DAY 117

LT. GOVERNOR WICKER

-- Presiding

WINNER  
ABC'S PLAN  
COM SUB/2ND EDITION

SENATE BILL 1139

AMEND 2

RECORDED

AYE 1 SHERRON

ADJUSTED TOTAL

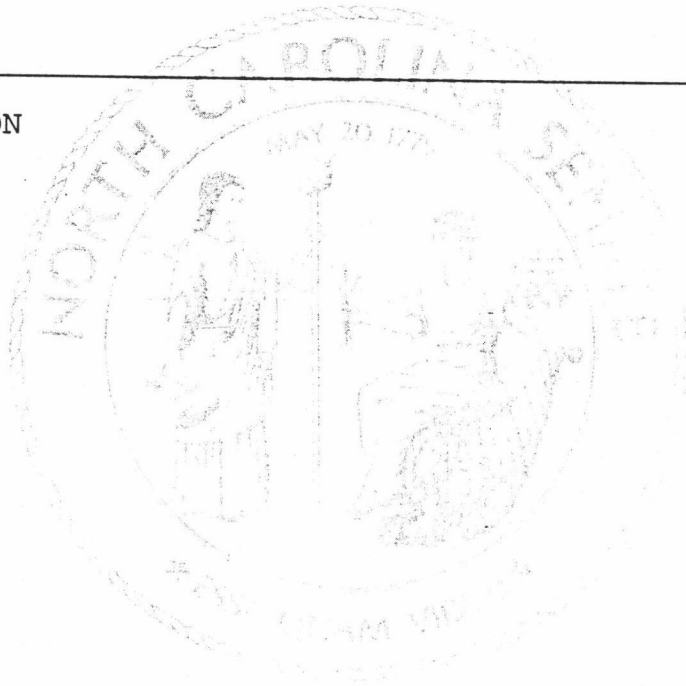
AYE 46

NO 0

NOT CAST 2

ABSENT 2

Y)





NORTH CAROLINA GENERAL ASSEMBLY  
AMENDMENT  
Senate Bill 1139

AMENDMENT NO. 3 (three)  
(to be filled in by  
Principal Clerk)

S1139-ARC-006

Page 1 of 2

Date 5/27/96, 1996

Comm. Sub. ☐  
Amends Title ☐  
Second Edition

Senator Page

1 moves to amend the bill on page 21, lines 38-39,  
2 by inserting after the line the following:

3 "----IMPROVE STUDENT PERFORMANCE

4 Sec. 7.1. G.S. 115C-81 is amended by adding a new  
5 subsection to read:

6 '(h) Character Education. -- Local boards of education shall  
7 require the teaching of the following character traits in the public  
8 schools:

- 9 (1) Courage. -- Having the determination to do the right  
10 thing even when others don't and the strength to  
11 follow your conscience rather than the crowd; and  
12 attempting difficult things that are worthwhile.  
13 (2) Good judgment. -- Choosing worthy goals and setting  
14 proper priorities; thinking through the consequences  
15 of your actions; and basing decisions on practical  
16 wisdom and good sense.  
17 (3) Integrity. -- Having the inner strength to be  
18 truthful, trustworthy, and honest in all things;  
19 acting justly and honorably.  
20 (4) Kindness. -- Being considerate, courteous, helpful,  
21 and understanding of others; showing care, compassion,  
22 friendship, and generosity; and treating others as you  
23 would like to be treated.  
24 (5) Perseverance. -- Being persistent in the pursuit of  
25 worthy objectives in spite of difficulty, opposition,  
26 or discouragement; and exhibiting patience and having  
27 the fortitude to try again when confronted with  
28 delays, mistakes, or failures.  
29 (6) Respect. -- Showing high regard for authority, for  
30 other people, for self, for property, and for country;  
31 and understanding that all people have value as human  
32 beings.



NORTH CAROLINA GENERAL ASSEMBLY  
AMENDMENT  
Senate Bill 1139

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

S1139-ARC-006

- (7) Responsibility. -- Being dependable in carrying out obligations and duties; showing reliability and consistency in words and conduct; being accountable for your own actions; and being committed to active involvement in your community.
- (8) Self-Discipline. -- Demonstrating hard work and commitment to purpose; regulating yourself for improvement and restraining from inappropriate behaviors; being in proper control of your words, actions, impulses, and desires; choosing abstinence from premarital sex, drugs, alcohol, and other harmful substances and behaviors; and doing your best in all situations."

SIGNED [Signature]  
Amendment Sponsor

SIGNED \_\_\_\_\_  
Committee Chair if Senate Committee Amendment

ADOPTED 5/27/96 FAILED \_\_\_\_\_ TABLED \_\_\_\_\_  
47-1

Senk as perfected by  
AMD No 4

Adjusted Vote  
48-0

NORTH CAROLINA GENERAL ASSEMBLY  
SENATE

RECORDED VOTE

1995 SESSION  
SECOND REGULAR SESSION

SEQ. 1550/6-- 8:18 PM

MAY 27, 1996

LEGISLATIVE DAY 118

LT. GOVERNOR WICKER

-- Presiding

WINNER  
ABC'S PLAN  
COM SUB/2ND EDITION

SENATE BILL 1139

AMEND 3

AYE	47	ALBERTSON ALLRAN BALLANCE BALLANTINE BASNIGHT BLACKMON BLUST CARPENTER CARRINGTON CLARK COCHRANE CONDER	COOPER 20, 1775 DANNELLY DAVIS EAST EDWARDS FORRESTER FOXX GULLEY HARTSELL HORTON HOYLE KERR	KINCAID LEDBETTER LITTLE LUCAS MARTIN R. MARTIN W. MCDANIEL MCKOY ODOM PAGE PARNELL PERDUE	PLYLER RAND SHAW SHERRON SIMPSON SMITH SOLES SPEED WARREN WEBSTER WINNER
NO	1	PLEXICO			

EXCUSED	0	
NOT CAST	1	JORDAN
ABSENT	1	HOBBS
PAIRS	0	
AYE		
NO		

(CONTINUED)

NORTH CAROLINA GENERAL ASSEMBLY  
SENATE

RECORDED VOTE

1995 SESSION  
SECOND REGULAR SESSION

SEQ. 1552/8-- 8:53 PM

MAY 27, 1996

LEGISLATIVE DAY 118

LT. GOVERNOR WICKER

-- Presiding

WINNER  
ABC'S PLAN  
COM SUB/2ND EDITION

SENATE BILL 1139

AMEND 3

AYE	48	ALBERTSON	COOPER	KINCAID	PLEXICO
		ALLRAN	DANNELLY	LEDBETTER	PLYLER
		BALLANCE	DAVIS	LITTLE	RAND
		BALLANTINE	EAST	LUCAS	SHAW
		BASNIGHT	EDWARDS	MARTIN R.	SHERRON
		BLACKMON	FORRESTER	MARTIN W.	SIMPSON
		BLUST	FOXX	MCDANIEL	SMITH
		CARPENTER	GULLEY	MCKOY	SOLES
		CARRINGTON	HARTSELL	ODOM	SPEED
		CLARK	HORTON	PAGE	WARREN
		COCHRANE	HOYLE	PARNELL	WEBSTER
		CONDER	KERR	PERDUE	WINNER
NO	0				

EXCUSED	0	
NOT CAST	1	JORDAN
ABSENT	1	HOBBS
PAIRS	0	
AYE		
NO		

(COPY)

NORTH CAROLINA GENERAL ASSEMBLY  
SENATE

RECORDED VOTE

1995 SESSION  
SECOND REGULAR SESSION

SEQ. 1552/8-- 8:53 PM MAY 27, 1996 LEGISLATIVE DAY 118

LT. GOVERNOR WICKER

-- Presiding

WINNER  
ABC'S PLAN  
COM SUB/2ND EDITION

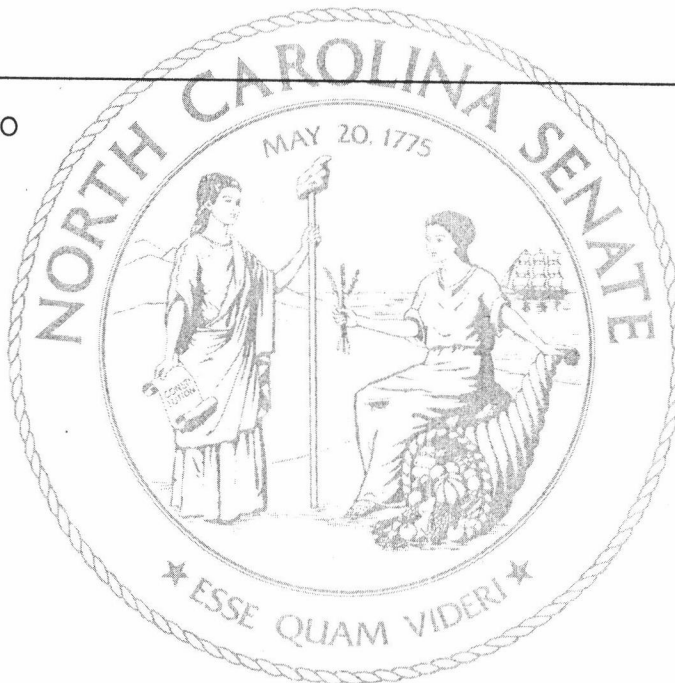
SENATE BILL 1139

AMEND 3

RECORDED

AYE	1	PLEXICO
NO	-1	
ADJUSTED TOTAL		
AYE	48	
NO	0	
NOT CAST	1	
ABSENT	1	

Y)



# NORTH CAROLINA GENERAL ASSEMBLY AMENDMENT

(Please type or use ballpoint pen)

EDITION No. \_\_\_\_\_

H. B. No. \_\_\_\_\_

DATE 5/27/96

S. B. No. 1139

Amendment No. 4 (four)  
(to be filled in by  
Principal Clerk)

COMMITTEE SUBSTITUTE yes

Rep. )

Sen. )

*Cooper*

*amendment No. 3*

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

2 ( ) WHICH CHANGES THE TITLE

3 by \_\_\_\_\_

4 *by changing to word*

5 *"shall" to "may"*

6 *"shall" to "may"*

7 \_\_\_\_\_

8 \_\_\_\_\_

9 \_\_\_\_\_

10 \_\_\_\_\_

11 \_\_\_\_\_

12 \_\_\_\_\_

13 \_\_\_\_\_

14 \_\_\_\_\_

15 \_\_\_\_\_

16 \_\_\_\_\_

17 \_\_\_\_\_

18 \_\_\_\_\_

19 \_\_\_\_\_

SIGNED \_\_\_\_\_

*[Signature]*

ADOPTED 5/27/96 FAILED \_\_\_\_\_ TABLED \_\_\_\_\_

*26-22*

*S. Hink*

*perfecting And No 3.*



NORTH CAROLINA GENERAL ASSEMBLY  
SENATE

RECORDED VOTE

1995 SESSION  
SECOND REGULAR SESSION

SEQ. 1548/4-- 8:17 PM

MAY 27, 1996

LEGISLATIVE DAY 118

LT. GOVERNOR WICKER

-- Presiding

WINNER  
ABC'S PLAN  
COM SUB/2ND EDITION

SENATE BILL 1139

MOTION 2  
FOR PREVIOUS QUESTION

AYE	26	ALBERTSON BALLANCE BASNIGHT CONDER COOPER DANNELLY EDWARDS	GULLEY HARTSELL HOYLE KERR LUCAS MARTIN R. MARTIN W.	20, 1775 ODOM PARNELL PERDUE PLEXICO PLYLER RAND	SHERRON SIMPSON SOLES SPEED WARREN WINNER
	22	ALLRAN BALLANTINE BLACKMON BLUST CARPENTER CARRINGTON	CLARK COCHRANE DAVIS EAST FORRESTER FOXX	HORTON KINCAID LEDBETTER LITTLE MCDANIEL	MCKOY PAGE SHAW SMITH WEBSTER

EXCUSED	0	
NOT CAST	1	JORDAN
ABSENT	1	HOBBS
PAIRS	0	
AYE		
NO		

NORTH CAROLINA GENERAL ASSEMBLY  
SENATE

RECORDED VOTE

1995 SESSION  
SECOND REGULAR SESSION

SEQ. 1549/5-- 8:17 PM

MAY 27, 1996

LEGISLATIVE DAY 118

LT. GOVERNOR WICKER

-- Presiding

WINNER  
ABC'S PLAN  
COM SUB/2ND EDITION

SENATE BILL 1139

AMEND 4

AYE	26	ALBERTSON BALLANCE BASNIGHT CONDER COOPER DANNELLY DAVIS	EAST EDWARDS GULLEY HOYLE KERR LUCAS MARTIN R.	MARTIN W. ODOM PARNELL PERDUE PLEXICO PLYLER	RAND SHERRON SOLES SPEED WARREN WINNER
	22	ALLRAN BALLANTINE BLACKMON BLUST CARPENTER CARRINGTON	CLARK COCHRANE FORRESTER FOXX HARTSELL HORTON	KINCAID LEDBETTER LITTLE MCDANIEL MCKOY	PAGE SHAW SIMPSON SMITH WEBSTER

EXCUSED	0	
NOT CAST	1	JORDAN
ABSENT	1	HOBBS
PAIRS	0	
AYE		
NO		

NORTH CAROLINA GENERAL ASSEMBLY  
SENATE

RECORDED VOTE

1995 SESSION  
SECOND REGULAR SESSION

SEQ. 1551/7-- 8:18 PM

MAY 27, 1996

LEGISLATIVE DAY 118

LT. GOVERNOR WICKER

-- Presiding

WINNER  
ABC'S PLAN  
COM SUB/2ND EDITION

SENATE BILL 1139  
READING 3

AYE	47	ALBERTSON	DANNELLY	LEDBETTER	PLYLER
		ALLRAN	DAVIS	LITTLE	RAND
		BALLANTINE	EAST	LUCAS	SHAW
		BASNIGHT	EDWARDS	MARTIN R.	SHERRON
		BLACKMON	FORRESTER	MARTIN W.	SIMPSON
		BLUST	FOXX	MCDANIEL	SMITH
		CARPENTER	GULLEY	MCKOY	SOLES
		CARRINGTON	HARTSELL	ODOM	SPEED
		CLARK	HORTON	PAGE	WARREN
		COCHRANE	HOYLE	PARNELL	WEBSTER
		CONDER	KERR	PERDUE	WINNER
		COOPER	KINCAID	PLEXICO	
NO	1	BALLANCE			

EXCUSED 0

NOT CAST 1 JORDAN

ABSENT 1 HOBBS

PAIRS 0

AYE  
NO

(COPY)



NORTH CAROLINA GENERAL ASSEMBLY  
AMENDMENT  
Senate Bill 1139

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

S1139-ARM-011.1

Page 1 of 3

Date 6/19, 1996

Fourth Edition  
Comm. Sub. [X]  
Amends Title [ ]

Representative Eddins

1 moves to amend the bill on page 22, lines 21-22,  
2 by inserting between the lines the following:  
3 "Sec. 8.1. G.S. 115C-81 is amended by adding a new subsection to  
4 read:  
5 '(h) Character Education. -- Local boards of education shall  
6 require the teaching of the following character traits in the public  
7 schools:

- 8 (1) Courage. -- Having the determination to do the right  
9 thing even when others don't and the strength to  
10 follow your conscience rather than the crowd; and  
11 attempting difficult things that are worthwhile.  
12 (2) Good judgment. -- Choosing worthy goals and setting  
13 proper priorities; thinking through the consequences  
14 of your actions; and basing decisions on practical  
15 wisdom and good sense.  
16 (3) Integrity. -- Having the inner strength to be  
17 truthful, trustworthy, and honest in all things;  
18 acting justly and honorably.  
19 (4) Kindness. -- Being considerate, courteous, helpful,  
20 and understanding of others; showing care, compassion,  
21 friendship, and generosity; and treating others as you  
22 would like to be treated.  
23 (5) Perseverance. -- Being persistent in the pursuit of  
24 worthy objectives in spite of difficulty, opposition,  
25 or discouragement; and exhibiting patience and having  
26 the fortitude to try again when confronted with  
27 delays, mistakes, or failures.  
28 (6) Respect. -- Showing high regard for authority, for  
29 other people, for self, for property, and for country;  
30 and understanding that all people have value as human  
31 beings.  
32 (7) Responsibility. -- Being dependable in carrying out  
33 obligations and duties; showing reliability and  
34 consistency in words and conduct; being accountable



NORTH CAROLINA GENERAL ASSEMBLY  
AMENDMENT  
Senate Bill 1139

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

SI139-ARH-011.1

Page 2 of 3

- 1 for your own actions; and being committed to active  
2 involvement in your community.  
3 (8) Self-Discipline. -- Demonstrating hard work and  
4 commitment to purpose; regulating yourself for  
5 improvement and restraining from inappropriate  
6 behaviors; being in proper control of your words,  
7 actions, impulses, and desires; choosing abstinence  
8 from premarital sex, drugs, alcohol, and other harmful  
9 substances and behaviors; and doing your best in all  
10 situations.'

11 "Sec. 8.2. G.S. 115C-98 is amended by adding a new subsection  
12 to read:

13 '(b1) A local board of education may establish a community media  
14 advisory committee to investigate and evaluate challenges from  
15 parents, teachers, and members of the public to textbooks and  
16 supplementary instructional materials on the grounds that they are  
17 educationally unsuitable, pervasively vulgar, or inappropriate to  
18 the age, maturity, or grade level of the students. The State Board  
19 of Education shall review its rules and policies concerning these  
20 challenges and shall establish guidelines to be followed by  
21 community media advisory committees. These guidelines, at a  
22 minimum, shall provide:

- 23 (1) Each community media advisory committee shall include  
24 a majority of members who are representative of the  
25 people who reside in the neighborhoods within that  
26 local school administrative unit and who are not  
27 employees of that local unit.  
28 (2) Each committee may make an initial determination of  
29 whether a challenge has merit. If the committee  
30 determines the challenge has merit, it shall provide  
31 for a public hearing of that challenge.  
32 (3) The committee shall make a written recommendation to  
33 the local board of education on whether the challenged  
34 material should be available in or should be removed  
35 from the public schools in that local school  
36 administrative unit.



NORTH CAROLINA GENERAL ASSEMBLY  
AMENDMENT  
Senate Bill 1139

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

S1139-ARH-011.1

- 1 The local board, at all times, has sole authority and discretion  
2 to determine whether a challenge has merit and whether challenged  
3 material should be retained or removed.' "

SIGNED *Rick Z. Edkins*  
Amendment Sponsor

SIGNED \_\_\_\_\_  
Committee Chair if Senate Committee Amendment

ADOPTED \_\_\_\_\_

FAILED

6/19/96

TABLED \_\_\_\_\_

43-572

*Wulfer*

# 2052  
LEGISLATIVE DAY 133  
S1139HCS  
READING 2

NORTH CAROLINA  
HOUSE OF REPRESENTATIVES  
ROLL CALL

6/19/96  
7:02 PM  
IN CHAIR: SPEAKER

AMEND #1-*Eddins*  
ABC'S PLAN (STATE BOARD OF EDUCATION)

AYES - 43

ALDRIDGE	COCKLEREECE	HIATT	REYNOLDS
ALLRED	CREECH	HIGHTOWER	RUSSELL
BAKER	CULP	JUSTUS	SEXTON
BLACK	CUMMINGS	LEMMOND	SHUBERT
BROWN, J.	DAVIS	LINNEY	TALLEN
BROWN, W.	DECKER	MCCALLISTER	WARNER
BUCHANAN	EDDINS	MCCOMAS	WATSON
CANSLER	ELLIS	MORGAN	WILSON, C.
CAPPS	ESPOSITO	NYE	WOOD
CARPENTER	GARDNER	RAYFIELD	YONGUE
CLARY	HAYES	REDWINE	

NOES - 57

ADAMS	DOCKHAM	HUNTER, R.	OLDHAM
ALEXANDER	EARLE	HURLEY	OWENS
ARNOLD	EASTERLING	IVES	PATE
BARBEE	EDWARDS	KISER	PRESTON
BARNES	FITCH	LOCKE	PULLEY
BOWEN	FOX	LUEBKE	ROBINSON, J.
BOYD-MCINTYRE	GAMBLE	MCCOMBS	SHARPE
BRASWELL	GRADY	MCCRARY	SUTTON
BRAWLEY	HACKNEY	MERCER	TOLSON
CHURCH	HENSLEY	MICHAUX	WAINWRIGHT
CRAWFORD	HILL	MILLER, G.	WEATHERLY
CULPEPPER	HOLMES	MITCHELL	WILKINS
CUNNINGHAM	HUNT	NEELY	WOMBLE
DAUGHTRY	HUNTER, H.	NICHOLS	WRIGHT
DICKSON			

EXCUSED ABSENCE - 3

BEALL	HOWARD	MINER
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EXCUSED VOTE - 0

NOT VOTING - 17

SPEAKER	LEE	RAMSEY	SHAW
BERRY	MCLAUGHLIN	RICHARDSON	SHERRILL
BLUE	MCMAHAN	ROBINSON, G.	THOMPSON
BOWIE	MILLER, K.	ROGERS	WILSON, G.
GRAY			

S1139HCS



NORTH CAROLINA GENERAL ASSEMBLY  
AMENDMENT  
Senate Bill 1139

AMENDMENT NO. 2

(to be filled in by  
Principal Clerk)

S1139-ARH-013.1

Page 1 of 3

Date June 19, 1996

Fourth Edition  
Comm. Sub. [X]  
Amends Title [ ]

Representative Davis

1 moves to amend the bill on page 18, line 36, by inserting after the  
2 word "that" the phrase "the local board or";

3  
4 and on page 18, lines 41-43, by rewriting the lines to read:

5 "(a) Notwithstanding any other law to the contrary, upon the  
6 identification of a school as low-performing under this Part, the  
7 local board with the advice and consent of the State Board and the  
8 board of county commissioner may dismiss the principal assigned to  
9 that school in accordance with G.S. 115C-325(q)(1).";

10  
11 and on page 19, line 4, by rewriting the line to read:

12 "(c) The local board with the advice and consent of the State  
13 Board and the board of county commissioners may appoint an interim  
14 superintendent in a local school";

15  
16 and on page 19, line 14, by rewriting the line to read:

17 "The local board with the advice and consent of the State Board  
18 and the board of county commissioners may assign any of the powers  
19 and duties of the local";

20  
21 and on page 19, line 16, by deleting the word "Board" and by  
22 substituting the phrase "local board";

23  
24 and on page 19, line 18, by deleting the phrase "State Board of  
25 Education" and by substituting the phrase "local board with the  
26 advice and consent of the State Board and the board of county  
27 commissioners";

28  
29 and on page 19, lines 22-34, by rewriting the lines to read:

30 "(d) In the event the local board has appointed an interim  
31 superintendent under subsection (c) of this section and the local  
32 board with the advice and consent of the State Board and the board  
33 of county commissioners determines that a member of the local board  
34 has failed to cooperate with the interim superintendent or has





NORTH CAROLINA GENERAL ASSEMBLY  
AMENDMENT  
Senate Bill 1139

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

S1139-ARH-013.1

Page 2 of 3

1 otherwise hindered the ability to improve student performance in  
2 that local school administrative unit or in a school in that unit,  
3 the local board may remove that member in accordance with G.S. 115C-  
4 39.

5 (c) In the event the State Board identifies more than half the  
6 schools in a local school administrative unit as low-performing and  
7 the State Board subsequently determines that:

8 (1) the local board has failed to cooperate with the State  
9 Board or has otherwise hindered the ability to improve  
10 student performance in the school administrative unit;  
11 and

12 (2) it is necessary to change the governance of the local  
13 school administrative unit in order to improve student  
14 performance in that unit,

15 the State Board may recommend this change to the";

16  
17 and on page 19, lines 39-40, by rewriting the lines to read:

18 "§ 115C-39. Removal of board members.";

19  
20 and on page 19, line 41, by deleting "(a)";

21  
22 and on page 20, lines 8-12, by rewriting the lines to read:

23 "A determination by the State Board of Education that a member of  
24 a local board has failed to cooperate with an interim superintendent  
25 appointed under G.S. 115C-105.32 is sufficient evidence under this  
26 section that the member is not capable of discharging, or is not  
27 discharging, the duties of the office as required by law.";

28  
29 and on page 20, lines 35-41, by rewriting the lines to read:

30 "(c) For the purposes of this section and G.S. 115C-105.32, the  
31 identification by the State Board of Education of more than half the  
32 schools in a local school administrative unit as low-performing  
33 under G.S. 115C-105.30 is evidence that the superintendent is unable  
34 to fulfill the duties of the office.";

35  
36 and on page 21, line 23, by deleting the phrase "State Board." and  
37 by substituting the phrase "local board.";

38  
39 and on page 21, lines 33-34, by deleting the phrase "State Board,"  
40 and by substituting the phrase "local board,";



NORTH CAROLINA GENERAL ASSEMBLY  
AMENDMENT  
Senate Bill 1139

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

S1139-ARH-013.1

1 and on page 22, line 15, by deleting the phrase "The State Board of  
2 Education or a" and by substituting the word "A".

SIGNED [Signature]  
Amendment Sponsor

SIGNED \_\_\_\_\_  
Committee Chair if Senate Committee Amendment

ADOPTED \_\_\_\_\_ FAILED \_\_\_\_\_

TABLED 6/19/96

79-24

DWu EV

EV

# 2053  
LEGISLATIVE DAY 133  
S1139HCS  
READING 2

NORTH CAROLINA  
HOUSE OF REPRESENTATIVES  
ROLL CALL

6/19/96  
7:16 PM  
IN CHAIR: SPEAKER

AMEND #2-Davis  
ABC'S PLAN (STATE BOARD OF EDUCATION)

MOTION #3-Rep. Grady moves to table Rep. Davis' amendment

AYES - 79

ADAMS	EASTERLING	LOCKE	REDWINE
ALEXANDER	EDWARDS	MCALLISTER	REYNOLDS
ARNOLD	ESPOSITO	MCCOMAS	ROBINSON, J.
BARBEE	FITCH	MCCOMBS	RUSSELL
BARNES	FOX	MCCRARY	SEXTON
BERRY	GAMBLE	MCLAUGHLIN	SHARPE
BLACK	GARDNER	MERCER	SHERRILL
BOWEN	GRADY	MICHAUX	SHUBERT
BOYD-MCINTYRE	HACKNEY	MILLER, G.	SUTTON
BRASWELL	HENSLEY	MITCHELL	THOMPSON
BRAWLEY	HIATT	MORGAN	TOLSON
BUCHANAN	HIGHTOWER	NEELY	WAINWRIGHT
CHURCH	HILL	NICHOLS	WARNER
CRAWFORD	HUNT	OLDHAM	WATSON
CREECH	HUNTER, H.	OWENS	WEATHERLY
CULPEPPER	HUNTER, R.	PATE	WILKINS
CUMMINGS	HURLEY	PRESTON	WILSON, G.
CUNNINGHAM	IVES	PULLEY	WOMBLE
DOCKHAM	LEE	RAMSEY	YONGUE
EARLE	LEMMOND	RAYFIELD	

NOES - 24

ALDRIDGE	CAPPS	DECKER	LINNEY
ALLRED	CARPENTER	EDDINS	NYE
BAKER	CLARY	ELLIS	TALLENT
BROWN, J.	COCKLEREECE	HAYES	WILSON, C.
BROWN, W.	CULP	JUSTUS	WOOD
CANSLER	DAVIS	KISER	WRIGHT

EXCUSED ABSENCE - 3

BEALL	HOWARD	MINER
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EXCUSED VOTE - 0

NOT VOTING - 14

SPEAKER	DICKSON	MCMAHAN	ROBINSON, G.
BLUE	GRAY	MILLER, K.	ROGERS
BOWIE	HOLMES	RICHARDSON	SHAW
DAUGHTRY	LUEBKE		

S1139HCS



NORTH CAROLINA GENERAL ASSEMBLY  
AMENDMENT  
Senate Bill 1139

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

SI139-ARH-014

Date June 19, 1996

Fourth Edition  
Comm. Sub. IXI  
Amends Title II

Representative Capps

*James Capps*

1 moves to amend the bill on page 22, lines 21-22,  
2 by inserting between the lines the following new sections:

3 "Sec. 8.1. G.S. 115C-81(a1) reads as rewritten:

4 '(a1) The Basic Education Program shall describe the education  
5 program to be offered to every child in the public schools. It shall  
6 provide every student in the State equal access to a Basic Education  
7 Program. Instruction shall be offered in the areas of arts,  
8 communication skills, physical education and personal health and  
9 safety, mathematics, media and computer skills, science, second  
10 languages, social studies, and vocational education. Instruction in  
11 basic reading skills in the language arts component of  
12 communications skills in kindergarten through the third grade shall  
13 include primarily the use of early and direct intensive systematic  
14 phonics instruction. "Early and direct intensive systematic phonics  
15 instruction" is a body of knowledge which teaches beginning readers  
16 through a multisensory approach to read, pronounce, and spell words  
17 by learning the letter-sound associations of individual letters,  
18 letter groups, and especially syllables, as well as the principles  
19 governing these associations.

20 Instruction in vocational and technical education under the Basic  
21 Education Program shall be based on factors including:

- 22 (1) The integration of academic and vocational and  
23 technical education;  
24 (2) A sequential course of study leading to both academic  
25 and occupational competencies;  
26 (3) Increased student work skill attainment and job  
27 placement;  
28 (4) Increased linkages, where geographically feasible,  
29 between public schools and community colleges, so the  
30 public schools can emphasize academic preparation and  
31 the community colleges can emphasize specific job  
32 training; and



NORTH CAROLINA GENERAL ASSEMBLY  
AMENDMENT  
Senate Bill 1139

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

S1139-ARH-014

(5) Instruction and experience, to the extent practicable, in all aspects of the industry the students are prepared to enter.'

Sec. 8.2. G.S. 115C-296(a) reads as rewritten:

(a) The State Board of Education shall have entire control of certifying all applicants for teaching positions in all public elementary and high schools of North Carolina; and it shall prescribe the rules and regulations for the renewal and extension of all certificates and shall determine and fix the salary for each grade and type of certificate which it authorizes;--Provided, that the State Board of Education shall require each applicant for an initial certificate or graduate certificate to demonstrate his academic and professional preparation by achieving a prescribed minimum score at least equivalent to that required by the Board on November 30, 1972, on a standard examination appropriate and adequate for that purpose;--Provided, further, that in the event the Board shall specify the National Teachers Examination for this purpose, the required minimum score shall not be lower than that which the Board required on November 30, 1972;--Provided, further, that the State Board of Education shall not decrease the certification standards for physical education teachers or health education teachers below the standards in effect on June 1, 1988. The State Board shall adopt rules for the renewal and extension of all certificates and shall determine and fix the salary for each grade and type of certificate that it authorizes. The rules shall:

(1) Require each applicant for an initial certificate or graduate certificate to demonstrate academic and professional preparation by achieving a prescribed minimum score at least equivalent to that required by the Board on November 30, 1972, on a standard examination appropriate and adequate for that purpose. If the Board specifies the National Teachers Examination for this purpose, the required minimum score shall not be lower than that which the Board required on November 30, 1972.

(2) Establish certification standards for physical education teachers and for health education teachers that are not lower than the standards in effect on June 1, 1988.

(3) Effective July 1, 1997, require each applicant for an initial certificate or graduate certificate who may teach reading in the public schools to have completed satisfactorily courses that include specific



NORTH CAROLINA GENERAL ASSEMBLY  
AMENDMENT  
Senate Bill 1139

AMENDMENT NO. 3  
(to be filled in by  
Principal Clerk)

S1139-ARH-014

Page 3 of 3

- 1 competencies in early and direct intensive systematic  
2 phonics instruction.  
3 (4) Require all teachers who are certified by June 30,  
4 1997, and who teach reading in the public schools to  
5 receive in-service training in early and direct  
6 intensive systematic phonics instruction and to pass a  
7 competency test that includes the elements of early  
8 and direct intensive systematic phonics instruction.  
9 Effective July 1, 1998, the certificates of these  
10 teachers who do not successfully complete the in-  
11 service training and pass the competency exam shall  
12 not be renewed.

13 For the purposes of this subsection, the term "early and direct  
14 intensive systematic phonics instruction" has the same meaning as in  
15 G.S. 115C-81(al).'

