GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1995

S

SENATE RESOLUTION 1

Sponsors: Senator Rand.

Referred to:

January 25, 1995

A SENATE RESOLUTION ADOPTING THE PERMANENT RULES OF THE SENATE FOR THE REGULAR SESSIONS OF THE 1995 GENERAL ASSEMBLY OF NORTH CAROLINA.

Be it resolved by the Senate:

Section 1. The permanent rules for the Regular Sessions of the Senate shall be as follows:

"PERMANENT RULES OF
THE REGULAR SESSIONS OF THE SENATE
1995 GENERAL ASSEMBLY OF NORTH CAROLINA

I. Order of Business, Rules 1-7
II. Conduct of Debate, Rules 8-17
III. Motions, Rules 18-24
IV. Voting, Rules 25-30
V. Committees, Rules 31-37
VI. Handling Bills, Rules 38-59.1
VII. Legislative Officers and Employees, Rules 60-65
VIII. General Rules, Rules 66-77.

I. Order of Business

RULE 1. **Rules controlling the Senate of North Carolina and its committees.**--The following rules shall govern and control all actions and procedures of the Senate and its committees.

RULE 2. **Convening hour.**--The Presiding Officer shall take the Chair at the hour fixed by the Senate upon adjournment on the preceding legislative day, and shall call the members to order. In case the Senate adjourned on the preceding legislative day without having fixed the hour of reconvening, the Senate shall

NORTH CAROLINA GENERAL ASSEMBLY AMENDMENT

(Please type or use ballpoint pen)

EDITION No. _____

H. B. No. _____

S. B. No. SR1

COMMITTEE SUBSTITUTE _____

DATE 25 January 1995

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

Rep.)
) L Winner
Sen.)

1 moves to amend the bill on page 11, line 41
2 ( ) WHICH CHANGES THE TITLE
3 by striking * appropriations or finance
4
5 and substituting * appropriations, finance or local
6
7
8
9
10
11
12
13
14
15
16
17
18
19

SIGNED Leslie Winner

ADOPTED Jan 25 1995 FAILED _____ TABLED _____
42-2 S Fink CORRECTED VOTE 45-2 SL

NORTH CAROLINA GENERAL ASSEMBLY
SENATE

RECORDED VOTE

1995 SESSION

SEQ. 2/2-- 1:46 PM JANUARY 25, 1995 LEGISLATIVE DAY 1

LT. GOVERNOR WICKER -- Presiding

RAND
1995 PERMANENT RULES

SENATE RES. 1

AMEND 1

AYE	45	ALBERTSON	DAVIS	KERR	PLYLER
		ALLRAN	EAST	KINCAID	RAND
		BALLANCE	EDWARDS	LUCAS	SHAW
		BALLANTINE	FORRESTER	MARTIN, R.	SHERRON
		BASNIGHT	FOXX	MARTIN W.	SIMPSON
		BLACKMON	GULLEY	MCDANIEL	SMITH
		CARPENTER	HARTSELL	MCKOY	SOLES
		CARRINGTON	HOBBS	ODOM	SPEED
		COCHRANE	HORTON	PARNELL	WARREN
		CONDER	HOYLE	PERDUE	WEBSTER
		COOPER	JORDAN	PLEXICO	WINNER
		DANNELLY			
NO	2	CLARK	LEDBETTER		

EXCUSED 0

NOT CAST 2 LITTLE SAWYER

ABSENT 0

PAIRS 0
AYE
NO

(COPY)

NORTH CAROLINA GENERAL ASSEMBLY
AMENDMENT
Senate Resolution 1

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

S1-ALB-7

Page 1 of 1

Date 1-25, 1995

Comm. Sub. [ ]
Amends Title [ ]

moves to amend the bill on page 1, line 7,
by deleting "PERMANENT" and substituting "TEMPORARY"

further moves to amend the bill on page 1, line 5,
by deleting "permanent" and substituting "temporary"

moves to amend the bill on page 1, line 7,
by deleting "PERMANENT" and substituting "TEMPORARY"

further moves to amend the bill on page 23 line 24 by rewriting those lines to read:

"RULE 77. Alterations, suspension or rescission of rules.-- (a) These temporary rules remain effective until adoption of permanent rules by Senate simple resolution.

(b) Except as otherwise provided herein, the Senate, upon two-thirds vote of the membership present and voting, may temporarily suspend any of these rules."

SIGNED Dan Simpson
Amendment Sponsor

SIGNED _____
Committee Chair if Senate Committee Amendment

ADOPTED _____ FAILED Jan. 25, 1995 21-28 TABLED _____

S Fink

Vote Adjusted JAN 25 1995
23-26 S Fink

NORTH CAROLINA GENERAL ASSEMBLY
SENATE

RECORDED VOTE

1995 SESSION

SEQ. 3/3-- 2:15 PM | JANUARY 25, 1995 | LEGISLATIVE DAY 1

LT. GOVERNOR WICKER -- Presiding

RAND
1995 PERMANENT RULES

SENATE RES. 1

AMEND 2

AYE	21	ALLRAN	COCHRANE	HORTON	SAWYER
		BALLANTINE	EAST	KINCAID	SHAW
		BLACKMON	FORRESTER	LITTLE	SIMPSON
		CARPENTER	FOXX	MCDANIEL	SMITH
		CARRINGTON	HARTSELL	MCKOY	WEBSTER
		CLARK			
	28	ALBERTSON	EDWARDS	LUCAS	PLYLER
		BALLANCE	GULLEY	MARTIN R.	RAND
		BASNIGHT	HOBBS	MARTIN W.	SHERRON
		CONDER	HOYLE	ODOM	SOLES
		COOPER	JORDAN	PARNELL	SPEED
		DANNELLY	* KERR	*PERDUE	WARREN
		DAVIS	LEDBETTER	PLEXICO	WINNER

EXCUSED 0

NOT CAST 0

ABSENT 0

PAIRS 0
AYE
NO

(CONTINUED)

NORTH CAROLINA GENERAL ASSEMBLY
SENATE

RECORDED VOTE

1995 SESSION

SEQ. 12/12-- 5:18 PM JANUARY 25, 1995 LEGISLATIVE DAY 1

LT. GOVERNOR WICKER -- Presiding

RAND
1995 PERMANENT RULES

SENATE RES. 1

AMEND 2

AYE	22	ALLRAN	COCHRANE	KINCAID	SAWYER
		BALLANTINE	EAST	LEDBETTER	SHAW
		BLACKMON	FORRESTER	LITTLE	SIMPSON
		CARPENTER	FOXX	MCDANIEL	SMITH
		CARRINGTON	HARTSELL	MCKOY	WEBSTER
		CLARK	HORTON		
	27	ALBERTSON	EDWARDS	MARTIN R.	RAND
		BALLANCE	GULLEY	MARTIN W.	SHERRON
		BASNIGHT	HOBBS	ODOM	SOLES
		CONDER	HOYLE	PARNELL	SPEED
		COOPER	JORDAN	PERDUE	WARREN
		DANNELLY	* KERR	*PLEXICO	WINNER
		DAVIS	LUCAS	PLYLER	

EXCUSED 0

NOT CAST 0

ABSENT 0

PAIRS 0
AYE
NO

(CONTINUED)

NORTH CAROLINA GENERAL ASSEMBLY
SENATE

RECORDED VOTE

1995 SESSION

SEQ. 14/14-- 5:22 PM JANUARY 25, 1995 LEGISLATIVE DAY 1

LT. GOVERNOR WICKER -- Presiding

RAND
1995 PERMANENT RULES

SENATE RES. 1

AMEND 2

AYE	23	ALLRAN	COCHRANE	HORTON	SAWYER
		BALLANTINE	DAVIS	KINCAID	SHAW
		BLACKMON	EAST	LEDBETTER	SIMPSON
		CARPENTER	FORRESTER	LITTLE	SMITH
		CARRINGTON	FOXX	MCDANIEL	WEBSTER
		CLARK	HARTSELL	MCKOY	
	26	ALBERTSON	GULLEY	MARTIN W.	RAND
		BALLANCE	HOBBS	ODOM	SHERRON
		BASNIGHT	HOYLE	PARNELL	SOLES
		CONDER	JORDAN	PERDUE	SPEED
		COOPER	KERR	PLEXICO	WARREN
		DANNELLY	* LUCAS	* PLYLER	WINNER
		EDWARDS	MARTIN R.		

EXCUSED 0

NOT CAST 0

ABSENT 0

PAIRS 0
AYE
NO

(COPY)

NORTH CAROLINA GENERAL ASSEMBLY
AMENDMENT
Senate Resolution 1

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

S1-ALB-5

Date 1-25, 1995

Comm. Sub. [ ]
Amends Title [ ]

moves to amend the bill on page 17, lines 25 through 39 by rewriting those lines to read:

"RULE 47. Recall of bill from committee.--(a) When a bill has been introduced and referred to a committee, if after 10 days the committee has failed to report thereon, then the introducer of the bill may, after three days' public notice given in the Senate and delivered in writing to the chairman of the committee, on motion supported by a vote of a majority of the membership of the Senate present and voting, recall the bill from the committee to the floor of the Senate for consideration and such action thereon as a majority of the Senators present may direct. This rule shall not be temporarily suspended except upon one day's notice on the motion given in the Senate and to sustain that motion two-thirds of the membership of the Senate present and voting shall be required. After a bill has been recalled from committee pursuant to this rule it shall be immediately considered by the Senate and shall not be postponed or displaced or referred to another committee, except that if the bill had been reported from committee and Rule 42 would have then required the bill to be referred to the Committee on Appropriations, the Committee on Finance, or the Committee on Capital Expenditures and Improvements, then the bill shall be so referred.

NORTH CAROLINA GENERAL ASSEMBLY
AMENDMENT
Senate Resolution 7

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

S1-ALB-5

Page 2 of 2

(b) Notwithstanding anything to the contrary, the chairman of a committee to which a bill or other matter is assigned may, with the consent of two-thirds of the membership of the Senate present and voting, recall the measure to be referred to another committee."

SIGNED Dan Simpson
Amendment Sponsor

SIGNED _____
Committee Chair if Senate Committee Amendment

ADOPTED _____ FAILED Jan. 25, 1995 23-26 TABLED _____

S Fink

NORTH CAROLINA GENERAL ASSEMBLY
SENATE

RECORDED VOTE

1995 SESSION

SEQ. 4/4-- 2:22 PM | JANUARY 25, 1995 | LEGISLATIVE DAY 1

LT. GOVERNOR WICKER -- Presiding

RAND
1995 PERMANENT RULES

SENATE RES. 1

AMEND 3

AYE	23	ALLRAN	COCHRANE	HORTON	SAWYER
		BALLANTINE	DAVIS	KINCAID	SHAW
		BLACKMON	EAST	LEDBETTER	SIMPSON
		CARPENTER	FORRESTER	LITTLE	SMITH
		CARRINGTON	FOXX	MCDANIEL	WEBSTER
		CLARK	HARTSELL	MCKOY	
	26	ALBERTSON	GULLEY	MARTIN W.	RAND
		BALLANCE	HOBBS	ODOM	SHERRON
		BASNIGHT	HOYLE	PARNELL	SOLES
		CONDER	JORDAN	PERDUE	SPEED
		COOPER	KERR	PLEXICO	WARREN
		DANNELLY	* LUCAS	*PLYLER	WINNER
		EDWARDS	MARTIN R.		

EXCUSED 0

NOT CAST 0

ABSENT 0

PAIRS 0
AYE
NO

(COPY)

NORTH CAROLINA GENERAL ASSEMBLY
AMENDMENT
Senate Resolution 1

AMENDMENT NO. 41
(to be filled in by
Principal Clerk)

S1-ALB-2

Date 1-25, 1995

Comm. Sub. [ ]
Amends Title [ ]

moves to amend the bill on page 13, ~~line~~ ,
by adding the following new language between lines 26 and 27 :
"RULE 42.1A. Fiscal impact on local governments.--Any Senator, upon the floor of the Senate, may request that a fiscal analysis be made of the impact upon local government of a bill, resolution, or amendment which is is possession of the Senate and that a fiscal note setting forth the impact in dollars on local governments shall be attached to the measure. No bill for which a fiscal note has been requested pursuant to this rule may be considered for passage prior to the fiscal note being attached to the bill. The fiscal note required by this rule shall be prepared in the same manner as provided in Rule 42.1 subsections (b), (c), (d), and (e)."

SIGNED Dan Simpson
Amendment Sponsor

SIGNED _____
Committee Chair if Senate Committee Amendment

ADOPTED _____ FAILED Jan 25, 1995 23 - 26 TABLED _____

S Fink

NORTH CAROLINA GENERAL ASSEMBLY
SENATE

RECORDED VOTE

1995 SESSION

SEQ. 5/5-- 2:31 PM | JANUARY 25, 1995 | LEGISLATIVE DAY 1

LT. GOVERNOR WICKER -- Presiding

RAND
1995 PERMANENT RULES

SENATE RES. 1

AMEND 4

AYE	23	ALLRAN	COCHRANE	HORTON	SAWYER
		BALLANTINE	DAVIS	KINCAID	SHAW
		BLACKMON	EAST	LEDBETTER	SIMPSON
		CARPENTER	FORRESTER	LITTLE	SMITH
		CARRINGTON	FOXX	MCDANIEL	WEBSTER
		CLARK	HARTSELL	MCKOY	
	26	ALBERTSON	GULLEY	MARTIN W.	RAND
		BALLANCE	HOBBS	ODOM	SHERRON
		BASNIGHT	HOYLE	PARNELL	SOLES
		CONDER	JORDAN	PERDUE	SPEED
		COOPER	KERR	PLEXICO	WARREN
		DANNELLY	LUCAS	PLYLER	WINNER
		EDWARDS	MARTIN R.		

EXCUSED 0

NOT CAST 0

ABSENT 0

PAIRS 0
AYE
NO

(COPY)

NORTH CAROLINA GENERAL ASSEMBLY
AMENDMENT
Senate Resolution 7

AMENDMENT NO. 5
(to be filled in by
Principal Clerk)

S1-ALB-1

Date 1-25, 1995

Comm. Sub. [ ]
Amends Title [ ]

moves to amend the bill on page 10, lines 16-17,
by rewriting those lines to read:
"RULE 35. Roll call vote in committee.--No roll call vote may be taken in any committee except upon a call for the ayes and noes by a member of the committee sustained by one-fifth of the members of the committee present and voting. If a Senator desires that the ayes and noes be taken and made a matter of public record, he shall address the chairman or vice-chairman (whichever the case may be) of the committee and obtain recognition and say 'upon the question, I call for the ayes and noes'. Whereupon, the chairman or vice-chairman (whichever the case may be) shall say 'is the call sustained'. If one-fifth of the committee members present stand, the vote shall be taken and recorded on a roll call vote. The record of the vote shall be recorded by the committee clerk and shall thereupon become a matter of public record. The committee chairman may vote in committee."

SIGNED Dan Simpson
Amendment Sponsor

SIGNED _____
Committee Chair if Senate Committee Amendment

ADOPTED _____ FAILED Jan 25, 1995 22-26 Adjusted 23-26 TABLED _____

NORTH CAROLINA GENERAL ASSEMBLY
SENATE

RECORDED VOTE

1995 SESSION

SEQ. 6/6-- 2:34 PM | JANUARY 25, 1995 | LEGISLATIVE DAY 1

LT. GOVERNOR WICKER -- Presiding

RAND
1995 PERMANENT RULES

SENATE RES. 1

AMEND 5

AYE	22	ALLRAN	COCHRANE	KINCAID	SAWYER
		BALLANTINE	DAVIS	LEDBETTER	SHAW
		BLACKMON	EAST	LITTLE	SIMPSON
		CARPENTER	FOXX	MCDANIEL	SMITH
		CARRINGTON	HARTSELL	MCKOY	WEBSTER
		CLARK	HORTON		
	26	ALBERTSON	GULLEY	MARTIN W.	RAND
		BALLANCE	HOBBS	ODOM	SHERRON
		BASNIGHT	HOYLE	PARNELL	SOLES
		CONDER	JORDAN	PERDUE	SPEED
		COOPER	KERR	PLEXICO	WARREN
		DANNELLY	* LUCAS	*PLYLER	WINNER
		EDWARDS	MARTIN R.		

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

(CONTINUED)

NORTH CAROLINA GENERAL ASSEMBLY
SENATE

RECORDED VOTE

1995 SESSION

SEQ. 13/13-- 5:20 PM JANUARY 25, 1995 LEGISLATIVE DAY 1

LT. GOVERNOR WICKER -- Presiding

RAND
1995 PERMANENT RULES

SENATE RES. 1

AMEND 5

AYE	23	ALLRAN	COCHRANE	HORTON	SAWYER
		BALLANTINE	DAVIS	KINCAID	SHAW
		BLACKMON	EAST	LEDBETTER	SIMPSON
		CARPENTER	FORRESTER	LITTLE	SMITH
		CARRINGTON	FOXX	MCDANIEL	WEBSTER
		CLARK	HARTSELL	MCKOY	
	26	ALBERTSON	GULLEY	MARTIN W.	RAND
		BALLANCE	HOBBS	ODOM	SHERRON
		BASNIGHT	HOYLE	PARNELL	SOLES
		CONDER	JORDAN	PERDUE	SPEED
		COOPER	KERR	PLEXICO	WARREN
		DANNELLY	* LUCAS	*PLYLER	WINNER
		EDWARDS	MARTIN R.		