16 Sec. 8.3. G.S. 115C-298 reads as rewritten:

17 '§ 115C-298. Colleges may assist teachers in certification.

18 Each and every college or university of the State is hereby  
19 authorized to aid public school teachers or prospective teachers in  
20 securing, raising, or renewing their certificates, in accordance  
21 with the rules and regulations of the State Board of Education. The  
22 rules of the State Board of Education shall require institutions of  
23 higher education to require students who may teach reading in the  
24 public schools to complete satisfactorily courses that include  
25 specific competencies in early and direct intensive systematic  
26 phonics instruction as a prerequisite for Board approval of the  
27 institution's teacher education program. Effective July 1, 1997, no  
28 institution of higher education shall recommend for certification  
29 any applicant who may teach reading in the public schools who has  
30 not completed satisfactorily courses that include specific  
31 competencies in early and direct intensive systematic phonics  
32 instruction. For the purposes of this section, the term "early and  
33 direct intensive systematic phonics instruction" has the same  
34 meaning as in G.S. 115C-81(al).'

SIGNED [Signature]  
Amendment Sponsor

SIGNED \_\_\_\_\_  
Committee Chair if Senate Committee Amendment

ADOPTED

6/19/96

FAILED

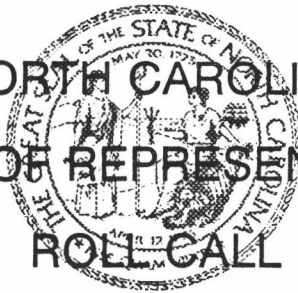
TABLED

52-45 EV [Signature]



# 2054  
LEGISLATIVE DAY 133  
S1139HCS  
READING 2

NORTH CAROLINA  
HOUSE OF REPRESENTATIVES



EV  
6/19/96  
7:19 PM  
IN CHAIR: SPEAKER

AMEND #3- *Capps*  
ABC'S PLAN (STATE BOARD OF EDUCATION)

AYES - 52

ALLRED	CUMMINGS	KISER	ROBINSON, J.
BAKER	CUNNINGHAM	LINNEY	RUSSELL
BERRY	DAUGHTRY	MCALLISTER	SEXTON
BOYD-MCINTYRE	DAVIS	MCCOMAS	SHUBERT
BRASWELL	DECKER	MCLAUGHLIN	SUTTON
BRAWLEY	EASTERLING	MORGAN	TALLENT
BUCHANAN	EDDINS	NEELY	WARNER
CANSLER	EDWARDS	NICHOLS	WATSON
CAPPS	ELLIS	NYE	WILSON, C.
CLARY	ESPOSITO	PATE	WILSON, G.
COCKLEREECE	HAYES	RAYFIELD	WOMBLE
CREECH	HIATT	REDWINE	WOOD
CULP	JUSTUS	ROBINSON, G.	YONGUE

NOES - 45

ADAMS	GAMBLE	LEE	OWENS
ALEXANDER	GRADY	LEMOND	PRESTON
ARNOLD	GRAY	LOCKE	PULLEY
BARBEE	HACKNEY	LUEBKE	RAMSEY
BARNES	HENSLEY	MCCOMBS	REYNOLDS
BLACK	HILL	MCCRARY	SHARPE
CHURCH	HUNT	MERCER	THOMPSON
CRAWFORD	HUNTER, H.	MICHAUX	TOLSON
CULPEPPER	HUNTER, R.	MILLER, G.	WAINWRIGHT
DOCKHAM	HURLEY	MITCHELL	WEATHERLY
FITCH	IVES	OLDHAM	WILKINS

EXCUSED ABSENCE - 3

BEALL	HOWARD	MINER
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EXCUSED VOTE - 0

NOT VOTING - 20

SPEAKER	BROWN, J.	GARDNER	RICHARDSON
ALDRIDGE	BROWN, W.	HIGHTOWER	ROGERS
BLUE	CARPENTER	HOLMES	SHAW
BOWEN	DICKSON	MCMAHAN	SHERRILL
BOWIE	EARLE	MILLER, K.	WRIGHT

S1139HCS

NORTH CAROLINA GENERAL ASSEMBLY AMENDMENT

(Please type or use ballpoint pen)

H. B. No. \_\_\_\_\_

DATE 6/19/96

S. B. No. 1139

Amendment No. 4

(to be filled in by  
Principal Clerk)

Rep. ) WOOD  
Sen. ) \_\_\_\_\_

moves to amend the bill on page 34, line 36

by adding a new  
rewording that section to read as follows  
And renumbering subsequent lines accordingly:

30.3

Sec ~~21~~ 65 115C-366 is amended by Adding  
The following new subsection to read:

(1)

(9) Notwithstanding any other provision of law, a student  
Assigned to a low-achieving school shall have the right  
to transfer to another public school within that  
student's local school administrative unit if the board of  
education determines there is capacity for the  
student in another school. A low-achieving  
school is a school that for two consecutive years  
has a cumulative test score in the 5th percentile  
or lower on state end-of-course or end-of-  
grade tests."

SIGNED

[Signature]

ADOPTED \_\_\_\_\_

FAILED \_\_\_\_\_

6/19/96

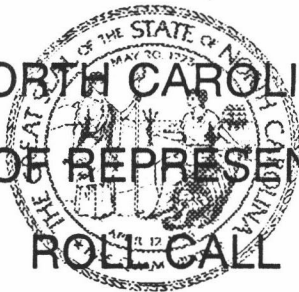
TABLED \_\_\_\_\_

28-75 EV [Signature]



# 2055  
LEGISLATIVE DAY 133  
S1139HCS  
READING 2.

NORTH CAROLINA  
HOUSE OF REPRESENTATIVES



6/19/96  
7:38 PM  
IN CHAIR: SPEAKER

AMEND #4 - *Wood*  
ABC'S PLAN (STATE BOARD OF EDUCATION)  
MOTION #3 - *Rep. Wood calls the previous question*

AYES - 77

ALDRIDGE	CUMMINGS	JUSTUS	RAYFIELD
ALEXANDER	DAUGHTRY	KISER	REYNOLDS
ALLRED	DAVIS	LEE	ROBINSON, G.
ARNOLD	DECKER	LEMOND	ROBINSON, J.
BAKER	DOCKHAM	LINNEY	RUSSELL
BARBEE	EARLE	LOCKE	SEXTON
BARNES	EDDINS	MCCOMAS	SHARPE
BERRY	EDWARDS	MCCOMBS	SHERRILL
BLACK	ELLIS	MCLAUGHLIN	SHUBERT
BOWEN	ESPOSITO	MILLER, G.	TALLENT
BRAWLEY	GAMBLE	MITCHELL	THOMPSON
BUCHANAN	GRAY	MORGAN	WAINWRIGHT
CANSLER	HACKNEY	NEELY	WATSON
CAPPS	HAYES	NICHOLS	WEATHERLY
CHURCH	HENSLEY	OWENS	WILKINS
CLARY	HIATT	PATE	WILSON, C.
COCKLEREECE	HILL	PRESTON	WILSON, G.
CRAWFORD	HUNTER, R.	PULLEY	WOMBLE
CULP	HURLEY	RAMSEY	WOOD
CULPEPPER			

NOES - 23

ADAMS	FITCH	IVES	SUTTON
BOYD-MCINTYRE	FOX	LUEBKE	TOLSON
BRASWELL	GARDNER	MCCRARY	WARNER
BROWN, J.	GRADY	NYE	WRIGHT
CUNNINGHAM	HIGHTOWER	OLDHAM	YONGUE
EASTERLING	HUNTER, H.	REDWINE	

EXCUSED ABSENCE - 3

BEALL	HOWARD	MINER
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EXCUSED VOTE - 0

NOT VOTING - 17

SPEAKER	CREECH	MCALLISTER	MILLER, K.
BLUE	DICKSON	MCMAHAN	RICHARDSON
BOWIE	HOLMES	MERCER	ROGERS
BROWN, W.	HUNT	MICHAUX	SHAW
CARPENTER			

S1139HCS

# NORTH CAROLINA

## HOUSE OF REPRESENTATIVES

### ROLL CALL

EV

# 2056  
LEGISLATIVE DAY 133  
S1139HCS  
READING 2

6/19/96  
7:38 PM  
IN CHAIR: SPEAKER

AMEND #4-*Wood*  
ABC'S PLAN (STATE BOARD OF EDUCATION)

#### AYES - 28

ALLRED	CRAWFORD	ESPOSITO	NEELY
BERRY	CULPEPPER	GAMBLE	ROBINSON, G.
BRAWLEY	DAUGHTRY	HAYES	SEXTON
BUCHANAN	DAVIS	HILL	SHUBERT
CANSLER	DECKER	LEE	WATSON
CAPPS	DOCKHAM	LINNEY	WILSON, C.
COCKLEREECE	EDDINS	MORGAN	WOOD

#### NOES - 75

ADAMS	EARLE	LOCKE	RAYFIELD
ALDRIDGE	EASTERLING	LUEBKE	REDWINE
ALEXANDER	EDWARDS	MCALLISTER	ROBINSON, J.
ARNOLD	ELLIS	MCCOMAS	RUSSELL
BAKER	FITCH	MCCOMBS	SHARPE
BARBEE	FOX	MCCRARY	SHERRILL
BARNES	GRADY	MCLAUGHLIN	SUTTON
BLACK	GRAY	MERCER	TALLENT
BOWEN	HACKNEY	MICHAUX	THOMPSON
BOYD-MCINTYRE	HENSLEY	MILLER, G.	TOLSON
BRASWELL	HIATT	MITCHELL	WAINWRIGHT
BROWN, J.	HIGHTOWER	NICHOLS	WARNER
CARPENTER	HUNTER, H.	NYE	WEATHERLY
CHURCH	HUNTER, R.	OLDHAM	WILKINS
CLARY	HURLEY	OWENS	WILSON, G.
CREECH	IVES	PATE	WOMBLE
CULP	JUSTUS	PRESTON	WRIGHT
CUMMINGS	KISER	PULLEY	YONGUE
CUNNINGHAM	LEMMOND	RAMSEY	

#### EXCUSED ABSENCE - 3

BEALL	HOWARD	MINER
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#### EXCUSED VOTE - 0

#### NOT VOTING - 14

SPEAKER	DICKSON	MCMAHAN	RICHARDSON
BLUE	GARDNER	MILLER, K.	ROGERS
BOWIE	HOLMES	REYNOLDS	SHAW
BROWN, W.	HUNT		

S1139HCS

# NORTH CAROLINA

## HOUSE OF REPRESENTATIVES

### ROLL CALL

# 2057  
LEGISLATIVE DAY 133  
S1139HCS  
READING 2

6/19/96  
7:39 PM  
IN CHAIR: SPEAKER

ABC'S PLAN (STATE BOARD OF EDUCATION)

MOTION #3- *Rep Grady calls the previous question*

#### AYES - 96

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

#### NOES - 10

DAVIS	HENSLEY	MCLAUGHLIN	SUTTON
FITCH	LINNEY	REDWINE	WRIGHT
HACKNEY	LUEBKE		

#### EXCUSED ABSENCE - 3

BEALL	HOWARD	MINER
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#### EXCUSED VOTE - 0

#### NOT VOTING - 11

SPEAKER	BROWN, W.	MICHAUX	ROGERS
BLUE	DICKSON	MILLER, K.	SHAW
BOWIE	MCMAHAN	RICHARDSON	

S1139HCS

# 2058  
LEGISLATIVE DAY 133  
S1139HCS  
READING 2

NORTH CAROLINA  
HOUSE OF REPRESENTATIVES  
ROLL CALL

6/19/96  
7:39 PM  
IN CHAIR: SPEAKER

ABC'S PLAN (STATE BOARD OF EDUCATION)

AYES - 102

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

NOES - 5

BOWEN	LINNEY	MCLAUGHLIN	SUTTON
EASTERLING			

EXCUSED ABSENCE - 3

BEALL	HOWARD	MINER
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EXCUSED VOTE - 0

NOT VOTING - 10

BLUE	DICKSON	MILLER, K.	ROGERS
BOWIE	HUNT	RICHARDSON	SHAW
BROWN, W.	MCPAHAN		

S1139HCS

This is an original amendment.

8Weller  
6/19/96



NORTH CAROLINA GENERAL ASSEMBLY  
AMENDMENT  
Senate Bill 1139

AMENDMENT NO. 5  
(to be filled in by  
Principal Clerk)  
Page 1 of 3

S1139-ARH-011.1

Date 6/19, 1996

Fourth Edition  
Comm. Sub. [X]  
Amends Title []

DECKER

Representative Edinger

1 moves to amend the bill on page 22, lines 21-22,  
2 by inserting between the lines the following:

3 "Sec. 8.1. G.S. 115C-81 is amended by adding a new subsection to  
4 read:

5 (h) Character Education. -- Local boards of education ~~shall~~ MAY  
6 require the teaching of the following character traits in the public  
7 schools:

- 8 (1) Courage. -- Having the determination to do the right  
9 thing even when others don't and the strength to  
10 follow your conscience rather than the crowd; and  
11 attempting difficult things that are worthwhile.
- 12 (2) Good judgment. -- Choosing worthy goals and setting  
13 proper priorities; thinking through the consequences  
14 of your actions; and basing decisions on practical  
15 wisdom and good sense.
- 16 (3) Integrity. -- Having the inner strength to be  
17 truthful, trustworthy, and honest in all things;  
18 acting justly and honorably.
- 19 (4) Kindness. -- Being considerate, courteous, helpful,  
20 and understanding of others; showing care, compassion,  
21 friendship, and generosity; and treating others as you  
22 would like to be treated.
- 23 (5) Perseverance. -- Being persistent in the pursuit of  
24 worthy objectives in spite of difficulty, opposition,  
25 or discouragement; and exhibiting patience and having  
26 the fortitude to try again when confronted with  
27 delays, mistakes, or failures.
- 28 (6) Respect. -- Showing high regard for authority, for  
29 other people, for self, for property, and for country;  
30 and understanding that all people have value as human  
31 beings.
- 32 (7) Responsibility. -- Being dependable in carrying out  
33 obligations and duties; showing reliability and



NORTH CAROLINA GENERAL ASSEMBLY  
AMENDMENT  
Senate Bill 1139

AMENDMENT NO. \_\_\_\_\_  
(to be filled in by  
Principal Clerk)

S1139-ARH-011.1

Page 2 of 3

- 1                   for your own actions; and being committed to active  
2                   involvement in your community.
- 3           (8)   Self-Discipline. -- Demonstrating hard work and  
4                   commitment to purpose; regulating yourself for  
5                   improvement and restraining from inappropriate  
6                   behaviors; being in proper control of your words,  
7                   actions, impulses, and desires; choosing abstinence  
8                   from premarital sex, drugs, alcohol, and other harmful  
9                   substances and behaviors; and doing your best in all  
10                  situations.'

11           "Sec. 8.2. G.S. 115C-98 is amended by adding a new subsection  
12 to read:

13           '(b1) A local board of education may establish a community media  
14 advisory committee to investigate and evaluate challenges from  
15 parents, teachers, and members of the public to textbooks and  
16 supplementary instructional materials on the grounds that they are  
17 educationally unsuitable, pervasively vulgar, or inappropriate to  
18 the age, maturity, or grade level of the students. The State Board  
19 of Education shall review its rules and policies concerning these  
20 challenges and shall establish guidelines to be followed by  
21 community media advisory committees. These guidelines, at a  
22 minimum, shall provide:

- 23           (1) Each community media advisory committee shall include  
24 a majority of members who are representative of the  
25 people who reside in the neighborhoods within that  
26 local school administrative unit and who are not  
27 employees of that local unit.
- 28           (2) Each committee may make an initial determination of  
29 whether a challenge has merit. If the committee  
30 determines the challenge has merit, it shall provide  
31 for a public hearing of that challenge.
- 32           (3) The committee shall make a written recommendation to  
33 the local board of education on whether the challenged  
34 material should be available in or should be removed  
35 from the public schools in that local school  
36 administrative unit.



NORTH CAROLINA GENERAL ASSEMBLY  
AMENDMENT  
Senate Bill 1139

AMENDMENT NO. 5  
(to be filled in by  
Principal Clerk)

S1139-ARH-011.1

Page 3 of 3

- 1 The local board, at all times, has sole authority and discretion  
2 to determine whether a challenge has merit and whether challenged  
3 material should be retained or removed."

SIGNED *Pat J. Edulis*  
Amendment Sponsor

SIGNED \_\_\_\_\_  
Committee Chair if Senate Committee Amendment

ADOPTED 6/19/96 FAILED \_\_\_\_\_ TABLED \_\_\_\_\_

91-13 EV

*BNuh*



# NORTH CAROLINA

## HOUSE OF REPRESENTATIVES

### ROLL CALL

# 2059  
LEGISLATIVE DAY 133  
S1139HCS  
READING 3

6/19/96  
7:43 PM  
IN CHAIR: SPEAKER

AMEND #5-*Decker*  
ABC'S PLAN (STATE BOARD OF EDUCATION)

#### AYES - 91

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

#### NOES - 13

ADAMS	HENSLEY	MCCOMBS	SUTTON
BUCHANAN	HUNTER, H.	MICHAUX	TOLSON
EASTERLING	LUEBKE	SHARPE	WRIGHT
FITCH			

#### EXCUSED ABSENCE - 3

BEALL	HOWARD	MINER
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#### EXCUSED VOTE - 0

#### NOT VOTING - 13

SPEAKER	BOWIE	MCMAHAN	ROGERS
ALDRIDGE	DICKSON	MILLER, K.	SHAW
BARNES	HACKNEY	RICHARDSON	WOMBLE
BLUE			

S1139HCS



SEQ. # 2060

LEGISLATIVE DAY 133

39HCS

READING 3

# NORTH CAROLINA

## HOUSE OF REPRESENTATIVES

### ROLL CALL

6/19/96

7:44 PM

IN CHAIR: SPEAKER

ABC'S PLAN (STATE BOARD OF EDUCATION)

MOTION #3 - *Rep Grady calls the previous question*

#### AYES - 95

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

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

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

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

#### NOES - 11

ADAMS  
BROWN, W.  
DAVIS

EASTERLING  
FITCH  
HACKNEY  
HENSLEY  
LUEBKE  
MCLAUGHLIN

REDWINE  
WRIGHT

#### EXCUSED ABSENCE - 3

BEALL

HOWARD  
MINER

#### EXCUSED VOTE - 0

#### NOT VOTING - 11

SPEAKER  
BLUE  
BOWIE

DICKSON  
MCMAHAN  
MICHAX  
MILLER, K.  
RICHARDSON  
ROGERS

SEXTON  
SHAW

S1139HCS

# NORTH CAROLINA

## HOUSE OF REPRESENTATIVES

### ROLL CALL

# 2061  
LEGISLATIVE DAY 133  
S1139HCS  
READING 3

6/19/96  
7:44 PM  
IN CHAIR: SPEAKER

ABC'S PLAN (STATE BOARD OF EDUCATION)

AYES - 104 *104 dumb*

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

CULP  
CULPEPPER  
CUMMINGS  
CUNNINGHAM  
DAUGHTRY  
DAVIS  
DECKER  
DOCKHAM  
EARLE  
EDDINS  
EDWARDS  
ELLI'S  
ESPOSITO  
FITCH  
FOX  
GAMBLE  
GARDNER  
GRADY  
GRAY  
HACKNEY  
HAYES  
HENSLEY  
HIGHTOWER  
HILL  
HOLMES  
HUNT

HUNTER, R.  
HURLEY  
IVES  
JUSTUS  
KISER  
LEE  
LEMMOND  
LOCKE  
LUEBKE  
MCALLISTER  
MCCOMAS  
MCCOMBS  
MCCRARY  
MERCER  
MICHAUX  
MILLER, G.  
MITCHELL  
MORGAN  
NEELY  
NICHOLS  
NYE  
OLDHAM  
OWENS  
PATE  
PRESTON  
PULLEY

RAMSEY  
RAYFIELD  
REDWINE  
REYNOLDS  
ROBINSON, G.  
ROBINSON, J.  
RUSSELL  
SEXTON  
SHARPE  
SHERRILL  
SHUBERT  
TALLENT  
THOMPSON  
TOLSON  
WAINWRIGHT  
WARNER  
WATSON  
WEATHERLY  
WILKINS  
WILSON, C.  
WILSON, G.  
WOMBLE  
WOOD  
WRIGHT  
YONGUE  
*H. Hunter*

NOES - 5 *4 ton*

EASTERLING  
~~HUNTER, H.~~

LINNEY

MCLAUGHLIN

SUTTON

EXCUSED ABSENCE - 3

BEALL

HOWARD

MINER

EXCUSED VOTE - 0

NOT VOTING - 9

BLUE  
BOWIE  
DICKSON

HIATT  
MCMAHAN

MILLER, K.  
RICHARDSON

ROGERS  
SHAW

*Rep. H. Hunter requests to be recorded  
as voting "aye". Speaker no order.*

*SWick*

S1139HCS

NORTH CAROLINA GENERAL ASSEMBLY  
SENATE

RECORDED VOTE

1995 SESSION  
SECOND REGULAR SESSION

SEQ. 1760/2-- 2:22 PM

JUNE 20, 1996

LEGISLATIVE DAY 133

LT. GOVERNOR WICKER

-- Presiding

WINNER

ABC'S PLAN

HOUSE COM SUB/5TH EDITION

SENATE BILL

1139

MOTION 8  
TO CONCUR

AYE	19	ALLRAN	CLARK	HORTON	PAGE
		BALLANTINE	COCHRANE	KINCAID	SHAW
		BLACKMON	FORRESTER	LEDEBETTER	SIMPSON
		BLUST	FOXX	MCDANIEL	WEBSTER
		CARRINGTON	HARTSELL	MCKOY	
	28	BALLANCE	EAST	LUCAS	PLYLER
		BASNIGHT	EDWARDS	MARTIN R.	RAND
		CARPENTER	GULLEY	MARTIN W.	SHERRON
		CONDER	HOBBS	ODOM	SOLES
		COOPER	HOYLE	PARNELL	SPEED
		DANNELLY	JORDAN	PERDUE	WARREN
		DAVIS	LITTLE	PLEXICO	WINNER

EXCUSED 0

NOT CAST 2 ALBERTSON

KERR

ABSENT 1 SMITH

PAIRS 0

AYE

NO

COPY)



NORTH CAROLINA GENERAL ASSEMBLY  
CONFERENCE REPORT  
Senate Bill 1139

S1139-CRRC-002

Page 1 of \_\_\_\_

[YES] Title Change

[YES] 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 Senate Bill 1139, A BILL TO BE ENTITLED AN ACT TO IMPLEMENT THE RECOMMENDATION OF THE JOINT LEGISLATIVE EDUCATION OVERSIGHT COMMITTEE TO IMPLEMENT THE STATE BOARD OF EDUCATION'S ABC'S PLAN IN ORDER TO ESTABLISH AN ACCOUNTABILITY MODEL FOR THE PUBLIC SCHOOLS TO IMPROVE STUDENT PERFORMANCE AND INCREASE LOCAL FLEXIBILITY AND CONTROL, TO MAKE CONFORMING CHANGES, AND TO AUTHORIZE THE STATE BOARD OF EDUCATION TO EXPEND FUNDS FOR PERFORMANCE AWARDS, Fifth Edition Engrossed 6/19/96, submit the following report:

The Senate and House agree to the following amendments to the Fifth Edition Engrossed 6/19/96, and the Senate concurs in the Fifth Edition Engrossed 6/19/96 as amended:

on page 1, lines 7-9, by rewriting the lines to read as follows:  
"FLEXIBILITY AND CONTROL, AND TO MAKE CONFORMING CHANGES.";

and on page 5, line 7, by adding at the end of the line the following new sentence:

"This process shall provide for final resolution of the disputes.";

and on page 7, line 22, by inserting between the words "children" and "shall" the following phrase:

"and funds allocated for driver's education";

and on page 7, lines 27-28, by inserting between the lines the following new subdivisions:

- "(6) Funds allocated for vocational education may be transferred only in accordance with any rules that the State Board of Education considers appropriate to ensure compliance with federal regulations.
- (7) Funds allocated for career development shall be used in accordance with Section 17.3 of Chapter 324 of the 1995 Session Laws."

and on page 9, line 35, by inserting before the phrase "The principal" the following sentence "In order to improve student



NORTH CAROLINA GENERAL ASSEMBLY  
CONFERENCE REPORT  
Senate Bill 1139

S1139-CRRC-002

Page 2 of \_\_\_\_

performance, each school shall develop a school improvement plan that takes into consideration the annual performance goal for that school that is set by the State Board under G.S. 115C-105.28."

and on page 10, lines 18-20, by rewriting the lines to read:

"Support among affected staff members is essential to successful implementation of a building-level-plan-to-address-school-and-student-performance-goals-appropriate-to-a-school; therefore, the school improvement plan to address improved student performance at that school. The principal of the school shall present the proposed";

and on page 10, lines 38-42, by rewriting the lines to read:

"improvement plan is accepted for a school before-March-15-of-the-fiscal-year-preceding-the-fiscal-year-in-which-participation-is sought; within 60 days after its initial submission to the local board, the school or the local board may ask to use the process to resolve disagreements recommended in the guidelines developed by the State Board under G.S. 115C-105.20(b)(5). If this request is made, both the school and local board shall participate in the process to resolve disagreements. If there is no request to";

and on page 11, line 5, by rewriting the line to read:

"or appropriate. If, at any time, any part of a school improvement plan becomes unlawful or the local board finds that a school improvement plan is impeding student performance at a school, the local board may vacate the relevant portion of the plan and may direct the school to revise that portion. The procedures set out in this subsection shall apply to amendments and revisions";

and on page 18, lines 33-34, by inserting between the lines the following new sentence:

"If an assistance team determines that an accepted school improvement plan developed under G.S. 115C-105.22 is impeding student performance at a school, the team may recommend to the local board that it vacate the relevant portions of that plan and direct the school to revise those portions.";

and on page 18, line 41-43, by rewriting the lines to read:

"(a) Upon the identification of a school as low-performing under this Part, the State Board shall proceed under G.S. 115C-325(q)(1) for the dismissal of the principal assigned to that school.";

and on page 19, line 1, by rewriting the line to read:



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Senate Bill 1139

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Page 3 of \_\_\_\_

"(b) The State Board shall proceed under G.S. 115C-325(q)(2) for the dismissal of teachers, assistant";

and on page 21, line 14, by inserting after the word "measure", the following:

"that are adequate to determine the appropriate placement of the child";

and on page 21, lines 19-21, by rewriting the lines to read:

"law, the State Board:

- a. Shall suspend with pay a principal who has been assigned to a school for more than two years before the State Board identifies that school as low-performing and assigns an assistance team to that school under Article 8B of this Chapter; and
- b. May suspend with pay a principal who has been assigned to a school for no more than two years before the State Board identifies that school as low-performing and assigns an assistance team to that school under Article 8B of this Chapter.

These principals shall";

and on page 21, line 37, through page 22, line 9, by rewriting the lines to read:

law, this subdivision shall govern the State Board's dismissal of teachers, assistant principals, directors, and supervisors assigned to schools that the State Board has identified as low-performing and to which the State Board has assigned an assistance team under Article 8B of this Chapter. The State Board shall dismiss a teacher, assistant principal, director, or supervisor when the State Board receives two consecutive evaluations that include written findings and recommendations regarding that person's inadequate performance from the assistance team. These findings and recommendations shall be substantial evidence of the inadequate performance of the teacher or school administrator.

The State Board may dismiss a teacher, assistant principal, director, or supervisor when:

- a. The State Board determines that the school has failed to make satisfactory improvement after the State Board assigned an assistance team to that school under G.S. 115C-105.31; and
- b. That assistance team makes the recommendation to dismiss the teacher, assistant principal, director, or supervisor for one or more grounds established in G.S.





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115C-325(e)(1) for dismissal or demotion of a career teacher.

A teacher, assistant principal, director, or supervisor may request a hearing before a panel of three members of the State Board within 30 days of any dismissal under this subdivision. The State Board shall adopt procedures to";

and on page 22, line 12, by deleting the phrase "local board" and by substituting the phrase "State Board";

and on page 22, line 21, by rewriting the line to read:  
"damages under this subsection.

(5) The State Board shall have the right to subpoena witnesses and documents on behalf of any party to the proceedings under this subsection.'";

and beginning on page 22, line 22, through page 24, line 19, by rewriting the lines to read as follows:

"Section 8.1. The State Board of Education shall develop a comprehensive plan to improve reading achievement in the public schools. The plan shall be fully integrated with State Board plans to improve student performance and promote local flexibility and efficiency. The plan shall be based on reading instructional practices for which there is strong evidence of effectiveness in existing empirical scientific research studies on reading development. The plan shall be developed with the active involvement of teachers, college and university educators, parents of students, and other interested parties. The plan shall, if appropriate, include revision of the standard course of study, revision of teacher certification standards, and revision of teacher education program standards.

Sec. 8.2. The State Board of Education shall critically evaluate and revise the standard course of study so as to provide school units with guidance in the implementation of balanced, integrated, and effective programs of reading instruction. The General Assembly believes that the first, essential step in the complex process of learning to read is the accurate pronunciation of written words and that phonics, which is the knowledge of relationships of the symbols of the written language and the sounds of the spoken language, is the most reliable approach to arriving at the accurate pronunciation of a printed word. Therefore, these programs shall include early and systematic phonics instruction. The State Board shall provide opportunities for teachers, parents, and other interested parties to participate in this evaluation and revision.



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Senate Bill 1139

SI139-CRRC-002

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Sec. 8.3. In order to reflect changes to the standard course of study and to emphasize balanced, integrated, and effective programs of reading instruction that include early and systematic phonics instruction, the State Board of Education, in collaboration with the Board of Governors of The University of North Carolina and with the North Carolina Association of Independent Colleges and Universities, shall review, evaluate, and revise current teacher certification standards and teacher education programs within the institutions of higher education that provide coursework in reading instruction.

Sec. 8.4. Local boards of education are encouraged to review and revise existing board policies, local curricula, and programs of professional development in order to reflect changes to the standard course of study and to emphasize balanced, integrated, and effective programs of reading instruction that include early and systematic phonics instruction.

Sec. 8.5. (a) The State Board of Education shall report to the Joint Legislative Education Oversight Committee by December 31, 1996, and annually thereafter on the comprehensive plan developed under Section 1 of this act. The first report shall include revisions made to the standard course of study, teacher certification standards, and teacher education programs. Subsequent reports shall address the effectiveness, based on factors including improved student performance in reading, of the implementation of the plan. The State Board may make recommendations to the General Assembly in any of its reports.

(b) The State Board shall disseminate to local boards of education by March 31, 1997, the changes to the standard course of study.";

and by renumbering the following sections accordingly;

and on page 25, lines 16-28, by rewriting the lines to read:  
"followed by community media advisory committees.";

and on page 27, line 17,  
by rewriting the line to read:  
"G.S.-115C-522(a) G.S. 115C-522(a) and 115C-528.";

and on page 27, line 31, by deleting the phrase "G.S. 115C-529", and substituting the phrase "G.S. 115C-528";

and on page 27 lines 35-36, by rewriting the lines to read:  
"approval of the Department of Administration. Title to instructional supplies, office supplies, fuel and janitorial";





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and on page 27, line 43, by deleting the phrase "G.S. 115C-529" and substituting the phrase "G.S. 115C-528";

and on page 28, lines 4-27, by rewriting the lines to read:

"Sec. 14. Article 37 of Chapter 115C is amended by adding a new section to read:

'§ 115C-528. Lease purchase and installment purchase contracts for certain'";

and on page 29, lines 31, 33, and 35, by deleting the phrase "115C-529" each time it appears and substituting the phrase "115C-528";

and on page 29, lines 41-42, by inserting between the lines a new section to read:

"Sec. 15.1. (a) The State Board of Education shall develop and implement a pilot program allowing selected local school administrative units to purchase supplies, equipment, and materials from noncertified sources. In developing the program, the State Board shall collaborate with the Department of Administration on establishing standards, specifications, and any other measures necessary to implement and evaluate the pilot program. The State Board shall initially select twelve (12) local school administrative units that are diverse in geography and size to participate in the pilot program. If the State Board thereafter determines that the pilot program is effective, efficient, and in the best interest of the public schools, the State Board shall have the authority to expand the pilot program to additional local school administrative units.

(b) Local school administrative units participating in the pilot program shall have the authority to purchase the same supplies, equipment, and materials from noncertified sources as are available under State term contracts, subject to the following conditions:

- (1) The purchase price, including the cost of delivery, is less than the cost under the State term contract;
- (2) The cost of the purchase shall not exceed the bid value benchmark established under G.S. 143-53.1;
- (3) The local school administrative unit documents in writing the cost savings; and
- (4) The local school administrative unit shall provide annually by August 15 an itemized report of the cost savings to the State Board of Education.

(c) The requirements listed in subsection (b) of this section shall not apply to purchases from noncertified sources that fall below the economic ordering quantity of a State term contract.



NORTH CAROLINA GENERAL ASSEMBLY  
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Page 7 of \_\_\_\_

(d) The State Board of Education shall provide to the Department of Administration copies of the itemized annual reports produced by the local school administrative units participating in the pilot program. The State Board shall evaluate the information provided by the participating units and shall report its findings and recommendations to the Joint Legislative Education Oversight Committee by October 1, 1997, and annually thereafter.";

and on page 30, line 8, by deleting the word "annual" and substituting the word "the";

and on page 30, line 9, by inserting after the phrase "G.S. 115C-325(a)(6)", the following sentence:

"All teachers shall be evaluated annually unless a local board adopts rules that allow specified categories of teachers with career status to be evaluated less frequently.";

and on page 36, lines 13-15, by rewriting the lines to read:  
"expenditures or revenues of a unit of local government under G.S. 150B-21.4(b). The notice shall state that a copy of the fiscal note may be obtained from the State Board.";

and on page 36, line 16, by deleting the phrase "11-15" and substituting "11-15.1";

and on page 36, line 41 through page 37, line 6, by deleting the lines;

and by renumbering the remaining sections accordingly;

and on page 38, line 4, by rewriting the line to read:  
"Sec. 32. (a) Section 15.1 of this act becomes";

and on page 38, line 7, by rewriting the lines to read:  
"(b) The".

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



NORTH CAROLINA GENERAL ASSEMBLY  
CONFERENCE REPORT  
Senate Bill 1139

S1139-CRRC-002

Page 8 of \_\_\_\_

Date conferees approved report: June 21, 1996.

Conferees for the Senate

Leslie Winner  
Leslie Winner

J. Clark Plexico  
J. Clark Plexico

Fletcher Hartsell, Jr.  
Fletcher Hartsell, Jr.

Conferees for the  
House of Representatives

Robert Grady  
Robert Grady

Jean Preston  
Jean Preston

R. Eugene Rogers  
R. Eugene Rogers

Steve Wood

Rick Eddins

Sen. Submitted 6/21/96 46  
ADOPTED 6/21/96  
House ADOPTED 6/21/96

(Changed vote - 47-0)  
Message Received 6/21/96  
Ordered Enrolled 6/21/96

Changes Title

Send Message

Rebaw S. Thut



NORTH CAROLINA GENERAL ASSEMBLY  
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Page 1 of 8

[YES] Title Change

[YES] 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 Senate Bill 1139, A BILL TO BE ENTITLED AN ACT TO IMPLEMENT THE RECOMMENDATION OF THE JOINT LEGISLATIVE EDUCATION OVERSIGHT COMMITTEE TO IMPLEMENT THE STATE BOARD OF EDUCATION'S ABC'S PLAN IN ORDER TO ESTABLISH AN ACCOUNTABILITY MODEL FOR THE PUBLIC SCHOOLS TO IMPROVE STUDENT PERFORMANCE AND INCREASE LOCAL FLEXIBILITY AND CONTROL, TO MAKE CONFORMING CHANGES, AND TO AUTHORIZE THE STATE BOARD OF EDUCATION TO EXPEND FUNDS FOR PERFORMANCE AWARDS, Fifth Edition Engrossed 6/19/96, submit the following report:

The Senate and House agree to the following amendments to the Fifth Edition Engrossed 6/19/96, and the Senate concurs in the Fifth Edition Engrossed 6/19/96 as amended:

on page 1, lines 7-9, by rewriting the lines to read as follows:  
"FLEXIBILITY AND CONTROL, AND TO MAKE CONFORMING CHANGES.";

and on page 5, line 7, by adding at the end of the line the following new sentence:

"This process shall provide for final resolution of the disputes.";

and on page 7, line 22, by inserting between the words "children" and "shall" the following phrase:

"and funds allocated for driver's education";

and on page 7, lines 27-28, by inserting between the lines the following new subdivisions:

"(6) Funds allocated for vocational education may be transferred only in accordance with any rules that the State Board of Education considers appropriate to ensure compliance with federal regulations.

(7) Funds allocated for career development shall be used in accordance with Section 17.3 of Chapter 324 of the 1995 Session Laws.";

and on page 9, line 35, by inserting before the phrase "The principal" the following sentence "In order to improve student



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Senate Bill 1139

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performance, each school shall develop a school improvement plan that takes into consideration the annual performance goal for that school that is set by the State Board under G.S. 115C-105.28."

and on page 10, lines 18-20, by rewriting the lines to read:

"Support among affected staff members is essential to successful implementation of a building-level-plan-to-address-school-and-student-performance-goals-appropriate-to-a-school; therefore, the school improvement plan to address improved student performance at that school. The principal of the school shall present the proposed";

and on page 10, lines 38-42, by rewriting the lines to read:

"improvement plan is accepted for a school before-March-15-of-the-fiscal-year-preceding-the-fiscal-year-in-which-participation-is sought, within 60 days after its initial submission to the local board, the school or the local board may ask to use the process to resolve disagreements recommended in the guidelines developed by the State Board under G.S. 115C-105.20(b)(5). If this request is made, both the school and local board shall participate in the process to resolve disagreements. If there is no request to";

and on page 11, line 5, by rewriting the line to read:

"or appropriate. If, at any time, any part of a school improvement plan becomes unlawful or the local board finds that a school improvement plan is impeding student performance at a school, the local board may vacate the relevant portion of the plan and may direct the school to revise that portion. The procedures set out in this subsection shall apply to amendments and revisions";

and on page 18, lines 33-34, by inserting between the lines the following new sentence:

"If an assistance team determines that an accepted school improvement plan developed under G.S. 115C-105.22 is impeding student performance at a school, the team may recommend to the local board that it vacate the relevant portions of that plan and direct the school to revise those portions.";

and on page 18, line 41-43, by rewriting the lines to read:

"(a) Upon the identification of a school as low-performing under this Part, the State Board shall proceed under G.S. 115C-325(q)(1) for the dismissal of the principal assigned to that school.";

and on page 19, line 1, by rewriting the line to read:



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CONFERENCE REPORT  
Senate Bill 1139

S1139-CRRC-002

Page 3 of 8

"(b) The State Board shall proceed under G.S. 115C-325(q)(2) for the dismissal of teachers, assistant";

and on page 21, line 14, by inserting after the word "measure", the following:

"that are adequate to determine the appropriate placement of the child";

and on page 21, lines 19-21, by rewriting the lines to read:

"law, the State Board:

- a. Shall suspend with pay a principal who has been assigned to a school for more than two years before the State Board identifies that school as low-performing and assigns an assistance team to that school under Article 8B of this Chapter; and
- b. May suspend with pay a principal who has been assigned to a school for no more than two years before the State Board identifies that school as low-performing and assigns an assistance team to that school under Article 8B of this Chapter.

These principals shall";

and on page 21, line 37, through page 22, line 9, by rewriting the lines to read:

law, this subdivision shall govern the State Board's dismissal of teachers, assistant principals, directors, and supervisors assigned to schools that the State Board has identified as low-performing and to which the State Board has assigned an assistance team under Article 8B of this Chapter. The State Board shall dismiss a teacher, assistant principal, director, or supervisor when the State Board receives two consecutive evaluations that include written findings and recommendations regarding that person's inadequate performance from the assistance team. These findings and recommendations shall be substantial evidence of the inadequate performance of the teacher or school administrator.

The State Board may dismiss a teacher, assistant principal, director, or supervisor when:

- a. The State Board determines that the school has failed to make satisfactory improvement after the State Board assigned an assistance team to that school under G.S. 115C-105.31; and
- b. That assistance team makes the recommendation to dismiss the teacher, assistant principal, director, or supervisor for one or more grounds established in G.S.





NORTH CAROLINA GENERAL ASSEMBLY  
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115C-325(e)(1) for dismissal or demotion of a career teacher.

A teacher, assistant principal, director, or supervisor may request a hearing before a panel of three members of the State Board within 30 days of any dismissal under this subdivision. The State Board shall adopt procedures to";

and on page 22, line 12, by deleting the phrase "local board" and by substituting the phrase "State Board";

and on page 22, line 21, by rewriting the line to read:  
"damages under this subsection.

(5) The State Board shall have the right to subpoena witnesses and documents on behalf of any party to the proceedings under this subsection.'";

and beginning on page 22, line 22, through page 24, line 19, by rewriting the lines to read as follows:

"Section 8.1. The State Board of Education shall develop a comprehensive plan to improve reading achievement in the public schools. The plan shall be fully integrated with State Board plans to improve student performance and promote local flexibility and efficiency. The plan shall be based on reading instructional practices for which there is strong evidence of effectiveness in existing empirical scientific research studies on reading development. The plan shall be developed with the active involvement of teachers, college and university educators, parents of students, and other interested parties. The plan shall, if appropriate, include revision of the standard course of study, revision of teacher certification standards, and revision of teacher education program standards.

Sec. 8.2. The State Board of Education shall critically evaluate and revise the standard course of study so as to provide school units with guidance in the implementation of balanced, integrated, and effective programs of reading instruction. The General Assembly believes that the first, essential step in the complex process of learning to read is the accurate pronunciation of written words and that phonics, which is the knowledge of relationships of the symbols of the written language and the sounds of the spoken language, is the most reliable approach to arriving at the accurate pronunciation of a printed word. Therefore, these programs shall include early and systematic phonics instruction. The State Board shall provide opportunities for teachers, parents, and other interested parties to participate in this evaluation and revision.



NORTH CAROLINA GENERAL ASSEMBLY  
CONFERENCE REPORT  
Senate Bill 1139

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Sec. 8.3. In order to reflect changes to the standard course of study and to emphasize balanced, integrated, and effective programs of reading instruction that include early and systematic phonics instruction, the State Board of Education, in collaboration with the Board of Governors of The University of North Carolina and with the North Carolina Association of Independent Colleges and Universities, shall review, evaluate, and revise current teacher certification standards and teacher education programs within the institutions of higher education that provide coursework in reading instruction.

Sec. 8.4. Local boards of education are encouraged to review and revise existing board policies, local curricula, and programs of professional development in order to reflect changes to the standard course of study and to emphasize balanced, integrated, and effective programs of reading instruction that include early and systematic phonics instruction.

Sec. 8.5. (a) The State Board of Education shall report to the Joint Legislative Education Oversight Committee by December 31, 1996, and annually thereafter on the comprehensive plan developed under Section 1 of this act. The first report shall include revisions made to the standard course of study, teacher certification standards, and teacher education programs. Subsequent reports shall address the effectiveness, based on factors including improved student performance in reading, of the implementation of the plan. The State Board may make recommendations to the General Assembly in any of its reports.

(b) The State Board shall disseminate to local boards of education by March 31, 1997, the changes to the standard course of study.";

and by renumbering the following sections accordingly;

and on page 25, lines 16-28, by rewriting the lines to read:  
"followed by community media advisory committees.";

and on page 27, line 17,  
by rewriting the line to read:  
"~~G.S. 115C-522(a)~~ G.S. 115C-522(a) and 115C-528.";

and on page 27, line 31, by deleting the phrase "G.S. 115C-529", and substituting the phrase "G.S. 115C-528";

and on page 27 lines 35-36, by rewriting the lines to read:  
"approval of the Department of Administration. Title to instructional supplies, office supplies, fuel and janitorial";





NORTH CAROLINA GENERAL ASSEMBLY  
CONFERENCE REPORT  
Senate Bill 1139

S1139-CRRC-002

Page 6 of 8

and on page 27, line 43, by deleting the phrase "G.S. 115C-529" and substituting the phrase "G.S. 115C-528";

and on page 28, lines 4-27, by rewriting the lines to read:

"Sec. 14. Article 37 of Chapter 115C is amended by adding a new section to read:

'§ 115C-528. Lease purchase and installment purchase contracts for certain';

and on page 29, lines 31, 33, and 35, by deleting the phrase "115C-529" each time it appears and substituting the phrase "115C-528";

and on page 29, lines 41-42, by inserting between the lines a new section to read:

"Sec. 15.1. (a) The State Board of Education shall develop and implement a pilot program allowing selected local school administrative units to purchase supplies, equipment, and materials from noncertified sources. In developing the program, the State Board shall collaborate with the Department of Administration on establishing standards, specifications, and any other measures necessary to implement and evaluate the pilot program. The State Board shall initially select twelve (12) local school administrative units that are diverse in geography and size to participate in the pilot program. If the State Board thereafter determines that the pilot program is effective, efficient, and in the best interest of the public schools, the State Board shall have the authority to expand the pilot program to additional local school administrative units.

(b) Local school administrative units participating in the pilot program shall have the authority to purchase the same supplies, equipment, and materials from noncertified sources as are available under State term contracts, subject to the following conditions:

- (1) The purchase price, including the cost of delivery, is less than the cost under the State term contract;
- (2) The cost of the purchase shall not exceed the bid value benchmark established under G.S. 143-53.1;
- (3) The local school administrative unit documents in writing the cost savings; and
- (4) The local school administrative unit shall provide annually by August 15 an itemized report of the cost savings to the State Board of Education.

(c) The requirements listed in subsection (b) of this section shall not apply to purchases from noncertified sources that fall below the economic ordering quantity of a State term contract.



NORTH CAROLINA GENERAL ASSEMBLY  
CONFERENCE REPORT  
Senate Bill 1139

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Page 7 of 8

(d) The State Board of Education shall provide to the Department of Administration copies of the itemized annual reports produced by the local school administrative units participating in the pilot program. The State Board shall evaluate the information provided by the participating units and shall report its findings and recommendations to the Joint Legislative Education Oversight Committee by October 1, 1997, and annually thereafter.";

and on page 30, line 8, by deleting the word "annual" and substituting the word "the";

and on page 30, line 9, by inserting after the phrase "G.S. 115C-325(a)(6)", the following sentence:

"All teachers shall be evaluated annually unless a local board adopts rules that allow specified categories of teachers with career status to be evaluated less frequently.";

and on page 36, lines 13-15, by rewriting the lines to read:  
"expenditures or revenues of a unit of local government under G.S. 150B-21.4(b). The notice shall state that a copy of the fiscal note may be obtained from the State Board.";

and on page 36, line 16, by deleting the phrase "11-15" and substituting "11-15.1";

and on page 36, line 41 through page 37, line 6, by deleting the lines;

and by renumbering the remaining sections accordingly;

and on page 38, line 4, by rewriting the line to read:  
"Sec. 32. (a) Section 15.1 of this act becomes";

and on page 38, line 7, by rewriting the lines to read:  
"(b) The".

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



NORTH CAROLINA GENERAL ASSEMBLY  
CONFERENCE REPORT  
Senate Bill 1139

S1139-CRRC-002

Page 8 of 8

Date conferees approved report: June 21, 1996.

Conferees for the Senate

Leslie Winner  
Leslie Winner  
J. Clark Plexico  
J. Clark Plexico  
Fletcher Hartsell, Jr.  
Fletcher Hartsell, Jr.

Conferees for the  
House of Representatives

Robert Grady  
Robert Grady  
Jean Preston  
Jean Preston  
R. Eugene Rogers  
R. Eugene Rogers

Steve Wood

Rick Eddins

Submitted 6/21/96 rules suspended calendar 6/21/96  
ADOPTED Senate 6/21/96 ) Message Received 6/21/96  
ADOPTED House 6/21/96 103 1/2 EV ) Ordered Enrolled  
DWK Senate notified

Like change

NORTH CAROLINA GENERAL ASSEMBLY  
SENATE

RECORDED VOTE

1995 SESSION  
SECOND REGULAR SESSION

SEQ. 1801/14-- 2:47 PM

JUNE 21, 1996

LEGISLATIVE DAY 13

SENATOR BASNIGHT

-- Presiding

WINNER  
ABC'S PLAN  
HOUSE COM SUB/5TH EDITION

SENATE BILL 1139

CONFERENCE REPORT

MOTION 7  
TO ADOPT

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.	SHERRON
		BLUST	GULLEY	MARTIN W.	SIMPSON
		CARPENTER	HARTSELL	MCDANIEL	SOLES
		CARRINGTON	HOBBS	MCKOY	SPEED
		CLARK	HORTON	ODOM	WARREN
		COCHRANE	HOYLE	PAGE	WINNER
		COOPER	JORDAN		
NO	1	WEBSTER			

EXCUSED 0

NOT CAST 2 CONDER SHAW

ABSENT 1 SMITH

PAIRS 0

AYE

NO

(CONTINUED)

NORTH CAROLINA GENERAL ASSEMBLY  
SENATE

RECORDED VOTE

1995 SESSION  
SECOND REGULAR SESSION

SEQ. 1860/73-- 4:55 PM

JUNE 21, 1996

LEGISLATIVE DAY 134

SENATOR BASNIGHT

-- Presiding

WINNER  
ABC'S PLAN  
HOUSE COM SUB/5TH EDITION

SENATE BILL 1139

CONFERENCE REPORT

MOTION 7  
TO ADOPT

AYE

47 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  
PLYLER  
RAND  
SHERRON  
SIMPSON  
SOLES  
SPEED  
WARREN  
WEBSTER  
WINNER

NO

0

EXCUSED

0

NOT CAST

2

CONDER

SHAW

ABSENT

1

SMITH

PAIRS

0

AYE

NO

COPY)

NORTH CAROLINA GENERAL ASSEMBLY  
SENATE

RECORDED VOTE

1995 SESSION  
SECOND REGULAR SESSION

SEQ. 1860/73-- 4:55 PM

JUNE 21, 1996

LEGISLATIVE DAY 13

SENATOR BASNIGHT

-- Presiding

WINNER  
ABC'S PLAN  
HOUSE COM SUB/5TH EDITION

SENATE BILL 1139

CONFERENCE REPORT

MOTION 7  
TO ADOPT

RECORDED

AYE 1 WEBSTER

NO -1

ADJUSTED TOTAL

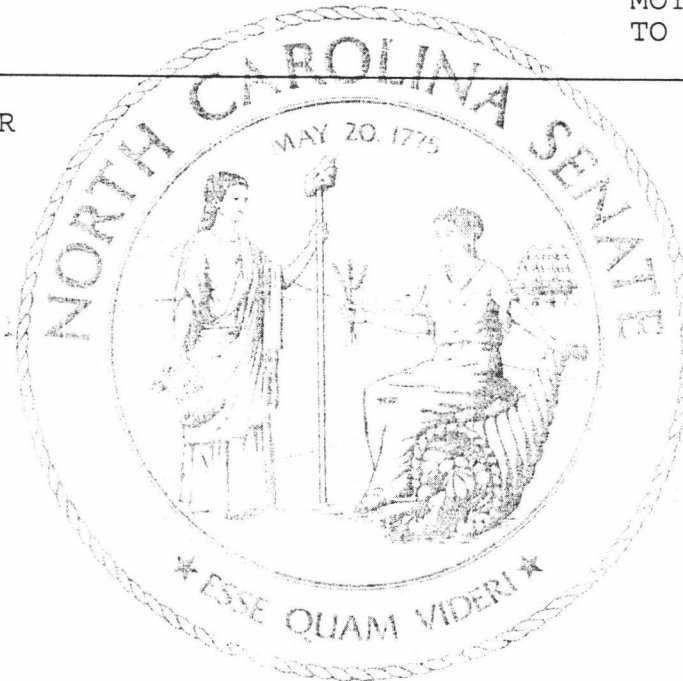
AYE 47

NO 0

NOT CAST 2

ABSENT 1

(COPY)



# 2196  
LEGISLATIVE DAY 135  
S1139HCS  
CONFERENCE REPORT

NORTH CAROLINA  
HOUSE OF REPRESENTATIVES



EV  
6/21/96  
IN CHAIR: SPEAKER

ABC'S PLAN

AYES - 103

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

NOES - 2

BOWEN  
MCLAUGHLIN

EXCUSED ABSENCE - 8

ALDRIDGE	BLUE	HUNT	ROBINSON, G.
BEALL	FOX	OLDHAM	WARNER

EXCUSED VOTE - 0

NOT VOTING - 7

COCKLEREECE	GAMBLE	MILLER, K.	WOMBLE
CUNNINGHAM	MCCOMAS	SUTTON	

S1139HCS



NORTH CAROLINA GENERAL ASSEMBLY  
CONFERENCE REPORT  
Senate Bill 1139

SI139-CRRC-002

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[YES] Title Change

[YES] 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 Senate Bill 1139, A BILL TO BE ENTITLED AN ACT TO IMPLEMENT THE RECOMMENDATION OF THE JOINT LEGISLATIVE EDUCATION OVERSIGHT COMMITTEE TO IMPLEMENT THE STATE BOARD OF EDUCATION'S ABC'S PLAN IN ORDER TO ESTABLISH AN ACCOUNTABILITY MODEL FOR THE PUBLIC SCHOOLS TO IMPROVE STUDENT PERFORMANCE AND INCREASE LOCAL FLEXIBILITY AND CONTROL, TO MAKE CONFORMING CHANGES, AND TO AUTHORIZE THE STATE BOARD OF EDUCATION TO EXPEND FUNDS FOR PERFORMANCE AWARDS, Fifth Edition Engrossed 6/19/96, submit the following report:

The Senate and House agree to the following amendments to the Fifth Edition Engrossed 6/19/96, and the Senate concurs in the Fifth Edition Engrossed 6/19/96 as amended:

on page 1, lines 7-9, by rewriting the lines to read as follows:  
"FLEXIBILITY AND CONTROL, AND TO MAKE CONFORMING CHANGES.";

and on page 5, line 7, by adding at the end of the line the following new sentence:

"This process shall provide for final resolution of the disputes.";

and on page 7, line 22, by inserting between the words "children" and "shall" the following phrase:

"and funds allocated for driver's education";

and on page 7, lines 27-28, by inserting between the lines the following new subdivisions:

- "(6) Funds allocated for vocational education may be transferred only in accordance with any rules that the State Board of Education considers appropriate to ensure compliance with federal regulations."
- "(7) Funds allocated for career development shall be used in accordance with Section 17.3 of Chapter 324 of the 1995 Session Laws.";

and on page 9, line 35, by inserting before the phrase "The principal" the following sentence "In order to improve student





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performance, each school shall develop a school improvement plan that takes into consideration the annual performance goal for that school that is set by the State Board under G.S. 115C-105.28."

and on page 10, lines 18-20, by rewriting the lines to read:

"Support among affected staff members is essential to successful implementation of a building-level-plan-to-address-school-and-student-performance-goals-appropriate-to-a-school; therefore, the school improvement plan to address improved student performance at that school. The principal of the school shall present the proposed";

and on page 10, lines 38-42, by rewriting the lines to read:

"improvement plan is accepted for a school before-March-15-of-the-fiscal-year-preceding-the-fiscal-year-in-which-participation-is sought; within 60 days after its initial submission to the local board, the school or the local board may ask to use the process to resolve disagreements recommended in the guidelines developed by the State Board under G.S. 115C-105.20(b)(5). If this request is made, both the school and local board shall participate in the process to resolve disagreements. If there is no request to";

and on page 11, line 5, by rewriting the line to read:

"or appropriate. If, at any time, any part of a school improvement plan becomes unlawful or the local board finds that a school improvement plan is impeding student performance at a school, the local board may vacate the relevant portion of the plan and may direct the school to revise that portion. The procedures set out in this subsection shall apply to amendments and revisions";

and on page 18, lines 33-34, by inserting between the lines the following new sentence:

"If an assistance team determines that an accepted school improvement plan developed under G.S. 115C-105.22 is impeding student performance at a school, the team may recommend to the local board that it vacate the relevant portions of that plan and direct the school to revise those portions.";

and on page 18, line 41-43, by rewriting the lines to read:

"(a) Upon the identification of a school as low-performing under this Part, the State Board shall proceed under G.S. 115C-325(q)(1) for the dismissal of the principal assigned to that school.";

and on page 19, line 1, by rewriting the line to read:



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"(b) The State Board shall proceed under G.S. 115C-325(q)(2) for the dismissal of teachers, assistant";

and on page 21, line 14, by inserting after the word "measure", the following:

"that are adequate to determine the appropriate placement of the child";

and on page 21, lines 19-21, by rewriting the lines to read:

"law, the State Board:

- a. Shall suspend with pay a principal who has been assigned to a school for more than two years before the State Board identifies that school as low-performing and assigns an assistance team to that school under Article 8B of this Chapter; and
- b. May suspend with pay a principal who has been assigned to a school for no more than two years before the State Board identifies that school as low-performing and assigns an assistance team to that school under Article 8B of this Chapter.

These principals shall";

and on page 21, line 37, through page 22, line 9, by rewriting the lines to read:

law, this subdivision shall govern the State Board's dismissal of teachers, assistant principals, directors, and supervisors assigned to schools that the State Board has identified as low-performing and to which the State Board has assigned an assistance team under Article 8B of this Chapter. The State Board shall dismiss a teacher, assistant principal, director, or supervisor when the State Board receives two consecutive evaluations that include written findings and recommendations regarding that person's inadequate performance from the assistance team. These findings and recommendations shall be substantial evidence of the inadequate performance of the teacher or school administrator.

The State Board may dismiss a teacher, assistant principal, director, or supervisor when:

- a. The State Board determines that the school has failed to make satisfactory improvement after the State Board assigned an assistance team to that school under G.S. 115C-105.31; and
- b. That assistance team makes the recommendation to dismiss the teacher, assistant principal, director, or supervisor for one or more grounds established in G.S.



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115C-325(e)(1) for dismissal or demotion of a career teacher.

A teacher, assistant principal, director, or supervisor may request a hearing before a panel of three members of the State Board within 30 days of any dismissal under this subdivision. The State Board shall adopt procedures to";

and on page 22, line 12, by deleting the phrase "local board" and by substituting the phrase "State Board";

and on page 22, line 21, by rewriting the line to read:

"damages under this subsection.

(5) The State Board shall have the right to subpoena witnesses and documents on behalf of any party to the proceedings under this subsection.'";

and beginning on page 22, line 22, through page 24, line 19, by rewriting the lines to read as follows:

"Section 8.1. The State Board of Education shall develop a comprehensive plan to improve reading achievement in the public schools. The plan shall be fully integrated with State Board plans to improve student performance and promote local flexibility and efficiency. The plan shall be based on reading instructional practices for which there is strong evidence of effectiveness in existing empirical scientific research studies on reading development. The plan shall be developed with the active involvement of teachers, college and university educators, parents of students, and other interested parties. The plan shall, if appropriate, include revision of the standard course of study, revision of teacher certification standards, and revision of teacher education program standards.

Sec. 8.2. The State Board of Education shall critically evaluate and revise the standard course of study so as to provide school units with guidance in the implementation of balanced, integrated, and effective programs of reading instruction. The General Assembly believes that the first, essential step in the complex process of learning to read is the accurate pronunciation of written words and that phonics, which is the knowledge of relationships of the symbols of the written language and the sounds of the spoken language, is the most reliable approach to arriving at the accurate pronunciation of a printed word. Therefore, these programs shall include early and systematic phonics instruction. The State Board shall provide opportunities for teachers, parents, and other interested parties to participate in this evaluation and revision.



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Sec. 8.3. In order to reflect changes to the standard course of study and to emphasize balanced, integrated, and effective programs of reading instruction that include early and systematic phonics instruction, the State Board of Education, in collaboration with the Board of Governors of The University of North Carolina and with the North Carolina Association of Independent Colleges and Universities, shall review, evaluate, and revise current teacher certification standards and teacher education programs within the institutions of higher education that provide coursework in reading instruction.

Sec. 8.4. Local boards of education are encouraged to review and revise existing board policies, local curricula, and programs of professional development in order to reflect changes to the standard course of study and to emphasize balanced, integrated, and effective programs of reading instruction that include early and systematic phonics instruction.

Sec. 8.5. (a) The State Board of Education shall report to the Joint Legislative Education Oversight Committee by December 31, 1996, and annually thereafter on the comprehensive plan developed under Section 1 of this act. The first report shall include revisions made to the standard course of study, teacher certification standards, and teacher education programs. Subsequent reports shall address the effectiveness, based on factors including improved student performance in reading, of the implementation of the plan. The State Board may make recommendations to the General Assembly in any of its reports.

(b) The State Board shall disseminate to local boards of education by March 31, 1997, the changes to the standard course of study.";

and by renumbering the following sections accordingly;

and on page 25, lines 16-28, by rewriting the lines to read:  
"followed by community media advisory committees.";

and on page 27, line 17,  
by rewriting the line to read:  
"~~G.S. 115C-522(a)~~ G.S. 115C-522(a) and 115C-528.";

and on page 27, line 31, by deleting the phrase "G.S. 115C-529", and substituting the phrase "G.S. 115C-528";

and on page 27 lines 35-36, by rewriting the lines to read:  
"approval of the Department of Administration. Title to instructional supplies, office supplies, fuel and janitorial";





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and on page 27, line 43, by deleting the phrase "G.S. 115C-529" and substituting the phrase "G.S. 115C-528";

and on page 28, lines 4-27, by rewriting the lines to read:

"Sec. 14. Article 37 of Chapter 115C is amended by adding a new section to read:

'§ 115C-528. Lease purchase and installment purchase contracts for certain';

and on page 29, lines 31, 33, and 35, by deleting the phrase "115C-529" each time it appears and substituting the phrase "115C-528";

and on page 29, lines 41-42, by inserting between the lines a new section to read:

"Sec. 15.1. (a) The State Board of Education shall develop and implement a pilot program allowing selected local school administrative units to purchase supplies, equipment, and materials from noncertified sources. In developing the program, the State Board shall collaborate with the Department of Administration on establishing standards, specifications, and any other measures necessary to implement and evaluate the pilot program. The State Board shall initially select twelve (12) local school administrative units that are diverse in geography and size to participate in the pilot program. If the State Board thereafter determines that the pilot program is effective, efficient, and in the best interest of the public schools, the State Board shall have the authority to expand the pilot program to additional local school administrative units.

(b) Local school administrative units participating in the pilot program shall have the authority to purchase the same supplies, equipment, and materials from noncertified sources as are available under State term contracts, subject to the following conditions:

- (1) The purchase price, including the cost of delivery, is less than the cost under the State term contract;
- (2) The cost of the purchase shall not exceed the bid value benchmark established under G.S. 143-53.1;
- (3) The local school administrative unit documents in writing the cost savings; and
- (4) The local school administrative unit shall provide annually by August 15 an itemized report of the cost savings to the State Board of Education.

(c) The requirements listed in subsection (b) of this section shall not apply to purchases from noncertified sources that fall below the economic ordering quantity of a State term contract.



NORTH CAROLINA GENERAL ASSEMBLY  
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(d) The State Board of Education shall provide to the Department of Administration copies of the itemized annual reports produced by the local school administrative units participating in the pilot program. The State Board shall evaluate the information provided by the participating units and shall report its findings and recommendations to the Joint Legislative Education Oversight Committee by October 1, 1997, and annually thereafter.";

and on page 30, line 8, by deleting the word "annual" and substituting the word "the";

and on page 30, line 9, by inserting after the phrase "G.S. 115C-325(a)(6)", the following sentence:

"All teachers shall be evaluated annually unless a local board adopts rules that allow specified categories of teachers with career status to be evaluated less frequently.";

and on page 36, lines 13-15, by rewriting the lines to read:  
"expenditures or revenues of a unit of local government under G.S. 150B-21.4(b). The notice shall state that a copy of the fiscal note may be obtained from the State Board.";

and on page 36, line 16, by deleting the phrase "11-15" and substituting "11-15.1";

and on page 36, line 41 through page 37, line 6, by deleting the lines;

and by renumbering the remaining sections accordingly;

and on page 38, line 4, by rewriting the line to read:  
"Sec. 32. (a) Section 15.1 of this act becomes";

and on page 38, line 7, by rewriting the lines to read:  
"(b) The".