EXCUSED 0

NOT CAST 0

ABSENT 0

PAIRS 0
AYE
NO

(COPY)

NORTH CAROLINA GENERAL ASSEMBLY
AMENDMENT
Senate Resolution 1

AMENDMENT NO. 6 (out)
(to be filled in by
Principal Clerk)

S1-ALB-6

Page 1 of 1

Date 1-25, 1995

Comm. Sub. [ ]
Amends Title [ ]

moves to amend the bill on page 17, ~~line 2~~,
by adding the following between lines 39 and 40:
"RULE 47.1. Vote in committee on all bills required.-
-All bills introduced and referred to a committee shall be considered and vote on in committee prior to adjournment sine die unless otherwise requested in writing by the primary sponsor of the bill delivered to the chairman of the committee which request shall be a matter of public record."

SIGNED Dan Simpson
Amendment Sponsor

SIGNED _____
Committee Chair if Senate Committee Amendment

ADOPTED _____ FAILED Jan 25 1995 TABLED _____
23-26

S Fink

NORTH CAROLINA GENERAL ASSEMBLY
SENATE

RECORDED VOTE

1995 SESSION

SEQ. 7/7-- 2:40 PM | JANUARY 25, 1995 | LEGISLATIVE DAY 1

LT. GOVERNOR WICKER -- Presiding

RAND
1995 PERMANENT RULES

SENATE RES. 1

AMEND 6

AYE	23	ALLRAN	COCHRANE	HORTON	SAWYER
		BALLANTINE	DAVIS	KINCAID	SHAW
		BLACKMON	EAST	LEDBETTER	SIMPSON
		CARPENTER	FORRESTER	LITTLE	SMITH
		CARRINGTON	FOXX	MCDANIEL	WEBSTER
		CLARK	HARTSELL	MCKOY	
	26	ALBERTSON	GULLEY	MARTIN W.	RAND
		BALLANCE	HOBBS	ODOM	SHERRON
		BASNIGHT	HOYLE	PARNELL	SOLES
		CONDER	JORDAN	PERDUE	SPEED
		COOPER	KERR	PLEXICO	WARREN
		DANNELLY	* LUCAS	*PLYLER	WINNER
		EDWARDS	MARTIN R.		

EXCUSED 0

NOT CAST 0

ABSENT 0

PAIRS 0
AYE
NO

(COPY)

NORTH CAROLINA GENERAL ASSEMBLY
AMENDMENT
Senate Resolution 1

AMENDMENT NO. 7
(to be filled in by
Principal Clerk)

S1-ALB-3

Page 1 of 1

Date 1-25, 1995

Comm. Sub. [ ]
Amends Title [ ]

moves to amend the bill on page 4, ~~line~~ ~~bet~~
by inserting the following new language between lines 28 and 29 :

"RULE 42.2A. **Fiscal note on bills allowing rules and regulations.**--(a) Every bill or resolution proposing a rule or regulation which would impose additional costs or expenditures upon those affected by such rule or regulation shall have attached to it at the time of its consideration by the Senate a fiscal note prepared by the Fiscal Research Division identifying and estimating the cost of compliance with the rule or regulation. If after careful investigation, the Fiscal Research Division determines that no dollar estimate is possible, the Note shall contain a statement to that effect setting forth the reasons why no dollar estimate can be given.

(b) The sponsor of each bill or resolution to which this rule applies shall present a copy of the bill or resolution to the Fiscal Research Division together with a request for a fiscal note, which shall promptly prepare the fiscal note and, in any event within two weeks, transmit it to the sponsor, whereupon the provisions of Rule 42.1(d) and (e) shall apply."

SIGNED [signature]
Amendment Sponsor

SIGNED [signature]
Committee Chair if Senate Committee Amendment

ADOPTED _____ FAILED 1-25-95 TABLED _____

23-26

[signature]

NORTH CAROLINA GENERAL ASSEMBLY
SENATE

RECORDED VOTE

1995 SESSION

SEQ. 8/8-- 2:44 PM | JANUARY 25, 1995 | LEGISLATIVE DAY 1

LT. GOVERNOR WICKER -- Presiding

RAND
1995 PERMANENT RULES

SENATE RES. 1

AMEND 7

AYE	23	ALLRAN	COCHRANE	HORTON	SAWYER
		BALLANTINE	DAVIS	KINCAID	SHAW
		BLACKMON	EAST	LEDBETTER	SIMPSON
		CARPENTER	FORRESTER	LITTLE	SMITH
		CARRINGTON	FOXX	MCDANIEL	WEBSTER
		CLARK	HARTSELL	MCKOY	
	26	ALBERTSON	GULLEY	MARTIN W.	RAND
		BALLANCE	HOBBS	ODOM	SHERRON
		BASNIGHT	HOYLE	PARNELL	SOLES
		CONDER	JORDAN	PERDUE	SPEED
		COOPER	KERR	PLEXICO	WARREN
		DANNELLY	* LUCAS	PLYLER	WINNER
		EDWARDS	MARTIN R.		

EXCUSED 0

NOT CAST 0

ABSENT 0

PAIRS 0
AYE
NO

(COPY)

NORTH CAROLINA GENERAL ASSEMBLY
SENATE

RECORDED VOTE

1995 SESSION

SEQ. 9/9-- 3:05 PM | JANUARY 25, 1995 | LEGISLATIVE DAY 1

LT. GOVERNOR WICKER -- Presiding

RAND
1995 PERMANENT RULES

SENATE RES. 1

MOTION 7 TO ADOPT

AYE	25	ALBERTSON	GULLEY	MARTIN W.	RAND
		BALLANCE	HOBBS	ODOM	SHERRON
		BASNIGHT	HOYLE	PARNELL	SOLES
		CONDER	KERR	PERDUE	SPEED
		COOPER	LUCAS	PLEXICO	WARREN
		DANNELLY	MARTIN R.	PLYLER	WINNER
		EDWARDS			
	24	ALLRAN	COCHRANE	HORTON	MCKOY
		BALLANTINE	DAVIS	JORDAN	SAWYER
		BLACKMON	EAST	KINCAID	SHAW
		CARPENTER	FORRESTER	LEDBETTER	SIMPSON
		CARRINGTON	FOXX	LITTLE	SMITH
		CLARK	HARTSELL	MCDANIEL	WEBSTER

EXCUSED 0

NOT CAST 0

ABSENT 0

PAIRS 0
AYE
NO

[redacted]TINUED)

NORTH CAROLINA GENERAL ASSEMBLY
SENATE

RECORDED VOTE

1995 SESSION

SEQ. 15/15-- 5:24 PM JANUARY 25, 1995 LEGISLATIVE DAY 1

LT. GOVERNOR WICKER -- Presiding

RAND
1995 PERMANENT RULES

SENATE RES. 1

MOTION 7 TO ADOPT

AYE	26	ALBERTSON	GULLEY	MARTIN W.	RAND
		BALLANCE	HOBBS	ODOM	SHERRON
		BASNIGHT	HOYLE	PARNELL	SOLES
		CONDER	JORDAN	PERDUE	SPEED
		COOPER	KERR	PLEXICO	WARREN
		DANNELLY	LUCAS	PLYLER	WINNER
		EDWARDS	MARTIN R.		
	23	ALLRAN	COCHRANE	HORTON	SAWYER
		BALLANTINE	DAVIS	KINCAID	SHAW
		BLACKMON	EAST	LEDBETTER	SIMPSON
		CARPENTER	FORRESTER	LITTLE	SMITH
		CARRINGTON	FOXX	MCDANIEL	WEBSTER
		CLARK	HARTSELL	MCKOY	

EXCUSED 0

NOT CAST 0

ABSENT 0

PAIRS 0
AYE
NO

(COPY)

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1995

S 1

SENATE JOINT RESOLUTION 2*

Sponsors: Senator Soles.

Referred to: Rules Suspended; Passed 1st, 2nd, 3rd, Sent to House.

January 25, 1995

A JOINT RESOLUTION INFORMING HIS EXCELLENCY, GOVERNOR JAMES B. HUNT, JR., THAT THE GENERAL ASSEMBLY IS ORGANIZED AND READY TO PROCEED WITH PUBLIC BUSINESS AND INVITING THE GOVERNOR TO ADDRESS A JOINT SESSION OF THE SENATE AND HOUSE OF REPRESENTATIVES.

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

Section 1. A committee of five Senators appointed by the President Pro Tempore of the Senate and five Representatives appointed by the Speaker shall notify His Excellency, Governor James B. Hunt, Jr., that the General Assembly is organized and is ready to proceed with public business, and to invite him to address a joint session of the Senate and House of Representatives in the Hall of the House of Representatives at 12:00 noon, Thursday, February 9, 1995.

Sec. 2. This resolution is effective upon ratification.

NORTH CAROLINA GENERAL ASSEMBLY
SENATE

RECORDED VOTE

1995 SESSION

SEQ. 10/10-- 3:50 PM | JANUARY 25, 1995 | LEGISLATIVE DAY 1

LT. GOVERNOR WICKER -- Presiding

ORGANIZED/INVITE GOVERNOR

SENATE RES. 2
READING 2

AYE	39	ALBERTSON	COOPER	KERR	PLYLER
		BALLANCE	DANNELLY	LITTLE	RAND
		BALLANTINE	DAVIS	LUCAS	SHAW
		BASNIGHT	EDWARDS	MARTIN R.	SMITH
		BLACKMON	FOXX	MARTIN W.	SOLES
		CARPENTER	GULLEY	MCDANIEL	SPEED
		CARRINGTON	HARTSELL	MCKOY	WARREN
		CLARK	HOBBS	PARNELL	WEBSTER
		COCHRANE	HOYLE	PERDUE	WINNER
		CONDER	JORDAN	PLEXICO	
NO	1	SHERRON			
EXCUSED	0				
NOT CAST	9	ALLRAN	HORTON	LEDBETTER	SAWYER
		EAST	KINCAID	ODOM	SIMPSON
		FORRESTER			
ABSENT	0				
PAIRS	0				
AYE					
NO					

(COPY)

S3

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1995

FILED - SENATE
S3
JAN 25 1995
PRINCIPAL CLERK

S D

SENATE DRS7508-LB065(1.1)

Short Title: Veto. (Public)

Sponsors: Senator Cooper.

Referred to:

A BILL TO BE ENTITLED

AN ACT TO PROVIDE FOR A REFERENDUM TO AMEND THE CONSTITUTION TO PROVIDE FOR A GUBERNATORIAL VETO.

The General Assembly of North Carolina enacts:

Section 1. Section 22 of Article II of the Constitution of North Carolina reads as rewritten:

"**Sec. 22. Action on bills.**

~~All bills and resolutions of a legislative nature shall be read three times in each house before they become laws, and shall be signed by the presiding officers of both houses.~~

(1) **Amendments to Constitution of North Carolina.** Every bill proposing a new or revised Constitution or an amendment or amendments to this Constitution or calling a convention of the people of this State and containing no other matter shall be submitted to the qualified voters of this State after it shall have been read three times in each house and signed by the presiding officers of both houses.

(2) **Amendments to Constitution of the United States.** Every bill approving an amendment to the Constitution of the United States or applying for a convention to propose amendments to the Constitution of the United States and containing no other matter shall be read three times in each house before it becomes law and shall be signed by the presiding officers of both houses.

(3) **Appointments by General Assembly.** Every bill in which the General Assembly makes an appointment or appointments to public office and which contains no other matter shall be read three times in each house before it becomes law and shall be signed by the presiding officers of both houses.

NORTH CAROLINA GENERAL ASSEMBLY
AMENDMENT
Senate Bill 3

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

S3-ALB-2

Page 1 of 1

Date 2-1, 1995

Comm. Sub. [ ]
Amends Title [ ]

moves to amend the bill on page 2, line 18
by inserting the following between lines 18 and 19:
"(8) Local bills. Every bill which by its terms applies to the government of only one named county, city, town, school administrative unit, or other unit of local government and contains no other matter, shall be read three times in each house before it becomes law and shall be signed by the presiding officers of both houses. Notwithstanding any other language in this subsection, the exemption from veto provided by this subsection does not apply to any bill to enact a general law classified by population or other criteria, or to any bill that contains an appropriation from the State treasury."

further moves to amend the bill on page 2, lines 19 and 33, and page 3, line 3 by renumbering subsections (8), (9) and (10) accordingly

SIGNED Tom P Lambeth
Amendment Sponsor

SIGNED _____
Committee Chair if Senate Committee Amendment

ADOPTED _____ FAILED 2/6/95 TABLED _____
22-26
S Fitch
23-26
Adjusted (BALLANTINE)

NORTH CAROLINA GENERAL ASSEMBLY
SENATE

RECORDED VOTE

1995 SESSION

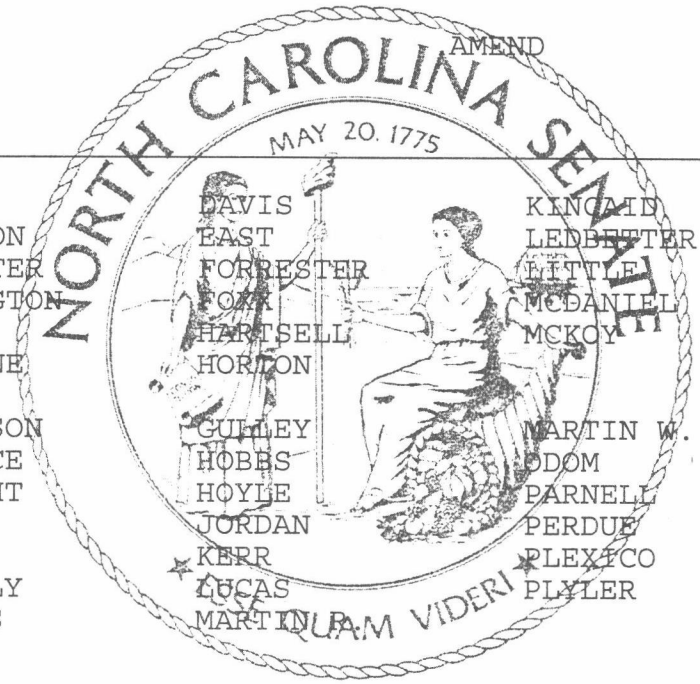
SEQ. 20/2-- 2:02 PM FEBRUARY 1, 1995 LEGISLATIVE DAY 5

LT. GOVERNOR WICKER -- Presiding

COOPER
VETO

SENATE BILL 3

AMEND 1



AYE	22	ALLRAN	DAVIS	KINCAID	SAWYER
		BLACKMON	EAST	LEDBETTER	SHAW
		CARPENTER	FORRESTER	LITTLE	SIMPSON
		CARRINGTON	FOXX	MCDANIEL	SMITH
		CLARK	HARTSELL	MCKOY	WEBSTER
		COCHRANE	HORTON		
	26	ALBERTSON	GUILEY	MARTIN W.	RAND
		BALLANCE	HOBBS	ODOM	SHERRON
		BASNIGHT	HOYLE	PARNELL	SOLES
		CONDER	JORDAN	PERDUE	SPEED
		COOPER	KERR	PLEXICO	WARREN
		DANNELLY	LUCAS	PLYLER	WINNER
		EDWARDS	MARTIN R.		

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

(CONTINUED)

NORTH CAROLINA GENERAL ASSEMBLY
SENATE

RECORDED VOTE

1995 SESSION

SEQ. 24/6-- 2:58 PM FEBRUARY 1, 1995 LEGISLATIVE DAY 5

LT. GOVERNOR WICKER -- Presiding

COOPER
VETO

SENATE BILL 3

AMEND 1

RECORDED
AYE 1 BALLANTINE

ADJUSTED TOTAL
AYE 23
NO 26
NOT CAST 0
ABSENT 0

( )

NORTH CAROLINA GENERAL ASSEMBLY
AMENDMENT
Senate Bill 3

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

S3-ALB-1

Page 1 of 2

Date Feb. 1 ,1995

Comm. Sub. [ ]
Amends Title [ ]

moves to amend the bill on page 2, line 32,
by inserting the following between lines 32 and 33:
"(9) Line-item veto. If any bill presented to the Governor contains items of appropriation of money, the Governor may reduce or object to one or more of such items while approving of the other portion of the bill. In such a case the Governor shall append to the bill, at the time of signing it, a statement of the item or items to which the Governor reduces or objects; and the appropriations so objected to shall not take effect, or if the appropriation is reduced, it shall take effect at the lower amount. The Governor shall transmit to the house in which the bill originated a copy of such statement, which shall enter the statement at large on its journal, and the item or items reduced or objected to shall be reconsidered. If after such reconsideration any such item or items be approved by three-fifths of the members of that house present and voting, the item or items approved, together with the Governor's statement of objection thereto shall be transmitted to the other house and the item or items reconsidered; and if any item be approved by three-fifths of the members of that house present and voting, the same shall be part of the law, notwithstanding the reduction by or objections of the Governor. In all such cases the votes of both houses shall be determined by yeas and nays, and the names of the members voting shall be entered on the journal of each house respectively."