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



NORTH CAROLINA GENERAL ASSEMBLY  
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SI139-CREC-002

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Date conferees approved report: June 21, 1996.

Conferees for the Senate

*Leslie Winner*  
Leslie Winner

J. Clark Flexico

*Fletcher Hartsell, Jr.*  
Fletcher Hartsell, Jr.

Conferees for the  
House of Representatives

*Robert Grady*  
Robert Grady

Jean Preston

*R. Eugene Rogers*  
R. Eugene Rogers

Steve Wood

Pick Eddins

Submitted *6/21/96*

ADOPTED *6/21/96*

ADOPTED

*Message Received*

*Ordered Enrolled*

*Approved 7/1/96*

*Paul H. ...*

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1995

FILED - SENATE

S

S 1140 MAY 14 1996 D

SENATE DRS5672\*-LTZ132(3.2) PRINCIPAL CLERK

Short Title: Beach Plan Reserve Fund.

(Public)

Sponsors: Senators Soles and Conder.

Referred to:

1 A BILL TO BE ENTITLED  
2 AN ACT TO DEVELOP A PROPOSAL FOR A RESERVE FUND TO PAY  
3 CATASTROPHIC LOSSES AS RECOMMENDED BY THE LEGISLATIVE  
4 RESEARCH COMMISSION'S COMMITTEE ON INSURANCE AND  
5 INSURANCE-RELATED ISSUES.

6 Whereas, there is a compelling State interest in maintaining a viable and  
7 orderly private sector market for property insurance in the State; and

8 Whereas, mortgages require reliable property insurance, and the  
9 unavailability of reliable property insurance would therefore make most real estate  
10 transactions impossible; and

11 Whereas, the public health, safety, and welfare demand that structures  
12 damaged or destroyed in a catastrophe be repaired or reconstructed as soon as  
13 possible; and

14 Whereas, the inability of the private sector insurance and reinsurance  
15 markets to maintain sufficient capacity to enable residents of the beach area of the  
16 State to obtain property insurance coverage in the private sector endangers the  
17 economy of the State and endangers the public health, safety, and welfare; and

18 Whereas, many property insurers are unable or unwilling to maintain  
19 reserves, surplus, and reinsurance sufficient to enable the insurers to pay all claims in  
20 full in the event of a catastrophe and State action is necessary to protect the public  
21 from an insurer's unwillingness or inability to maintain sufficient reserves, surplus,  
22 and reinsurance; and

23 Whereas, in order to increase insurance capacity, it is essential to the  
24 functioning of a State program that revenues received be exempt from federal  
25 taxation; Now, therefore,



## GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1995

S

D

SENATE DRS5681\*-LTZ140(3.21)

Short Title: Revise Def. of Nonfleet Motor Vehicle.

(Public)

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Sponsors: Senators Soles and Conder.

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Referred to:

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- 1 A BILL TO BE ENTITLED  
2 AN ACT TO REVISE THE DEFINITION OF NONFLEET MOTOR VEHICLE TO  
3 ALLOW FLEXIBILITY FOR THE NUMBER OF AUTOMOBILES THAT MAY  
4 BE WRITTEN UNDER A PERSONAL AUTOMOBILE INSURANCE POLICY  
5 AS RECOMMENDED BY THE LEGISLATIVE RESEARCH COMMISSION'S  
6 COMMITTEE ON INSURANCE AND INSURANCE-RELATED ISSUES.  
7 The General Assembly of North Carolina enacts:  
8 Section 1. G.S. 58-40-10(2) reads as rewritten:  
9 "(2) 'Nonfleet' motor vehicle means a motor vehicle not eligible for  
10 classification as a fleet vehicle for the reason that the motor vehicle  
11 is:  
12 a. ~~One of four or fewer motor vehicles owned or hired under a~~  
13 ~~long-term contract by a policy named insured; or~~  
14 b. ~~One of five or more private passenger motor vehicles owned~~  
15 ~~or hired under a long-term contract:~~  
16 1. ~~By an individual who is a policy named insured;~~  
17 2. ~~Jointly by two or more individuals who are policy~~  
18 ~~named insureds and are residents in the same~~  
19 ~~household; or~~  
20 3. ~~Jointly by two or more individuals who are policy~~  
21 ~~named insureds and are related by blood, marriage,~~  
22 ~~or adoption.~~  
23 is one of four or fewer motor vehicles hired under a long-term  
24 contract or owned by the insured named in the policy."

S1142 MAY 14 1996

## GENERAL ASSEMBLY OF NORTH CAROLINA

PRINCIPAL CLERK

SESSION 1995

S

D

SENATE DRS5675\*-LTZ139(3.21)

Short Title: Medicare Supplement Policies.

(Public)

Sponsors: Senators Soles and Conder.

Referred to:

- 1 A BILL TO BE ENTITLED  
2 AN ACT TO AMEND THE MEDICARE SUPPLEMENT INSURANCE LAWS TO  
3 COMPLY WITH THE FEDERAL SOCIAL SECURITY AMENDMENTS OF  
4 1994 AS RECOMMENDED BY THE LEGISLATIVE RESEARCH  
5 COMMISSION'S COMMITTEE ON INSURANCE AND INSURANCE-  
6 RELATED ISSUES.  
7 The General Assembly of North Carolina enacts:  
8 Section 1. Article 54 of Chapter 58 of the General Statutes is amended  
9 by adding a new section to read:  
10 "**§ 58-54-12. Rules for compliance with federal law and regulations.**  
11 **The Commissioner may adopt rules necessary to conform Medicare supplement**  
12 **policies and certificates to the requirements of federal law and regulations, including:**  
13 (1) **Requiring refunds or credits if the policies or certificates do not**  
14 **meet loss ratio requirements.**  
15 (2) **Establishing a uniform methodology for calculating and reporting**  
16 **loss ratios.**  
17 (3) **Assuring public access to policies, premiums, and loss ratio**  
18 **information of issuers of Medicare supplement insurance.**  
19 (4) **Establishing a process for approving and disapproving policy forms**  
20 **and certificate forms and proposed premium increases.**  
21 (5) **Establishing procedures for holding public hearings before**  
22 **approval of premium increases.**  
23 (6) **Establishing standards for Medicare Select policies and**  
24 **certificates.**"

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1995

S

1

SENATE BILL 1142\*

Short Title: Medicare Supplement Policies.

(Public)

Sponsors: Senators Soles and Conder.

Referred to: Pensions and Retirement/Insurance/State Personnel.

May 15, 1996

1 A BILL TO BE ENTITLED  
2 AN ACT TO AMEND THE MEDICARE SUPPLEMENT INSURANCE LAWS TO  
3 COMPLY WITH THE FEDERAL SOCIAL SECURITY AMENDMENTS OF  
4 1994 AS RECOMMENDED BY THE LEGISLATIVE RESEARCH  
5 COMMISSION'S COMMITTEE ON INSURANCE AND INSURANCE-  
6 RELATED ISSUES.

7 The General Assembly of North Carolina enacts:

8 Section 1. Article 54 of Chapter 58 of the General Statutes is amended  
9 by adding a new section to read:

10 "**§ 58-54-12. Rules for compliance with federal law and regulations.**

11 The Commissioner may adopt rules necessary to conform Medicare supplement  
12 policies and certificates to the requirements of federal law and regulations, including:

- 13 (1) Requiring refunds or credits if the policies or certificates do not  
14 meet loss ratio requirements.  
15 (2) Establishing a uniform methodology for calculating and reporting  
16 loss ratios.  
17 (3) Assuring public access to policies, premiums, and loss ratio  
18 information of issuers of Medicare supplement insurance.  
19 (4) Establishing a process for approving and disapproving policy forms  
20 and certificate forms and proposed premium increases.  
21 (5) Establishing procedures for holding public hearings before  
22 approval of premium increases.  
23 (6) Establishing standards for Medicare Select policies and  
24 certificates."

## GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1995

PRINCIPAL CLERK

S

D

SENATE DRS5684\*-LTZ136(3.21)

Short Title: Revise Consent to Rate.

(Public)

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Sponsors: Senators Soles and Conder.

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Referred to:

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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

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1995

FILED - SENATE  
S1144 MAY 14 1995  
PRINCIPAL CLERK D

S

SENATE DRS5682\*-LTZ133(3.21)

Short Title: Revise Beach Plan Participation Formula.

(Public)

Sponsors: Senators Soles and Conder.

Referred to:

1 A BILL TO BE ENTITLED  
2 AN ACT TO REVISE THE PARTICIPATION FORMULA OF THE NORTH  
3 CAROLINA INSURANCE UNDERWRITING ASSOCIATION 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. 58-45-25 reads as rewritten:  
8 "§ 58-45-25. Each member of Association to participate in its writings, expenses,  
9 profits and losses in proportion to net direct premium of such member: profits, and  
10 losses.  
11 ~~All members of the Association shall participate in its writings, expenses, profits~~  
12 ~~and losses in the proportion that the net direct premium of such member written in~~  
13 ~~this State during the preceding calendar year bears to the aggregate net direct~~  
14 ~~premiums written in this State by all members of the Association, as certified to the~~  
15 ~~Association by the Commissioner after review of annual statements, other reports and~~  
16 ~~any other statistics the Commissioner shall deem necessary to provide the information~~  
17 ~~herein required and which the Commissioner is hereby authorized and empowered to~~  
18 ~~obtain from any member of the Association, provided, however, that a member shall~~  
19 ~~annually receive credit for essential property insurance voluntarily written in the~~  
20 ~~beach area and its participation in the writings in the Association shall be reduced~~  
21 ~~accordingly. Each member's participation in the Association shall be determined~~  
22 ~~annually in the same manner as the initial determination. All members of the~~  
23 Association shall participate in its expenses, profits, and losses and shall receive credit  
24 annually for essential property insurance voluntarily written as determined by the  
25 directors of the Association, with the approval of the Commissioner. Participation of

## GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1995

S

D

SENATE DRS5680\*-LTZ144B(3.21)

Short Title: Uninsured/Underinsured Coverage.

(Public)

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Sponsors: Senators Soles and Conder.

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Referred to:

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- 1 A BILL TO BE ENTITLED  
2 AN ACT TO PROVIDE THAT UNINSURED AND UNDERINSURED  
3 MOTORIST COVERAGE MAY BE LIMITED OR EXCLUDED UNDER  
4 EXCESS OR UMBRELLA POLICIES AS RECOMMENDED BY THE  
5 LEGISLATIVE RESEARCH COMMISSION'S COMMITTEE ON INSURANCE  
6 AND INSURANCE-RELATED ISSUES.  
7 The General Assembly of North Carolina enacts:  
8 Section 1. Article 3 of Chapter 58 is amended by adding a new section  
9 to read:  
10 "**§ 58-3-152. Excess liability policies; uninsured and underinsured motorist coverage.**  
11 **With respect to personal and commercial excess or umbrella liability policy forms**  
12 **or coverage, an insurer may limit or exclude coverage for uninsured motorist**  
13 **coverage set forth in G.S. 20-279.21(b)(3) and underinsured motorist coverage set**  
14 **forth in G.S. 20-279.21(b)(4).**"  
15 Sec. 2. This act becomes effective October 1, 1996, and applies to  
16 policies issued or renewed on or after that date.

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1995

FILED - SENATE

S

S 1146 MAY 14 1996

SENATE DRS5679\*-LTZ135(3.21)

PRINCIPAL CLERK

Short Title: Repeal Reinsurance Restrictions.

(Public)

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Sponsors: Senators Soles and Conder.

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Referred to:

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- 1 A BILL TO BE ENTITLED  
2 AN ACT TO REPEAL THE LAW PROHIBITING LICENSED REINSURERS  
3 FROM ASSUMING REINSURANCE FROM NONADMITTED INSURERS 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. 58-43-20 is repealed.  
8 Sec. 2. This act becomes effective October 1, 1996.





NORTH CAROLINA GENERAL ASSEMBLY  
AMENDMENT  
Senate Bill 1146

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

S1146-ARS-002

Page 1 of 2

Date June 12, 1996

Comm. Sub. [ ]  
Amends Title [YES]

Senator Soles

1 moves to amend the bill on page 1, line 5, by deleting the word  
2 "ISSUES." and substituting the phrase "ISSUES AND TO MAKE CLARIFYING  
3 AMENDMENTS IN THE 1995 ASSUMPTION REINSURANCE LAW.";

4  
5 and on page 1, line 8, by rewriting the line to read:  
6 "Sec. 2. G.S. 58-10-25 reads as rewritten:

7 '§ 58-10-25. Definitions.

8 As used in this Part:

- 9 (1) Assuming insurer. -- The insurer that acquires an  
10 insurance obligation or risk from the transferring  
11 insurer under an assumption reinsurance agreement.  
12 (2) Assumption reinsurance agreement. -- Any contract  
13 contract, arrangement, or plan that:  
14 a. Transfers insurance obligations or risks of  
15 existing or in-force policies from a transferring  
16 insurer to an assuming insurer.  
17 b. Is intended to effect a novation of the  
18 transferred policy policies with the result that  
19 the assuming insurer becomes directly liable to  
20 the policyholders of the transferring insurer and  
21 the transferring insurer's insurance obligations  
22 or risks under the contracts policies are  
23 extinguished.  
24 (3) Home service business. -- Insurance business on which  
25 premiums are collected on a weekly or monthly basis by  
26 an agent of the insurer.  
27 (4) Policy. -- A contract of insurance as defined in G.S.  
28 58-1-10.  
29 (5) Policyholder. -- Any person that has the right to  
30 terminate or otherwise alter the terms of a policy. It  
31 includes any group policy certificate holder whose  
32 certificate is in force on the proposed effective date  
33 of the assumption, if the certificate holder has the





NORTH CAROLINA GENERAL ASSEMBLY  
AMENDMENT  
Senate Bill 1146

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

S1146-ARS-002

Page 2 of 2

1 right to keep the certificate in force without any  
2 change in benefits after termination of the group  
3 policy. The right to keep the certificate in force  
4 referred to in this subdivision does not include the  
5 right to elect individual coverage under the  
6 Consolidated Omnibus Budget Reconciliation Act  
7 ("COBRA"), section 601, et seq., of the Employee  
8 Retirement Income Security Act of 1974, as amended, 29  
9 U.S.C. § 1161, et seq.

10 (6) Transferring insurer. -- The insurer that transfers an  
11 insurance obligation or risk to an assuming insurer  
12 under an assumption reinsurance agreement.

13 (b) For the purposes of this Part, a "novation" does not require  
14 the formation of a new policy or the amendment of an existing policy  
15 between the assuming insurer and the policyholder.'

16 Sec. 3. This act is effective upon ratification."  
17  
18

SIGNED *Jolar*

Amendment Sponsor

SIGNED *Jolar*

Committee Chair if Senate Committee Amendment

ADOPTED 6/19/96

FAILED \_\_\_\_\_

TABLED \_\_\_\_\_

(V)

CHANGED title

*S. H. H.*

NORTH CAROLINA GENERAL ASSEMBLY  
SENATE

RECORDED VOTE

1995 SESSION  
SECOND REGULAR SESSION

SEQ. 1729/18-- 3:24 PM

JUNE 19, 1996

LEGISLATIVE DAY 132

LT. GOVERNOR WICKER

-- Presiding

SOLES  
REPEAL REINSURANCE RESTRICTIONS

SENATE BILL 1146  
READING 2

AYE	40	ALBERTSON	DAVIS	KERR	PARNELL
		ALLRAN	EDWARDS	KINCAID	PLEXICO
		BALLANCE	FORRESTER	LEDBETTER	PLYLER
		BALLANTINE	FOXX	LUCAS	RAND
		BASNIGHT	GULLEY	MARTIN R.	SIMPSON
		BLACKMON	HARTSELL	MARTIN W.	SMITH
		BLUST	HOBBS	MCDANIEL	SOLES
		CARPENTER	HORTON	MCKOY	SPEED
		CARRINGTON	HOYLE	ODOM	WARREN
		COCHRANE	JORDAN	PAGE	WINNER

NO 0

EXCUSED 0

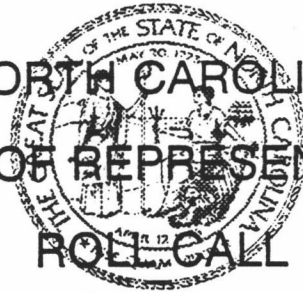
NOT CAST	9	CLARK	DANNELLY	PERDUE	SHERRON
		CONDER	EAST	SHAW	WEBSTER
		COOPER			

ABSENT 1 LITTLE

PAIRS 0  
AYE  
NO

# 2230  
LEGISLATIVE DAY 135  
S1146  
READING 2

NORTH CAROLINA  
HOUSE OF REPRESENTATIVES



6/21/96

IN CHAIR: SPEAKER

REPEAL REINSURANCE RESTRICTIONS

AYES - 86

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

NOES - 0

EXCUSED ABSENCE - 9

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

EXCUSED VOTE - 0

NOT VOTING - 25

SPEAKER	CLARY	HUNTER, H.	MILLER, K.
BERRY	COCKLEREECE	HUNTER, R.	RAMSEY
BOWIE	CULPEPPER	LEE	ROGERS
BRASWELL	GAMBLE	LEMOND	SHARPE
BROWN, W.	GRAY	MCLAUGHLIN	SHAW
BUCHANAN	HIGHTOWER	MICHAUX	WOMBLE
CARPENTER			

S 1147 MAY 14 1996

PRINCIPAL CLERK

## GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1995

S

D

SENATE DRS5683\*-LTZ138A(3.21)

Short Title: Continuing Care Facility Supervision.

(Public)

Sponsors: Senators Soles and Conder.

Referred to:

- 1 A BILL TO BE ENTITLED  
2 AN ACT TO PROVIDE FOR MORE EFFECTIVE FINANCIAL SUPERVISION,  
3 REHABILITATION, AND LIQUIDATION PROCEDURES FOR CONTINUING  
4 CARE RETIREMENT CENTERS AND TO PROVIDE THAT CONTINUING  
5 CARE AGREEMENTS ARE SUBORDINATE TO THE COST OF  
6 ADMINISTRATION IN LIQUIDATION AS RECOMMENDED BY THE  
7 LEGISLATIVE RESEARCH COMMISSION'S COMMITTEE ON INSURANCE  
8 AND INSURANCE-RELATED ISSUES.  
9 The General Assembly of North Carolina enacts:  
10 Section 1. G.S. 58-30-5(5) reads as rewritten:  
11 "(5) All persons subject to Articles ~~65 through 67~~ 64, 65 and 66, or 67  
12 of this Chapter; except to the extent there is a conflict between the  
13 provisions of this Article and the provisions of those Articles, in  
14 which case those Articles will govern."  
15 Sec. 2. G.S. 58-30-10(14) reads as rewritten:  
16 "(14) 'Insurer' means any entity licensed under Articles 7, 16, 26,  
17 49, 65, or 67 of this Chapter and any employer that has furnished  
18 to the Commissioner satisfactory proof of its financial responsibility  
19 under G.S. 97-93(a)(2). For purposes of this Article, 'insurer' also  
20 includes continuing care retirement centers licensed under Article  
21 64 of this Chapter."  
22 Sec. 3. G.S. 58-64-45 reads as rewritten:  
23 "**§ 58-64-45. Rehabilitation or Supervision, rehabilitation, and liquidation.**  
24 (a) If, at any time, the Commissioner determines, after notice and an opportunity  
25 for the provider to be heard, that:

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1995

FILED - SENATE

5-1148 MAY 14 1996

S

SENATE DRS5673\*-LTZ134A(3.21) PRINCIPAL CLERK

Short Title: Beach Plan Additional Coverage.

(Public)

Sponsors: Senators Soles and Conder.

Referred to:

- 1 A BILL TO BE ENTITLED  
2 AN ACT TO PROVIDE ADDITIONAL COVERAGE UNDER THE NORTH  
3 CAROLINA BEACH PLAN AS RECOMMENDED BY THE LEGISLATIVE  
4 RESEARCH COMMISSION'S COMMITTEE ON INSURANCE AND  
5 INSURANCE-RELATED ISSUES.  
6 The General Assembly of North Carolina enacts:  
7 Section 1. G.S. 58-45-35(b) reads as rewritten:  
8 "(b) If the Association determines that the property is insurable and that there is  
9 no unpaid premium due from the applicant for prior insurance on the property, the  
10 Association, upon receipt of the premium, or part of the premium, as is prescribed in  
11 the plan of operation, shall cause to be issued a policy of essential property insurance  
12 and shall offer additional extended coverage, optional perils endorsements, business  
13 income coverage, crime insurance, separate policies of windstorm and hail insurance,  
14 or their successor forms of coverage, for a term of one year or three years. Any policy  
15 issued under this section shall be renewed, upon application, as long as the property  
16 is insurable property."  
17 Sec. 2. This act becomes effective January 1, 1997, and applies to policies  
18 issued or renewed on or after that date.

NORTH CAROLINA GENERAL ASSEMBLY  
SENATE

RECORDED VOTE

1995 SESSION  
SECOND REGULAR SESSION

SEQ. 1730/19-- 3:26 PM

JUNE 19, 1996

LEGISLATIVE DAY 132

LT. GOVERNOR WICKER

-- Presiding

SOLES  
BEACH PLAN ADDITIONAL COVERAGE

SENATE BILL 1148  
READING 2

AYE	41	ALBERTSON	COOPER	JORDAN	PARNELL
		ALLRAN	DAVIS	KINCAID	PERDUE
		BALLANCE	EAST	LEDBETTER	PLEXICO
		BALLANTINE	FORRESTER	LUCAS	RAND
		BASNIGHT	FOXX	MARTIN R.	SIMPSON
		BLACKMON	GULLEY	MARTIN W.	SMITH
		BLUST	HARTSELL	MCDANIEL	SOLES
		CARPENTER	HOBBS	MCKOY	SPEED
		CARRINGTON	HORTON	ODOM	WARREN
		CLARK	HOYLE	PAGE	WINNER
		CONDER			

NO 0

EXCUSED 0

NOT CAST	8	COCHRANE	EDWARDS	PLYLER	SHERRON
		DANNELLY	KERR	SHAW	WEBSTER

ABSENT 1 LITTLE

PAIRS 0

AYE

NO

NORTH CAROLINA  
HOUSE OF REPRESENTATIVES  
ROLL CALL

EV

# 2221  
LEGISLATIVE DAY 135  
S1148  
READING 2

6/21/96

IN CHAIR: SPEAKER

BEACH PLAN ADDITIONAL COVERAGE

AYES - 92

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

NOES - 0

EXCUSED ABSENCE - 9

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

EXCUSED VOTE - 0

NOT VOTING - 19

SPEAKER	BOWIE	CULPEPPER	MCMAHAN
ADAMS	BRASWELL	ELLIS	MICHAUX
BARNES	BRAWLEY	GAMBLE	MILLER, K.
BLACK	BUCHANAN	LEMOND	ROGERS
BOWEN	CLARY	MCLAUGHLIN	

S1148

GENERAL ASSEMBLY OF NORTH CAROLINA - SENATE

SESSION 1995

S1149 MAY 14 1996

S

D

PRINCIPAL CLERK

SENATE DRS5674\*-LTZ142(3.21)

Short Title: Small Employer Health Plans.

(Public)

Sponsors: Senators Soles and Conder.

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.



GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1995

S

D

SENATE DRS5678\*-LTZ145(3.21)

Short Title: Conform Receivership Laws.

(Public)

---

Sponsors: Senators Soles and Conder.

---

Referred to:

---

- 1 A BILL TO BE ENTITLED  
2 AN ACT TO CONFORM THE LAW GOVERNING SETOFFS WITH THE LAW  
3 GOVERNING THE RECOVERY OF PREMIUMS OWED INSURERS 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. 58-30-160(b)(4) is repealed.  
8 Sec. 2. This act becomes effective October 1, 1996.

NORTH CAROLINA GENERAL ASSEMBLY  
SENATE

RECORDED VOTE

1995 SESSION  
SECOND REGULAR SESSION

SEQ. 1539/2--10:45 AM MAY 23, 1996 LEGISLATIVE DAY 117

LT. GOVERNOR WICKER

-- Presiding

SOLES  
CONFORM RECEIVERSHIP LAWS

SENATE BILL 1150  
READING 2

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

EXCUSED 0

NOT CAST 2 BASNIGHT MARTIN W.

ABSENT 2 EDWARDS GULLEY

PAIRS 0

AYE  
NO

(INUED)

NORTH CAROLINA GENERAL ASSEMBLY  
SENATE

RECORDED VOTE

1995 SESSION  
SECOND REGULAR SESSION

SEQ. 1539/2--10:45 AM

MAY 23, 1996

LEGISLATIVE DAY 117

LT. GOVERNOR WICKER

-- Presiding

SOLES  
CONFORM RECEIVERSHIP LAWS

SENATE BILL 1150  
READING 2

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

EXCUSED 0

NOT CAST 2 BASNIGHT MARTIN W.

ABSENT 2 EDWARDS GULLEY

PAIRS 0

AYE

NO

NORTH CAROLINA GENERAL ASSEMBLY  
SENATE

RECORDED VOTE

1995 SESSION  
SECOND REGULAR SESSION

SEQ. 1544/7--10:45 AM

MAY 23, 1996

LEGISLATIVE DAY 117

LT. GOVERNOR WICKER

-- Presiding

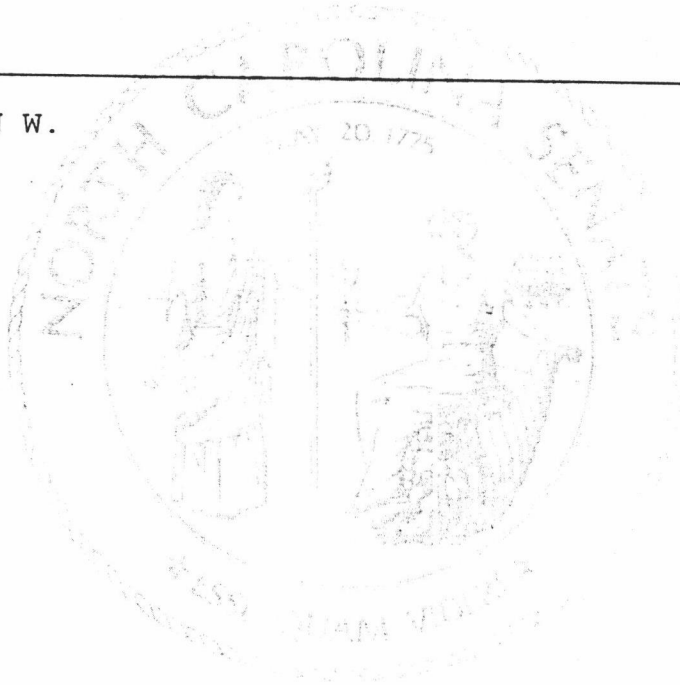
SOLES  
CONFORM RECEIVERSHIP LAWS

SENATE BILL 1150  
READING 2

RECORDED

AYE 1 MARTIN W.  
ADJUSTED TOTAL  
AYE 47  
NO 0  
NOT CAST 1  
ABSENT 2

(K)



NORTH CAROLINA GENERAL ASSEMBLY  
SENATE

RECORDED VOTE

1995 SESSION  
SECOND REGULAR SESSION

SEQ. 1544/7--10:45 AM MAY 23, 1996 LEGISLATIVE DAY 117

LT. GOVERNOR WICKER

-- Presiding

SOLES  
CONFORM RECEIVERSHIP LAWS

SENATE BILL 1150  
READING 2

AYE	47	ALBERTSON	DANNELLY	LEDBETTER	PLYLER
		ALLRAN	DAVIS	LITTLE	RAND
		BALLANCE	EAST	LUCAS	SHAW
		BALLANTINE	FORRESTER	MARTIN R.	SHERRON
		BLACKMON	FOXX	MARTIN W.	SIMPSON
		BLUST	HARTSELL	MCDANIEL	SMITH
		CARPENTER	HOBBS	MCKOY	SOLES
		CARRINGTON	HORTON	ODOM	SPEED
		CLARK	HOYLE	PAGE	WARREN
		COCHRANE	JORDAN	PARNELL	WEBSTER
		CONDER	KERR	PERDUE	WINNER
		COOPER	KINCAID	PLEXICO	
NO	0				

EXCUSED 0

NOT CAST 1 BASNIGHT

ABSENT 2 EDWARDS GULLEY

PAIRS 0  
AYE  
NO

COPY)

# 2166  
LEGISLATIVE DAY 135  
S1150  
READING 2

NORTH CAROLINA  
HOUSE OF REPRESENTATIVES  
ROLL CALL

EV  
6/21/96  
12:45 PM  
IN CHAIR: SPEAKER

CONFORM RECEIVERSHIP LAWS

AYES - 109

ADAMS	DAUGHTRY	IVES	RAMSEY
ALEXANDER	DAVIS	JUSTUS	RAYFIELD
ALLRED	DECKER	KISER	REDWINE
ARNOLD	DICKSON	LEE	REYNOLDS
BAKER	DOCKHAM	LEMMOND	RICHARDSON
BARBEE	EARLE	LINNEY	ROBINSON, J.
BARNES	EASTERLING	LOCKE	ROGERS
BERRY	EDDINS	LUEBKE	RUSSELL
BLACK	EDWARDS	MCALLISTER	SEXTON
BOWIE	ELLIS	MCCOMAS	SHARPE
BOYD-MCINTYRE	ESPOSITO	MCCOMBS	SHAW
BRASWELL	FITCH	MCCRARY	SHERILL
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	WAINWRIGHT
CARPENTER	HENSLEY	MITCHELL	WATSON
CHURCH	HIATT	MORGAN	WEATHERLY
CLARY	HIGHTOWER	NEELY	WILKINS
COCKLEREECE	HILL	NICHOLS	WILSON, C.
CRAWFORD	HOLMES	NYE	WILSON, G.
CREECH	HOWARD	OWENS	WOMBLE
CULP	HUNTER, H.	PATE	WOOD
CULPEPPER	HUNTER, R.	PRESTON	WRIGHT
CUMMINGS	HURLEY	PULLEY	YONGUE
CUNNINGHAM			

NOES - 0

EXCUSED ABSENCE - 8

ALDRIDGE	BLUE	HUNT	ROBINSON, G.
BEALL	FOX	OLDHAM	WARNER

EXCUSED VOTE - 0

NOT VOTING - 3

SPEAKER	BOWEN	MILLER, K.
---------	-------	------------

S1150

## GENERAL ASSEMBLY OF NORTH CAROLINA

PRINCIPAL CLERK

SESSION 1995

S

D

SENATE DRS5677\*-LTZ143(3.21)

Short Title: Insurance Company Investments.

(Public)

Sponsors: Senators Soles and Conder.

Referred to:

1 A BILL TO BE ENTITLED  
2 AN ACT TO LESSEN THE REQUIREMENT OF INSURANCE COMPANIES TO  
3 MAINTAIN TRUST ACCOUNTS OR OBTAIN LETTERS OF CREDIT OR  
4 GUARANTY BONDS AS RECOMMENDED BY THE LEGISLATIVE  
5 RESEARCH COMMISSION'S COMMITTEE ON INSURANCE AND  
6 INSURANCE-RELATED ISSUES.