SEE PAGE 2

NORTH CAROLINA GENERAL ASSEMBLY
AMENDMENT
Senate Bill 3

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

S3-ALB-1

Page 2 of 2

further moves to amend the bill on page 2, line 33, and page 3, line 3 by renumbering subsections (9) and (10) accordingly

SIGNED Betsy Cochrane
Amendment Sponsor

SIGNED _____
Committee Chair if Senate Committee Amendment

ADOPTED _____ FAILED 23 - 24 TABLED _____

Feb. 1, 1995

NORTH CAROLINA GENERAL ASSEMBLY
SENATE

RECORDED VOTE

1995 SESSION

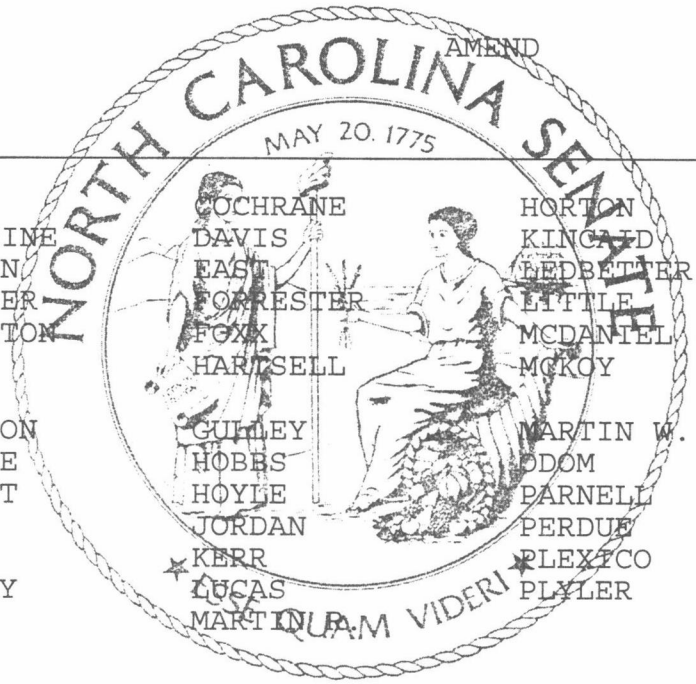
SEQ. 21/3-- 2:38 PM FEBRUARY 1, 1995 LEGISLATIVE DAY 5

LT. GOVERNOR WICKER -- Presiding

COOPER
VETO

SENATE BILL 3

AMEND 2



AYE	23	ALLRAN	COCHRANE	HORTON	SAWYER
		BALLANTINE	DAVIS	KINCAID	SHAW
		BLACKMON	EAST	LEDBETTER	SIMPSON
		CARPENTER	FORRESTER	LITTLE	SMITH
		CARRINGTON	FOXX	MCDANIEL	WEBSTER
		CLARK	HARTSELL	MCKOY	
	26	ALBERTSON	GUILEY	MARTIN W.	RAND
		BALLANCE	HOBBS	ODOM	SHERRON
		BASNIGHT	HOYLE	PARNELL	SOLES
		CONDER	JORDAN	PERDUE	SPEED
		COOPER	KERR	PLEXICO	WARREN
		DANNELLY	LUCAS	PLYLER	WINNER
		EDWARDS	MARTIN R.		

EXCUSED 0

NOT CAST 0

ABSENT 0

PAIRS 0
AYE
NO

(COPY)

NORTH CAROLINA GENERAL ASSEMBLY
SENATE

RECORDED VOTE

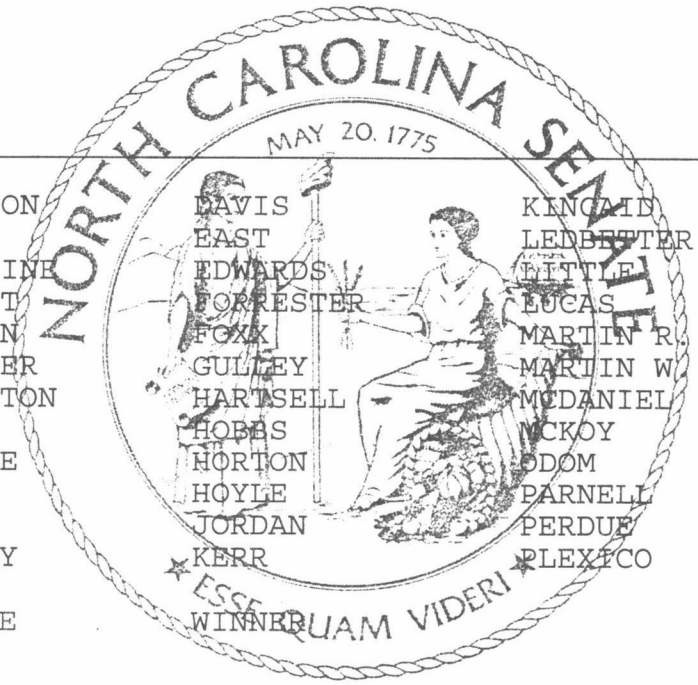
1995 SESSION

SEQ. 22/4-- 2:39 PM FEBRUARY 1, 1995 LEGISLATIVE DAY 5

LT. GOVERNOR WICKER -- Presiding

COOPER
VETO

SENATE BILL 3
READING 2



AYE	47	ALBERTSON	DAVIS	KINCAID	PLYLER
		ALLRAN	EAST	LEDBETTER	RAND
		BALLANTINE	EDWARDS	LITTLE	SAWYER
		BASNIGHT	FORRESTER	LUCAS	SHAW
		BLACKMON	FOXX	MARTIN R.	SHERRON
		CARPENTER	GULLEY	MARTIN W.	SIMPSON
		CARRINGTON	HARTSELL	MCDANIEL	SMITH
		CLARK	HOBBS	MCKOY	SOLES
		COCHRANE	HORTON	ODOM	SPEED
		CONDER	HOYLE	PARNELL	WARREN
		COOPER	JORDAN	PERDUE	WEBSTER
		DANNELLY	KERR	PLEXICO	
NO	2	BALLANCE	WINNER		

EXCUSED	0
NOT CAST	0
ABSENT	0
PAIRS	0
AYE	
NO	

(CONTINUED)

NORTH CAROLINA GENERAL ASSEMBLY
SENATE

RECORDED VOTE

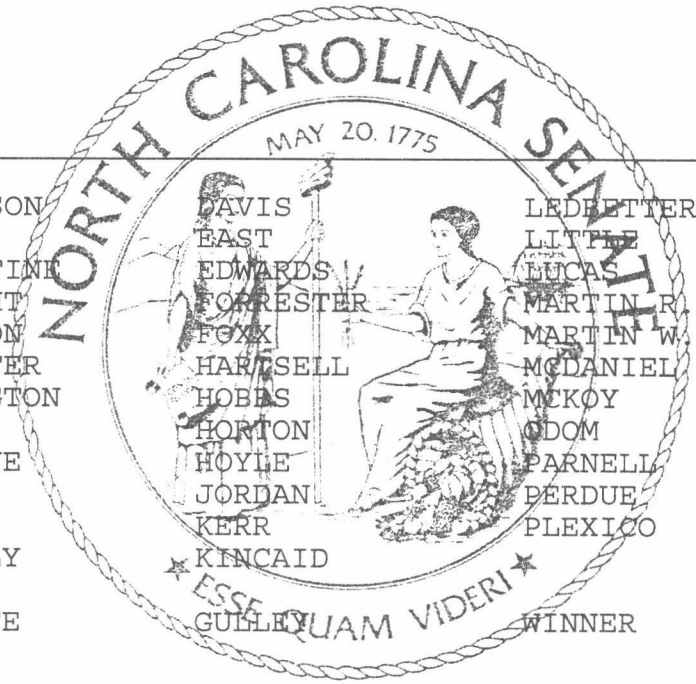
1995 SESSION

SEQ. 25/7-- 3:00 PM | FEBRUARY 1, 1995 | LEGISLATIVE DAY 5

LT. GOVERNOR WICKER -- Presiding

COOPER
VETO

SENATE BILL 3
READING 2



AYE	46	ALBERTSON	DAVIS	LEDBETTER	PLYLER
		ALLRAN	EAST	LITTLE	RAND
		BALLANTINE	EDWARDS	LUCAS	SAWYER
		BASNIGHT	FORRESTER	MARTIN, R.	SHAW
		BLACKMON	FOXX	MARTIN, W.	SHERRON
		CARPENTER	HARTSELL	MCDANIEL	SIMPSON
		CARRINGTON	HOBBS	MCKOY	SMITH
		CLARK	HORTON	ODOM	SOLES
		COCHRANE	HOYLE	PARNELL	SPEED
		CONDER	JORDAN	PERDUE	WARREN
		COOPER	KERR	PLEXICO	WEBSTER
		DANNELLY	KINCAID		
NO	3	BALLANCE	GUILLEY	WINNER	

EXCUSED 0

NOT CAST 0

ABSENT 0

PAIRS 0
AYE
NO

(COPY)

NORTH CAROLINA GENERAL ASSEMBLY
SENATE

RECORDED VOTE

1995 SESSION

SEQ. 25/7-- 3:00 PM FEBRUARY 1, 1995 LEGISLATIVE DAY 5

LT. GOVERNOR WICKER -- Presiding

COOPER
VETO

SENATE BILL 3
READING 2

RECORDED
AYE -1
NO 1 GULLEY
ADJUSTED TOTAL
AYE 46
NO 3
NOT CAST 0
ABSENT 0

(COPY)

NORTH CAROLINA GENERAL ASSEMBLY
SENATE

RECORDED VOTE

1995 SESSION

SEQ. 23/5-- 2:39 PM FEBRUARY 1, 1995 LEGISLATIVE DAY 5

LT. GOVERNOR WICKER -- Presiding

COOPER
VETO

SENATE BILL 3
READING 3



AYE	46	ALBERTSON	DAVIS	LEDBETTER	PLYLER
		ALLRAN	EAST	LITTLE	RAND
		BALLANTINE	EDWARDS	LUCAS	SAWYER
		BASNIGHT	FORRESTER	MARTIN R	SHAW
		BLACKMON	FOXX	MARTIN W	SHERRON
		CARPENTER	HARTSELL	MCDANIEL	SIMPSON
		CARRINGTON	HOBBS	MCKOY	SMITH
		CLARK	HORTON	ODOM	SOLES
		COCHRANE	HOYLE	PARNELL	SPEED
		CONDER	JORDAN	PERDUE	WARREN
		COOPER	KERR	PLEXICO	WEBSTER
		DANNELLY	KINCAID		
NO	3	BALLANCE	GULLEY	WINNER	

EXCUSED 0

NOT CAST 0

ABSENT 0

PAIRS 0
AYE
NO

(COPY)

RC

NORTH CAROLINA
HOUSE OF REPRESENTATIVES
ROLL CALL

SQ. # 22
LEGISLATIVE DAY 10
S3 HCS
READING 2

2/09/95
2:16 PM
IN CHAIR: SPEAKER

VETO

AYES - 97

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

NOES - 19

ADAMS	CULPEPPER	HIGHTOWER	MCLAUGHLIN
BARNES	EASTERLING	HUNT	MICHAUX
BEALL	GAMBLE	HUNTER, H.	SHAW
BLUE	HACKNEY	HUNTER, R.	WRIGHT
BRASWELL	HENSLEY	LUEBKE	

EXCUSED ABSENCE - 1

TALLENT

EXCUSED VOTE - 0

NOT VOTING - 2

FITCH HILL

RC

NORTH CAROLINA
HOUSE OF REPRESENTATIVES
ROLL CALL

EQ. # 23
EGISLATIVE DAY 10
S3 HCS
READING 3

2/09/95
2:26 PM
IN CHAIR: SPEAKER

VETO

AYES - 95

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

NOES - 19

ADAMS	CULPEPPER	HIGHTOWER	MCLAUGHLIN
BARNES	EASTERLING	HUNT	MICHAUX
BEALL	GAMBLE	HUNTER, H.	SHAW
BLUE	HACKNEY	HUNTER, R.	WRIGHT
BRASWELL	HENSLEY	LUEBKE	

EXCUSED ABSENCE - 1

TALLENT

EXCUSED VOTE - 0

NOT VOTING - 4

BOYD-MCINTYRE	FITCH	HOLMES	WARNER

NORTH CAROLINA GENERAL ASSEMBLY
SENATE

RECORDED VOTE

1995 SESSION

SEQ. 52/3-- 2:16 PM | FEBRUARY 14, 1995 | LEGISLATIVE DAY 12

LT. GOVERNOR WICKER -- Presiding

COOPER
VETO
HOUSE COM SUB/2ND EDITION

SENATE BILL 3

MOTION 8
TO CONCUR

AYE	3	CLARK	HORTON	SAWYER	
NO	43	ALBERTSON	DAVIS	LEDBETTER	PLYLER
		ALLRAN	EAST	LITTLE	RAND
		BALLANCE	EDWARDS	LUCAS	SHAW
		BALLANTINE	FORRESTER	MARTIN R.	SHERRON
		BASNIGHT	FOXX	MARTIN W.	SIMPSON
		BLACKMON	GULLEY	MCDANIEL	SOLES
		CARPENTER	HARTSELL	MCKOY	SPEED
		CARRINGTON	HOBBS	ODOM	WARREN
		COCHRANE	HOYLE	PARNELL	WEBSTER
		CONDER	JORDAN	PERDUE	WINNER
		COOPER	KERR	PLEXICO	
EXCUSED	0				
NOT CAST	1	KINCAID			
ABSENT	2	DANNELLY	SMITH		
PAIRS	0				
AYE					
NO					

House

NORTH CAROLINA GENERAL ASSEMBLY
CONFERENCE REPORT
Senate Bill 3

S3-CRRU-002

[ ] 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 3, AN ACT TO PROVIDE FOR A REFERENDUM TO AMEND THE CONSTITUTION TO PROVIDE FOR A GUBERNATORIAL VETO, Second Edition 2/8/95, submit the following report:

That the Senate concurs in the House Committee Substitute for Senate Bill 3, Second Edition 2/8/95, with the following amendments:

on page 1, line 13, by rewriting the line to read:
"house and shall be signed by the presiding officer of each house"; and

on page 2, line 11, by rewriting the line to read:
"other matter, shall be read three times in each house before it becomes law, and shall be"; and

on page 2, lines 34 through 43, by rewriting the lines to read:
"(a) Would extend the application of a law signed by the presiding officers during that two year term of the General Assembly so that the law would apply in more than half the counties in the State, or
(b) Would enact a law identical in effect to another law or laws signed by the presiding officers during that two year term of the General Assembly that the result of those laws taken together would be a law applying in more than half the counties in the State.
Notwithstanding any other language in this".

The House agrees to the same.

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

NORTH CAROLINA GENERAL ASSEMBLY
CONFERENCE REPORT
Senate Bill 3

S3-CRRU-002

Date conferees approved report: March 2, 1995

Conferees for the Senate

Sen. Roy A. Cooper, III

Sen. Betsy L. Cochrane

Sen. William N. Martin

Conferees for the House of Representatives

Rep. N. Leo Daughtry

Rep. John M. Nichols

Rep. James B. Black

Submitted 3/2/95
ADOPTED 2ND (96/19 RC Message Received
ADOPTED 3RD (97/18 RC Ordered Enrolled
DWicks

Placed on calendar of March 7, 1995.

Senate

NORTH CAROLINA GENERAL ASSEMBLY
CONFERENCE REPORT
Senate Bill 3

S3-CRRU-002

[ ] 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 3, AN ACT TO PROVIDE FOR A REFERENDUM TO AMEND THE CONSTITUTION TO PROVIDE FOR A GUBERNATORIAL VETO, Second Edition 2/8/95, submit the following report:

That the Senate concurs in the House Committee Substitute for Senate Bill 3, Second Edition 2/8/95, with the following amendments:

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"house and shall be signed by the presiding officer of each house"; and

on page 2, line 11, by rewriting the line to read:
"other matter, shall be read three times in each house before it becomes law, and shall be"; and

on page 2, lines 34 through 43, by rewriting the lines to read:
"(a) Would extend the application of a law signed by the presiding officers during that two year term of the General Assembly so that the law would apply in more than half the counties in the State, or
(b) Would enact a law identical in effect to another law or laws signed by the presiding officers during that two year term of the General Assembly that the result of those laws taken together would be a law applying in more than half the counties in the State.
Notwithstanding any other language in this".

The House agrees to the same.

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

NORTH CAROLINA GENERAL ASSEMBLY
CONFERENCE REPORT
Senate Bill 3

S3-CRRU-002

Date conferees approved report: March 2, 1995. 5 RAL

Conferees for the Senate

Sen. Roy A. Cooper, III

Sen. Betsy L. Cochrane

Sen. William N. Martin

Conferees for the House of Representatives

Rep. N. Leo Daughtry

Rep. John M. Nichols

Rep. James B. Black

Submitted 3/2/95 - PLACED ON CALENDAR Tues. 3/7/95 for adopti
ADOPTED 3/7/95 (45/3) Message Received 3/7/95
ADOPTED 3/7/95 (45/3) Ordered Enrolled 3/7/95

Send Message
Release

NORTH CAROLINA GENERAL ASSEMBLY
SENATE

RECORDED VOTE

1995 SESSION

SEQ. 119/3-- 2:21 PM MARCH 7, 1995 LEGISLATIVE DAY 24

LT. GOVERNOR WICKER -- Presiding

COOPER
VETO
HOUSE COM SUB/2ND EDITION

SENATE BILL 3
READING 2
CONFERENCE REPORT

MOTION 7
TO ADOPT

AYE	45	ALBERTSON	DAVIS	KINCAID	PLEXICO
		ALLRAN	EAST	LEDBETTER	PLYLER
		BALLANTINE	EDWARDS	LITTLE	RAND
		BASNIGHT	FORRESTER	LUCAS	SAWYER
		BLACKMON	FOXX	MARTIN R.	SHAW
		CARPENTER	HARTSELL	MARTIN W.	SHERRON
		CARRINGTON	HOBBS	MCDANIEL	SIMPSON
		CLARK	HORTON	MCKOY	SOLES
		COCHRANE	HOYLE	ODOM	SPEED
		CONDER	JORDAN	PARNELL	WARREN
		COOPER	KERR	PERDUE	WEBSTER
		DANNELLY			
NO	3	BALLANCE	GULLEY	WINNER	

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

NORTH CAROLINA GENERAL ASSEMBLY
SENATE

RECORDED VOTE

1995 SESSION

SEQ. 120/4-- 2:23 PM MARCH 7, 1995 LEGISLATIVE DAY 24

LT. GOVERNOR WICKER -- Presiding

COOPER
VETO
HOUSE COM SUB/2ND EDITION

SENATE BILL 3
READING 3
CONFERENCE REPORT

MOTION 7
TO ADOPT

AYE	44	ALBERTSON	DANNELLY	KERR
		ALLRAN	DAVIS	KINCAID
		BALLANTINE	EAST	LEDBETTER
		BASNIGHT	EDWARDS	LITTLE
		BLACKMON	FORRESTER	LUCAS
		CARPENTER	FOXX	MARTIN R.
		CARRINGTON	HARTSELL	MARTIN W.
		CLARK	HOBBS	MCDANIEL
		COCHRANE	HORTON	MCKOY
		CONDER	HOYLE	ODOM
		COOPER	JORDAN	PARNELL
NO	3	BALLANCE	GILLEY	WINNER

		PERDUE		
		PLEXICO		
		PLYLER		
		RAND		
		SAWYER		
		SHAW		
		SIMPSON		
		SOLES		
		SPEED		
		WARREN		
		WEBSTER		

EXCUSED 0

NOT CAST 1 SHERRON

ABSENT 1 SMITH

PAIRS 0
AYE
NO

(CONTINUED)

NORTH CAROLINA GENERAL ASSEMBLY
SENATE

RECORDED VOTE

1995 SESSION

SEQ. 123/7-- 2:40 PM MARCH 7, 1995 LEGISLATIVE DAY 24

LT. GOVERNOR WICKER -- Presiding

COOPER
VETO
HOUSE COM SUB/2ND EDITION

SENATE BILL 3
READING 3
CONFERENCE REPORT

MOTION 7
TO ADOPT

AYE	45	ALBERTSON	DAVIS	KINCAID	PLEXICO
		ALLRAN	EAST	LEDBETTER	PLYLER
		BALLANTINE	EDWARDS	LITTLE	RAND
		BASNIGHT	FORRESTER	LUCAS	SAWYER
		BLACKMON	FOXX	MARTIN R.	SHAW
		CARPENTER	HARTSELL	MARTIN W.	SHERRON
		CARRINGTON	HOBBS	MCDANIEL	SIMPSON
		CLARK	HORTON	MCKOY	SOLES
		COCHRANE	HOYLE	ODOM	SPEED
		CONDER	JORDAN	PARNELL	WARREN
		COOPER	KERR	PERDUE	WEBSTER
		DANNELLY			
NO	3	BALLANCE	GULLEY	WINNER	

EXCUSED 0

NOT CAST 0

ABSENT 1 SMITH

PAIRS 0
AYE
NO

(COPY)

NORTH CAROLINA GENERAL ASSEMBLY
SENATE

RECORDED VOTE

1995 SESSION

SEQ. 123/7-- 2:40 PM MARCH 7, 1995 LEGISLATIVE DAY 24

LT. GOVERNOR WICKER -- Presiding

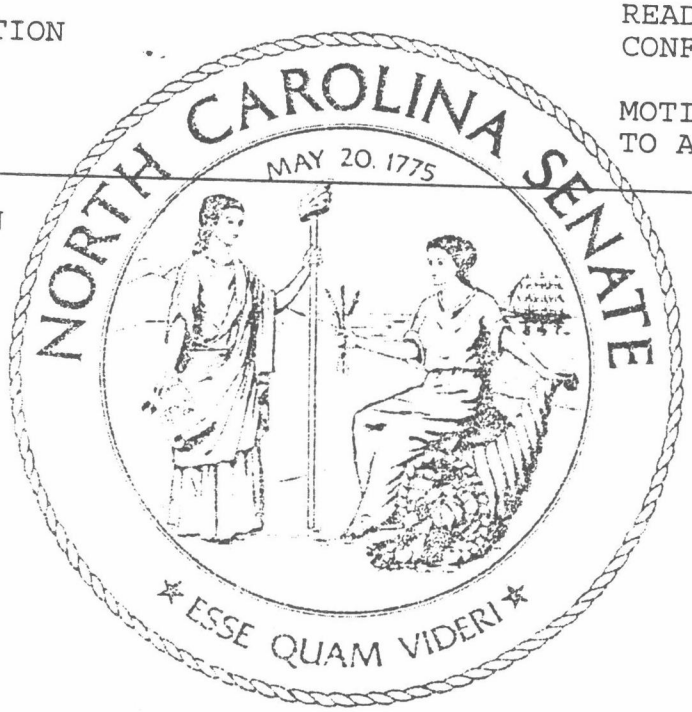
COOPER
VETO
HOUSE COM SUB/2ND EDITION

SENATE BILL 3
READING 3
CONFERENCE REPORT

MOTION 7
TO ADOPT

RECORDED
AYE 1 SHERRON
ADJUSTED TOTAL
AYE 45
NO 3
NOT CAST 0
ABSENT 1

(COPY)



RC

NORTH CAROLINA

HOUSE OF REPRESENTATIVES

ROLL CALL

SEQ. # 100
LEGISLATIVE DAY 24
HCS
[redacted]
Conference Report - 2nd Reading

3/07/95
1:56 PM
IN CHAIR: SPEAKER

VETO

AYES - 96

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

NOES - 19

ADAMS	CRAWFORD	HENSLEY	LUEBKE
BARNES	CULPEPPER	HIGHTOWER	MCALLISTER
BEALL	EASTERLING	HUNT	MICHAUX
BLUE	FITCH	HUNTER, H.	WRIGHT
BRASWELL	HACKNEY	HUNTER, R.	

EXCUSED ABSENCE - 4

ALDRIDGE	ALEXANDER	SHARPE	WILSON, G.

EXCUSED VOTE - 0

NOT VOTING - 1

BOWIE

S3 HCS

RC

NORTH CAROLINA

HOUSE OF REPRESENTATIVES

ROLL CALL

EQ. # 101
GISLATIVE DAY 24
HCS
CONFERENCE REPORT
3rd Reading
VETO

3/07/95
1:57 PM
IN CHAIR: SPEAKER

AYES - 97

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

NOES - 18

ADAMS	CRAWFORD	HENSLEY	HUNTER, R.
BARNES	CULPEPPER	HIGHTOWER	LUEBKE
BEALL	EASTERLING	HUNT	MICHAUX
BLUE	FITCH	HUNTER, H.	WRIGHT
BRASWELL	HACKNEY		

EXCUSED ABSENCE - 4

ALDRIDGE	ALEXANDER	SHARPE	WILSON, G.

EXCUSED VOTE - 0

NOT VOTING - 1

BOWIE

S3 HCS

GENERAL ASSEMBLY OF NORTH CAROLINA

FILED - SENATE

SESSION 1995

S 4

JAN 25 1995

PRINCIPAL CLERK

S D

SENATE DRS4500-LB050(1.1)

Short Title: Require Alternative Punishments. (Public)

Sponsors: Senator Albertson.

Referred to:

A BILL TO BE ENTITLED

AN ACT TO REPEAL THE LAW PROVIDING THAT A DEFENDANT MAY CHOOSE IMPRISONMENT RATHER THAN PROBATION OR AN ALTERNATIVE PUNISHMENT AND TO AMEND THE CONSTITUTION TO PROVIDE THAT PROBATION, RESTITUTION, COMMUNITY SERVICE, WORK PROGRAMS, AND OTHER RESTRAINTS ON LIBERTY ARE PUNISHMENTS THAT MAY BE IMPOSED ON A PERSON CONVICTED OF A CRIMINAL OFFENSE.

The General Assembly of North Carolina enacts:

Section 1. G.S. 15A-1341(c) is repealed.

Sec. 2. Section 1 of Article XI of the Constitution of North Carolina reads as rewritten:

"**Section 1. Punishments.**

The following punishments only shall be known to the laws of this State: death, imprisonment, fines, suspension of a jail or prison term with or without conditions, restitution, community service, restraints on liberty, work programs, removal from office, and disqualification to hold and enjoy any office of honor, trust, or profit under this State."

Sec. 3. The amendment set out in Section 2 of this act shall be submitted to the qualified voters of the State at a statewide election to be held on November 7, 1995, which election shall be conducted under the laws then governing elections in the State. Ballots, voting systems, or both may be used in accordance with Chapter 163 of the General Statutes. The question to be used in the voting systems and ballots shall be:

"[ ] FOR [ ] AGAINST

NORTH CAROLINA GENERAL ASSEMBLY
SENATE

RECORDED VOTE

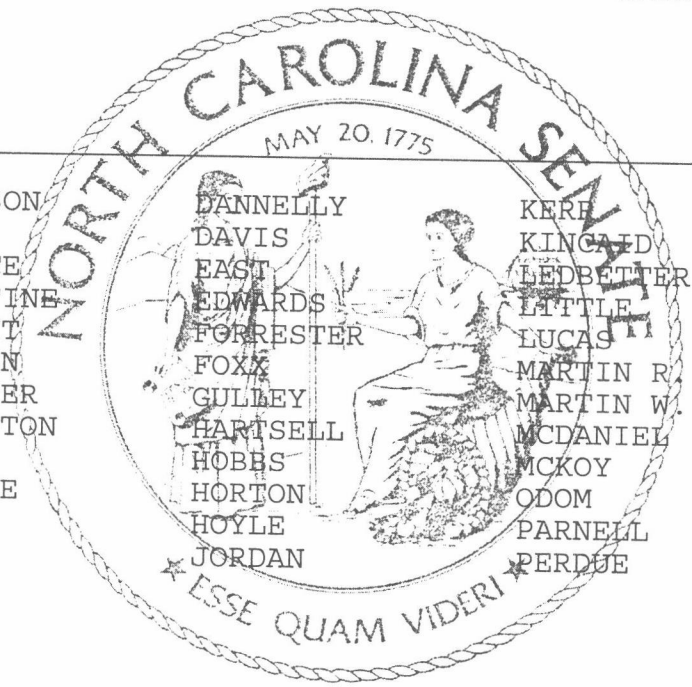
1995 SESSION

SEQ. 32/2-- 1:54 PM FEBRUARY 7, 1995 LEGISLATIVE DAY 8

LT. GOVERNOR WICKER -- Presiding

ALBERTSON
REQUIRE ALTERNATIVE PUNISHMENTS

SENATE BILL 4
READING 2



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

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

(COPY)

NORTH CAROLINA GENERAL ASSEMBLY
SENATE

RECORDED VOTE

1995 SESSION

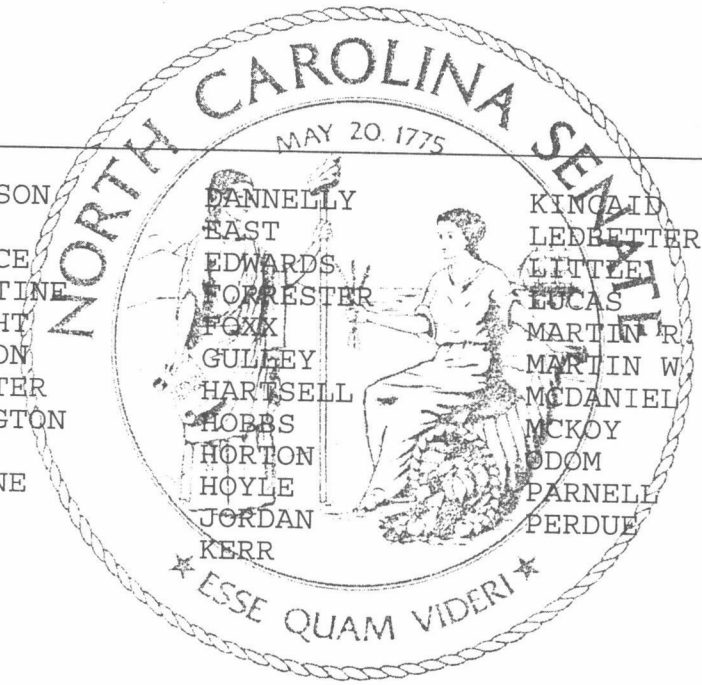
SEQ. 33/3-- 1:55 PM | FEBRUARY 7, 1995 | LEGISLATIVE DAY 8

LT. GOVERNOR WICKER -- Presiding

ALBERTSON
REQUIRE ALTERNATIVE PUNISHMENTS

SENATE BILL 4

READING 3



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

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

(COPY)

EV

NORTH CAROLINA
HOUSE OF REPRESENTATIVES
ROLL CALL

. # 1110
LEGISLATIVE DAY 81
S4 HCS
READING 2

6/14/95
3:25 PM
IN CHAIR: SPEAKER

REQUIRE ALTERNATIVE PUNISHMENTS
MOTION #3 Rep Justus calls the previous question

AYES - 87

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

NOES - 26

ADAMS	DECKER	LEE	RICHARDSON
ALEXANDER	EASTERLING	LUEBKE	SUTTON
BARNES	FITCH	MICHAUX	TOLSON
BLUE	FOX	OLDHAM	WAINWRIGHT
BOWIE	HACKNEY	OWENS	WOMBLE
BOYD-MCINTYRE	HENSLEY	REDWINE	WRIGHT
CUNNINGHAM	HUNTER, H.		