7 The General Assembly of North Carolina enacts:

8 Section 1. G.S. 58-7-162(6) reads as rewritten:

9 "(6) All premiums in the course of collection not more than 90 days  
10 past due, excluding commissions payable thereon, due from any  
11 person that solely or in combination with the person's affiliates  
12 owes the insurer an amount that equals or exceeds five percent  
13 (5%) of the insurer's ~~total premiums in course of collection;~~  
14 surplus as regards policyholders, but only if:

15 a. The premiums collected by the person or affiliates and not  
16 remitted to the insurer are held in a trust account with a  
17 bank or other depository approved by the Commissioner.  
18 The funds shall be held as trust funds and may not be  
19 commingled with any other funds of the person or affiliates.  
20 Disbursements from the trust account may be made only to  
21 the insurer, the insured, or, for the purpose of returning  
22 premiums, a person that is entitled to returned premiums on  
23 behalf of the insured. A written copy of the trust agreement  
24 shall be filed with and approved by the Commissioner  
25 before becoming effective. The Commissioner shall

NORTH CAROLINA GENERAL ASSEMBLY  
SENATE

RECORDED VOTE

1995 SESSION  
SECOND REGULAR SESSION

SEQ. 1554/2-- 3:20 PM

MAY 28, 1996

LEGISLATIVE DAY 119

LT. GOVERNOR WICKER

-- Presiding

SOLES  
INSURANCE COMPANY INVESTMENTS

SENATE BILL 1151  
READING 2

AYE	50	ALBERTSON	DANNELLY	KINCAID	PLEXICO
		ALLRAN	DAVIS	LEDBETTER	PLYLER
		BALLANCE	EAST	LITTLE	RAND
		BALLANTINE	EDWARDS	LUCAS	SHAW
		BASNIGHT	FORRESTER	MARTIN R.	SHERRON
		BLACKMON	FOXX	MARTIN W.	SIMPSON
		BLUST	GULLEY	MCDANIEL	SMITH
		CARPENTER	HARTSELL	MCKOY	SOLES
		CARRINGTON	HOBBS	ODOM	SPEED
		CLARK	HORTON	PAGE	WARREN
		COCHRANE	HOYLE	PARNELL	WEBSTER
		CONDER	JORDAN	PERDUE	WINNER
		COOPER	KERR		

NO 0

EXCUSED 0

NOT CAST 0

ABSENT 0

PAIRS 0

AYE  
NO



# NORTH CAROLINA

## HOUSE OF REPRESENTATIVES

### ROLL CALL

EV

S # 2167  
LEGISLATIVE DAY 135  
S1151  
READING 2

6/21/96  
12:48 PM  
IN CHAIR: SPEAKER

#### INSURANCE COMPANY INVESTMENTS

#### AYES - 108

ADAMS	DAUGHTRY	IVES	RAMSEY
ALEXANDER	DAVIS	JUSTUS	RAYFIELD
ALLRED	DECKER	KISER	REDWINE
ARNOLD	DICKSON	LEE	REYNOLDS
BAKER	DOCKHAM	LEMMOND	RICHARDSON
BARBEE	EARLE	LINNEY	ROBINSON, J.
BARNES	EASTERLING	LOCKE	ROGERS
BERRY	EDDINS	LUEBKE	RUSSELL
BLACK	EDWARDS	MCALLISTER	SEXTON
BOWIE	ELLIS	MCCOMAS	SHARPE
BOYD-MCINTYRE	ESPOSITO	MCCOMBS	SHAW
BRASWELL	FITCH	MCCRARY	SHERILL
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	WAINWRIGHT
CARPENTER	HENSLEY	MITCHELL	WATSON
CHURCH	HIATT	MORGAN	WEATHERLY
CLARY	HIGHTOWER	NEELY	WILKINS
COCKLEREECE	HILL	NICHOLS	WILSON, C.
CRAWFORD	HOLMES	NYE	WILSON, G.
CREECH	HOWARD	OWENS	WOMBLE
CULP	HUNTER, H.	PATE	WOOD
CUMMINGS	HUNTER, R.	PRESTON	WRIGHT
CUNNINGHAM	HURLEY	PULLEY	YONGUE

#### NOES - 0

#### EXCUSED ABSENCE - 8

ALDRIDGE	BLUE	HUNT	ROBINSON, G.
BEALL	FOX	OLDHAM	WARNER

#### EXCUSED VOTE - 0

#### NOT VOTING - 4

SPEAKER	BOWEN	CULPEPPER	MILLER, K.
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S1151

FILED - SENATE

GENERAL ASSEMBLY OF NORTH CAROLINA

9-1152

MAY 14 1996

SESSION 1995

PRINCIPAL CLERK

S

D

SENATE DRS6654-LGQ235(5.10)

Short Title: NC Cancer Institute Capital Funds.

(Public)

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Sponsors: Senator Parnell.

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Referred to:

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1 A BILL TO BE ENTITLED  
2 AN ACT TO APPROPRIATE FUNDS TO THE NORTH CAROLINA CANCER  
3 INSTITUTE, INC., A NONPROFIT CORPORATION, FOR THE  
4 CONSTRUCTION OF A NEW SKILLED NURSING FACILITY IN ROBESON  
5 COUNTY.  
6 Whereas, the North Carolina Cancer Institute, Inc., is a nonprofit, 52-bed  
7 nursing facility located in Lumberton, North Carolina; and  
8 Whereas, the Institute originated from an idea of some concerned citizens  
9 wanting to establish a hospital that would be dedicated to patients with terminal  
10 cancer; and  
11 Whereas, the North Carolina Cancer Institute, Inc., was incorporated in  
12 1951, and opened its doors on March 24, 1952; and  
13 Whereas, from 1957 to 1993, the Institute was licensed as a Chronic  
14 Disease Hospital, one of few such facilities in the United States; and  
15 Whereas, in 1993, the Institute eliminated its requirement that its patients  
16 had to have a diagnosis of cancer and since that time has cared for any patient  
17 needing skilled nursing services; and  
18 Whereas, the growth of Robeson County, the increased need for skilled  
19 nursing, and an outdated 52-bed facility have created the need for the Institute to  
20 expand; and  
21 Whereas, the present location of the Institute will not allow for  
22 expansion; and  
23 Whereas, since a majority of the Institute's patients are economically  
24 disadvantaged and most of the revenue generated from their care is used to provide  
25 skilled nurses, the Institute needs State funds to expand its facility in order to

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1995

S

SENATE DRS8695-LB396(2.26)

FILED - SENATE  
S 1153 MAY 14 1996  
PRINCIPAL CLERK

Short Title: Lumber Bridge Staggered Terms.

(Local)

Sponsors: Senator Parnell.

Referred to:

- 1 A BILL TO BE ENTITLED  
2 AN ACT TO PROVIDE STAGGERED TERMS FOR MEMBERS OF THE  
3 BOARD OF COMMISSIONERS OF THE TOWN OF LUMBER BRIDGE AND  
4 PROVIDE A FOUR-YEAR TERM FOR THE MAYOR.  
5 The General Assembly of North Carolina enacts:  
6 Section 1. Section 6 of Chapter 99 of the Private Laws of 1911, as  
7 rewritten by Chapter 226 of the Session Laws of 1967, is rewritten to read:  
8 "Sec. 6. (a) The Mayor shall be elected in 1997 and biennially thereafter for a  
9 four-year term.  
10 (b) In 1997, four members of the Board of Commissioners shall be elected. The  
11 two persons receiving the highest numbers of votes are elected for four-year terms,  
12 and the two persons receiving the next highest numbers of votes are elected to two-  
13 year terms. In 1999 and biennially thereafter, two members of the Board of  
14 Commissioners are elected for four-year terms.  
15 (c) Elections in the Town of Lumber Bridge shall be elected in accordance with  
16 general law."  
17 Sec. 2. This act is effective upon ratification.

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1995

FILED - SENATE

S

§ 1154

MAY 14 1996

D

SENATE DRS5692\*-LB438(5.9)

PRINCIPAL CLERK

Short Title: Lumberton Abandoned Structures.

(Local)

Sponsors: Senator Parnell.

Referred to:

- 1 A BILL TO BE ENTITLED  
2 AN ACT TO GRANT AUTHORITY TO THE CITY OF LUMBERTON TO  
3 ADDRESS ABANDONED STRUCTURES IN THE SAME MANNER AS  
4 MUNICIPALITIES IN COUNTIES WITH A POPULATION OF OVER ONE  
5 HUNDRED SIXTY-THREE THOUSAND.  
6 The General Assembly of North Carolina enacts:  
7 Section 1. G.S. 160A-443(5a) reads as rewritten:  
8 "(5a) If the governing body shall have adopted an ordinance, or the  
9 public officer shall have:  
10 a. In a municipality ~~located in counties which have a~~  
11 ~~population in excess of 163,000 by the last federal census,~~  
12 other than municipalities with a population in excess of  
13 190,000 by the last federal census, issued an order, ordering  
14 a dwelling to be repaired or vacated and closed, as provided  
15 in subdivision (3)a, and if the owner has vacated and closed  
16 such dwelling and kept such dwelling vacated and closed for  
17 a period of one year pursuant to the ordinance or order;  
18 b. In a municipality with a population in excess of 190,000 by  
19 the last federal census, commenced proceedings under the  
20 substandard housing regulations regarding a dwelling to be  
21 repaired or vacated and closed, as provided in subdivision  
22 (3)a., and if the owner has vacated and closed such dwelling  
23 and kept such dwelling vacated and closed for a period of  
24 one year pursuant to the ordinance or after such  
25 proceedings have commenced,

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1995

FILED - SENATE

S

D

SENATE DRS7728\*-RRZ063E(5.8)

S 1155 MAY 14 1996

PRINCIPAL CLERK

Short Title: Hospital Reimbursement.

(Public)

Sponsors: Senator Kerr.

Referred to:

1 A BILL TO BE ENTITLED  
2 AN ACT TO CHANGE THE REQUIREMENT FOR HOSPITAL  
3 REIMBURSEMENT IN WORKERS' COMPENSATION CASES.  
4 The General Assembly of North Carolina enacts:  
5 Section 1. G.S. 97-26(b) reads as rewritten:  
6 "(b) Hospital Fees. -- Payment for medical compensation rendered by a hospital  
7 participating in the State ~~Plan~~ Plan, except as otherwise provided herein, shall be  
8 equal to the payment the hospital receives for the same treatment and services under  
9 the State ~~Plan~~. Plan, provided that such payment with respect to inpatient hospital  
10 services shall not be less than ninety percent (90%) nor more than one hundred  
11 percent (100%) of the hospital's itemized charges as shown on the UB-92 claim form.  
12 A hospital's itemized charges on the UB-92 claim form for workers' compensation  
13 services shall be the same as itemized charges for like services for all other payors  
14 during the period from April 1, 1996, through June 30, 1997. Payment for a  
15 particular type of medical compensation that is not covered under the State Plan shall  
16 be based on the allowable charge under the State Plan for comparable services or  
17 treatment, as determined by the Commission. Each hospital subject to the provisions  
18 of this subsection shall be reimbursed the amount provided for in this subsection  
19 unless it has agreed under contract with the ~~insurer or~~ insurer, managed care  
20 ~~organization~~ organization, or employer to accept a different amount or  
21 reimbursement methodology."  
22 Sec. 2. This act becomes effective April 1, 1996, and applies to hospital  
23 inpatient admissions occurring on or after that date. This act expires on June 30,  
24 1997, and its expiration applies to all hospital inpatient admissions occurring on or  
25 after that date.

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1995

FILED - SENATE

S 1156 MAY 14 1996 D

S

SENATE DRSA665-LC335(4.17) PRINCIPAL CLERK

Short Title: Federal Pension Withholding Funds.

(Public)

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Sponsors: Senator Kerr.

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Referred to:

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1 A BILL TO BE ENTITLED

2 AN ACT TO APPROPRIATE FUNDS TO THE DEPARTMENT OF REVENUE  
3 SO THAT NORTH CAROLINA MAY FACILITATE THE WITHHOLDING OF  
4 STATE INCOME TAXES FROM FEDERAL PENSION CHECKS FOR  
5 RETIREES WHO REQUEST WITHHOLDING.

6 The General Assembly of North Carolina enacts:

7 Section 1. There is appropriated from the General Fund to the  
8 Department of Revenue the sum of one hundred twelve thousand eight hundred  
9 thirteen dollars (\$112,813) for the 1996-97 fiscal year for start-up costs for  
10 participation in the United States Office of Personnel Management's voluntary  
11 program for withholding State income tax from civil service pension benefits. It is  
12 the intent of the General Assembly to appropriate an additional thirty-seven thousand  
13 two hundred forty-four dollars (\$37,244) each year beginning in 1997 for the  
14 recurring costs of participating in the program.

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

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1995

FILED - SENATE

11 157 MAY 14 1990

PRINCIPAL CLERK

S

D

SENATE DRS1768\*-RRZ065.1(5.8)

Short Title: Loss Costs Cleanup.

(Public)

Sponsors: Senator Kerr.

Referred to:

- 1 A BILL TO BE ENTITLED  
2 AN ACT TO MAKE TECHNICAL CORRECTIONS IN THE 1995 WORKERS'  
3 COMPENSATION INSURANCE LOSS COSTS RATING LAWS.  
4 The General Assembly of North Carolina enacts:  
5 Section 1. G.S. 58-36-100(m) reads as rewritten:  
6 "(m) The Bureau shall file all of the following with the Commissioner:  
7 (1) Final workers' compensation rates and rating plans for the residual  
8 market.  
9 (2) The uniform classification plan and rules.  
10 (3) The uniform experience rating plan and rules.  
11 (4) A uniform policy form to be used by member insurers for  
12 voluntary and residual market business.  
13 (5) Advisory manual workers' compensation rates to be used for the  
14 ~~sole purpose~~ purposes of calculating deviations under G.S. 58-2-  
15 145(c) and Article 36 of this Chapter and of computing the  
16 premium tax liability of self-insurers under G.S. 105-228.5."  
17 Sec. 2. G.S. 58-2-145 reads as rewritten:  
18 "(c) Each self-insured employer group must determine its individual member  
19 employers' premiums or contributions using the current rates and classifications filed  
20 by the North Carolina Rate Bureau ~~and approved by~~ with the Commissioner under  
21 ~~Article 36 of this Chapter. G.S. 58-36-100(m)(5).~~ Deviations from these rates or  
22 classifications are permitted only in accordance with Article 36 of this Chapter,  
23 except that no deviation is required to be filed with the Rate Bureau.  
24 The Commissioner shall approve a request filed for a deviation to reduce  
25 premiums or contributions or provide discounts if the filed request is accompanied by



GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1995

FILED - SENATE

S

SENATE DRS6645\*-RNZ006(5.8)

S 1158

MAY 14 1996

PRINCIPAL CLERK

Short Title: Workers' Comp. Fraud.

(Public)

Sponsors: Senator Kerr.

Referred to:

1 A BILL TO BE ENTITLED  
2 AN ACT TO CONFORM THE PENALTY FOR WORKERS' COMPENSATION  
3 FRAUD TO THE PENALTY FOR INSURANCE FRAUD AND TO RAISE THE  
4 PENALTIES FOR CERTAIN OTHER WORKERS' COMPENSATION  
5 OFFENSES FROM CLASS 1 MISDEMEANORS TO CLASS H FELONIES.

6 The General Assembly of North Carolina enacts:

7 Section 1. G.S. 97-88.2 reads as rewritten:

8 "**§ 97-88.2. Penalty for misrepresentation.**

9 (a) Any person who willfully makes a false statement or representation of a  
10 material fact for the purpose of obtaining or denying any benefit or payment, or  
11 assisting another to obtain or deny any benefit or payment under this Article, shall be  
12 guilty of a ~~Class 1 misdemeanor. The court may order restitution.~~ Class H felony,  
13 punishable in accordance with G.S. 58-2-161.

14 (b) The Commission shall:

15 (1) Perform investigations regarding all cases of suspected fraud and  
16 all violations related to workers' compensation claims, by or  
17 against insurers or self-funded employers, and refer possible  
18 criminal violations to the appropriate prosecutorial authorities;

19 (2) Conduct administrative violation proceedings; and

20 (3) Assess and collect penalties and restitution.

21 (c) Any person who threatens an employee with criminal prosecution under the  
22 provisions of subsection (a) of this section for the purpose of coercing or attempting  
23 to coerce the employee into agreeing to compensation under this Article shall be  
24 guilty of a ~~Class 1 misdemeanor.~~ Class H felony.



GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1995

FILED - SENATE

61159 MAY 14 1995

S

PRINCIPAL CLERK D

SENATE DRS1767\*-RNZ007(5.8)

Short Title: Workers' Comp. Pauper Appeals.

(Public)

Sponsors: Senators Ballance and Kerr.

Referred to:

1 A BILL TO BE ENTITLED  
2 AN ACT TO REMOVE LANGUAGE REQUIRING AN ATTORNEY'S OPINION  
3 AND WRITTEN STATEMENT IN APPEALS BY INDIGENTS FROM THE  
4 INDUSTRIAL COMMISSION TO THE NORTH CAROLINA COURT OF  
5 APPEALS.  
6 The General Assembly of North Carolina enacts:  
7 Section 1. G.S. 97-86 reads as rewritten:  
8 "**§ 97-86. Award conclusive as to facts; appeal; certified questions of law.**  
9 The award of the Industrial Commission, as provided in G.S. 97-84, if not  
10 reviewed in due time, or an award of the Commission upon such review, as provided  
11 in G.S. 97-85, shall be conclusive and binding as to all questions of fact; but either  
12 party to the dispute may, within 30 days from the date of such award or within 30  
13 days after receipt of notice to be sent by registered mail or certified mail of such  
14 award, but not thereafter, appeal from the decision of said Commission to the Court  
15 of Appeals for errors of law under the same terms and conditions as govern appeals  
16 from the superior court to the Court of Appeals in ordinary civil actions. The  
17 procedure for the appeal shall be as provided by the rules of appellate procedure.  
18 The Industrial Commission of its own motion may certify questions of law to the  
19 Court of Appeals for decision and determination by said Court. In case of an appeal  
20 from the decision of the Commission, or of a certification by said Commission of  
21 questions of law, to the Court of Appeals, said appeal or certification shall operate on  
22 a supersedeas except as provided in G.S. 97-86.1, and no employer shall be required  
23 to make payment of the award involved in said appeal or certification until the  
24 questions at issue therein shall have been fully determined in accordance with the  
25 provisions of this Article. If the employer is a noninsurer, then the appeal of such

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1995

S

D

SENATE DRS7727\*-RNZ023(5.8)

FILED - SENATE

S 1160 MAY 14 1996

Short Title: Workers' Comp./Subcontractors.

PRINCIPAL CLERK  
(Public)

Sponsors: Senators Ballance and Kerr.

Referred to:

1 A BILL TO BE ENTITLED  
2 AN ACT TO REMOVE THE REQUIREMENT FOR WORKERS'  
3 COMPENSATION COVERAGE FOR SUBCONTRACTORS WITH NO  
4 EMPLOYEES.

5 The General Assembly of North Carolina enacts:

6 Section 1. G.S. 97-19 reads as rewritten:

7 "§ 97-19. Liability of principal contractors; certificate that subcontractor has  
8 complied with law; right to recover compensation of those who would have been liable;  
9 order of liability.

10 Any principal contractor, intermediate contractor, or subcontractor who shall  
11 sublet any contract for the performance of any work without requiring from such  
12 subcontractor or obtaining from the Industrial Commission a certificate, issued by a  
13 workers' compensation insurance carrier, or a certificate of compliance issued by the  
14 Department of Insurance to a self-insured subcontractor, stating that such  
15 subcontractor has complied with G.S. 97-93 hereof, shall be liable, irrespective of  
16 whether such subcontractor has regularly in service fewer than three employees in the  
17 same business within this State, to the same extent as such subcontractor would be if  
18 he were subject to the provisions of this Article for the payment of compensation and  
19 other benefits under this Article on account of the injury or death of ~~any such~~  
20 ~~subcontractor, any principal or partner of such subcontractor or~~ any employee of  
21 such subcontractor due to an accident arising out of and in the course of the  
22 performance of the work covered by such subcontract. If the principal contractor,  
23 intermediate contractor or subcontractor shall obtain such certificate at the time of  
24 subletting such contract to subcontractor, he shall not thereafter be held liable to ~~any~~

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1995

FILED - SENATE

S 1161

MAY 14 1996

SENATE DRS6643\*-RCZ001.3(5.7)

PRINCIPAL CLERK

Short Title: Implement Higher Ed. Credit Transfer Plan.

(Public)

Sponsors: Senators Plexico, Dannelly, Hartsell, Hobbs, Lucas, Perdue, and Winner.

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

NORTH CAROLINA GENERAL ASSEMBLY  
SENATE

RECORDED VOTE

1995 SESSION  
SECOND REGULAR SESSION

SEQ. 1555/3-- 3:24 PM

MAY 28, 1996

LEGISLATIVE DAY 119

LT. GOVERNOR WICKER

-- Presiding

PLEXICO  
HIGHER ED. CREDIT TRANSFER PLAN

SENATE BILL 1161  
READING 2

AYE	50	ALBERTSON	DANNELLY	KINCAID	PLEXICO
		ALLRAN	DAVIS	LEDBETTER	PLYLER
		BALLANCE	EAST	LITTLE	RAND
		BALLANTINE	EDWARDS	LUCAS	SHAW
		BASNIGHT	FORRESTER	MARTIN R.	SHERRON
		BLACKMON	FOXX	MARTIN W.	SIMPSON
		BLUST	GULLEY	MCDANIEL	SMITH
		CARPENTER	HARTSELL	MCKOY	SOLES
		CARRINGTON	HOBBS	ODOM	SPEED
		CLARK	HORTON	PAGE	WARREN
		COCHRANE	HOYLE	PARNELL	WEBSTER
		CONDER	JORDAN	PERDUE	WINNER
		COOPER	KERR		
NO	0				

EXCUSED 0

NOT CAST 0

ABSENT 0

PAIRS 0

AYE  
NO

# 2120  
LEGISLATIVE DAY 134  
S1161  
READING 2

NORTH CAROLINA  
HOUSE OF REPRESENTATIVES  
ROLL CALL

EV  
6/20/96  
8:19 PM  
IN CHAIR: SPEAKER

IMPLEMENT HGH. EDUC. CREDIT TRN. PLAN

AYES - 107

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

NOES - 1

BRAWLEY

EXCUSED ABSENCE - 7

BEALL	FOX	OLDHAM	WARNER
BLUE	HUNT	ROBINSON, G.	

EXCUSED VOTE - 0

NOT VOTING - 5

LEMMOND	MILLER, K.	NEELY	SHAW
MCLAUGHLIN			

S1161

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1995

S 1162 MAY 14 1996

S

D

PRINCIPAL CLERK

SENATE DRSA666-LN175(3.15)

Short Title: Computer Access/Rules.

(Public)

Sponsors: Senator Sherron.

Referred to:

A BILL TO BE ENTITLED

AN ACT TO APPROPRIATE FUNDS TO ENHANCE STATE GOVERNMENT  
ACCESS TO ALL PHASES OF THE ADMINISTRATIVE RULE-MAKING  
PROCESS.

Whereas, the adoption of administrative rules to implement State law is a  
procedure that involves the participation of almost all State agencies and ultimately  
affects the citizens of this State who are subject to and benefit from State regulation;  
and

Whereas, the 1995 General Assembly established the Joint Legislative  
Administrative Procedures Oversight Committee to review the administrative rules  
process and rules adopted thereunder; and

Whereas, the current system for electronically tracking the administrative  
rule-making process is deficient in the following areas:

- (1) No automated tracking system for determining if an agency has  
proposed a rule for repeal or adoption, or for obtaining  
information about the fiscal impact of rules.
- (2) No reliable system for linking existing legislation to proposed rules,  
or proposed legislation to existing rules.
- (3) No statistical database, thus even the simplest request for statistical  
reports cannot be handled quickly and efficiently.
- (4) Limited public access to rules. Currently information is available  
only through subscription services which are driven by manual  
efforts and subject to delays.
- (5) Manual and labor intensive production of the North Carolina  
Register. The North Carolina Register contains the status of

## GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1995

S

D

SENATE DRS1763\*-RUZ006.1(5.7)

Short Title: Amend Interstate Banking Act.

(Public)

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Sponsors: Senator Warren.

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Referred to:  

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- 1 A BILL TO BE ENTITLED  
2 AN ACT TO IMPLEMENT A RECOMMENDATION OF THE LEGISLATIVE  
3 RESEARCH COMMISSION'S FINANCIAL INSTITUTIONS ISSUES  
4 COMMITTEE TO AMEND THE NORTH CAROLINA RECIPROCAL  
5 INTERSTATE BANKING ACT.  
6 The General Assembly of North Carolina enacts:  
7 Section 1. Article 17 of Chapter 53 of the General Statutes is amended  
8 by adding a new section to read:  
9 "**§ 53-212.1. Bank agent for deposit institution affiliate.**  
10 **A bank that is a subsidiary of a bank holding company may act as the agent of any**  
11 **depository institution affiliate in receiving deposits, renewing time deposits, closing**  
12 **loans, servicing loans, and receiving payments on loans and other obligations, without**  
13 **being deemed a branch of such affiliate, in accordance with Section 101(d) of the**  
14 **Reigle-Neal Interstate Banking and Branching Efficiency Act of 1994.**  
15 Sec. 2. This act is effective upon ratification.



GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1995

FILED - SENATE

S

S 1164 MAY 14 1996

SENATE DRSA669-LG233(4.23)

PRINCIPAL CLERK

Short Title: ECU Stadium Expansion Funds.

(Public)

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Sponsors: Senators Warren and Conder.

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Referred to:

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1 A BILL TO BE ENTITLED  
2 AN ACT TO APPROPRIATE FUNDS TO THE BOARD OF GOVERNORS OF  
3 THE UNIVERSITY OF NORTH CAROLINA TO COMPLETE THE  
4 EXPANSION OF THE DOWDY-FICKLEN STADIUM AT EAST CAROLINA  
5 UNIVERSITY.

6 Whereas, the addition of 12,460 seats at the Dowdy-Ficklen Stadium at  
7 East Carolina University will bring the seating capacity to 47,460; and

8 Whereas, a larger Dowdy-Ficklen Stadium will meet the demands of  
9 football fans, but it will also increase revenue, promote tourism, provide a facility for  
10 special events, and enhance the ECU football team's potential for future conference  
11 affiliation; and

12 Whereas, State funding is needed to complete the expansion of the  
13 stadium to benefit Eastern North Carolina; Now, therefore,  
14 The General Assembly of North Carolina enacts:

15 Section 1. There is appropriated from the General Fund to the Board of  
16 Governors of The University of North Carolina the sum of six million dollars  
17 (\$6,000,000) for the 1996-97 fiscal year to complete the expansion of the Dowdy-  
18 Ficklen Stadium at East Carolina University, provided these funds are matched on  
19 the basis of two dollars (\$2.00) of non-State funds for every one dollar (\$1.00) of  
20 State funds.

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



S

D

SENATE DRS7737-RWZ022A(5.10)

Short Title: County Remove Registration Block.

(Public)

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Sponsors: Senators Kerr, Hoyle, Gulley, Horton, Martin of Pitt, Rand, Smith, and Speed.

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Referred to:

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1 A BILL TO BE ENTITLED  
2 AN ACT TO ALLOW COUNTIES TO ELECTRONICALLY REMOVE A  
3 VEHICLE REGISTRATION TAX BLOCK UPON FULL PAYMENT OF  
4 PROPERTY TAXES.  
5 The General Assembly of North Carolina enacts:  
6 Section 1. G.S. 20-50.4 reads as rewritten:  
7 "§ 20-50.4. Division to refuse to register vehicles on which taxes are delinquent.  
8 Upon receiving the list of motor vehicle owners and motor vehicles sent by county  
9 tax collectors pursuant to G.S. 105-330.7, the Division shall refuse to register for the  
10 owner named in the list any vehicle identified in the list until either the vehicle  
11 owner presents the Division with a paid tax receipt identifying the vehicle for which  
12 registration was ~~refused~~. refused or the county electronically certifies to the Division  
13 that the tax has been paid. The Division shall not refuse to register a vehicle for a  
14 person, not named in the list, to whom the vehicle has been transferred in good faith.  
15 Where a motor vehicle owner named in the list has transferred the registration plates  
16 from the motor vehicle identified in the list to another motor vehicle pursuant to G.S.  
17 20-64 during the first vehicle's tax year, the Division shall refuse registration of the  
18 second vehicle until the vehicle owner presents the Division with a paid tax receipt  
19 identifying the vehicle from which the plates were ~~transferred~~. transferred or the  
20 county electronically certifies to the Division that the tax has been paid. An  
21 electronic certification by the county must be in the format required by the Division."  
22 Sec. 2. This act is effective upon ratification.

NORTH CAROLINA GENERAL ASSEMBLY  
SENATE

RECORDED VOTE

1995 SESSION  
SECOND REGULAR SESSION

SEQ. 1556/4-- 3:26 PM

MAY 28, 1996

LEGISLATIVE DAY 119

LT. GOVERNOR WICKER

-- Presiding

KERR  
COUNTY REMOVE REGISTRATION BLOCK  
COM SUB/2ND EDITION

SENATE BILL 1165  
READING 2

AYE	49	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 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
NO	1	KINCAID			

EXCUSED 0  
NOT CAST 0  
ABSENT 0  
PAIRS 0  
    AYE  
    NO

(CONTINUED)

NORTH CAROLINA GENERAL ASSEMBLY  
SENATE

RECORDED VOTE

1995 SESSION  
SECOND REGULAR SESSION

SEQ. 1557/5-- 3:31 PM

MAY 28, 1996

LEGISLATIVE DAY 119

LT. GOVERNOR WICKER

-- Presiding

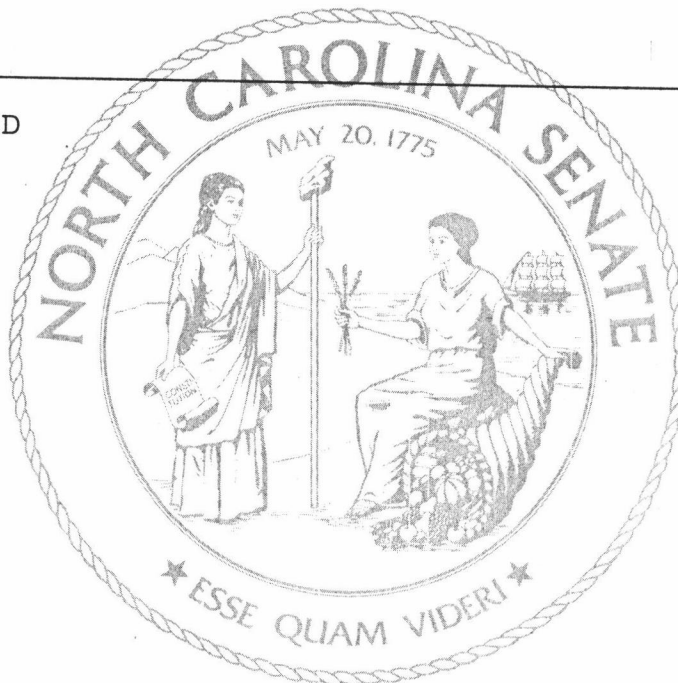
KERR  
COUNTY REMOVE REGISTRATION BLOCK  
COM SUB/2ND EDITION

SENATE BILL 1165  
READING 2

RECORDED

AYE	1	KINCAID
NO	-1	
ADJUSTED TOTAL		
AYE	50	
NO	0	
NOT CAST	0	
ABSENT	0	

py)



NORTH CAROLINA GENERAL ASSEMBLY  
SENATE

RECORDED VOTE

1995 SESSION  
SECOND REGULAR SESSION

SEQ. 1557/5-- 3:31 PM

MAY 28, 1996

LEGISLATIVE DAY 119

LT. GOVERNOR WICKER

-- Presiding

KERR  
COUNTY REMOVE REGISTRATION BLOCK  
COM SUB/2ND EDITION

SENATE BILL 1165  
READING 2

AYE	50	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. MARTIN W. MCDANIEL MCKOY ODOM PAGE PARNELL PERDUE	PLEXICO PLYLER RAND SHAW SHERRON SIMPSON SMITH SOLES SPEED WARREN WEBSTER WINNER
NO	0				

EXCUSED 0

NOT CAST 0

ABSENT 0

PAIRS 0

AYE

NO

(COPY)

NORTH CAROLINA GENERAL ASSEMBLY AMENDMENT

(Please type or use ballpoint pen)

EDITION No. \_\_\_\_\_

H. B. No. \_\_\_\_\_

S. B. No. 1165 2nd

COMMITTEE SUBSTITUTE \_\_\_\_\_

DATE 6/21/96

Amendment No. 1

(to be filled in by  
Principal Clerk)

Rep.) ARNOLD  
Sen.) \_\_\_\_\_

1 moves to amend the bill on page 2, line 29

2 ( ) WHICH CHANGES THE TITLE

3 by adding at the end of the line:

4 \_\_\_\_\_  
5 "Section 1 of this act is repealed December,  
6 1996."