EXCUSED ABSENCE - 3

CHURCH	CULPEPPER	SHARPE

EXCUSED VOTE - 0

NOT VOTING - 4

SPEAKER	GAMBLE	MCALLISTER	SHAW

RC

NORTH CAROLINA
HOUSE OF REPRESENTATIVES
ROLL CALL

SQ. # 1111
LEGISLATIVE DAY 81
S4 HCS
READING 2

6/14/95
3:25 PM
IN CHAIR: SPEAKER

REQUIRE ALTERNATIVE PUNISHMENTS

AYES - 88

SPEAKER	CUMMINGS	JUSTUS	RAYFIELD
ALDRIDGE	DAUGHTRY	KISER	REDWINE
ALLRED	DAVIS	LEMMOND	REYNOLDS
ARNOLD	DOCKHAM	LOCKE	RICHARDSON
BAKER	EDDINS	MCCOMAS	ROBINSON, G.
BARBEE	EDWARDS	MCCOMBS	ROBINSON, J.
BEALL	ELLIS	MCCRARY	ROGERS
BERRY	ESPOSITO	MCLAUGHLIN	RUSSELL
BLACK	FOX	MCMAHAN	SEXTON
BOWEN	GARDNER	MERCER	SHERRILL
BRAWLEY	GRADY	MILLER, G.	SHUBERT
BROWN, J.	GRAY	MILLER, K.	SUTTON
BROWN, W.	HAYES	MINER	TALLENT
BUCHANAN	HIATT	MITCHELL	THOMPSON
CANSLER	HIGHTOWER	MORGAN	WARNER
CAPPS	HILL	NEELY	WATSON
CARPENTER	HOLMES	NICHOLS	WEATHERLY
CLARY	HOWARD	NYE	WILKINS
COCKLEREECE	HUNT	OWENS	WILSON, C.
CRAWFORD	HUNTER, R.	PATE	WILSON, G.
CREECH	HURLEY	PRESTON	WOOD
CULP	IVES	PULLEY	YONGUE

NOES - 26

ADAMS	CUNNINGHAM	HENSLEY	OLDHAM
ALEXANDER	DECKER	HUNTER, H.	RAMSEY
BARNES	DICKSON	LEE	TOLSON
BLUE	EARLE	LINNEY	WAINWRIGHT
BOWIE	EASTERLING	LUEBKE	WOMBLE
BOYD-MCINTYRE	FITCH	MICHAUX	WRIGHT
BRASWELL	HACKNEY		

EXCUSED ABSENCE - 3

CHURCH	CULPEPPER	SHARPE

EXCUSED VOTE - 0

NOT VOTING - 3

GAMBLE	MCALLISTER	SHAW

RC

NORTH CAROLINA
HOUSE OF REPRESENTATIVES
ROLL CALL

[redacted]. # 1134
[redacted]ISLATIVE DAY 82
S4 HCS
READING 3

6/15/95
2:24 PM
IN CHAIR: SPEAKER

REQUIRE ALTERNATIVE PUNISHMENTS

AYES - 94

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

NOES - 18

ADAMS	BRASWELL	HACKNEY	LUEBKE
ALEXANDER	CUNNINGHAM	HENSLEY	MCALLISTER
BARNES	EARLE	HUNTER, H.	MICHAUX
BLUE	EASTERLING	LINNEY	WOMBLE
BOYD-MCINTYRE	FITCH		

EXCUSED ABSENCE - 5

EDWARDS	RAMSEY	SHARPE	WRIGHT
MERCER			

EXCUSED VOTE - 0

NOT VOTING - 3

BARBEE	LEMMOND	TALLENT

NORTH CAROLINA
HOUSE OF REPRESENTATIVES
ROLL CALL

. # 1133
ISLATIVE DAY 82
S4 HCS
READING 3

6/15/95
2:23 PM
IN CHAIR: SPEAKER

REQUIRE ALTERNATIVE PUNISHMENTS
MOTION #3 - Rep. Daughtry calls the previous question

AYES - 74

ALDRIDGE	CULP	HURLEY	PRESTON
ALLRED	CULPEPPER	IVES	PULLEY
ARNOLD	CUMMINGS	JUSTUS	RAYFIELD
BAKER	DAUGHTRY	KISER	REYNOLDS
BERRY	DAVIS	LINNEY	ROBINSON, G.
BOWEN	DECKER	LOCKE	ROBINSON, J.
BOWIE	DICKSON	MCCOMAS	ROGERS
BRAWLEY	DOCKHAM	MCCOMBS	RUSSELL
BROWN, J.	EDDINS	MCLAUGHLIN	SEXTON
BROWN, W.	ELLIS	MCMAHAN	SHAW
BUCHANAN	ESPOSITO	MILLER, K.	SHERRILL
CANSLER	GARDNER	MINER	SHUBERT
CAPPS	GRADY	MITCHELL	THOMPSON
CARPENTER	GRAY	MORGAN	WATSON
CHURCH	HAYES	NEELY	WEATHERLY
CLARY	HIATT	NICHOLS	WILKINS
COCKLEREECE	HILL	NYE	WILSON, C.
CRAWFORD	HOLMES	PATE	WILSON, G.
CREECH	HUNT		

NOES - 34

ADAMS	EARLE	HUNTER, R.	REDWINE
ALEXANDER	EASTERLING	LUEBKE	RICHARDSON
BARNES	FITCH	MCALLISTER	SUTTON
BEALL	FOX	MCCRARY	TOLSON
BLACK	GAMBLE	MICHAUX	WAINWRIGHT
BLUE	HACKNEY	MILLER, G.	WARNER
BOYD-MCINTYRE	HENSLEY	OLDHAM	WOMBLE
BRASWELL	HIGHTOWER	OWENS	YONGUE
CUNNINGHAM	HUNTER, H.		

EXCUSED ABSENCE - 5

EDWARDS	RAMSEY	SHARPE	WRIGHT
MERCER			

EXCUSED VOTE - 0

NOT VOTING - 7

SPEAKER	HOWARD	LEMMOND	WOOD
BARBEE	LEE	TALLENT	

NORTH CAROLINA GENERAL ASSEMBLY
SENATE

RECORDED VOTE

1995 SESSION

SEQ. 1032/9-- 2:54 PM JUNE 20, 1995 LEGISLATIVE DAY 8

LT. GOVERNOR WICKER -- Presiding

ALBERTSON
REQUIRE ALTERNATIVE PUNISHMENTS
HOUSE COM SUB/2ND EDITION

SENATE BILL 4
READING 2

MOTION 8
TO CONCUR

AYE	49	ALBERTSON	DAVIS	KINCAID	PLEXICO
		ALLRAN	EAST	LEDBETTER	PLYLER
		BALLANCE	EDWARDS	LITTLE	RAND
		BALLANTINE	FORRESTER	LUCAS	SAWYER
		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
		DANNELLY			
NO	0				

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

(COPY)

NORTH CAROLINA GENERAL ASSEMBLY
SENATE

RECORDED VOTE

1995 SESSION

SEQ. 1291/5-- 9:42 AM JULY 12, 1995 LEGISLATIVE DAY 98

LT. GOVERNOR WICKER -- Presiding

ALBERTSON
REQUIRE ALTERNATIVE PUNISHMENTS
HOUSE COM SUB/2ND EDITION

SENATE BILL 4
READING 3

MOTION 8
TO CONCUR

AYE	50	ALBERTSON	DAVIS	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

S 5

JAN 25 95

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1995

S D

SENATE DRS8507-LEX022(1.3)

Short Title: School Governance Changes. (Public)

Sponsors: Senator Winner.

Referred to:

A BILL TO BE ENTITLED

AN ACT TO AMEND THE CONSTITUTION TO CHANGE THE COMPOSITION OF THE STATE BOARD OF EDUCATION AND MAKE THE SUPERINTENDENT OF PUBLIC INSTRUCTION AN APPOINTEE OF THE STATE BOARD OF EDUCATION, AND TO MAKE CORRESPONDING STATUTORY CHANGES.

The General Assembly of North Carolina enacts:

Section 1. Section 4(1) of Article IX of the Constitution reads as rewritten:

"(1) **Board.** The State Board of Education shall consist of the Lieutenant Governor, the Treasurer, ~~and eleven members appointed by the Governor, subject to confirmation by the General Assembly in joint session,~~ nine members appointed by the Governor, four members appointed by the General Assembly upon the recommendation of the President Pro Tempore of the Senate, and four members appointed by the General Assembly upon the recommendation of the Speaker of the House of Representatives. The General Assembly shall divide the State into eight educational ~~districts,~~ districts. ~~of the appointive members of the Board, one shall be appointed~~ Of the Governor's nine appointees, one shall be appointed from each of the eight educational districts and ~~three~~ one shall be appointed from the State at large. ~~Appointments~~ Terms shall be for ~~overlapping terms of eight years.~~ four years, except as provided by statute. The General Assembly may provide by statute for any qualifications of Board members and any limitation on the number of terms a member may serve on the Board. Appointments to fill vacancies shall be made ~~by the Governor for the unexpired terms and shall not be subject to confirmation.~~ as provided by law.

NORTH CAROLINA GENERAL ASSEMBLY
AMENDMENT
Senate Bill 5

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

S5-ARU-004

Date Feb. 9, 1995

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

SENATOR COCHRANE

moves to amend the bill on page 1, line 12,
by deleting the word "nine" and substituting the word "eleven";

and on page 1, line 13,
by deleting the word "four" and substituting the word "three";

and on page 1, line 14,
by deleting the word "four" and substituting the word "three";

and on page 1, line 17,
by deleting the word "nine" and substituting the word "eleven";

and on page 1, line 19,
by writing the line to read:
"three shall be appointed from the State at large. Appointments
shall be for";

and on page 2, lines 3 and 4,
by rewriting the lines to read:
"The Governor shall designate one member of the Board as chair.";

and on page 2, line 21,
by rewriting the line to read:
"State Treasurer, and ~~11~~ eleven members appointed by the Governor,
three members";

and on page 2, line 23,
by rewriting the line to read:
"Tempore of the Senate in accordance with G.S. 120-121, one of which
shall be upon the recommendation of the Senate Minority Leader to
the President Pro Tempore, and three members";

see page 2

NORTH CAROLINA GENERAL ASSEMBLY
AMENDMENT
Senate Bill 5

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

S5-ARU-004

and on page 2, line 25,
by rewriting the line to read:
"House of Representatives in accordance with G.S. 120-121, one of which shall be upon the recommendation of the House Minority Leader to the Speaker. ~~Governor, subject to~~";

and on page 2, line 34,
by deleting the word "nine" and substituting the word "eleven";

and on page 2, line 35,
by deleting the words "~~three~~ one" and substituting the word "three";

and on page 2, line 36,
by deleting the words "~~members~~ a member" and substituting "members";

and on page 2, line 40 through page 3, line 1,
by rewriting the lines to read:
"(b) All initial terms shall begin July 1, 1996. The eight initial members appointed by the Governor, one from each of the eight educational districts, shall serve terms ending";

and on page 8, lines 37 through 43,
by rewriting the lines to read:
"of the State Board of Education shall be as follows: The eight initial members appointed by the Governor, one from each of the eight educational districts, shall serve for terms ending February 28, 1997,"

SIGNED Betsy Cochrane
Amendment Sponsor

SIGNED _____
Committee Chair if Senate Committee Amendment

ADOPTED 2-9-95 FAILED _____ TABLED _____

(47-D) S Fitch

NORTH CAROLINA GENERAL ASSEMBLY
SENATE

RECORDED VOTE

1995 SESSION

SEQ. 42/4--10:54 AM | FEBRUARY 9, 1995 | LEGISLATIVE DAY 10

LT. GOVERNOR WICKER -- Presiding

WINNER
SCHOOL GOVERNANCE CHANGES
COM SUB/2ND EDITION

SENATE BILL 5

AMEND 1

AYE	47	ALBERTSON	DAVIS	KINCAID	PLYLER
		ALLRAN	EAST	LEDBETTER	RAND
		BALLANCE	EDWARDS	LITTLE	SAWYER
		BALLANTINE	FORRESTER	LUCAS	SHAW
		BASNIGHT	FOXX	MARTIN R.	SHERRON
		BLACKMON	GULLEY	MARTIN W.	SIMPSON
		CARPENTER	HARTSELL	MCDANIEL	SOLES
		CARRINGTON	HOBBS	MCKOY	SPEED
		CLARK	HORTON	ODOM	WARREN
		COCHRANE	HOYLE	PARNELL	WEBSTER
		CONDER	JORDAN	PERDUE	WINNER
		COOPER	KERR	PLEXICO	
NO	1	DANNELLY			

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

(COPY)

NORTH CAROLINA GENERAL ASSEMBLY
SENATE

RECORDED VOTE

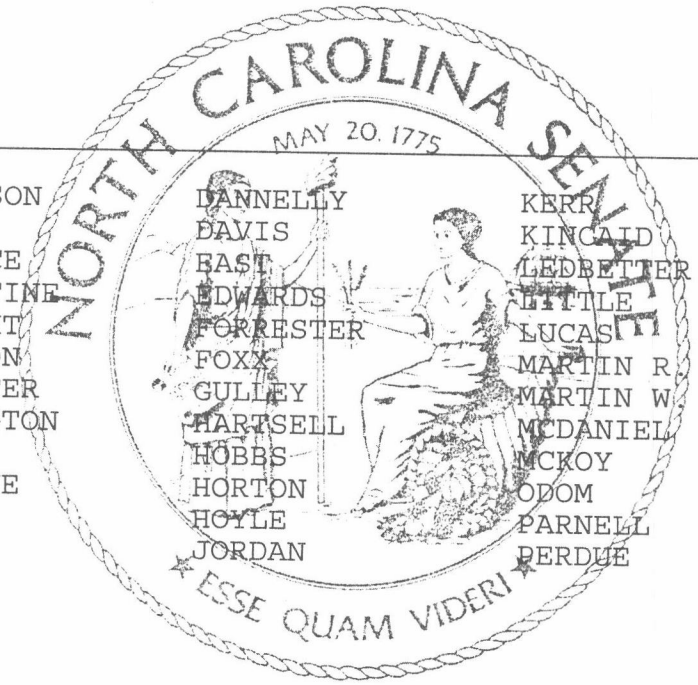
1995 SESSION

SEQ. 43/5--11:08 AM | FEBRUARY 9, 1995 | LEGISLATIVE DAY 10

LT. GOVERNOR WICKER -- Presiding

WINNER
SCHOOL GOVERNANCE CHANGES
COM SUB/2ND EDITION

SENATE BILL 5
READING 2



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

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

(COPY)

NORTH CAROLINA GENERAL ASSEMBLY
SENATE

RECORDED VOTE

1995 SESSION

SEQ. 44/6--11:10 AM | FEBRUARY 9, 1995 | LEGISLATIVE DAY 10

LT. GOVERNOR WICKER -- Presiding

WINNER
SCHOOL GOVERNANCE CHANGES
COM SUB/2ND EDITION

SENATE BILL 5
READING 3



AYE	48	ALBERTSON	DANNELLY	KERR	PLEXICO
		ALLRAN	DAVIS	KINCAID	PLYLER
		BALLANCE	EAST	LEDBETTER	RAND
		BALLANTINE	EDWARDS	LITTLE	SAWYER
		BASNIGHT	FORRESTER	LUCAS	SHAW
		BLACKMON	FOXX	MARTIN R.	SHERRON
		CARPENTER	GULLEY	MARTIN W.	SIMPSON
		CARRINGTON	HARTSELL	MCDANIEL	SOLES
		CLARK	HOBBS	MCKOY	SPEED
		COCHRANE	HORTON	ODOM	WARREN
		CONDER	HOYLE	PARNELL	WEBSTER
		COOPER	JORDAN	PERDUE	WINNER
NO	0				

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

(COPY)

55

NORTH CAROLINA GENERAL ASSEMBLY
AMENDMENT
Senate Bill 5

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

S5-ALB-5

Date March 28, 1995

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

REP. DAUGHTRY

moves to amend the bill on page 8, lines 16 and 17 by deleting "at a statewide general election on November 7, 1995", and substituting "at the statewide primary election in May of 1996".

further moves to amend the bill on page 8, lines 9 through 14 by rewriting those lines to read:

"Sec. 17. (a) Notwithstanding G.S. 163-1(b) and Article 10 of Chapter 163 of the General Statutes, there shall not be a primary election for Superintendent of Public Instruction in 1996.

(b) If a majority of votes cast are not in favor of the question provided in Section 18 of this act, then candidates for the office of Superintendent of Public Instruction in 1996 shall be nominated by the State executive committee of each political party which would have been allowed to nominate a candidate under Article 10 of Chapter 163 of the General Statutes, as if a vacancy in nomination had occurred to be filled by that State executive committee under G.S. 163-114. Such nomination shall be made not earlier than the date the results of the referendum under Section 18 of this act are certified by the State Board of Elections, and not later than August 1, 1996. New political parties entitled to nominate candidates under G.S. 163-98 may make such nomination during the same time period. Written petitions may be filed with the State Board of Elections to nominate an unaffiliated candidate under G.S. 163-122 during the same time period."

SIGNED Daughtry
Amendment Sponsor

SIGNED _____
Committee Chair if Senate Committee Amendment

ADOPTED 3/28/95 FAILED _____ TABLED _____
62-51 RC

RC

NORTH CAROLINA
HOUSE OF REPRESENTATIVES
ROLL CALL

SEQ. # 197
LEGISLATIVE DAY 36
S5 HCS
READING 2

3/28/95
2:11 PM
IN CHAIR: SPEAKER

AMEND #1
SCHOOL GOVERNANCE CHANGES
Rep. Daughtry's Amendment

AYES - 62

ALDRIDGE	CUMMINGS	IVES	RAYFIELD
ARNOLD	DAUGHTRY	JUSTUS	REYNOLDS
BAKER	DECKER	LOCKE	ROBINSON
BARBEE	DICKSON	MCCOMAS	RUSSELL
BERRY	DOCKHAM	MCCOMBS	SEXTON
BOWIE	EDDINS	MCMAHAN	SHARPE
BRAWLEY	EDWARDS	MINER	SHERRILL
BROWN, J.	ELLIS	MITCHELL	SHUBERT
BUCHANAN	GAMBLE	MORGAN	SNOWDEN
CANSLER	GARDNER	NEELY	THOMPSON
CAPPS	GRADY	NICHOLS	WATSON
CARPENTER	GRAY	OWENS	WEATHERLY
CLARY	HAYES	PATE	WILSON, C.
COCKLEREECE	HIATT	PRESTON	WILSON, G.
CREECH	HOLMES	PULLEY	WOOD
CULP	HOWARD		

NOES - 51

ADAMS	CUNNINGHAM	KISER	RAMSEY
ALEXANDER	EARLE	LEE	REDWINE
ALLRED	EASTERLING	LEMMOND	RICHARDSON
BARNES	FITCH	LINNEY	ROGERS
BEALL	FOX	LUEBKE	SHAW
BLACK	HACKNEY	MCALLISTER	SUTTON
BOWEN	HENSLEY	MCCRARY	TOLSON
BOYD-MCINTYRE	HIGHTOWER	MCLAUGHLIN	WARNER
BRASWELL	HILL	MERCER	WILKINS
BROWN, W.	HUNT	MICHAUX	WOMBLE
CHURCH	HUNTER, H.	MILLER, G.	WRIGHT
CRAWFORD	HUNTER, R.	NYE	YONGUE
CULPEPPER	HURLEY	OLDHAM	

EXCUSED ABSENCE - 2

ESPOSITO WAINWRIGHT

EXCUSED VOTE - 0

NOT VOTING - 5

SPEAKER	DAVIS	MILLER, K.	TALLENT
BLUE			

RC

NORTH CAROLINA
HOUSE OF REPRESENTATIVES
ROLL CALL

SEQ. # 198
LEGISLATIVE DAY 36
S5 HCS
READING 2

3/28/95
2:12 PM
IN CHAIR: SPEAKER

SCHOOL GOVERNANCE CHANGES

AYES - ~~76~~ 75 DWeeks

SPEAKER	CULP	HURLEY	RAYFIELD
ALDRIDGE	CULPEPPER	IVES	REYNOLDS
ALEXANDER	CUMMINGS	JUSTUS	RICHARDSON
ALLRED	DAUGHTRY	KISER	ROBINSON
ARNOLD	DECKER	LEMMOND	ROGERS
BAKER	DICKSON	LOCKE	RUSSELL
BARBEE	DOCKHAM	MCALLISTER	SEXTON
BERRY	EDDINS	MCCOMAS	SHARPE
BOWIE	EDWARDS	MCCOMBS	SHERRILL
BRAWLEY	ELLIS	MCMAHAN	SHUBERT
BROWN, J.	~~FITCH~~ DWeeks	MINER	SNOWDEN
BUCHANAN	FOX	MITCHELL	THOMPSON
CANSLER	GARDNER	MORGAN	WARNER
CAPPS	GRADY	NEELY	WATSON
CARPENTER	GRAY	NICHOLS	WEATHERLY
CHURCH	HAYES	OWENS	WILKINS
CLARY	HIATT	PATE	WILSON, C.
COCKLEREECE	HOLMES	PRESTON	WILSON, G.
CREECH	HOWARD	PULLEY	WOOD

NOES - ~~38~~ 39 DWeeks

ADAMS	EARLE	LEE	OLDHAM
BARNES	EASTERLING	LINNEY	RAMSEY
BEALL	GAMBLE	LUEBKE	REDWINE
BLACK	HACKNEY	MCCRARY	SHAW
BOWEN	HENSLEY	MCLAUGHLIN	SUTTON
BOYD-MCINTYRE	HIGHTOWER	MERCER	TOLSON
BRASWELL	HILL	MICHAUX	WOMBLE
BROWN, W.	HUNT	MILLER, G.	WRIGHT
CRAWFORD	HUNTER, H.	NYE	YONGUE
CUNNINGHAM	HUNTER, R.		

EXCUSED ABSENCE - 2

ESPOSITO	WAINWRIGHT

EXCUSED VOTE - 0

NOT VOTING - 4

BLUE	DAVIS	MILLER, K.	TALLENT

Rep. Fitch request to be recorded as voting "no".
Speaker so orders.
DWeeks

S5 HCS

NORTH CAROLINA GENERAL ASSEMBLY
AMENDMENT
Senate Bill 5

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

S5-ALB-6

Date Mar 29, 1995

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

1 moves to amend the bill by deleting lines 5 through 24 of House
2 Amendment #1.
3

SIGNED _____
Amendment Sponsor

SIGNED _____
Committee Chair if Senate Committee Amendment

ADOPTED 3/29/95 FAILED _____ TABLED _____

79-28 EV

NORTH CAROLINA
HOUSE OF REPRESENTATIVES
ROLL CALL

EV

SEQ. # 207
LEGISLATIVE DAY 37
S5 HCS
READING 3

3/29/95
3:37 PM
IN CHAIR: SPEAKER

AMEND #2
SCHOOL GOVERNANCE CHANGES
Rep. Daughtry's Amendment

AYES - 79

ALDRIDGE	CULP	JUSTUS	REYNOLDS
ALEXANDER	CULPEPPER	KISER	RICHARDSON
ALLRED	CUMMINGS	LEMMOND	ROBINSON
ARNOLD	DAUGHTRY	LINNEY	RUSSELL
BAKER	DAVIS	MCCOMAS	SEXTON
BARBEE	DECKER	MCCOMBS	SHARPE
BEALL	DICKSON	MCLAUGHLIN	SHERRILL
BERRY	DOCKHAM	MCMAHAN	SHUBERT
BOWEN	EDDINS	MERCER	SNOWDEN
BOWIE	EDWARDS	MILLER, K.	SUTTON
BRAWLEY	ELLIS	MINER	TALLENT
BROWN, J.	FOX	MITCHELL	THOMPSON
BUCHANAN	GARDNER	MORGAN	WATSON
CANSLER	GRADY	NEELY	WEATHERLY
CAPPS	GRAY	NICHOLS	WILKINS
CARPENTER	HAYES	OWENS	WILSON, C.
CLARY	HIATT	PATE	WILSON, G.
COCKLEREECE	HOLMES	PRESTON	WOOD
CRAWFORD	HOWARD	PULLEY	YONGUE
CREECH	IVES	RAYFIELD	

NOES - 28

ADAMS	CUNNINGHAM	HURLEY	NYE
BARNES	EARLE	LEE	OLDHAM
BLACK	GAMBLE	LOCKE	RAMSEY
BLUE	HACKNEY	LUEBKE	REDWINE
BOYD-MCINTYRE	HENSLEY	MCCRARY	TOLSON
BRASWELL	HUNTER, H.	MICHAUX	WARNER
BROWN, W.	HUNTER, R.	MILLER, G.	WOMBLE

EXCUSED ABSENCE - 3

ESPOSITO	HIGHTOWER	WRIGHT

EXCUSED VOTE - 0

NOT VOTING - 10

SPEAKER	FITCH	MCALLISTER	SHAW
CHURCH	HILL	ROGERS	WAINWRIGHT
EASTERLING	HUNT		

NORTH CAROLINA GENERAL ASSEMBLY AMENDMENT

(Please type or use ballpoint pen)

EDITION No. _____

H. B. No. _____ DATE 3-29-95

S. B. No. 5 Amendment No. 3

(to be filled in by Principal Clerk)

COMMITTEE SUBSTITUTE _____

Rep.)
) Crawford
~~Sen.~~)

moves to amend the bill on page 8, line 23

( ) WHICH CHANGES THE TITLE

by deleting the words "an elected" after the word "than" and on line 24 deleting the word "position" and substituting the words "elected by the people"

SIGNED James W. Crawford Jr

ADOPTED _____ FAILED 3/29/95 47-58 DV _____ TABLED _____

GA-33-A

PRINCIPAL CLERK'S OFFICE

EV

NORTH CAROLINA
HOUSE OF REPRESENTATIVES
ROLL CALL

SEQ. # 208
LEGISLATIVE DAY 37
S5 HCS
READING 3

3/29/95
3:51 PM
IN CHAIR: SPEAKER

AMEND #3
SCHOOL GOVERNANCE CHANGES
Rep. Crawford's Amendment

AYES - 47

ADAMS	EASTERLING	LEE	REDWINE
ALEXANDER	FITCH	LOCKE	RICHARDSON
BARNES	FOX	LUEBKE	SUTTON
BEALL	GAMBLE	MCCRARY	TOLSON
BLUE	GRADY	MCLAUGHLIN	WAINWRIGHT
BOWEN	HACKNEY	MERCER	WARNER
BOYD-MCINTYRE	HENSLEY	MICHAUX	WILKINS
BRASWELL	HOWARD	MILLER, G.	WILSON, G.
BROWN, W.	HUNT	NYE	WOMBLE
CRAWFORD	HUNTER, H.	OLDHAM	WOOD
CULPEPPER	HUNTER, R.	OWENS	YONGUE
DOCKHAM	HURLEY	RAMSEY	

NOES - 58

ALDRIDGE	CULP	IVES	RAYFIELD
ALLRED	CUMMINGS	JUSTUS	REYNOLDS
ARNOLD	DAUGHTRY	KISER	ROBINSON
BAKER	DAVIS	LINNEY	RUSSELL
BARBEE	DECKER	MCCOMAS	SEXTON
BERRY	DICKSON	MCCOMBS	SHARPE
BRAWLEY	EDDINS	MCMAHAN	SHERRILL
BROWN, J.	EDWARDS	MINER	SHUBERT
BUCHANAN	ELLIS	MITCHELL	SNOWDEN
CANSLER	GARDNER	MORGAN	TALLENT
CAPPS	GRAY	NEELY	THOMPSON
CARPENTER	HAYES	NICHOLS	WATSON
CLARY	HIATT	PATE	WEATHERLY
COCKLEREECE	HILL	PRESTON	WILSON, C.
CREECH	HOLMES		

EXCUSED ABSENCE - 3

ESPOSITO	HIGHTOWER	WRIGHT

EXCUSED VOTE - 0

NOT VOTING - 12

SPEAKER	CHURCH	LEMMOND	PULLEY
BLACK	CUNNINGHAM	MCALLISTER	ROGERS
BOWIE	EARLE	MILLER, K.	SHAW

EV

NORTH CAROLINA
HOUSE OF REPRESENTATIVES
ROLL CALL

REQ. # 209
LEGISLATIVE DAY 37
S5 HCS

3/29/95
4:11 PM
IN CHAIR: SPEAKER

SCHOOL GOVERNANCE CHANGES
MOTION #3

Rep. Warner calls the previous question on his motion to re-refer to Judiciary #1

AYES - 104

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

NOES - 7

CARPENTER	KISER	MILLER, K.	SNOWDEN
DECKER	MCCOMAS	RAYFIELD	

EXCUSED ABSENCE - 3

ESPOSITO	HIGHTOWER	WRIGHT

EXCUSED VOTE - 0

NOT VOTING - 6

SPEAKER	MCALLISTER	SHAW	TALLENT
CHURCH	ROGERS		

EV

NORTH CAROLINA
HOUSE OF REPRESENTATIVES
ROLL CALL

SEQ. # 210
LEGISLATIVE DAY 37
S5 HCS
READING 3

3/29/95
4:12 PM
IN CHAIR: SPEAKER

SCHOOL GOVERNANCE CHANGES
MOTION #7
Rep. Warner moves to re-refer to Judiciary #1

AYES - 48

ADAMS	CUNNINGHAM	HUNTER, R.	OLDHAM
ALEXANDER	EARLE	HURLEY	OWENS
ALLRED	EASTERLING	LEE	RAMSEY
BARNES	ELLIS	LINNEY	REDWINE
BEALL	FITCH	LOCKE	RICHARDSON
BLACK	FOX	LUEBKE	SUTTON
BLUE	GAMBLE	MCCRARY	TOLSON
BOWEN	HACKNEY	MCLAUGHLIN	WAINWRIGHT
BOYD-MCINTYRE	HENSLEY	MERCER	WARNER
BRASWELL	HILL	MICHAUX	WILKINS
BROWN, W.	HUNT	MILLER, G.	WOMBLE
CRAWFORD	HUNTER, H.	NYE	YONGUE

NOES - 64

ALDRIDGE	CULPEPPER	IVES	RAYFIELD
ARNOLD	CUMMINGS	JUSTUS	REYNOLDS
BAKER	DAUGHTRY	KISER	ROBINSON
BARBEE	DAVIS	LEMMOND	RUSSELL
BERRY	DECKER	MCCOMAS	SEXTON
BOWIE	DICKSON	MCCOMBS	SHARPE
BRAWLEY	DOCKHAM	MCMAHAN	SHERRILL
BROWN, J.	EDDINS	MILLER, K.	SHUBERT
BUCHANAN	EDWARDS	MINER	SNOWDEN
CANSLER	GARDNER	MITCHELL	TALLENT
CAPPS	GRADY	MORGAN	THOMPSON
CARPENTER	GRAY	NEELY	WATSON
CLARY	HAYES	NICHOLS	WEATHERLY
COCKLEREECE	HIATT	PATE	WILSON, C.
CREECH	HOLMES	PRESTON	WILSON, G.
CULP	HOWARD	PULLEY	WOOD

EXCUSED ABSENCE - 3

ESPOSITO	HIGHTOWER	WRIGHT

EXCUSED VOTE - 0

NOT VOTING - 5

SPEAKER	MCALLISTER	ROGERS	SHAW
CHURCH			

EV

NORTH CAROLINA
HOUSE OF REPRESENTATIVES
ROLL CALL

SEQ. # 211
LEGISLATIVE DAY 37
S5 HCS
READING 3

3/29/95
4:35 PM
IN CHAIR: SPEAKER

SCHOOL GOVERNANCE CHANGES
MOTION #3
Rep. Daughtry calls the previous question

AYES - 94

ALDRIDGE	DAUGHTRY	KISER	RAMSEY
ALEXANDER	DAVIS	LEE	RAYFIELD
ALLRED	DECKER	LEMMOND	REDWINE
ARNOLD	DICKSON	LUEBKE	REYNOLDS
BAKER	DOCKHAM	MCALLISTER	ROBINSON
BARBEE	EARLE	MCCOMAS	RUSSELL
BARNES	EDDINS	MCCOMBS	SEXTON
BERRY	EDWARDS	MCLAUGHLIN	SHARPE
BOWEN	ELLIS	MCMAHAN	SHERRILL
BOWIE	FOX	MERCER	SHUBERT
BRASWELL	GARDNER	MILLER, G.	SNOWDEN
BRAWLEY	GRADY	MILLER, K.	TALLENT
BROWN, J.	GRAY	MINER	THOMPSON
BUCHANAN	HACKNEY	MITCHELL	TOLSON
CANSLER	HAYES	MORGAN	WAINWRIGHT
CAPPS	HIATT	NEELY	WARNER
CARPENTER	HOLMES	NICHOLS	WATSON
CLARY	HOWARD	NYE	WEATHERLY
COCKLEREECE	HUNT	OLDHAM	WILKINS
CRAWFORD	HUNTER, H.	OWENS	WILSON, C.
CREECH	HUNTER, R.	PATE	WILSON, G.
CULP	HURLEY	PRESTON	WOMBLE
CULPEPPER	IVES	PULLEY	WOOD
CUNNINGHAM	JUSTUS		

NOES - 15

ADAMS	BOYD-MCINTYRE	HENSLEY	RICHARDSON
BEALL	BROWN, W.	LINNEY	SUTTON
BLACK	EASTERLING	MCCRARY	YONGUE
BLUE	FITCH	MICHAUX	

EXCUSED ABSENCE - 3

ESPOSITO	HIGHTOWER	WRIGHT

EXCUSED VOTE - 0

NOT VOTING - 8

SPEAKER	CUMMINGS	HILL	ROGERS
CHURCH	GAMBLE	LOCKE	SHAW

RC

NORTH CAROLINA
HOUSE OF REPRESENTATIVES
ROLL CALL

SEQ. # 212
LEGISLATIVE DAY 37
S5 HCS
READING 3

3/29/95
4:36 PM
IN CHAIR: SPEAKER

SCHOOL GOVERNANCE CHANGES

AYES - 70

SPEAKER	CULP	JUSTUS	REYNOLDS
ALDRIDGE	DAUGHTRY	KISER	RICHARDSON
ALEXANDER	DAVIS	LEMMOND	ROBINSON
ALLRED	DECKER	MCCOMAS	RUSSELL
ARNOLD	DICKSON	MCCOMBS	SEXTON
BAKER	DOCKHAM	MCMAHAN	SHARPE
BARBEE	EDDINS	MILLER, K.	SHERRILL
BERRY	EDWARDS	MINER	SHUBERT
BOWIE	ELLIS	MITCHELL	SNOWDEN
BRAWLEY	GARDNER	MORGAN	TALLENT
BROWN, J.	GRADY	NEELY	THOMPSON
BUCHANAN	GRAY	NICHOLS	WATSON
CANSLER	HAYES	OWENS	WEATHERLY
CAPPS	HIATT	PATE	WILKINS
CARPENTER	HOLMES	PRESTON	WILSON, C.
CLARY	HOWARD	PULLEY	WILSON, G.
COCKLEREECE	HURLEY	RAYFIELD	WOOD
CREECH	IVES		

NOES - 40

ADAMS	CULPEPPER	HUNTER, R.	NYE
BARNES	CUNNINGHAM	LEE	OLDHAM
BEALL	EARLE	LINNEY	RAMSEY
BLACK	EASTERLING	LUEBKE	REDWINE
BLUE	FITCH	MCALLISTER	SUTTON
BOWEN	FOX	MCCRARY	TOLSON
BOYD-MCINTYRE	HACKNEY	MCLAUGHLIN	WAINWRIGHT
BRASWELL	HENSLEY	MERCER	WARNER
BROWN, W.	HUNT	MICHAUX	WOMBLE
CRAWFORD	HUNTER, H.	MILLER, G.	YONGUE

EXCUSED ABSENCE - 3

ESPOSITO	HIGHTOWER	WRIGHT

EXCUSED VOTE - 0

NOT VOTING - 7

CHURCH	GAMBLE	LOCKE	SHAW
CUMMINGS	HILL	ROGERS	

FILED - SENATE
S6 JAN 25 1995
PRINCIPAL CLERK

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1995

S D

SENATE DRS9511-RR003(1.23)

Short Title: Victims Rights Amend. (Public)

Sponsors: Senator Warren.