7 \_\_\_\_\_  
8 \_\_\_\_\_  
9 \_\_\_\_\_  
10 \_\_\_\_\_  
11 \_\_\_\_\_  
12 \_\_\_\_\_  
13 \_\_\_\_\_  
14 \_\_\_\_\_  
15 \_\_\_\_\_  
16 \_\_\_\_\_  
17 \_\_\_\_\_  
18 \_\_\_\_\_  
19 \_\_\_\_\_

SIGNED [Signature]

ADOPTED 6/21/96 FAILED \_\_\_\_\_ TABLED \_\_\_\_\_

102-1 EV DW

EV

NORTH CAROLINA  
HOUSE OF REPRESENTATIVES  
ROLL CALL

# 2200  
LEGISLATIVE DAY 135  
S1165SCS  
READING 2

6/21/96

IN CHAIR: SPEAKER

AMEND #1 *Arnold*  
COUNTY REMOVE REGISTRATION BLOCK

AYES - 102

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

NOES - 1

EDWARDS

EXCUSED ABSENCE - 8

ALDRIDGE	BLUE	HUNT	ROBINSON, G.
BEALL	FOX	OLDHAM	WARNER

EXCUSED VOTE - 0

NOT VOTING - 9

SPEAKER	DAUGHTRY	GAMBLE	MICHAUX
BROWN, J.	ELLIS	GRAY	MILLER, K.
CHURCH			

S1165SCS

EV

S # 2201  
LEGISLATIVE DAY 135  
S1165SCS  
READING 2

NORTH CAROLINA  
HOUSE OF REPRESENTATIVES



6/21/96

IN CHAIR: SPEAKER

COUNTY REMOVE REGISTRATION BLOCK

AYES - 102

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

NOES - 0

EXCUSED ABSENCE - 8

ALDRIDGE	BLUE	HUNT	ROBINSON, G.
BEALL	FOX	OLDHAM	WARNER

EXCUSED VOTE - 0

NOT VOTING - 10

SPEAKER	BROWN, J.	GAMBLE	MICHAUX
ARNOLD	DAUGHTRY	GRAY	MILLER, K.
BOWEN	ELLIS		

NORTH CAROLINA GENERAL ASSEMBLY  
SENATE

RECORDED VOTE

1995 SESSION  
SECOND REGULAR SESSION

SEQ. 1853/66-- 4:55 PM

JUNE 21, 1996

LEGISLATIVE DAY 134

LT. GOVERNOR WICKER

-- Presiding

KERR  
COUNTY REMOVE REGISTRATION BLOCK  
COM SUB/2ND EDITION

SENATE BILL 1165

MOTION 8  
TO CONCUR

AYE	43	ALBERTSON ALLAN BALLANCE BALLANTINE BASNIGHT BLACKMON BLUST CARRINGTON CLARK COCHRANE CONDER	COOPER 20. 1775 DANNELLY DAVIS EAST FORRESTER FOXX GULLEY HARTSELL HOBBS HORTON HOYLE	JORDAN KERR LEDBETTER LITTLE LUCAS MARTIN R. MARTIN W. MCDANIEL MCKOY ODOM PAGE	PARNELL PERDUE PLEXICO PLYLER RAND SHERRON SOLES SPEED WARREN WINNER
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NO 0

EXCUSED 0

NOT CAST 4 KINCAID SHAW SIMPSON WEBSTER

ABSENT 3 CARPENTER EDWARDS SMITH

PAIRS 0  
AYE  
NO

COPY)



S1166 MAY 14 1990

## GENERAL ASSEMBLY OF NORTH CAROLINA

PRINCIPAL CLERK

SESSION 1995

S

D

SENATE DRS6655\*-RRZY061(5.8)

Short Title: VFD Workers' Comp/Appropriation.

(Public)

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Sponsors: Senators Kerr and Warren.

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Referred to:

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- 1 A BILL TO BE ENTITLED  
2 AN ACT TO APPROPRIATE FUNDS FOR WORKERS' COMPENSATION FOR  
3 VOLUNTEER FIRE DEPARTMENT AND RESCUE/EMS WORKERS.  
4 Whereas, the 1995 General Assembly established the Workers'  
5 Compensation Fund in the Department of Insurance to provide workers'  
6 compensation coverage to volunteer fire and rescue/EMS units; and  
7 Whereas, the 1995 General Assembly set up funding for the Workers'  
8 Compensation Fund as follows:  
9 (1) A required contribution to the Fund from each eligible unit, to be  
10 set annually by the State Fire and Rescue Commission as a per  
11 capita fixed dollar amount for each member of the unit, the  
12 amount set for 1996-97 being estimated to yield one million five  
13 hundred thousand dollars (\$1,500,000); and  
14 (2) An appropriation for the 1996-97 fiscal year of an additional one  
15 million five hundred thousand dollars (\$1,500,000) directly from  
16 the General Fund, together providing a funding level of three  
17 million dollars (\$3,000,000) for the 1996-97 fiscal year; and  
18 Whereas, the Workers' Compensation Fund needs another three million  
19 dollars (\$3,000,000) for the 1996-97 fiscal year in addition to that already provided  
20 for to fully fund the workers' compensation needs of the volunteer fire and  
21 rescue/EMS units; Now, therefore,  
22 The General Assembly of North Carolina enacts:  
23 Section 1. There is appropriated from the General Fund to the  
24 Department of Insurance for the 1996-97 fiscal year the sum of three million dollars

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1995

FILED - SENATE

167 MAY 14 1996

PRINCIPAL CLERK  
D

S

SENATE DRS4668-LLZ217(2.15)

Short Title: Clarify Sex Offender Registration.

(Public)

Sponsors: Senators Odom and Parnell.

Referred to:

- 1 A BILL TO BE ENTITLED  
2 AN ACT TO AMEND THE SEX OFFENDER REGISTRATION LAW TO  
3 CLARIFY THAT PERSONS CONVICTED OF SEX OFFENSES IN FEDERAL  
4 COURT ARE REQUIRED TO REGISTER.  
5 The General Assembly of North Carolina enacts:  
6 Section 1. G.S. 14-208.6(4) reads as rewritten:  
7 "(4) 'Reportable conviction' means:  
8 a. A final conviction for violation of G.S. 14-27.2 (first degree  
9 rape), 14-27.3 (second degree rape), 14-27.4 (first degree  
10 sexual offense), 14-27.5 (second degree sexual offense), 14-  
11 27.6 (attempted rape or sexual offense), 14-27.7 (intercourse  
12 and sexual offense with certain victims), 14-178 (incest  
13 between near relatives), 14-190.6 (employing or permitting  
14 minor to assist in offenses against public morality and  
15 decency), 14-190.16 (first degree sexual exploitation of a  
16 minor), 14-190.17 (second degree sexual exploitation of a  
17 minor), 14-190.17A (third degree sexual exploitation of a  
18 minor), 14-190.18 (promoting prostitution of a minor), 14-  
19 190.19 (participating in prostitution of a minor), or 14-202.1  
20 (taking indecent liberties with children).  
21 b. A final conviction in another state of an offense, which if  
22 committed in this State, would have been a sex offense as  
23 defined by the sections of the General Statutes set forth in  
24 paragraph a. of this subdivision.

## GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1995

S

D

SENATE DRS4666-LV007(4.25)

Short Title: Domestic Violence Funds.

(Public)

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Sponsors: Senators Odom and Plexico.

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Referred to:

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1 A BILL TO BE ENTITLED  
2 AN ACT TO APPROPRIATE FUNDS FOR DOMESTIC VIOLENCE  
3 PREVENTION AND PROGRAMS.

4 The General Assembly of North Carolina enacts:

5 Section 1. There is appropriated from the General Fund to the  
6 Department of Administration the sum of four million dollars (\$4,000,000) for the  
7 1996-97 fiscal year for the North Carolina Council for Women for the prevention of  
8 domestic violence and the continuation of domestic violence programs within the  
9 State.

10 These funds shall be allocated as follows:

11 (1) \$3,900,000 for existing domestic violence programs and for the  
12 North Carolina Coalition Against Domestic Violence,  
13 Incorporated. These funds shall be administered in accordance  
14 with G.S. 50B-9.

15 (2) \$100,000 for the development of new domestic violence programs.  
16 The North Carolina Council for Women may award grants of up to  
17 \$60,000 per program.

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

GENERAL ASSEMBLY OF NORTH CAROLINA  
PRINCIPAL CLERK  
SESSION 1995

S

D

SENATE DRS4670\*-LE170(3.7)

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

(Local)

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Sponsors: Senator Rand.

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Referred to:

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- 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

FILED - SENATE

S 1170 MAY 14 1996

PRINCIPAL CLERK

S

D

SENATE DRS1779\*-RLZ001(5.13)

Short Title: Mold Lien Act.

(Public)

Sponsors: Senator Soles.

Referred to:

- 1 A BILL TO BE ENTITLED  
2 AN ACT TO PROVIDE FOR LIEN RIGHTS FOR PERSONS WHO FABRICATE  
3 DIES, MOLDS, FORMS, OR PATTERNS AND WHO FABRICATE  
4 PRODUCTS FROM DIES, MOLDS, FORMS, OR PATTERNS.  
5 The General Assembly of North Carolina enacts:  
6 Section 1. G.S. 44A-2 reads as rewritten:  
7 "**§ 44A-2. Persons entitled to lien on personal property.**  
8 (a) Any person who tows, alters, repairs, stores, services, treats, or improves  
9 personal property other than a motor vehicle in the ordinary course of his business  
10 pursuant to an express or implied contract with an owner or legal possessor of the  
11 personal property has a lien upon the property. The amount of the lien shall be the  
12 lesser of  
13 (1) The reasonable charges for the services and materials; or  
14 (2) The contract price; or  
15 (3) One hundred dollars (\$100.00) if the lienor has dealt with a legal  
16 possessor who is not an owner.  
17 This lien shall have priority over perfected and unperfected security interests.  
18 (b) Any person engaged in the business of operating a hotel, motel, or  
19 boardinghouse has a lien upon all baggage, vehicles and other personal property  
20 brought upon his premises by a guest or boarder who is an owner thereof to the  
21 extent of reasonable charges for the room, accommodations and other items or  
22 services furnished at the request of the guest or boarder. This lien shall not have  
23 priority over any security interest in the property which is perfected at the time the  
24 guest or boarder brings the property to said hotel, motel or boardinghouse.

GENERAL ASSEMBLY OF NORTH CAROLINA

FILED - SENATE

SESSION 1995

11 171 MAY 14 1996

S

PRINCIPAL CLERK D

SENATE DRS5689-LC345(5.6)

Short Title: Surry School Acquisition.

(Local)

Sponsors: Senator Foxx.

Referred to:

- 1 A BILL TO BE ENTITLED  
2 AN ACT TO ALLOW SURRY COUNTY TO ACQUIRE PROPERTY FOR USE  
3 BY ITS COUNTY BOARD OF EDUCATION.  
4 The General Assembly of North Carolina enacts:  
5 Section 1. G.S. 153A-158.1 reads as rewritten:  
6 **"§ 153A-158.1. Acquisition and improvement of school property in certain counties.**  
7 (a) Acquisition by County. -- A county may acquire, by any lawful method, any  
8 interest in real or personal property for use by a school administrative unit within the  
9 county. In exercising the power of eminent domain a county shall use the procedures  
10 of Chapter 40A. The county shall use its authority under this subsection to acquire  
11 property for use by a school administrative unit within the county only upon the  
12 request of the board of education of that school administrative unit and after a public  
13 hearing.  
14 (b) Construction or Improvement by County. -- A county may construct, equip,  
15 expand, improve, renovate, or otherwise make available property for use by a school  
16 administrative unit within the county. The local board of education shall be involved  
17 in the design, construction, equipping, expansion, improvement, or renovation of the  
18 property to the same extent as if the local board owned the property.  
19 (c) Lease or Sale by Board of Education. -- Notwithstanding the provisions of G.S.  
20 115C-518 and G.S. 160A-274, a local board of education may, in connection with  
21 additions, improvements, renovations, or repairs to all or part of any of its property,  
22 lease or sell the property to the board of commissioners of the county in which the  
23 property is located for any price negotiated between the two boards.  
24 (d) Board of Education May Contract for Construction. -- Notwithstanding the  
25 provisions of G.S. 115C-40 and G.S. 115C-521, a local board of education may enter

GENERAL ASSEMBLY OF NORTH CAROLINA  
PRINCIPAL CLERK  
SESSION 1995

S

D

SENATE DRS2688-LC351(5.9)

Short Title: Rockingham E &amp; R Board Meetings.

(Local)

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Sponsors: Senator Foxx.

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Referred to:

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- 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

PRINCIPAL CLERK

S

D

SENATE DRS1771-LE172(3.15)

Short Title: Snow Days Offset/Alleghany Schools.

(Local)

---

Sponsors: Senator Foxx.

---

Referred to:  

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- 1 A BILL TO BE ENTITLED  
2 AN ACT TO PERMIT THE LOCAL BOARD OF EDUCATION IN ALLEGHANY  
3 COUNTY 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 Alleghany County School  
12 Administrative Unit. The Alleghany County Board of Education shall evaluate the  
13 educational effectiveness of this type of scheduling and shall report the results of this  
14 evaluation to the State Board of Education for the first two years following the  
15 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  
Senate Bill 1173

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

S1173-ARC-002

Date 6/3/, 1996

Comm. Sub. 1  
~~Amends Title~~ [YES]  
Second Edition

Senator Winner

- 1 moves to amend the bill on page 1, lines 2-3,  
2 by rewriting the lines to read:  
3 "AN ACT TO PERMIT THE LOCAL BOARDS OF EDUCATION OF VARIOUS COUNTIES  
4 TO SCHEDULE LONGER";  
5  
6 and on page 1, lines 17-19, by rewriting the lines to read: Buncombe  
7 "Sec. 3. This act applies only to the Alleghany, ~~Amery~~,  
8 Graham, Haywood, Henderson, Jackson, Macon, Madison, McDowell,  
9 Mitchell, Stokes, Swain, Transylvania, and Yancey County School  
10 Administrative Units. The local board of education in each of these  
11 counties shall evaluate the educational effectiveness of this type  
12 of scheduling and".

SIGNED *Jessie Winn*  
Amendment Sponsor

SIGNED \_\_\_\_\_  
Committee Chair if Senate Committee Amendment

ADOPTED 6/3/96 FAILED \_\_\_\_\_ TABLED \_\_\_\_\_

50-0

*S. Jick*

CHANGES TITLE

NORTH CAROLINA GENERAL ASSEMBLY  
SENATE

RECORDED VOTE

1995 SESSION  
SECOND REGULAR SESSION

SEQ. 1577/6-- 7:32 PM

JUNE 3, 1996

LEGISLATIVE DAY 122

LT. GOVERNOR WICKER

-- Presiding

FOXX  
SNOW DAYS OFFSET FOR CERT. SCHOOLS  
COM SUB/2ND EDITION

SENATE BILL 1173

AMEND 1

AYE	50	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. 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 0

PAIRS 0

AYE  
NO

NORTH CAROLINA GENERAL ASSEMBLY  
SENATE

RECORDED VOTE

1995 SESSION  
SECOND REGULAR SESSION

SEQ. 1578/7-- 7:33 PM

JUNE 3, 1996

LEGISLATIVE DAY 122

LT. GOVERNOR WICKER

-- Presiding

FOXX  
SNOW DAYS OFFSET FOR CERT. SCHOOLS  
COM SUB/2ND EDITION

SENATE BILL 1173  
READING 2

AYE	50	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. 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 0

PAIRS 0

AYE

NO

NORTH CAROLINA GENERAL ASSEMBLY AMENDMENT

(Please type or use ballpoint pen)

EDITION No. \_\_\_\_\_

H. B. No. \_\_\_\_\_

DATE 6/13/96

S. B. No. SB 1173

Amendment No. 1

(to be filled in by  
Principal Clerk)

COMMITTEE SUBSTITUTE \_\_\_\_\_

Rep. ) C. Buchanan  
Sen. ) \_\_\_\_\_

1 moves to amend the bill on page 1, lines 11-15

2 ( ) WHICH CHANGES THE TITLE

3 by deleting Section 2 of the bill,  
4 and Renumber accordingly.

5 \_\_\_\_\_

6 \_\_\_\_\_

7 \_\_\_\_\_

9 \_\_\_\_\_

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11 \_\_\_\_\_

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14 \_\_\_\_\_

15 \_\_\_\_\_

16 \_\_\_\_\_

17 \_\_\_\_\_

18 \_\_\_\_\_

19 \_\_\_\_\_

SIGNED C. Buchanan

ADOPTED 6/13/96 FAILED \_\_\_\_\_ TABLED \_\_\_\_\_

Wicks

NORTH CAROLINA GENERAL ASSEMBLY  
SENATE

RECORDED VOTE

1995 SESSION  
SECOND REGULAR SESSION

SEQ. 1707/29-- 6:52 PM

JUNE 18, 1996

LEGISLATIVE DAY 131

LT. GOVERNOR WICKER

-- Presiding

FOXX  
SNOW DAYS OFFSET FOR CERT. SCHOOLS  
COM SUB/3RD EDITION

SENATE BILL 1173

MOTION 8  
TO CONCUR

AYE	3	BLUST	CLARK	LEDBETTER	
NO	39	ALLRAN	EAST	LUCAS	PLYLER
		BALLANCE	EDWARDS	MARTIN R.	RAND
		BALLANTINE	FOXX	MARTIN W.	SHAW
		BLACKMON	GULLEY	MCDANIEL	SHERRON
		CARPENTER	HARTSELL	MCKOY	SMITH
		CARRINGTON	HOBBS	ODOM	SOLES
		COCHRANE	HOYLE	PAGE	SPEED
		CONDER	JORDAN	PARNELL	WARREN
		COOPER	KERR	PERDUE	WINNER
		DAVIS	LITTLE	PLEXICO	

EXCUSED 0

NOT CAST	5	BASNIGHT	KINCAID	SIMPSON	WEBSTER
		HORTON			

ABSENT	3	ALBERTSON	DANNELLY	FORRESTER
--------	---	-----------	----------	-----------

PAIRS 0  
AYE  
NO



NORTH CAROLINA GENERAL ASSEMBLY  
CONFERENCE REPORT  
Senate Bill 1173

S1173-CRRC-001

Page 1 of \_\_\_\_

[ ] Title Change

[YES] For Committee Substitute

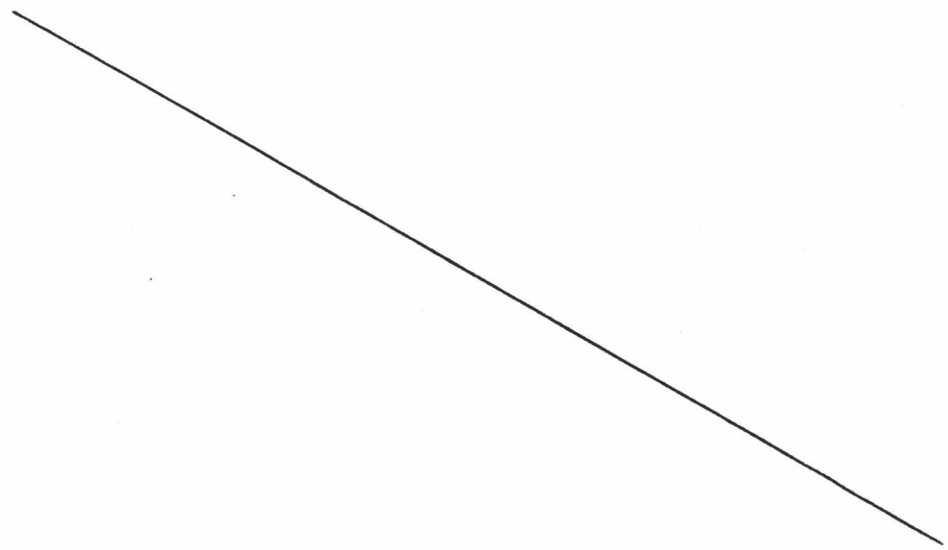
To: The President of the Senate  
The Speaker of the House of Representatives

The conferees appointed to resolve the differences between the Senate and the House of Representatives on Senate Bill 1173, A BILL TO BE ENTITLED AN ACT TO PERMIT THE LOCAL BOARDS OF EDUCATION OF VARIOUS COUNTIES TO SCHEDULE LONGER SCHOOL DAYS SO AS TO OFFSET DAYS LOST DUE TO INCLEMENT WEATHER, Third Edition engrossed 6/3/96, submit the following report:

The House recedes from House Amendment #1, adopted 6/13/96, and the House and Senate agree to the following amendment:

on page 1, lines 11-15, rewrite those lines to read as follows:  
"Sec. 2. A local board of education may schedule longer school days under Section 1 of this act only after all extra calendar days required under G.S. 115C-84(c) have been scheduled to be used as instructional days."

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





NORTH CAROLINA GENERAL ASSEMBLY  
CONFERENCE REPORT  
Senate Bill 1173

S1173-CRRC-001

Page 2 of \_\_\_\_

Date conferees approved report: June 20, 1996.

Conferees for the Senate

Leslie Winner  
Leslie Winner  
Clark Plexico  
Clark Plexico  
Virginia Foxx  
Virginia Foxx

Conferees for the  
House of Representatives

Charles Buchanan  
Charles Buchanan  
Robert Hunter  
Robert Hunter  
John Nichols  
John Nichols  
Steve Wood  
Steve Wood  
Rex Baker  
Rex Baker

Submitted 6/20/96  
ADOPTED 6/20/96 (47, 0) Message Received \_\_\_\_\_  
ADOPTED \_\_\_\_\_ ( 1 ) Ordered Enrolled \_\_\_\_\_

*Send Message*

NORTH CAROLINA GENERAL ASSEMBLY  
SENATE

RECORDED VOTE

1995 SESSION  
SECOND REGULAR SESSION

SEQ. 1771/13-- 4:20 PM

JUNE 20, 1996

LEGISLATIVE DAY 133

LT. GOVERNOR WICKER

-- Presiding

FOXX  
SNOW DAYS OFFSET FOR CERT. SCHOOLS  
COM SUB/3RD EDITION

SENATE BILL 1173

CONFERENCE REPORT

MOTION 7  
TO ADOPT

AYE	47	ALBERTSON	DAVIS	KINCAID	PLEXICO
		ALLRAN	EAST	LEDBETTER	PLYLER
		BALLANCE	EDWARDS	LITTLE	RAND
		BASNIGHT	FORRESTER	LUCAS	SHAW
		BLACKMON	FOXX	MARTIN R.	SHERRON
		BLUST	GULLEY	MARTIN W.	SIMPSON
		CARPENTER	HARTSELL	MCDANIEL	SOLES
		CARRINGTON	HOBBS	MCKOY	SPEED
		CLARK	HORTON	ODOM	WARREN
		COCHRANE	HOYLE	PAGE	WEBSTER
		COOPER	JORDAN	PARNELL	WINNER
		DANNELLY	KERR	PERDUE	
NO	0				

The seal of the North Carolina Senate is circular, featuring a central illustration of two figures, a man and a woman, seated and facing each other. The man is on the left, wearing a suit and holding a book. The woman is on the right, wearing a dress and holding a book. Above them is the text "NORTH CAROLINA" and below them is "MAY 20, 1775". The outer ring of the seal contains the text "SENATE" and the motto "ESSE QUAM VIDERI" at the bottom.

EXCUSED	0		
NOT CAST	2	BALLANTINE	CONDER
ABSENT	1	SMITH	
PAIRS	0		
AYE			
NO			

(CONTINUED)



NORTH CAROLINA GENERAL ASSEMBLY  
SENATE

RECORDED VOTE

1995 SESSION  
SECOND REGULAR SESSION

SEQ. 1786/28-- 4:20 PM

JUNE 20, 1996

LEGISLATIVE DAY 133

LT. GOVERNOR WICKER

-- Presiding

FOXX  
SNOW DAYS OFFSET FOR CERT. SCHOOLS  
COM SUB/3RD EDITION

SENATE BILL 1173

CONFERENCE REPORT

MOTION 7  
TO ADOPT

RECORDED

AYE	1	BALLANTINE
ADJUSTED TOTAL		
AYE	48	
NO	0	
NOT CAST	1	
ABSENT	1	

(COPY)



NORTH CAROLINA GENERAL ASSEMBLY  
SENATE

RECORDED VOTE

1995 SESSION  
SECOND REGULAR SESSION

SEQ. 1786/28-- 4:20 PM

JUNE 20, 1996

LEGISLATIVE DAY 133

LT. GOVERNOR WICKER

-- Presiding

FOXX  
SNOW DAYS OFFSET FOR CERT. SCHOOLS  
COM SUB/3RD EDITION

SENATE BILL 1173

CONFERENCE REPORT

MOTION 7  
TO ADOPT

AYE	48	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 PLYLER RAND SHAW SHERRON SIMPSON SOLES SPEED WARREN WEBSTER WINNER
NO	0				

EXCUSED	0	
NOT CAST	1	CONDER
ABSENT	1	SMITH
PAIRS	0	
AYE		
NO		

(COPY)



NORTH CAROLINA GENERAL ASSEMBLY  
CONFERENCE REPORT  
Senate Bill 1173

S1173-CRRC-001

Page 1 of 2

[ ] Title Change

[YES] 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 Senate Bill 1173, A BILL TO BE ENTITLED AN ACT TO PERMIT THE LOCAL BOARDS OF EDUCATION OF VARIOUS COUNTIES TO SCHEDULE LONGER SCHOOL DAYS SO AS TO OFFSET DAYS LOST DUE TO INCLEMENT WEATHER, Third Edition engrossed 6/3/96, submit the following report:

The House recedes from House Amendment #1, adopted 6/13/96, and the House and Senate agree to the following amendment:

on page 1, lines 11-15, rewrite those lines to read as follows:

"Sec. 2. A local board of education may schedule longer school days under Section 1 of this act only after all extra calendar days required under G.S. 115C-84(c) have been scheduled to be used as instructional days."

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



NORTH CAROLINA GENERAL ASSEMBLY  
CONFERENCE REPORT  
Senate Bill 1173

S1173-CRRC-001

Page 2 of 2

Date conferees approved report: June 20, 1996.

Conferees for the Senate

Leslie Winner  
Leslie Winner

Clark Flexico  
Clark Flexico

Virginia Foxx  
Virginia Foxx

Conferees for the  
House of Representatives

Charles Buchanan  
Charles Buchanan

Robert C. Hunter  
Robert Hunter

John Nichols  
John Nichols

Steve Wood  
Steve Wood

Rex Baker  
Rex Baker

Submitted

ADOPTED

ADOPTED

6/20/96 - calendar 6/21/96  
Senate 6/20/96 ) Message Received  
House 6/21/96 92-0 EV ) Ordered Enrolled

Senate notified DNW

# 2130  
LEGISLATIVE DAY 135  
S1173SCS  
CONFERENCE REPORT

NORTH CAROLINA  
HOUSE OF REPRESENTATIVES  
ROLL CALL

6/21/96  
11:16 AM  
IN CHAIR: SPEAKER

EV

SNOW DAYS OFFSET FOR CERTAIN SCHOOLS

AYES - 92

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

NOES - 0

EXCUSED ABSENCE - 8

ALDRIDGE	BLUE	HUNT	ROBINSON, G.
BEALL	FOX	OLDHAM	WARNER

EXCUSED VOTE - 0

NOT VOTING - 20

SPEAKER	CHURCH	HOLMES	RAMSEY
ADAMS	EARLE	LEE	ROGERS
ARNOLD	ELLIS	LINNEY	SHAW
BRASWELL	GRADY	MILLER, K.	SUTTON
BROWN, W.	HIATT	MINER	WRIGHT

S1173SCS

GENERAL ASSEMBLY OF NORTH CAROLINA  
PRINCIPAL CLERK  
SESSION 1995

S

D

SENATE DRS2686-LC352(5.9)

Short Title: Rockingham Schools/Education.

(Local)

---

Sponsors: Senator Foxx.

---

Referred to:

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- 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.

NORTH CAROLINA GENERAL ASSEMBLY  
SENATE

RECORDED VOTE

1995 SESSION  
SECOND REGULAR SESSION

SEQ. 1617/5-- 8:20 PM

JUNE 10, 1996

LEGISLATIVE DAY 126

SENATOR BASNIGHT

-- Presiding

FOXX  
ROCKINGHAM SCHOOLS/EDUCATION

SENATE BILL 1174  
READING 2

AYE	49	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 PLYLER RAND SHAW SHERRON SIMPSON SMITH SOLES SPEED WARREN WEBSTER WINNER
-----	----	------------------------------------------------------------------------------------------------------------------------------------------------------	-------------------------------------------------------------------------------------------------------------------	-----------------------------------------------------------------------------------------------------------------------------	-------------------------------------------------------------------------------------------------------------------

NO 0

EXCUSED 0

NOT CAST 1 CONDER

ABSENT 0

PAIRS 0  
AYE  
NO

BLOCK VOTE

SCB1220  
SCB1396

SB1221  
SB1412

SB1222

SB1223

SB1380

NORTH CAROLINA GENERAL ASSEMBLY  
SENATE

RECORDED VOTE

1995 SESSION  
SECOND REGULAR SESSION

SEQ. 1625/13-- 8:21 PM

JUNE 10, 1996

LEGISLATIVE DAY 126

SENATOR BASNIGHT

-- Presiding

FOXX  
ROCKINGHAM SCHOOLS/EDUCATION

SENATE BILL 1174  
READING 3

AYE	49	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 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 1 MARTIN R.

ABSENT 0

PAIRS 0

AYE  
NO

BLOCK VOTE

SCB1220  
SCB1396

SB1221  
SB1412

SB1222

SB1223

SB1380



S # 2074  
LEGISLATIVE DAY 134  
S1174  
READING 2

NORTH CAROLINA  
HOUSE OF REPRESENTATIVES  
ROLL CALL

RC  
6/20/96  
12:10 PM  
IN CHAIR: SPEAKER

ROCKINGHAM SCHOOLS/ EDUCATION

AYES - 98

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

NOES - 7

ALDRIDGE	CAPPS	ELLIS	MILLER, K.
ALLRED	DAVIS	LINNEY	

EXCUSED ABSENCE - 8

BEALL	FOX	HUNT	ROBINSON, G.
CULP	HOWARD	OLDHAM	WARNER

EXCUSED VOTE - 0

NOT VOTING - 7

SPEAKER	CRAWFORD	MCMAHAN	MORGAN
BARBEE	GRAY	MINER	

S1174

# 2143  
LEGISLATIVE DAY 135  
S1174  
READING 3

NORTH CAROLINA  
HOUSE OF REPRESENTATIVES  
ROLL CALL

RC  
6/21/96  
11:49 AM  
IN CHAIR: RUSSELL

ROCKINGHAM SCHOOLS/ EDUCATION

AYES - 97

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

NOES - 2

ALLRED  
LINNEY

EXCUSED ABSENCE - 8

ALDRIDGE	BLUE	HUNT	ROBINSON, G.
BEALL	FOX	OLDHAM	WARNER

EXCUSED VOTE - 0

NOT VOTING - 13

SPEAKER	DOCKHAM	HUNTER, H.	MINER
BOWIE	GRAY	MCLAUGHLIN	RUSSELL
BRASWELL	HOLMES	MILLER, K.	WEATHERLY
CREECH			

## GENERAL ASSEMBLY OF NORTH CAROLINA

PRINCIPAL CLERK

SESSION 1995

S

D

SENATE DRS7738\*-RFZ001(5.10)

Short Title: Limit Rules for Water Testing.

(Public)

---

Sponsors: Senator Speed.

---

Referred to:

---

- 1 A BILL TO BE ENTITLED  
2 AN ACT TO PROVIDE THAT NO STATE RULE REGULATING DRINKING  
3 WATER STANDARDS AND TESTING MAY BE MORE RESTRICTIVE THAN  
4 THE FEDERAL LAW.  
5 The General Assembly of North Carolina enacts:  
6 Section 1. G.S. 130A-315(c) reads as rewritten:  
7 "(c) The drinking water rules may be amended as necessary in accordance with  
8 required federal regulations. The Commission shall not adopt rules creating any  
9 drinking water standard, limitation, or drinking water testing requirement more  
10 restrictive than the most nearly applicable federal standard, limitation, or testing  
11 requirement."  
12 Sec. 2. This act is effective upon ratification.