Referred to:

A BILL TO BE ENTITLED

AN ACT TO AMEND THE CONSTITUTION OF NORTH CAROLINA TO ESTABLISH RIGHTS FOR VICTIMS OF CRIME.

The General Assembly of North Carolina enacts:

Section 1. Article I of the Constitution of North Carolina is amended by adding a new section to read:

"**Sec. 37. Rights of victims of crime.**

(1) **Basic rights.** Victims of crime, as defined by law, shall be entitled to certain basic rights, including the right as defined by law to be informed of and to be present at public hearings and to be heard at sentencing or at any other time deemed appropriate by the court, to the extent that these rights do not interfere with the constitutional or statutory rights of the accused.

(2) **No money damages; other enforcement.** Nothing in this section shall be construed as creating a claim for money damages against the State, a county, a municipality, or any of the agencies, instrumentalities, or employees thereof. The General Assembly may provide for other remedies to ensure adequate enforcement of this section.

(3) **No ground for relief in criminal case.** Nothing in this section shall be construed to authorize a court to set aside or to void a finding of guilty or not guilty or an acceptance of a plea of guilty or to set aside any sentence imposed or any other final disposition in any criminal case."

Sec. 2. The amendments set out in Section 1 of this act shall be submitted to the qualified voters of the State at a special election to be held on November 7, 1995, which election shall be conducted under the laws then governing elections in the State. Ballots, voting systems, or both may be used in accordance

NORTH CAROLINA GENERAL ASSEMBLY
AMENDMENT
Senate Bill 6

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

S6-ARU-002

Date 2-15, 1995

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

Senator Simpson

moves to amend the bill on page 1, line 12,
by rewriting the line to read:
"(b) The right to be heard at sentencing of the accused in a manner prescribed by law, and at other"

SIGNED Dan Simpson
Amendment Sponsor

SIGNED _____
Committee Chair if Senate Committee Amendment

ADOPTED 2-15-95 FAILED _____ TABLED _____

(43-2) S Fink

NORTH CAROLINA GENERAL ASSEMBLY
SENATE

RECORDED VOTE

1995 SESSION

SEQ. 56/3-- 2:20 PM | FEBRUARY 15, 1995 | LEGISLATIVE DAY 13

LT. GOVERNOR WICKER -- Presiding

WARREN
VICTIMS RIGHTS AMEND.
COM SUB/3RD EDITION

SENATE BILL 6

AMEND 1

AYE	43	ALBERTSON	DAVIS	KERR	PLYLER
		BALLANCE	EAST	LEDBETTER	RAND
		BASNIGHT	EDWARDS	LITTLE	SAWYER
		BLACKMON	FORRESTER	LUCAS	SHAW
		CARPENTER	FOXX	MARTIN R.	SIMPSON
		CARRINGTON	GULLEY	MARTIN W.	SOLES
		CLARK	HARTSELL	MCDANIEL	SPEED
		COCHRANE	HOBBS	MCKOY	WARREN
		CONDER	HORTON	ODOM	WEBSTER
		COOPER	HOYLE	PERDUE	WINNER
		DANNELLY	JORDAN	PLEXICO	
NO	2	ALLRAN	BALLANTINE		
EXCUSED	0				
NOT CAST	1	KINCAID			
ABSENT	3	PARNELL	SHERRON	SMITH	
PAIRS	0				
AYE					
NO					

NORTH CAROLINA GENERAL ASSEMBLY
SENATE

RECORDED VOTE

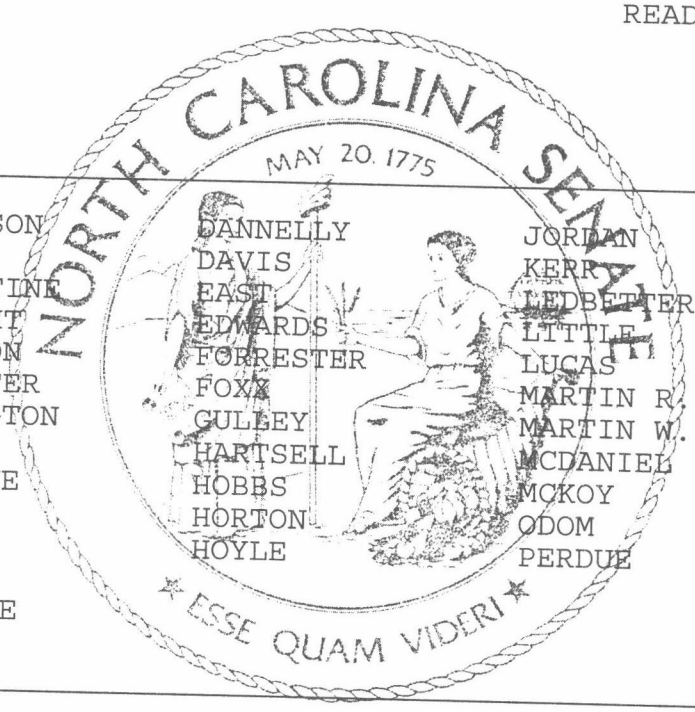
1995 SESSION

SEQ. 57/4-- 2:32 PM | FEBRUARY 15, 1995 | LEGISLATIVE DAY 13

LT. GOVERNOR WICKER -- Presiding

WARREN
VICTIMS RIGHTS AMEND.
COM SUB/3RD EDITION

SENATE BILL 6
READING 2



AYE	44	ALBERTSON	DANNELLY	JORDAN	PLEXICO
		ALLRAN	DAVIS	KERR	PLYLER
		BALLANTINE	EAST	LEDBETTER	RAND
		BASNIGHT	EDWARDS	LITTLE	SAWYER
		BLACKMON	FORRESTER	LUCAS	SHAW
		CARPENTER	FOXX	MARTIN R.	SIMPSON
		CARRINGTON	GULLEY	MARTIN W.	SOLES
		CLARK	HARTSELL	MCDANIEL	SPEED
		COCHRANE	HOBBS	MCKOY	WARREN
		CONDER	HORTON	ODOM	WEBSTER
		COOPER	HOYLE	PERDUE	WINNER
NO	1	BALLANCE			

EXCUSED	0			
NOT CAST	1	KINCAID		
ABSENT	3	PARNELL	SHERRON	SMITH
PAIRS	0			
AYE				
NO				

NORTH CAROLINA GENERAL ASSEMBLY
SENATE

RECORDED VOTE

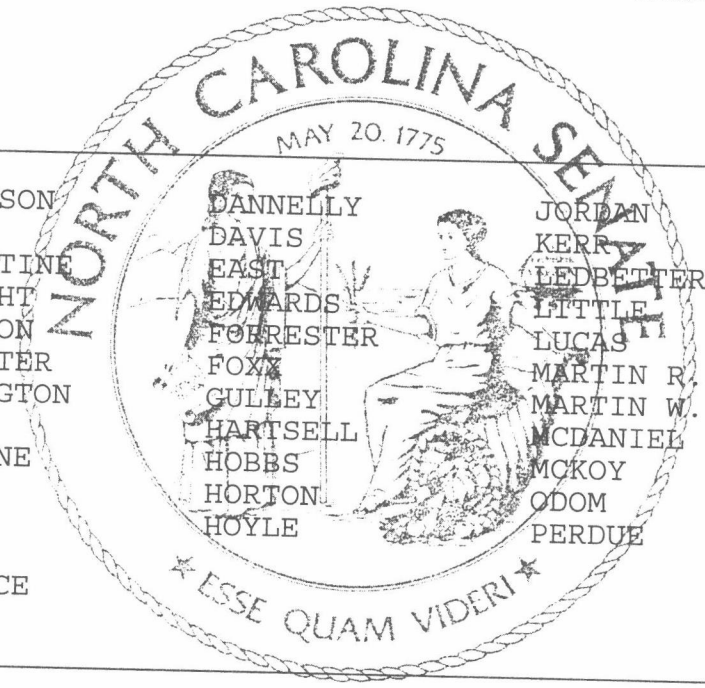
1995 SESSION

SEQ. 58/5-- 2:32 PM | FEBRUARY 15, 1995 | LEGISLATIVE DAY 13

LT. GOVERNOR WICKER -- Presiding

WARREN
VICTIMS RIGHTS AMEND.
COM SUB/3RD EDITION

SENATE BILL 6
READING 3



AYE	43	ALBERTSON	DANNELLY	JORDAN	PLEXICO
		ALLRAN	DAVIS	KERR	PLYLER
		BALLANTINE	EAST	LEDBETTER	RAND
		BASNIGHT	EDWARDS	LITTLE	SAWYER
		BLACKMON	FORRESTER	LUCAS	SHAW
		CARPENTER	FOXX	MARTIN R.	SIMPSON
		CARRINGTON	GULLEY	MARTIN W.	SOLES
		CLARK	HARTSELL	MCDANIEL	SPEED
		COCHRANE	HOBBS	MCKOY	WEBSTER
		CONDER	HORTON	ODOM	WINNER
		COOPER	HOYLE	PERDUE	
NO	1	BALLANCE			

EXCUSED	0			
NOT CAST	2	KINCAID	WARREN	
ABSENT	3	PARNELL	SHERRON	SMITH
PAIRS	0			
AYE				
NO				

NORTH CAROLINA GENERAL ASSEMBLY AMENDMENT

(Please type or use ballpoint pen)

EDITION No. _____

H. B. No. _____ DATE 2-15-95

S. B. No. 6 Amendment No. 2 (two)
(to be filled in by Principal Clerk)

COMMITTEE SUBSTITUTE _____

Rep.)
) Ballance
Sen.)

1 moves to amend the bill on page 1, line 16 - 20
2 ( ) WHICH CHANGES THE TITLE
3 by deleting those lines and by
4 renumbering the remaining paragraph in
5 Section 1
6
7
8
9
10
11
12
13
14
15
16
17
18
19

SIGNED Jim Ballance Jr.

ADOPTED Withdrawn FAILED TABLED

GA-33-A

PRINCIPAL CLERK'S OFFICE (FOR ENGROSSMENT)

NORTH CAROLINA GENERAL ASSEMBLY
AMENDMENT
Senate Bill 6

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

S6-ALB-2

Date June 6, 1995

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

Rep. GRADY

moves to amend the bill on page 2, line 32,
by deleting "an election", and substituting "the general election".

SIGNED Robert Grady
Amendment Sponsor

SIGNED _____
Committee Chair if Senate Committee Amendment

ADOPTED 6/6/95 FAILED _____ TABLED _____
114-0 EV DWicker

NORTH CAROLINA

HOUSE OF REPRESENTATIVES

ROLL CALL

SEQ. # 998
LEGISLATIVE DAY 76
S6 HCS
READING 2

6/06/95
2:16 PM
IN CHAIR: SPEAKER

AMEND #2 - Grady
VICTIMS' RIGHTS AMENDMENT

AYES - 114

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

NOES - 0

EXCUSED ABSENCE - 4

BLUE	FITCH	NEELY	THOMPSON

EXCUSED VOTE - 0

NOT VOTING - 2

SPEAKER	HUNTER, H.

NORTH CAROLINA

HOUSE OF REPRESENTATIVES

ROLL CALL

SEQ. # 999
LEGISLATIVE DAY 76
S6 HCS
READING 2

6/06/95
2:45 PM
IN CHAIR: SPEAKER

VICTIMS' RIGHTS AMENDMENT
MOTION #3 Rep Gray calls for a roll call

AYES - 108

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

NOES - 5

HACKNEY	HUNTER, H.	HUNTER, R.	WRIGHT
HENSLEY			

EXCUSED ABSENCE - 4

BLUE	FITCH	NEELY	THOMPSON

EXCUSED VOTE - 0

NOT VOTING - 3

SPEAKER	EDWARDS	MCALLISTER

NORTH CAROLINA
HOUSE OF REPRESENTATIVES
ROLL CALL

SEQ. # 1000
LEGISLATIVE DAY 76
S6 HCS
READING 2

6/06/95
2:45 PM
IN CHAIR: SPEAKER

VICTIMS' RIGHTS AMENDMENT

AYES - 114

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

NOES - 0

EXCUSED ABSENCE - 4

BLUE	FITCH	NEELY	THOMPSON

EXCUSED VOTE - 0

NOT VOTING - 2

LINNEY	MCALLISTER

NORTH CAROLINA

HOUSE OF REPRESENTATIVES

ROLL CALL

SEQ. # 1017
LEGISLATIVE DAY 77
S6 HCS
READING 3

6/07/95
1:47 PM
IN CHAIR: SPEAKER

VICTIMS' RIGHTS AMENDMENT
MOTION #3 Rep Grady [illegible]

AYES - 105

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

NOES - 7

EASTERLING	HENSLEY	MICHAUX	WRIGHT
HACKNEY	LINNEY	WOOD	

EXCUSED ABSENCE - 3

HUNTER, R.	JUSTUS	SHUBERT

EXCUSED VOTE - 0

NOT VOTING - 5

SPEAKER	DAUGHTRY	HUNTER, H.	THOMPSON
CRAWFORD			

NORTH CAROLINA

HOUSE OF REPRESENTATIVES

ROLL CALL

SEQ. # 1018
LEGISLATIVE DAY 77
S6 HCS
READING 3

6/07/95
1:48 PM
IN CHAIR: SPEAKER

VICTIMS' RIGHTS AMENDMENT

AYES - 110

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

NOES - 1

LINNEY

EXCUSED ABSENCE - 3

HUNTER, R.	JUSTUS	SHUBERT

EXCUSED VOTE - 0

NOT VOTING - 6

BLUE	DAUGHTRY	HUNTER, H.	THOMPSON
CRAWFORD	FITCH		

NORTH CAROLINA GENERAL ASSEMBLY
SENATE

RECORDED VOTE

1995 SESSION

SEQ. 1283/10-- 4:00 PM JULY 11, 1995 LEGISLATIVE DAY 97

LT. GOVERNOR WICKER -- Presiding

WARREN
VICTIMS' RIGHTS AMEND.
HOUSE COM SUB/6TH EDITION

SENATE BILL 6

CONFERENCE REPORT

MOTION 7
TO ADOPT

AYE	45	ALBERTSON	DAVIS	LEDBETTER	PLYLER
		ALLRAN	EAST	LITTLE	RAND
		BALLANTINE	EDWARDS	LUCAS	SHAW
		BASNIGHT	FORRESTER	MARTIN R.	SHERRON
		BLACKMON	FOXX	MARTIN W.	SIMPSON
		CARPENTER	GULLEY	MCDANIEL	SMITH
		CARRINGTON	HARTSELL	MCKOY	SOLES
		CLARK	HOBBS	ODOM	SPEED
		COCHRANE	JORDAN	PAGE	WARREN
		CONDER	KERR	PARNELL	WEBSTER
		COOPER	KINCAID	PLEXICO	WINNER
		DANNELLY			
NO	2	BALLANCE	HORTON		
EXCUSED	0				
NOT CAST	1	PERDUE			
ABSENT	2	HOYLE	SAWYER		
PAIRS	0				
AYE					
NO					

(CONTINUED)