## GENERAL ASSEMBLY OF NORTH CAROLINA

PRINCIPAL CLERK

SESSION 1995

S

D

SENATE DRS6649-LBX383A(12.20)

Short Title: Foxfire Village Streets.

(Local)

Sponsors: Senator Little.

Referred to:

- 1 A BILL TO BE ENTITLED  
2 AN ACT TO MODIFY THE REQUIREMENTS FOR MAKING STREET  
3 ASSESSMENTS IN FOXFIRE VILLAGES UNDER CERTAIN  
4 CIRCUMSTANCES.  
5 The General Assembly of North Carolina enacts:  
6 Section 1. The Charter of Foxfire Village, being Chapter 237 of the 1977  
7 Session Laws, is amended by adding a new Article to read:  
8 "ARTICLE VIII.  
9 "STREET ASSESSMENTS.  
10 "Sec. 8.1. Street Assessments.  
11 (a) In addition to any authority which is now or hereafter may be granted by  
12 general law to the town for making street improvements, the Village Council may  
13 make street improvements and assess the cost thereof against abutting property  
14 owners in accordance with the provisions of this section.  
15 (b) The Village Council may order street improvements and assess the cost  
16 thereof against the abutting property owners, according to one or more of the  
17 assessment bases set forth in Article 10 of Chapter 160A of the General Statutes  
18 without the necessity of a petition meeting the requirements of that Article, upon the  
19 finding by the Village Council as a fact that:  
20 (1) The street improvement project does not exceed 30,000 lineal front  
21 footage;  
22 (2) The street improvement project involves no more than 200 lots;  
23 (3) The street improvement project consists of a series of streets all of  
24 which are contiguous to at least one other street in the project;

NORTH CAROLINA GENERAL ASSEMBLY AMENDMENT

(Please type or use ballpoint pen)

EDITION No. \_\_\_\_\_

H. B. No. \_\_\_\_\_

DATE 5-29-96

S. B. No. 1176

Amendment No. \_\_\_\_\_

COMMITTEE SUBSTITUTE \_\_\_\_\_

(to be filled in by  
Principal Clerk)

Rep.) Shannon  
Sen.) \_\_\_\_\_

1 moves to amend the bill on page 1, line 3

2 ( ) WHICH CHANGES THE TITLE

3 by deleting the word "VILLAGES" and substituting  
4 "VILLAGE".

5 \_\_\_\_\_

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19 \_\_\_\_\_

J. H. Kent  
Finance Chairman

SIGNED J. K. Shannon

ADOPTED 6/3/96 FAILED \_\_\_\_\_ TABLED \_\_\_\_\_

S. Kent

NORTH CAROLINA GENERAL ASSEMBLY  
SENATE

RECORDED VOTE

1995 SESSION  
SECOND REGULAR SESSION

SEQ. 1576/5-- 7:29 PM

JUNE 3, 1996

LEGISLATIVE DAY 122

LT. GOVERNOR WICKER

-- Presiding

LITTLE  
FOXFIRE VILLAGE STREETS

SENATE BILL 1176  
READING 2

AYE	50	ALBERTSON	DANNELLY	KINCAID	PLEXICO
		ALLRAN	DAVIS	LEDBETTER	PLYLER
		BALLANCE	EAST	LITTLE	RAND
		BALLANTINE	EDWARDS	LUCAS	SHAW
		BASNIGHT	FORRESTER	MARTIN R.	SHERRON
		BLACKMON	FOXX	MARTIN W.	SIMPSON
		BLUST	GULLEY	MCDANIEL	SMITH
		CARPENTER	HARTSELL	MCKOY	SOLES
		CARRINGTON	HOBBS	ODOM	SPEED
		CLARK	HORTON	PAGE	WARREN
		COCHRANE	HOYLE	PARNELL	WEBSTER
		CONDER	JORDAN	PERDUE	WINNER
		COOPER	KERR		

NO 0

EXCUSED 0

NOT CAST 0

ABSENT 0

PAIRS 0

AYE  
NO

NORTH CAROLINA GENERAL ASSEMBLY  
SENATE

RECORDED VOTE

1995 SESSION  
SECOND REGULAR SESSION

SEQ. 1589/2-- 2:20 PM

JUNE 4, 1996

LEGISLATIVE DAY 123

LT. GOVERNOR WICKER

-- Presiding

LITTLE  
FOXFIRE VILLAGE STREETS

SENATE BILL 1176  
READING 3

AYE	48	ALBERTSON	DAVIS	KINCAID	PLEXICO
		ALLRAN	EAST	LEDBETTER	PLYLER
		BALLANTINE	EDWARDS	LITTLE	RAND
		BASNIGHT	FORRESTER	LUCAS	SHAW
		BLACKMON	FOXX	MARTIN R.	SHERRON
		BLUST	GULLEY	MARTIN W.	SIMPSON
		CARPENTER	HARTSELL	MCDANIEL	SMITH
		CARRINGTON	HOBBS	MCKOY	SOLES
		CLARK	HORTON	ODOM	SPEED
		COCHRANE	HOYLE	PAGE	WARREN
		CONDER	JORDAN	PARNELL	WEBSTER
		COOPER	KERR	PERDUE	WINNER

NO 0

EXCUSED 0

NOT CAST 2 BALLANCE DANNELLY

ABSENT 0

PAIRS 0

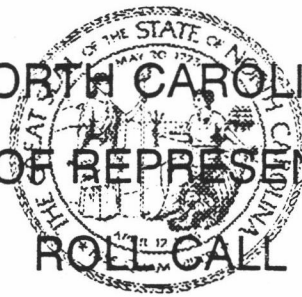
AYE

NO

# 2001  
LEGISLATIVE DAY 132  
SR ■ 10  
READING 2

*Miller*

NORTH CAROLINA  
HOUSE OF REPRESENTATIVES



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

RC

S 1176

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 H1211HCS H1306 H1314HCS H1370HCS  
S1176 H 1145 H 1379 H 1412 H 1366

*Miller*



S. # 2028  
LEGISLATIVE DAY 133  
SR12  
READING 3

NORTH CAROLINA  
HOUSE OF REPRESENTATIVES  
ROLL CALL

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

RC

S 1176

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  
GRAY

MILLER, K. RUSSELL  
ROBINSON, J.

SHAW

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

H1379  
S1176

H1272

## GENERAL ASSEMBLY OF NORTH CAROLINA PRINCIPAL CLERK

SESSION 1995

S

D

SENATE DRS1766\*-RIZ30(5.7)

Short Title: Alzheimer's Association/Funds.

(Public)

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Sponsors: Senator Cochrane.

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Referred to:

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- 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

PRINCIPAL CLERK

SESSION 1995

S

D

SENATE DRS4659-LCXZ282(1.1)

Short Title: Revenue Laws Technical Changes.

(Public)

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Sponsors: Senators Cochrane, Cooper, Kerr, and Soles.

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Referred to:

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- 1 A BILL TO BE ENTITLED  
2 AN ACT TO MAKE TECHNICAL AND CONFORMING CHANGES TO THE  
3 REVENUE LAWS AND RELATED STATUTES.  
4 The General Assembly of North Carolina enacts:  
5 Section 1. G.S. 105-53(i2) reads as rewritten:  
6 "(i2) Affidavit in Lieu of Records. -- The merchant may satisfy the record  
7 requirement of subsection (i1) of this section by producing, in lieu of a receipt or  
8 invoice, an affidavit under oath or affirmation identifying the source of the  
9 merchandise for which a record is requested, including the name and address of the  
10 seller, the license number of any auctioneer seller, and the date and place of purchase  
11 of the merchandise."  
12 Sec. 2. G.S. 105-113.45(c) reads as rewritten:  
13 "(c) Liquid Base Products. -- An excise tax at the rate of seventy-five cents (75¢) a  
14 gallon is levied on each individual container of a liquid base product. The tax applies  
15 regardless whether the liquid base product is diverted to and used for a purpose other  
16 than making a soft drink."  
17 Sec. 3. G.S. 105-117 and G.S. 105-118 are repealed.  
18 Sec. 4. G.S. 105-164.13(2a) reads as rewritten:  
19 "(2a) Any of the following when purchased for use ~~in the commercial~~  
20 ~~production of animals or plants, as appropriate:~~ on animals or  
21 plants, as appropriate, held or produced for commercial purposes:  
22 a. Remedies, vaccines, medications, litter materials, and feeds  
23 for animals.  
24 b. Rodenticides, insecticides, herbicides, fungicides, and  
25 pesticides.

NORTH CAROLINA GENERAL ASSEMBLY  
SENATE

RECORDED VOTE

1995 SESSION  
SECOND REGULAR SESSION  
MANUALLY RECORDED VOTE

SEQ. 1587/16--10:21 PM

JUNE 3, 1996

LEGISLATIVE DAY 122

LT. GOVERNOR WICKER

-- Presiding

COCHRANE  
REVENUE LAWS TECHNICAL CHANGES  
COM SUB/2ND EDITION

SENATE BILL 1178  
READING 2

DUE TO MALFUNCTION

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

EXCUSED	0	
NOT CAST	1	SIMPSON
ABSENT	0	
PAIRS	0	
AYE		
NO		

NORTH CAROLINA GENERAL ASSEMBLY  
SENATE

RECORDED VOTE

1995 SESSION  
SECOND REGULAR SESSION

SEQ. 1590/3-- 2:21 PM

JUNE 4, 1996

LEGISLATIVE DAY 123

LT. GOVERNOR WICKER

-- Presiding

COCHRANE  
REVENUE LAWS TECHNICAL CHANGES  
COM SUB/2ND EDITION

SENATE BILL 1178  
READING 3

AYE	50	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. MARTIN W. MCDANIEL MCKOY ODOM PAGE PARNELL PERDUE	PLEXICO PLYLER RAND SHAW SHERRON SIMPSON SMITH SOLES SPEED WARREN WEBSTER WINNER
NO	0				

EXCUSED 0

NOT CAST 0

ABSENT 0

PAIRS 0

AYE

NO

COPY)

# NORTH CAROLINA

## HOUSE OF REPRESENTATIVES

### ROLL CALL

RC

# 2151  
LEGISLATIVE DAY 135  
S1178SCS  
READING 3

6/21/96  
12:19 PM  
IN CHAIR: SPEAKER

#### REVENUE LAWS TECHNICAL CHANGES

#### AYES - 104

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

#### NOES - 2

MCCOMAS                      WOOD

#### EXCUSED ABSENCE - 8

ALDRIDGE	BLUE	HUNT	ROBINSON, G.
BEALL	FOX	OLDHAM	WARNER

#### EXCUSED VOTE - 0

#### NOT VOTING - 6

SPEAKER	DECKER	MCLAUGHLIN	MILLER, K.
BRASWELL	GAMBLE		

S1178SCS

## GENERAL ASSEMBLY OF NORTH CAROLINA

PRINCIPAL CLERK

SESSION 1995

S

D

SENATE DRS1762-LCZ285(1.1)

Short Title: Bosnia Troops Tax Extension.

(Public)

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Sponsors: Senators Kerr, Cochrane, Cooper, and Soles.

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Referred to:

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1 A BILL TO BE ENTITLED  
2 AN ACT TO PROVIDE A GRACE PERIOD FOR MILITARY PERSONNEL TO  
3 LIST AND PAY PROPERTY TAXES AFTER DEPLOYMENT IN  
4 CONNECTION WITH OPERATION JOINT ENDEAVOR.  
5 The General Assembly of North Carolina enacts:  
6 Section 1. Notwithstanding G.S. 105-360 and G.S. 105-330.4, an  
7 individual liable for property taxes for the 1995-96 tax year or a subsequent tax year  
8 who, on or after December 4, 1995, was a member of the armed forces or the armed  
9 forces reserves and was deployed outside the State in connection with performing  
10 "Operation Joint Endeavor services", is allowed 90 days after the end of the  
11 individual's deployment to pay the property taxes at par. For these individuals, the  
12 taxes do not become delinquent until after the end of the 90-day period provided in  
13 this act, and an individual who pays the property taxes before the end of the 90-day  
14 period is not liable for interest on the taxes for the applicable tax year. If the  
15 individual does not pay the taxes before the end of the 90-day period, interest shall  
16 accrue on the taxes according to the schedule provided in G.S. 105-360 or G.S. 105-  
17 330.4, as appropriate, as if no grace period had been allowed under this act. If the  
18 individual owns property jointly or by the entirety with his or her spouse, the  
19 extension provided in this section applies to both spouses.  
20 Sec. 2. Notwithstanding G.S. 105-307, an individual required to list  
21 property for taxation for the 1996-97 tax year or a subsequent tax year who, on or  
22 after December 4, 1995, was a member of the armed forces or the armed forces  
23 reserves and was deployed outside the State as a result of performing "Operation  
24 Joint Endeavor services", is allowed 90 days after the end of the individual's  
25 deployment to list the property. For these individuals, the listing period for the

NORTH CAROLINA GENERAL ASSEMBLY  
SENATE

RECORDED VOTE

1995 SESSION  
SECOND REGULAR SESSION

SEQ. 1546/2-- 7:47 PM

MAY 27, 1996

LEGISLATIVE DAY 118

LT. GOVERNOR WICKER

-- Presiding

KERR  
BOSNIA TROOPS TAX EXTENSION

SENATE BILL 1179  
READING 2

AYE	48	ALBERTSON ALLRAN BALLANCE BALLANTINE BASNIGHT BLACKMON BLUST CARPENTER CARRINGTON CLARK COCHRANE CONDER	COOPER 20. 1775 DANNELLY DAVIS EAST EDWARDS FORRESTER FOXX GULLEY HARTSELL HORTON HOYLE 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

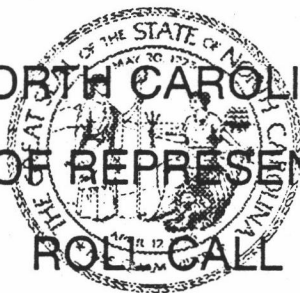
NOT CAST 1 JORDAN

ABSENT 1 HOBBS

PAIRS 0  
AYE  
NO



NORTH CAROLINA  
HOUSE OF REPRESENTATIVES



EV

2189  
LEGISLATIVE DAY 135  
S1179  
READING 2

6/21/96

IN CHAIR: SPEAKER

BOSNIA TROOPS TAX EXTENSION

AYES - 98

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

NOES - 0

EXCUSED ABSENCE - 9

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

EXCUSED VOTE - 0

NOT VOTING - 13

SPEAKER	GAMBLE	HIATT	LINNEY
BARNES	GARDNER	HOWARD	MCLAUGHLIN
CRAWFORD	GRAY	IVES	MILLER, K.
ELLIS			

S1179

FILED - SENATE

S 1180 MAY 14 1996

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1995

S

D

SENATE DRS4660-RLRBZ10(5.6)

Short Title: Accounting for 911 Surcharges.

(Public)

Sponsors: Senators Kerr, Cochrane, Cooper, and Soles.

Referred to:

- 1 A BILL TO BE ENTITLED  
2 AN ACT TO REQUIRE LOCAL GOVERNMENTS TO ACCOUNT FOR 911  
3 SURCHARGES IN THEIR ANNUAL FINANCIAL STATEMENTS.  
4 The General Assembly of North Carolina enacts:  
5 Section 1. G.S. 62A-7 reads as rewritten:  
6 "§ 62A-7. Emergency Telephone System Fund.  
7 The fiscal officer to whom 911 charges are remitted under G.S. 62A-6 shall deposit  
8 the charges in a ~~separate, restricted fund.~~ special revenue fund pursuant to G.S. 159-  
9 26(b)(2). The Fund shall be known as the Emergency Telephone System Fund. The  
10 fiscal officer may invest money in the Fund in the same manner that other money of  
11 the local government may be invested. The fiscal officer shall deposit any income  
12 earned from such an investment in the Emergency Telephone System Fund."  
13 Sec. 2. This act becomes effective July 1, 1996.

NORTH CAROLINA GENERAL ASSEMBLY  
SENATE

RECORDED VOTE

1995 SESSION  
SECOND REGULAR SESSION

SEQ. 1547/3-- 7:50 PM

MAY 27, 1996

LEGISLATIVE DAY 118

LT. GOVERNOR WICKER

-- Presiding

KERR  
ACCOUNTING FOR 911 SURCHARGES

SENATE BILL 1180  
READING 2

AYE	48	ALBERTSON ALLRAN BALLANCE BALLANTINE BASNIGHT BLACKMON BLUST CARPENTER CARRINGTON CLARK COCHRANE CONDER	COOPER DANNELLY DAVIS EAST EDWARDS FORRESTER FOXX GULLEY HARTSELL HORTON HOYLE 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 1 JORDAN

ABSENT 1 HOBBS

PAIRS 0

AYE  
NO

## GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1995

D

S

SENATE DRS7743-LJZ25(1.3)

Short Title: Utility Pole Extension.

(Public)

Sponsors: Senators Hoyle, Gulley, Horton, Kerr, Martin of Pitt, Rand, Smith, and Speed.

Referred to:

1 A BILL TO BE ENTITLED  
2 AN ACT TO ALLOW UTILITY POLES CARRIED ON SIDE-LOADERS TO  
3 EXTEND MORE THAN THREE FEET BEYOND THE FRONT BUMPER OF  
4 THE VEHICLE.

5 The General Assembly of North Carolina enacts:

6 Section 1. G.S. 20-116(f) reads as rewritten:

7 "(f) The load upon any vehicle operated alone, or the load upon the front vehicle  
8 of a combination of vehicles, shall not extend more than three feet beyond the ~~front~~  
9 ~~wheels of such vehicle or the front bumper of such vehicle, if it is equipped with such~~  
10 ~~a bumper.~~ foremost part of the vehicle. Under this subsection 'load' shall include the  
11 boom on a self-propelled vehicle.

12 A utility pole carried by a self-propelled pole carrier may extend beyond the front  
13 overhang limit set in this subsection if the pole cannot be dismembered, the pole is  
14 less than 80 feet in length, and either of the following circumstances apply:

15 (1) It is daytime and the front of the extending load of poles is marked  
16 by a flag of the type required by G.S. 20-117 for certain rear  
17 overhangs.

18 (2) It is nighttime, operation of the vehicle is required to make  
19 emergency repairs to utility service, and the front of the extending  
20 load of poles is marked by a light of the type required by G.S. 20-  
21 117 for certain rear overhangs.

22 As used in this subsection, a 'self-propelled pole carrier' is a vehicle designed to  
23 carry a pole on the side of the vehicle at a height of at least five feet when measured  
24 from the bottom of the brace used to carry the pole. A self-propelled pole carrier

## NORTH CAROLINA GENERAL ASSEMBLY AMENDMENT

(Please type or use ballpoint pen)

H. B. No. \_\_\_\_\_

DATE June 5, 1996S. B. No. 1181Amendment No. 1 (OPC)(to be filled in by  
Principal Clerk)

Rep. )

Sen. )

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

by inserting after the word "length" the  
following: "and does not extend more than  
10 feet beyond the front bumper of the  
vehicle"

SIGNED David ParnellADOPTED BY THE COMMITTEE ON TRANSPORTATION James B. SpeedADOPTED 6-10-96FAILED Link

TABLED \_\_\_\_\_

NORTH CAROLINA GENERAL ASSEMBLY  
SENATE

RECORDED VOTE

1995 SESSION  
SECOND REGULAR SESSION

SEQ. 1638/26-- 8:38 PM

JUNE 10, 1996

LEGISLATIVE DAY 126

LT. GOVERNOR WICKER

-- Presiding

HOYLE  
UTILITY POLE EXTENSION

SENATE BILL 1181  
READING 2

AYE

49 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.  
MARTIN W.  
MCDANIEL  
MCKOY  
ODOM  
PAGE  
PARNELL

PERDUE  
PLEXICO  
PLYLER  
RAND  
SHERRON  
SIMPSON  
SMITH  
SOLES  
SPEED  
WARREN  
WEBSTER  
WINNER

NO

1 SHAW

EXCUSED 0

NOT CAST 0

ABSENT 0

PAIRS 0

AYE

NO

# 2023  
LEGISLATIVE DAY 132  
S1181  
READING 2

NORTH CAROLINA  
HOUSE OF REPRESENTATIVES  
ROLL CALL

EV  
6/18/96  
7:09 PM  
IN CHAIR: SPEAKER

UTILITY POLE EXTENSION

AYES - 101

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

NOES - 0

EXCUSED ABSENCE - 8

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

EXCUSED VOTE - 0

NOT VOTING - 11

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

S1181

## GENERAL ASSEMBLY OF NORTH CAROLINA

PRINCIPAL CLERK

SESSION 1995

S

D

SENATE DRS6644\*-RNZ021.1

Short Title: Agency Printing.

(Public)

Sponsors: Senator Hoyle.

Referred to:

- 1 A BILL TO BE ENTITLED  
2 AN ACT TO ENFORCE ECONOMY IN STATE PRINTING COSTS AND TO  
3 PROMOTE OPPORTUNITIES FOR INCREASED PRIVATIZATION OF  
4 PRINTING.  
5 The General Assembly of North Carolina enacts:  
6 Section 1. G.S. 143-169 reads as rewritten:  
7 "**§ 143-169. Limitations on publications.**  
8 (a) Repealed by Session Laws 1983, c. 866, s. 2.  
9 (b) Every publication published at State expense which makes use of the  
10 ~~multicolor process~~ process color or multicolor printing is prohibited except:  
11 (1) In cases of scientific illustrations when the illustrations would be  
12 unintelligible if published in black and white;  
13 (2) When the publication is a project of the Department of  
14 Environment, Health, and Natural Resources, or is a part of the  
15 magazine 'Wildlife in North Carolina,' published under the  
16 auspices of the Wildlife Resources Commission; or  
17 (3) When the express approval of the Department of Administration is  
18 obtained.  
19 (c) Every publication published at State expense shall be prepared in accordance  
20 with the recycling and reuse requirements set forth in G.S. 130A-309.14(j).  
21 (d) If an agency fails to comply with this subsection, the Director of the Budget  
22 shall certify the agency's printing budget for the next fiscal year at ten percent (10%)  
23 less than the amount appropriated for the fiscal year in which the violation occurs."  
24 Sec. 2. G.S. 130A-309.14(j) reads as rewritten:



NORTH CAROLINA GENERAL ASSEMBLY  
SENATE

RECORDED VOTE

1995 SESSION  
SECOND REGULAR SESSION

SEQ. 1680/2-- 2:33 PM

JUNE 18, 1996

LEGISLATIVE DAY 131

LT. GOVERNOR WICKER

-- Presiding

HOYLE  
AGENCY PRINTING  
COM SUB/2ND EDITION

SENATE BILL 1182  
READING 2

AYE	48	ALBERTSON ALLRAN 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
NO	0				

EXCUSED	0	
NOT CAST	1	BALLANCE
ABSENT	1	DANNELLY
PAIRS	0	
AYE		
NO		

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1995

FILED - SENATE  
81188 MAY 14 1996  
PRINCIPAL CLERK

S

D

SENATE DRS7744\*-RLZ(4.30)

Short Title: Resale of Water and Sewer.

(Public)

Sponsors: Senator Hoyle.

Referred to:

1 A BILL TO BE ENTITLED

2 AN ACT REGARDING THE JURISDICTION OF THE UTILITIES COMMISSION  
3 WITH REGARD TO THE RESALE OF WATER OR SEWER SERVICE IN  
4 APARTMENTS, CONDOMINIUMS, AND SIMILAR PLACES AS  
5 RECOMMENDED BY THE JOINT LEGISLATIVE UTILITY REVIEW  
6 COMMITTEE.

7 The General Assembly of North Carolina enacts:

8 Section 1. G.S. 62-110 is amended by adding a new subsection to read:

9 "(g) In addition to the authority to issue a certificate of public convenience and  
10 necessity and establish rates otherwise granted in this Chapter, the Commission shall  
11 be authorized, consistent with the public interest, to adopt procedures for the purpose  
12 of allowing resale of water and sewer service provided to persons who occupy the  
13 same contiguous premises (as such term shall be defined by the Commission) at a rate  
14 or charge which does not exceed the actual purchase price of such service to the  
15 provider plus a reasonable administrative fee. The Commission shall issue rules to  
16 implement the services authorized by this subsection and, notwithstanding any other  
17 provision of this Chapter, the Commission shall determine the extent to which such  
18 services shall be regulated and, to the extent necessary to protect the public interest,  
19 regulate the terms, conditions, and rates charged for such services. Nothing in this  
20 subsection shall be construed to alter the rights, obligations, or remedies of persons  
21 providing such services and their customers under any other provision of law."

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

NORTH CAROLINA GENERAL ASSEMBLY  
SENATE

RECORDED VOTE

1995 SESSION  
SECOND REGULAR SESSION

SEQ. 1722/11-- 2:11 PM

JUNE 19, 1996

LEGISLATIVE DAY 132

SENATOR BASNIGHT

-- Presiding

HOYLE  
RESALE OF WATER AND SEWER

SENATE BILL 1183  
READING 3

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

EXCUSED 0

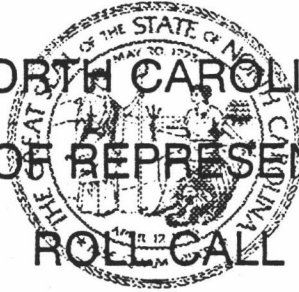
NOT CAST 4 BALLANCE HOBBS MARTIN R. RAND

ABSENT 1 LITTLE

PAIRS 0  
AYE  
NO

S # 2231  
LEGISLATIVE DAY 135  
S1183  
READING 2

NORTH CAROLINA  
HOUSE OF REPRESENTATIVES



6/21/96

IN CHAIR: SPEAKER

EV

RESALE OF WATER AND SEWER

AYES - 87

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

NOES - 1

EASTERLING

EXCUSED ABSENCE - 9

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

EXCUSED VOTE - 0

NOT VOTING - 23

SPEAKER	BUCHANAN	HUNTER, R.	PATE
BERRY	CULPEPPER	LEE	RAMSEY
BOWEN	GAMBLE	LEMOND	ROGERS
BOWIE	GRAY	MCLAUGHLIN	SHAW
BRASWELL	HAYES	MICHAUX	WOMBLE
BROWN, W.	HUNTER, H.	MILLER, K.	

S1183

GENERAL ASSEMBLY OF NORTH CAROLINA  
PRINCIPAL CLERK  
SESSION 1995

S

D

SENATE DRS2682\*-RWZ021A(5.9)

Short Title: Annexation Changes/Smaller Cities.

(Public)

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Sponsors: Senator Hartsell.

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Referred to:  

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- 1 A BILL TO BE ENTITLED  
2 AN ACT TO CHANGE THE LAWS GOVERNING ANNEXATION BY CITIES  
3 WITH A POPULATION OF LESS THAN FIVE THOUSAND.  
4 The General Assembly of North Carolina enacts:  
5 Section 1. G.S. 160A-35 reads as rewritten:  
6 **"§ 160A-35. Prerequisites to annexation; ability to serve; report and plans.**  
7 A municipality exercising authority under this Part shall make plans for the  
8 extension of services to the area proposed to be annexed and shall, prior to the public  
9 hearing provided for in G.S. 160A-37, prepare a report setting forth such plans to  
10 provide services to such area. The report shall include:  
11 (1) A map or maps of the municipality and adjacent territory to show  
12 the following information:  
13 a. The present and proposed boundaries of the municipality.  
14 b. The proposed extensions of water mains and sewer outfalls  
15 to serve the annexed area, if such utilities are operated by  
16 the municipality. The water and sewer map must bear the  
17 seal of a registered professional engineer or a licensed  
18 surveyor.  
19 (2) A statement showing that the area to be annexed meets the  
20 requirements of G.S. 160A-36.  
21 (3) A statement setting forth the plans of the municipality for  
22 extending to the area to be annexed each major municipal service  
23 performed within the municipality at the time of annexation.  
24 Specifically, such plans shall:

S-1185 MAY 14 1996

## GENERAL ASSEMBLY OF NORTH CAROLINA

PRINCIPAL CLERK

SESSION 1995

S

D

SENATE DRS7734\*-RWZ020D(5.8)

Short Title: Annexation Changes/Larger Cities.

(Public)

Sponsors: Senator Hartsell.

Referred to:

- 1 A BILL TO BE ENTITLED  
2 AN ACT TO CHANGE THE LAWS GOVERNING ANNEXATION BY CITIES  
3 WITH A POPULATION OF FIVE THOUSAND OR MORE.  
4 The General Assembly of North Carolina enacts:  
5 Section 1. G.S. 160A-47 reads as rewritten:  
6 **"§ 160A-47. Prerequisites to annexation; ability to serve; report and plans.**  
7 A municipality exercising authority under this Part shall make plans for the  
8 extension of services to the area proposed to be annexed and shall, prior to the public  
9 hearing provided for in G.S. 160A-49, prepare a report setting forth such plans to  
10 provide services to such area. The report shall include:  
11 (1) A map or maps of the municipality and adjacent territory to show  
12 the following information:  
13 a. The present and proposed boundaries of the municipality.  
14 b. The present major trunk water mains and sewer interceptors  
15 and outfalls, and the proposed extensions of such mains and  
16 outfalls as required in subdivision (3) of this section. The  
17 water and sewer map must bear the seal of a registered  
18 professional engineer.  
19 c. The general land use pattern in the area to be annexed.  
20 (2) A statement showing that the area to be annexed meets the  
21 requirements of G.S. 160A-48.  
22 (3) A statement setting forth the plans of the municipality for  
23 extending to the area to be annexed each major municipal service  
24 performed within the municipality at the time of annexation.  
25 Specifically, such plans shall:

## GENERAL ASSEMBLY OF NORTH CAROLINA

PRINCIPAL CLERK

SESSION 1995

S

D

SENATE DRS8692\*-RWZ008B(5.9)

Short Title: Condemnation Changes.

(Public)

Sponsors: Senator Hartsell.

Referred to:

- 1 A BILL TO BE ENTITLED  
2 AN ACT TO AMEND CHAPTER 40A GOVERNING CONDEMNATION TO  
3 AUTHORIZE AWARD OF ATTORNEYS' FEES, AND INTRODUCTION OF  
4 ANY EVIDENCE OF PROPERTY VALUE.  
5 The General Assembly of North Carolina enacts:  
6 Section 1. G.S. 40A-8 is amended by adding a new subsection to read:  
7 "(d) In addition to the other costs allowed under this Chapter, in any action  
8 brought under this Chapter in which the judgment awarded to the owner is an  
9 amount greater than:  
10 (1) The highest formal offer of settlement made in writing by the  
11 condemnor to the condemnee prior to filing a petition under G.S.  
12 40A-20, or  
13 (2) The amount of the deposit under Article 3,  
14 the court with jurisdiction over the action shall, after making appropriate findings of  
15 fact, award each owner of the property sought to be condemned a sum that, in the  
16 opinion of the court based upon its findings of fact, will reimburse the owner for:  
17 reasonable costs, disbursements, and expenses, including reasonable attorney,  
18 appraisal, and engineering fees."  
19 Sec. 2. Article 4 of Chapter 40A of the General Statutes is amended by  
20 adding a new section to read:  
21 "§ 40A-71. Evidence of value.  
22 In any proceeding to determine the value of property condemned under this  
23 Chapter,  
24 (1) Any formal offer of settlement made in writing by the condemnor  
25 to the condemnee prior to filing a petition under G.S. 40A-20.



S1187 MAY 14 1995

GENERAL ASSEMBLY OF NORTH CAROLINA  
PRINCIPAL CLERK  
SESSION 1995

S

D

SENATE DRS7735\*-RWZ016B(5.9)

Short Title: Mail ETJ Notice/Hearing on Appointments.

(Public)

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Sponsors: Senator Hartsell.

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Referred to:

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1 A BILL TO BE ENTITLED  
2 AN ACT TO REQUIRE FIRST-CLASS MAIL NOTICE TO ALL PROPERTY  
3 OWNERS IN AN AREA PROPOSED FOR ADDITION TO A  
4 MUNICIPALITY'S EXTRATERRITORIAL PLANNING AND ZONING  
5 JURISDICTION, PROPORTIONAL REPRESENTATION FOR RESIDENTS OF  
6 THE ETJ ON THE PLANNING AGENCY, AND A HEARING BEFORE  
7 COUNTY APPOINTMENT OF REPRESENTATION TO THE PLANNING  
8 AGENCY.

9 The General Assembly of North Carolina enacts:

10 Section 1. G.S. 160A-360 is amended by adding a subsection to read:

11 "(a1) Any municipality planning to exercise extraterritorial jurisdiction under this  
12 Article shall notify the owners of all parcels of land proposed for addition to the area  
13 of extraterritorial jurisdiction, as shown on the county tax records. The notice shall  
14 be sent by first-class mail to the last addresses listed for affected property owners in  
15 the county tax records. The notice shall inform the landowner of the effect of the  
16 extension of extraterritorial jurisdiction, of the landowner's right to participate in a  
17 public hearing prior to adoption of any ordinance extending the area of  
18 extraterritorial jurisdiction, as provided in G.S. 160A-364, and the right of all  
19 residents of the area to apply to the board of county commissioners to serve as a  
20 representative on the planning agency and the board of adjustment, as provided in  
21 G.S. 160A-362. The notice shall be mailed at least four weeks prior to the public  
22 hearing. The person or persons mailing the notices shall certify to the city council  
23 that the notices were sent by first-class mail, and the certificate shall be deemed  
24 conclusive in the absence of fraud."

25 Sec. 2. G.S. 160A-362 reads as rewritten:



## GENERAL ASSEMBLY OF NORTH CAROLINA

PRINCIPAL CLERK

SESSION 1995

S

D

SENATE DRS1773\*-RFZ002(5.10)

Short Title: Trespass/Theft of Pine Straw.

(Public)

Sponsors: Senator Albertson.

Referred to:

1 A BILL TO BE ENTITLED  
2 AN ACT TO ESTABLISH THE OFFENSES OF TRESPASS ON PINE STRAW  
3 PRODUCTION LAND AND LARCENY OF PINE STRAW.  
4 The General Assembly of North Carolina enacts:  
5 Section 1. The title of Article 22A of Chapter 14 of the General Statutes  
6 is rewritten to read:

## "ARTICLE 22A.

8 Trespassing upon 'Posted' Property to Hunt,  
9 Fish or ~~Trap~~ or Remove Pine Needles/Straw."

10 Sec. 2. G.S. 14-159.6 is rewritten to read:

11 "§ 14-159.6. Trespass for purposes of hunting, etc., without written consent a  
12 misdemeanor.

13 (a) Any person who willfully goes on the land, waters, ponds, or a legally  
14 established waterfowl blind of another upon which notices, signs or posters, described  
15 in G.S. 14-159.7, prohibiting hunting, fishing or trapping, or upon which 'posted'  
16 notices have been placed, to hunt, fish or trap without the written consent of the  
17 owner or his agent shall be guilty of a Class 2 misdemeanor. Provided, further, that  
18 no arrests under authority of this section shall be made without the consent of the  
19 owner or owners of said land, or their duly authorized agents in the following  
20 counties: Halifax and Warren.

21 (b) Any person who willfully goes on the land of another upon which notices,  
22 signs or posters, described in G.S. 14-159.7, prohibiting raking and/or removing pine  
23 needles/straw, or upon which 'posted' notices have been placed, without the written  
24 consent of the owner or his agent shall be guilty of a Class 1 misdemeanor for the  
25 first offense, and of a Class I felony for second or subsequent offenses."



NORTH CAROLINA GENERAL ASSEMBLY  
AMENDMENT

Senate Bill 1188  
(Second Edition)

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

SI188-ALH-1

Page 1 of 2

Date 6/19, 1996

Comm. Sub. YESI  
Amends Title YESI

*SENATOR FOX*

1 moves to amend the bill on page 1, line 3,  
2 by inserting immediately before the period the following:  
3 "AND TO INCREASE THE PUNISHMENT FOR MAKING A BOMB THREAT"; and  
4

5 on page 2, lines 18-19,  
6 by inserting between those lines the following:

7 "Sec. 3. G.S. 14-69.1 reads as rewritten:

8 '§ 14-69.1. Making a false report concerning destructive device.

9 (a) If any person shall, by any means of communication to any  
10 person or group of persons, make a report, knowing or having reason  
11 to know the same to be false, that there is located in any building,  
12 house or other structure whatsoever or any vehicle, aircraft, vessel  
13 or boat any device designed to destroy or damage the building, house  
14 or structure or vehicle, aircraft, vessel or boat by explosion,  
15 blasting or burning, he shall be guilty of a Class 1-misdemeanor; 1  
16 felony.

17 (b) If any person shall, by any means of communication to any  
18 person or group of persons, make a report, knowing or having reason  
19 to know the same to be false, that there is located in any hospital  
20 facility as defined in G.S. 131E-6, which includes a health clinic  
21 facility, any device designed to destroy or damage the hospital or  
22 health clinic facility by explosion, blasting, or burning, he shall,  
23 upon a first conviction, be guilty of a Class 1-misdemeanor; 1  
24 felony, punishable by a minimum of 100 hours of mandatory community  
25 service. Upon a second or subsequent conviction under this  
26 subsection, he shall be guilty of a Class 1 felony.

27 "Sec. 4. G.S. 14-69.2 reads as rewritten:

28 '§ 14-69.2. Perpetrating hoax by use of false bomb or other device.

29 (a) If any person, with intent to perpetrate a hoax, shall  
30 secrete, place or display any device, machine, instrument or  
31 artifact, so as to cause any person reasonably to believe the same  
32 to be a bomb or other device capable of causing injury to persons or  
33 property, he shall be guilty of a Class 1-misdemeanor; 1 felony.



NORTH CAROLINA GENERAL ASSEMBLY  
AMENDMENT

Senate Bill 1188  
(Second Edition)

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

Page 2 of 2

SI188-AM-1

1 (b) A violation of subsection (a) of this section that occurs in  
2 a hospital facility as defined in G.S. 131E-6 is, upon a first  
3 conviction, a Class 4-misdemeanor felony punishable by a minimum  
4 of 100 hours of mandatory community service. A second or subsequent  
5 conviction under subsection (a) of this section is a Class 4 felony. " and  
6

7  
8 by renumbering the following sections accordingly.  
9  
10

SIGNED Virginia Fox  
Amendment Sponsor

SIGNED \_\_\_\_\_  
Committee Chair if Senate Committee Amendment

ADOPTED \_\_\_\_\_

FAILED \_\_\_\_\_

TABLED \_\_\_\_\_

CHANGE TITLE  
Held Not to be germane

NORTH CAROLINA GENERAL ASSEMBLY  
SENATE

RECORDED VOTE

1995 SESSION  
SECOND REGULAR SESSION

SEQ. 1802/15-- 2:49 PM

JUNE 21, 1996

LEGISLATIVE DAY 1

SENATOR BASNIGHT

-- Presiding

ALBERTSON  
TRESPASS/THEFT OF PINE STRAW  
COM SUB/2ND EDITION

SENATE BILL 1188  
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	KERR KINCAID LEDBETTER LITTLE LUCAS MARTIN R. MARTIN W. MCDANIEL MCKOY ODOM PAGE	PARNELL PERDUE PLEXICO PLYLER SHERRON SIMPSON SOLES SPEED WARREN WEBSTER WINNER
NO	1	BALLANCE			

EXCUSED 0

NOT CAST 3 CONDER

RAND

SHAW

ABSENT 1 SMITH

PAIRS 0

AYE  
NO

(COPY)

§ 1189 MAY 14 1996

## GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1995

S

D

SENATE DRSA670-LC306(2.21)

Short Title: Jones School Acquisition.

(Local)

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Sponsors: Senator Albertson.

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Referred to:

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- 1 A BILL TO BE ENTITLED  
2 AN ACT TO ALLOW JONES COUNTY TO ACQUIRE PROPERTY FOR USE  
3 BY ITS COUNTY BOARD OF EDUCATION.  
4 The General Assembly of North Carolina enacts:  
5 Section 1. G.S. 153A-158.1 reads as rewritten:  
6 **"§ 153A-158.1. Acquisition and improvement of school property in certain counties.**  
7 (a) Acquisition by County. -- A county may acquire, by any lawful method, any  
8 interest in real or personal property for use by a school administrative unit within the  
9 county. In exercising the power of eminent domain a county shall use the procedures  
10 of Chapter 40A. The county shall use its authority under this subsection to acquire  
11 property for use by a school administrative unit within the county only upon the  
12 request of the board of education of that school administrative unit and after a public  
13 hearing.  
14 (b) Construction or Improvement by County. -- A county may construct, equip,  
15 expand, improve, renovate, or otherwise make available property for use by a school  
16 administrative unit within the county. The local board of education shall be involved  
17 in the design, construction, equipping, expansion, improvement, or renovation of the  
18 property to the same extent as if the local board owned the property.  
19 (c) Lease or Sale by Board of Education. -- Notwithstanding the provisions of G.S.  
20 115C-518 and G.S. 160A-274, a local board of education may, in connection with  
21 additions, improvements, renovations, or repairs to all or part of any of its property,  
22 lease or sell the property to the board of commissioners of the county in which the  
23 property is located for any price negotiated between the two boards.  
24 (d) Board of Education May Contract for Construction. -- Notwithstanding the  
25 provisions of G.S. 115C-40 and G.S. 115C-521, a local board of education may enter

NORTH CAROLINA GENERAL ASSEMBLY  
SENATE

RECORDED VOTE

1995 SESSION  
SECOND REGULAR SESSION

SEQ. 1693/15-- 5:22 PM

JUNE 18, 1996

LEGISLATIVE DAY 131

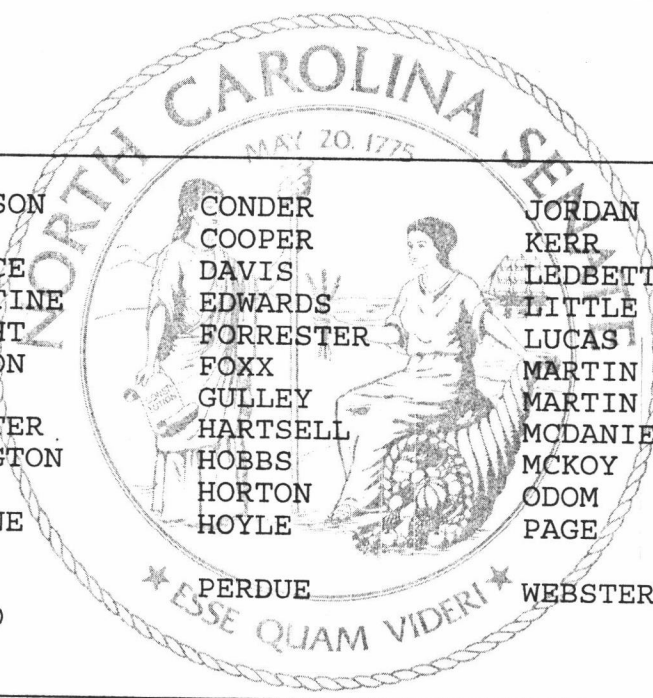
LT. GOVERNOR WICKER

-- Presiding

ALBERTSON  
COUNTY SCHOOL ACQUISITIONS  
COM SUB/2ND EDITION

SENATE BILL 1189  
READING 2

AYE	44	ALBERTSON ALLRAN BALLANCE BALLANTINE BASNIGHT BLACKMON BLUST CARPENTER CARRINGTON CLARK COCHRANE	CONDER COOPER DAVIS EDWARDS FORRESTER FOXX GULLEY HARTSELL HOBBS HORTON HOYLE	JORDAN KERR LEDBETTER LITTLE LUCAS MARTIN R. MARTIN W. MCDANIEL MCKOY ODOM PAGE	PARNELL PLEXICO PLYLER RAND SHAW SHERRON SIMPSON SMITH SOLES SPEED WARREN
NO	5	EAST KINCAID	PERDUE	WEBSTER	WINNER



EXCUSED 0  
NOT CAST 0  
ABSENT 1 DANNELLY  
PAIRS 0  
AYE  
NO

NORTH CAROLINA GENERAL ASSEMBLY  
SENATE

RECORDED VOTE

1995 SESSION  
SECOND REGULAR SESSION

SEQ. 1714/3-- 1:32 PM

JUNE 19, 1996

LEGISLATIVE DAY 132

LT. GOVERNOR WICKER

-- Presiding

ALBERTSON  
COUNTY SCHOOL ACQUISITIONS  
COM SUB/2ND EDITION

SENATE BILL 1189  
READING 3

AYE	41	ALBERTSON ALLRAN BALLANCE BALLANTINE BLACKMON CARPENTER CARRINGTON CLARK COCHRANE CONDER COOPER	DAVIS EDWARDS FORRESTER FOXX GULLEY HARTSELL HOBBS HORTON HOYLE JORDAN	KERR KINCAID LEDBETTER LUCAS MARTIN R. MARTIN W. MCDANIEL MCKOY ODOM PAGE	PARNELL PLEXICO PLYLER RAND SHAW SHERRON SIMPSON SOLES SPEED WARREN
NO	2	EAST	WINNER		

EXCUSED 0

NOT CAST	6	BASNIGHT BLUST	DANNELLY PERDUE	SMITH	WEBSTER
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ABSENT 1 LITTLE

PAIRS 0

AYE  
NO



GENERAL ASSEMBLY OF NORTH CAROLINA FILED - SENATE

SESSION 1995

S 1190 MAY 14 1996

S

D  
PRINCIPAL CLERK

SENATE DRS7739-LB399(3.6)

Short Title: Wallace ETJ.

(Local)

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Sponsors: Senator Albertson.

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Referred to:

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- 1 A BILL TO BE ENTITLED  
2 AN ACT TO EXTEND THE EXTRATERRITORIAL PLANNING JURISDICTION  
3 OF THE TOWN OF WALLACE.  
4 The General Assembly of North Carolina enacts:  
5 Section 1. The Charter of the Town of Wallace, being Chapter 94 of the  
6 1987 Session Laws, is amended by adding a new section to read:  
7 "Section 1.4. Extraterritorial jurisdiction. In addition to any areas where the  
8 Town of Wallace exercises territorial jurisdiction under Article 19 of Chapter 160A  
9 of the General Statutes, the town shall have territorial jurisdiction under that Article  
10 in the following described area:  
11 In Duplin County, beginning at a point on the existing extraterritorial jurisdiction  
12 boundary line one-half mile south of the center line of NC Highway 41, and  
13 continuing from that point in an easterly direction along a route one-half mile south  
14 of the center line of NC Highway 41 to a point one-half mile east of the Interstate 40  
15 eastern right-of-way boundary line; continuing from that point in a northwesterly  
16 direction along a route one-half mile east of the Interstate 40 eastern right-of-way  
17 boundary line to a point one-half mile north of the center line of NC Highway 11;  
18 continuing from that point in a southwesterly direction along a route one-half mile  
19 north of the center line of NC Highway 11 to a point where it intersects with the  
20 existing extraterritorial jurisdiction boundary line; and including all of the area  
21 located within the described boundary."  
22 Sec. 2. The provisions of G.S. 160A-360(f) shall apply to the area  
23 described in Section 1 of this act.  
24 Sec. 3. This act is effective upon ratification.



NORTH CAROLINA GENERAL ASSEMBLY  
SENATE

RECORDED VOTE

1995 SESSION  
SECOND REGULAR SESSION

SEQ. 1564/3--12:47 PM

MAY 30, 1996

LEGISLATIVE DAY 121

LT. GOVERNOR WICKER

-- Presiding

ALBERTSON  
WALLACE EPJ

SENATE BILL 1190  
READING 2

AYE	46	ALBERTSON ALLRAN 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. MARTIN W. MCDANIEL ODOM PAGE PARNELL	PERDUE PLEXICO PLYLER RAND SIMPSON SMITH SOLES SPEED WARREN WEBSTER WINNER
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NO 0

EXCUSED 0

NOT CAST 3 BALLANCE SHAW SHERRON

ABSENT 1 MCKOY

PAIRS 0  
AYE  
NO

BLOCK VOTE  
SB1244

SB1267

NORTH CAROLINA GENERAL ASSEMBLY  
SENATE

RECORDED VOTE

1995 SESSION  
SECOND REGULAR SESSION

SEQ. 1573/2-- 7:27 PM

JUNE 3, 1996

LEGISLATIVE DAY 122

LT. GOVERNOR WICKER

-- Presiding

ALBERTSON  
WALLACE EPJ

SENATE BILL 1190  
READING 3

AYE	50	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. 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 0

PAIRS 0

AYE  
NO

BLOCK VOTE

SB1244

SB1267

FILED - SENATE

S 1191 MAY 14 1996

GENERAL ASSEMBLY OF NORTH CAROLINA

PRINCIPAL CLERK

SESSION 1995

S

D

SENATE DRS4669\*-RDZ001.2(3.26)

Short Title: Remove Endorsement to Sell Sunset.

(Public)

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Sponsors: Senators Albertson, Perdue, and Shaw.

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Referred to:

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1 A BILL TO BE ENTITLED  
2 AN ACT TO REMOVE THE EXPIRATION DATE ON THE ENDORSEMENT  
3 TO SELL PROGRAM SET FORTH IN CHAPTER 516 OF THE 1993 SESSION  
4 LAWS.  
5 The General Assembly of North Carolina enacts:  
6 Section 1. Section 8 of Chapter 516 of the 1993 Session Laws reads as  
7 rewritten:  
8 "Sec. 8. G.S. 113-154.1(i), as enacted by Section 3 of this act, becomes effective  
9 December 1, 1993, and applies to violations committed on or after that date. The  
10 remainder of this act is effective upon ratification. The fees for endorsement to sell  
11 apply to endorsement issued on or after that date. ~~This act expires July 1, 1996.~~"  
12 Sec. 2. This act is effective upon ratification.

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1995

S

FILED - SENATE  
D

SENATE DRS7733\*-RD\$008(4.16)

S 1192 MAY 14 1996

PRINCIPAL CLERK

Short Title: Fund Shellfish Sanitation.

(Public)

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Sponsors: Senators Albertson, Perdue, and Shaw.

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Referred to:

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1 A BILL TO BE ENTITLED  
2 AN ACT TO APPROPRIATE FUNDS TO THE DEPARTMENT OF  
3 ENVIRONMENT, HEALTH, AND NATURAL RESOURCES FOR THE  
4 SHELLFISH SANITATION BRANCH IN THE ENVIRONMENTAL HEALTH  
5 SECTION OF THE DIVISION OF HEALTH.  
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  
9 Environmental Health, the sum of two hundred thirty thousand four hundred three  
10 dollars, (\$230,403) for the 1996-97 fiscal year for four positions and for administrative  
11 and other expenses to support the shellfish sanitation program.  
12 Sec. 2. This act becomes effective July 1, 1996.

## GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1995

S

D

SENATE DRS6648\*-RDZ004(3.26)

Short Title: Extend Fisheries Moratorium Report Date.

(Public)

Sponsors: Senators Albertson, Perdue, and Shaw.

Referred to:

- 1 A BILL TO BE ENTITLED  
2 AN ACT TO CLARIFY THE DATE OF THE MORATORIUM STEERING  
3 COMMITTEE'S FINAL REPORT AND TO EXTEND THE DATE THAT THE  
4 JOINT LEGISLATIVE COMMISSION ON SEAFOOD AND AQUACULTURE  
5 IS REQUIRED TO REPORT.  
6 The General Assembly of North Carolina enacts:  
7 Section 1. Section 5 of Chapter 576 of the 1993 Session Laws reads as  
8 rewritten:  
9 "Sec. 5. The Moratorium Steering Committee shall make its final report to the  
10 Joint Legislative Commission on Seafood and Aquaculture on or before November 1,  
11 1996. The Joint Legislative Commission on Seafood and Aquaculture ~~may~~ shall  
12 report to the ~~1995~~ 1997 General Assembly, ~~and shall report on the first day the 1996~~  
13 ~~Regular Session commences~~ Assembly on its findings, together with any  
14 recommended legislation."  
15 Sec. 2. This act is effective upon ratification.

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1995

FILED - SENATE

S

S 1194 MAY 14 1996

SENATE DRS2681\*-RDZ005(3.26)

PRINCIPAL CLERK

Short Title: Employees on Shellfish Leases/Franchises.

(Public)

Sponsors: Senators Albertson, Perdue, and Shaw.

Referred to:

- 1 A BILL TO BE ENTITLED  
2 AN ACT RECOMMENDED BY THE JOINT LEGISLATIVE COMMISSION ON  
3 SEAFOOD AND AQUACULTURE TO ALLOW EMPLOYEES ON  
4 SHELLFISH LEASES AND FRANCHISES TO WORK WITHOUT  
5 POSSESSING AN INDIVIDUAL SHELLFISH LICENSE.  
6 The General Assembly of North Carolina enacts:  
7 Section 1. G.S. 113-154(c1) reads as rewritten:  
8 "(c1) A shellfish leaseholder under G.S. 113-202, or a water column leaseholder  
9 under G.S. 113-202.1 or ~~G.S. 113-202.2~~ G.S. 113-202.2, or a franchise holder under  
10 G.S. 113-206 who purchases an individual shellfish license under this section, may  
11 ~~utilize up to two additional persons to take shellfish from the leaseholder's lease~~  
12 ~~without purchasing additional individual shellfish licenses. The leaseholder shall be~~  
13 ~~on the premises supervising the person or persons, and the person or persons shall be~~  
14 ~~restricted to taking shellfish only from the leaseholder's lease~~ employ persons who do  
15 not possess individual shellfish licenses, provided that the employees have proof of  
16 employment on hand, if requested for inspection by a Marine Fisheries officer to  
17 verify lawful activities on the lease."  
18 Sec. 2. This act is effective upon ratification.

FILED - SENATE  
S 1195 MAY 14 1996  
PRINCIPAL CLERK

GENERAL ASSEMBLY OF NORTH CAROLINA  
SESSION 1995

S

D

SENATE DRS2680\*-RDZ002.2(4.15)

Short Title: Fishery Resource Grant Program.

(Public)

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Sponsors: Senators Albertson, Perdue, and Shaw.

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Referred to:

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1 A BILL TO BE ENTITLED  
2 AN ACT TO COORDINATE THE FISHERY RESOURCE GRANT PROGRAM  
3 IN THE NORTH CAROLINA SEA GRANT COLLEGE PROGRAM AT THE  
4 UNIVERSITY OF NORTH CAROLINA.  
5 The General Assembly of North Carolina enacts:  
6 Section 1. Article 15 of Chapter 113 of the General Statutes is amended  
7 by adding a new section to read:  
8 "**§ 113-190. Fishery Resource Grant Program.**  
9 (a) Creation. -- There is created within the Sea Grant College Program at The  
10 University of North Carolina, the Fishery Resource Grant Program. The purpose of  
11 the program is to work within priorities established by the Marine Fisheries  
12 Commission to protect and enhance the State's coastal fishery resources through  
13 individual grants in the following areas:  
14 (1) New fisheries equipment or gear;  
15 (2) Environmental pilot studies, including water quality and fisheries  
16 habitat;  
17 (3) Aquaculture or mariculture; or  
18 (4) Seafood technology.  
19 (b) Annual Establishment of Priorities. -- The Commission shall, in cooperation  
20 with fishermen, the Division of Marine Fisheries, and the Sea Grant College  
21 Program, establish priorities effective July 1 of each year for the grant program. The  
22 adoption of priorities by the Commission shall not be considered rule making within  
23 the meaning of the Administrative Procedure Act. The Commission shall provide  
24 public notice of its proposed priorities at least 30 days before the Commission  
25 meeting prior to a final determination of its priorities for the fiscal year.

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1995

FILED - 32  
6/11/96

MAY 14 1996

S

D

SENATE DRS2689\*-RLZ003(5.13)

PRINCIPAL CLERK

Short Title: Rental Equip. Liens.

(Public)

Sponsors: Senator Soles.

Referred to:

1 A BILL TO BE ENTITLED  
2 AN ACT TO PROVIDE LIENS ON REAL PROPERTY FOR THE FURNISHING  
3 OF RENTAL EQUIPMENT.

4 The General Assembly of North Carolina enacts:

5 Section 1. G.S. 44A-7 reads as rewritten:

6 "§ 44A-7. Definitions.

7 Unless the context otherwise requires in this Article:

- 8 (1) 'Improve' means to build, effect, alter, repair, or demolish any  
9 improvement upon, connected with, or on or beneath the surface  
10 of any real property, or to excavate, clear, grade, fill or landscape  
11 any real property, or to construct driveways and private roadways,  
12 or to furnish materials, including trees and shrubbery, for any of  
13 such purposes, or to perform any labor upon such improvements,  
14 and shall also mean and include any design or other professional  
15 or skilled services furnished by architects, engineers, land surveyors  
16 and landscape architects registered under Chapter 83A, 89A or  
17 89C of the General Statutes. Statutes, and rental of equipment  
18 directly utilized on the real property in making the improvement.  
19 (2) 'Improvement' means all or any part of any building, structure,  
20 erection, alteration, demolition, excavation, clearing, grading,  
21 filling, or landscaping, including trees and shrubbery, driveways,  
22 and private roadways, on real property.  
23 (3) An 'owner' is a person who has an interest in the real property  
24 improved and for whom an improvement is made and who  
25 ordered the improvement to be made. 'Owner' includes successors



GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1995

S

D

SENATE DRS2687\*-LVZ002C(4.2)

FILED - SENATE

81197 MAY 14 1996

PRINCIPAL CLERK (Public)

Short Title: Area Authority Accountability.

Sponsors: Senator Winner.

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.

GENERAL ASSEMBLY OF NORTH CAROLINA  
SESSION 1995

FILED - SENATE  
S 1198 MAY 14 1996  
PRINCIPAL CLERK

S

D

SENATE DRS7722-LJXZ24(1.5)

Short Title: Tax At Rack Fine Tuning.

(Public)

Sponsors: Senators Kerr, Cochrane, Cooper, and Soles.

Referred to:

- 1 A BILL TO BE ENTITLED  
2 AN ACT TO CLARIFY THE REQUIREMENTS CONCERNING IMPORTS AND  
3 EXPORTS OF MOTOR FUEL UNDER THE "TAX AT THE RACK" LAWS  
4 AND TO MAKE OTHER ADJUSTMENTS TO THOSE LAWS.  
5 The General Assembly of North Carolina enacts:  
6 Section 1. G.S. 105-449.60 is amended by adding the following  
7 subdivision in the appropriate alphabetical order and renumbering the succeeding  
8 subdivisions accordingly:  
9 "(20) In-State-only supplier. -- Either of the following:  
10 a. A supplier that is required to have a license and elects not  
11 to collect the excise tax due this State on motor fuel that is  
12 removed by the supplier at a terminal located in another  
13 state and has this State as its destination state.  
14 b. A supplier that does business only in this State."  
15 Sec. 2. G.S. 105-449.60, as amended by Section 1 of this act, is amended  
16 by adding the following subdivision in the appropriate alphabetical order and  
17 renumbering the succeeding subdivisions accordingly:  
18 "(35) Tax. -- An inspection or other excise tax on motor fuel and any  
19 other fee or charge imposed on motor fuel on a per-gallon basis."  
20 Sec. 3. G.S. 105-449.65 reads as rewritten:  
21 "§ 105-449.65. List of persons who must have a license.  
22 (a) License. -- A person may not engage in business in this State as any of the  
23 following unless the person has a license issued by the Secretary authorizing the  
24 person to engage in that business:  
25 (1) A refiner.

NORTH CAROLINA GENERAL ASSEMBLY  
SENATE

RECORDED VOTE

1995 SESSION  
SECOND REGULAR SESSION

SEQ. 1607/3-- 1:47 PM

JUNE 6, 1996

LEGISLATIVE DAY 125

LT. GOVERNOR WICKER

-- Presiding

KERR  
TAX AT RACK FINE TUNING

SENATE BILL 1198  
READING 2

AYE	48	ALBERTSON	COOPER 20.1775	KERR	PERDUE
		ALLRAN	DANNELLY	KINCAID	PLEXICO
		BALLANCE	DAVIS	LEDBETTER	RAND
		BALLANTINE	EDWARDS	LITTLE	SHAW
		BASNIGHT	FORRESTER	LUCAS	SHERRON
		BLACKMON	FOXX	MARTIN R.	SIMPSON
		BLUST	GULLEY	MARTIN W.	SMITH
		CARPENTER	HARTSELL	MCDANIEL	SOLES
		CARRINGTON	HOBBS	MCKOY	SPEED
		CLARK	HORTON	ODOM	WARREN
		COCHRANE	HOYLE	PAGE	WEBSTER
		CONDER	JORDAN	PARNELL	WINNER

NO 0

EXCUSED 0

NOT CAST 2 EAST

PLYLER

ABSENT 0

PAIRS 0

AYE  
NO

COPY)

NORTH CAROLINA GENERAL ASSEMBLY  
SENATE

RECORDED VOTE

1995 SESSION  
SECOND REGULAR SESSION

SEQ. 1635/23-- 8:29 PM

JUNE 10, 1996

LEGISLATIVE DAY 126

LT. GOVERNOR WICKER

-- Presiding

KERR  
TAX AT RACK FINE TUNING

SENATE BILL 1198  
READING 3

AYE

50

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.  
MARTIN W.  
MCDANIEL  
MCKOY  
ODOM  
PAGE  
PARNELL  
PERDUE

PLEXICO  
PLYLER  
RAND  
SHAW  
SHERRON  
SIMPSON  
SMITH  
SOLES  
SPEED  
WARREN  
WEBSTER  
WINNER

NO

0

EXCUSED

0

NOT CAST

0

ABSENT

0

PAIRS

0

AYE

NO

# 2085  
LEGISLATIVE DAY 134  
S1198  
READING 2

NORTH CAROLINA  
HOUSE OF REPRESENTATIVES  
ROLL CALL

RC  
6/20/96  
1:02 PM  
IN CHAIR: SPEAKER

TAX AT RISK FINE TUNING

AYES - 105

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

NOES - 3

MILLER, K.	THOMPSON	WILKINS
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EXCUSED ABSENCE - 7

BEALL	FOX	OLDHAM	WARNER
CULP	HUNT	ROBINSON, G.	

EXCUSED VOTE - 0

NOT VOTING - 5

SPEAKER	CRAWFORD	HIGHTOWER	LEMMOND
BARBEE			

S1198

# 2153  
LEGISLATIVE DAY 135  
S1198  
READING 3

NORTH CAROLINA  
HOUSE OF REPRESENTATIVES  
ROLL CALL

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

RC

TAX AT RACK FINE TUNING

AYES - 105

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

NOES - 1

BUCHANAN

EXCUSED ABSENCE - 8

ALDRIDGE	BLUE	HUNT	ROBINSON, G.
BEALL	FOX	OLDHAM	WARNER

EXCUSED VOTE - 0

NOT VOTING - 6

SPEAKER	HOWARD	MILLER, K.	ROGERS
BRASWELL	MCLAUGHLIN		

S1198

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1995

FILED - SENATE

S

S1199 MAY 15<sup>D</sup> 1995

SENATE DRS5694-LE183(5.12)

PRINCIPAL CLERK

Short Title: Highway Patrol Troop Bldg. Funds.

(Public)

Sponsors: Senator Smith.

Referred to:

- 1 A BILL TO BE ENTITLED  
2 AN ACT TO APPROPRIATE FUNDS TO THE STATE HIGHWAY PATROL  
3 FOR A NEW TROOP AND DISTRICT HEADQUARTERS BUILDING.  
4 The General Assembly of North Carolina enacts:  
5 Section 1. There is appropriated from the Highway Fund to the  
6 Department of Crime Control and Public Safety the sum of three million one  
7 hundred fifty-four thousand dollars (\$3,154,000) for the 1996-97 fiscal year to  
8 construct a new State Highway Patrol troop and district headquarters building for  
9 Troop E.  
10 Sec. 2. This act becomes effective July 1, 1996.

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1995

S

D

SENATE DRSA668-LG241(5.13)

FILED - SENATE

S 1200 MAY 15 1996

Short Title: FSU Fine Arts Building Funds.

PRINCIPAL CLERK (Public)

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Sponsors: Senator Edwards.

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Referred to:

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- 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.