NORTH CAROLINA GENERAL ASSEMBLY
SENATE

RECORDED VOTE

1995 SESSION

SEQ. 1286/13-- 4:12 PM JULY 11, 1995 LEGISLATIVE DAY 97

LT. GOVERNOR WICKER -- Presiding

WARREN
VICTIMS' RIGHTS AMEND.
HOUSE COM SUB/6TH EDITION

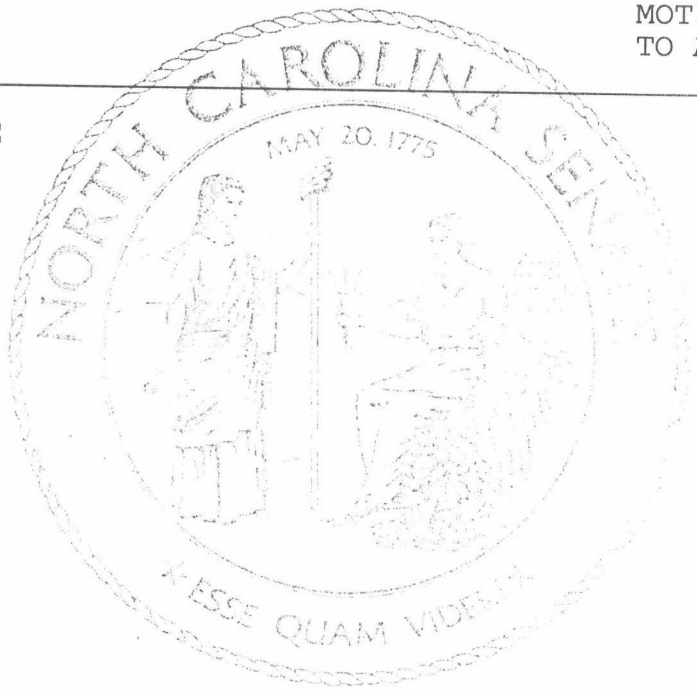
SENATE BILL 6

CONFERENCE REPORT

MOTION 7
TO ADOPT

RECORDED
AYE 1 PERDUE
ADJUSTED TOTAL
AYE 46
NO 2
NOT CAST 0
ABSENT 2

Y)



NORTH CAROLINA GENERAL ASSEMBLY
SENATE

RECORDED VOTE

1995 SESSION

SEQ. 1286/13-- 4:12 PM JULY 11, 1995 LEGISLATIVE DAY 97

LT. GOVERNOR WICKER -- Presiding

WARREN
VICTIMS' RIGHTS AMEND.
HOUSE COM SUB/6TH EDITION

SENATE BILL 6

CONFERENCE REPORT

MOTION 7
TO ADOPT

AYE	46	ALBERTSON	DAVIS	LITTLE	PLYLER
		ALLRAN	EAST	LUCAS	RAND
		BALLANTINE	EDWARDS	MARTIN R.	SHAW
		BASNIGHT	FORRESTER	MARTIN W.	SHERRON
		BLACKMON	FOXX	MCDANIEL	SIMPSON
		CARPENTER	GULLEY	MCKOY	SMITH
		CARRINGTON	HARTSELL	ODOM	SOLES
		CLARK	HOBBS	PAGE	SPEED
		COCHRANE	JORDAN	PARNELL	WARREN
		CONDER	KERR	PERDUE	WEBSTER
		COOPER	KINCAID	PLEXICO	WINNER
		DANNELLY	LEDBETTER		
NO	2	BALLANCE	HORTON		
EXCUSED	0				
NOT CAST	0				
ABSENT	2	HOYLE	SAWYER		
PAIRS	0				
AYE					
NO					

(COPY)

NORTH CAROLINA GENERAL ASSEMBLY
CONFERENCE REPORT
Senate Bill 6

S6-CRRU-005

[ ] 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 6, AN ACT TO AMEND THE CONSTITUTION OF NORTH CAROLINA TO ESTABLISH RIGHTS FOR VICTIMS OF CRIME., Sixth Edition Engrossed 6/7/95, submit the following report:

The Senate concurs in the House Committee Substitute Favorable 6/1/95, as amended, as engrossed in the Sixth Edition Engrossed 6/7/95, with the following amendment:

on page 1, line 8 through page 2, line 27,
by rewriting the lines to read:

" (1) Basic rights. Victims of crime, as prescribed by law, shall be entitled to the following basic rights:

(a) The right as prescribed by law to be informed of and to be present at court proceedings of the accused.

(b) The right to be heard at sentencing of the accused in a manner prescribed by law, and at other times as prescribed by law or deemed appropriate by the court.

(c) The right as prescribed by law to receive restitution.

(d) The right as prescribed by law to be given information about the crime, how the criminal justice system works, the rights of victims, and the availability of services for victims.

(e) The right as prescribed by law to receive information about the conviction or final disposition and sentence of the accused.

(f) The right as prescribed by law to receive notification of escape, release, proposed parole or pardon of the accused, or notice of a reprieve or commutation of the accused's sentence.

(g) The right as prescribed by law to present their views and concerns to the Governor or agency considering any action that could result in the release of the accused, prior to such action becoming effective.

(h) The right as prescribed by law to confer with the prosecution.

(2) No money damages; other enforcement. Nothing in this section shall be construed as creating a claim for money damages

NORTH CAROLINA GENERAL ASSEMBLY
CONFERENCE REPORT
Senate Bill 6

S6-CRRU-005

against the State, a county, a municipality, or any of the agencies, instrumentalities, or employees thereof. The General Assembly may provide for other remedies to ensure adequate enforcement of this section.

(3) No ground for relief in criminal case. The failure or inability of any person to provide a right or service provided".

The House agrees to the same.

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

Date conferees approved report: June __, 1995.

Conferees for the Senate	Conferees for the House of Representatives
Senator Roy A. Cooper, III	Rep. Robert Grady
Senator James S. Forrester	Rep. Alex Warner
Senator Ed N. Warren	Rep. Richard T. Morgan

Submitted 7/11/95 placed on calendar for 7/12/95
ADOPTED _____ (/) Message Received 7/12/95
ADOPTED House 7/12/95 (111 / 0 EV) Ordered Enrolled _____

D Weeks

EV

NORTH CAROLINA
HOUSE OF REPRESENTATIVES
ROLL CALL

S.B. # 1565
LEGISLATIVE DAY 97
S6 HCS
CONFERENCE REPORT

7/12/95
3:45 PM
IN CHAIR: SPEAKER

VICTIMS RIGHTS AMENDMENTS

AYES - 111

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

NOES - 0

EXCUSED ABSENCE - 4

BRASWELL	HIGHTOWER	MCCRARY	ROGERS

EXCUSED VOTE - 0

NOT VOTING - 5

SPEAKER	BRAWLEY	BROWN, W.	SHAW
BOWEN			

NORTH CAROLINA GENERAL ASSEMBLY
CONFERENCE REPORT
Senate Bill 6

S6-CRRU-005

[ ] 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 6, AN ACT TO AMEND THE CONSTITUTION OF NORTH CAROLINA TO ESTABLISH RIGHTS FOR VICTIMS OF CRIME., Sixth Edition Engrossed 6/7/95, submit the following report:

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(c) The right as prescribed by law to receive restitution.

(d) The right as prescribed by law to be given information about the crime, how the criminal justice system works, the rights of victims, and the availability of services for victims.

(e) The right as prescribed by law to receive information about the conviction or final disposition and sentence of the accused.

(f) The right as prescribed by law to receive notification of escape, release, proposed parole or pardon of the accused, or notice of a reprieve or commutation of the accused's sentence.

(g) The right as prescribed by law to present their views and concerns to the Governor or agency considering any action that could result in the release of the accused, prior to such action becoming effective.

(h) The right as prescribed by law to confer with the prosecution.

(2) No money damages; other enforcement. Nothing in this section shall be construed as creating a claim for money damages

NORTH CAROLINA GENERAL ASSEMBLY
CONFERENCE REPORT
Senate Bill 6

S6-CRRU-005

against the State, a county, a municipality, or any of the agencies, instrumentalities, or employees thereof. The General Assembly may provide for other remedies to ensure adequate enforcement of this section.

(3) No ground for relief in criminal case. The failure or inability of any person to provide a right or service provided".

The House agrees to the same.

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

Date conferees approved report: June __, 1995.

Conferees for the Senate	Conferees for the House of Representatives
Senator Roy A. Cooper, III	Rep. Robert Grady
Senator James S. Forrester	Rep. Alex Warner
Senator Ed N. Warren	Rep. Richard T. Morgan

Submitted 7-11-95
SENATE ADOPTED 7-11-95 (46 to 2) Message Received 7-13-95
HOUSE ADOPTED 7-13-95 (—) Ordered Enrolled 7/13/95

Send Message

Robert Stich

SENATE

S 7 JAN 25 1995

PRINCIPAL CLERK

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1995

S D

SENATE DRS9506-LCX078(1.5)

Short Title: Local Option Homestead Increase. (Public)

Sponsors: Senator Cooper.

Referred to:

A BILL TO BE ENTITLED

AN ACT TO AMEND THE CONSTITUTION OF NORTH CAROLINA TO AUTHORIZE THE GENERAL ASSEMBLY TO ENACT LEGISLATION ALLOWING EACH COUNTY TO (i) INCREASE THE AMOUNT OF THE PROPERTY TAX HOMESTEAD EXEMPTION FOR LOW-INCOME ELDERLY AND DISABLED INDIVIDUALS IN THAT COUNTY AND (ii) RAISE THE DEFINITION OF "LOW-INCOME" SO THAT MORE ELDERLY AND DISABLED INDIVIDUALS CAN QUALIFY FOR THE EXEMPTION.

The General Assembly of North Carolina enacts:

Section 1. Section 2 of Article V of the North Carolina Constitution is amended by adding a new subdivision to read:

"(8) Property Tax Homestead Exclusion. -- If the General Assembly enacts legislation classifying and excluding from ad valorem taxation part of the value of the residence of each elderly or disabled individual whose income is below a maximum amount and who satisfies other conditions, the General Assembly may, notwithstanding subdivision (2) of this section, enact a general law uniformly applicable throughout the State authorizing each county to increase the portion of a classified residence's value that is excluded in that county and to increase the maximum income threshold to qualify for the exclusion in that county."

Sec. 2. G.S. 105-277.1 is amended by adding a new subsection to read:

"(a1) Local Option Increase. -- The board of commissioners of a county may, by resolution, increase the amount of the exclusion provided in subsection (a) of this section, increase the maximum income threshold provided in subdivision (a)(2) of this section, or both. An increase adopted under this subsection shall apply uniformly within the county. The board of commissioners of a county may, by

NORTH CAROLINA GENERAL ASSEMBLY
AMENDMENT
Senate Bill 7

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

S7-ARU-001

Date 3-2 ,1995

Comm. Sub. [ ]
Amends Title [ ]

Senator Cooper

moves to amend the bill on page 4, line 18,
by rewriting the line to read:
"to the qualified voters of the State at a statewide election to be
held November 7, 1995. The";

and on page 4, line 31,
by deleting the date "1997." and substituting the date "1996.";

and on page 4, line 37,
by deleting the date "1997." and substituting the date "1996.".

SIGNED B Cog, IV
Amendment Sponsor

SIGNED _____
Committee Chair if Senate Committee Amendment

ADOPTED 3-2-95 (44-4) FAILED _____ TABLED _____

NORTH CAROLINA GENERAL ASSEMBLY
SENATE

RECORDED VOTE

1995 SESSION

SEQ. 109/3-- 2:29 PM | MARCH 2, 1995 | LEGISLATIVE DAY 22

LT. GOVERNOR WICKER -- Presiding

COOPER
LOCAL OPTION HOMESTEAD INCREASES

SENATE BILL 7

AMEND 1

AYE	44	ALBERTSON	GANNELLY	KINCAID	PLEXICO
		ALLRAN	EAST	LEDBETTER	PLYLER
		BALLANCE	EDWARDS	LITTLE	RAND
		BALLANTINE	FOXX	LUCAS	SAWYER
		BASNIGHT	GULLEY	MARTIN R.	SHAW
		BLACKMON	HARTSELL	MARTIN W.	SHERRON
		CARPENTER	HOBBS	MCDANIEL	SIMPSON
		CARRINGTON	HORTON	MCKOY	SOLES
		CLARK	HOYLE	ODOM	SPEED
		CONDER	JORDAN	PARNELL	WARREN
		COOPER	KERR	PERDUE	WINNER
NO	4	COCHRANE	DAVIS	FORRESTER	WEBSTER

EXCUSED 0

NOT CAST 0

ABSENT 1 SMITH

PAIRS 0
AYE
NO

NORTH CAROLINA GENERAL ASSEMBLY
SENATE

RECORDED VOTE

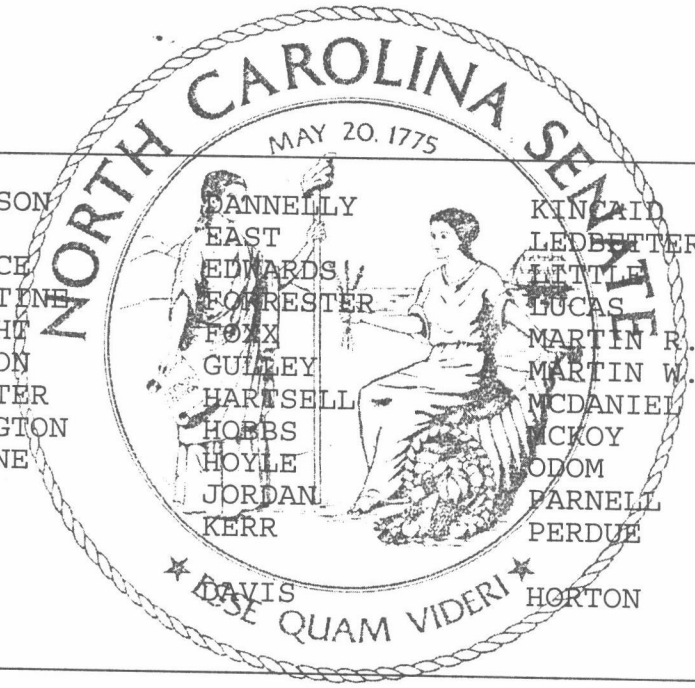
1995 SESSION

SEQ. 110/4-- 2:33 PM MARCH 2, 1995 LEGISLATIVE DAY 22

LT. GOVERNOR WICKER -- Presiding

COOPER
LOCAL OPTION HOMESTEAD INCREASES

SENATE BILL 7
READING 2



AYE	44	ALBERTSON	DANNELLY	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	SOLES
		COCHRANE	HOYLE	ODOM	SPEED
		CONDER	JORDAN	PARNELL	WARREN
		COOPER	KERR	PERDUE	WINNER
NO	4	CLARK	DAVIS	HORTON	WEBSTER

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

NORTH CAROLINA GENERAL ASSEMBLY
SENATE

RECORDED VOTE

1995 SESSION

SEQ. 142/5-- 1:53 PM MARCH 9, 1995 LEGISLATIVE DAY 26

LT. GOVERNOR WICKER -- Presiding

COOPER
LOCAL OPTION HOMESTEAD INCREASES

SENATE BILL 7
READING 3

AYE	40	ALBERTSON	COOPER	HOYLE	PERDUE
		ALLRAN	DANNELLY	JORDAN	PLYLER
		BALLANCE	EAST	KINCAID	RAND
		BALLANTINE	EDWARDS	LEDBETTER	SHAW
		BASNIGHT	FORRESTER	LITTLE	SHERRON
		BLACKMON	FOXX	LUCAS	SIMPSON
		CARPENTER	GULLEY	MARTIN W.	SOLES
		CARRINGTON	HARTSELL	MCDANIEL	SPEED
		CLARK	HOBBS	MCKOY	WARREN
		COCHRANE	HORTON	PARNELL	WINNER
NO	0				
EXCUSED	0				
NOT CAST	4	DAVIS	KERR	MARTIN R.	WEBSTER
ABSENT	5	CONDER ODOM	PLEXICO	SAWYER	SMITH
PAIRS	0				
AYE					
NO					

NORTH CAROLINA GENERAL ASSEMBLY
SENATE

RECORDED VOTE

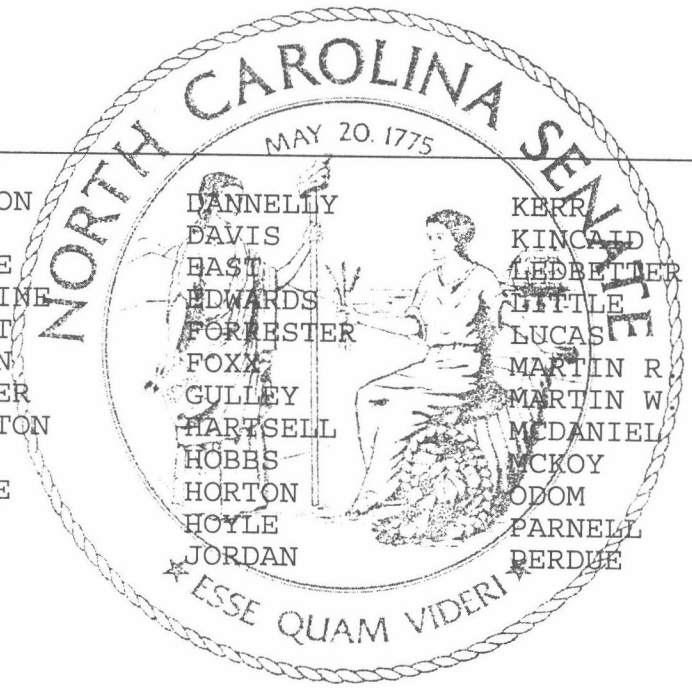
1995 SESSION

SEQ. 36/3-- 1:58 PM FEBRUARY 8, 1995 LEGISLATIVE DAY 9

LT. GOVERNOR WICKER -- Presiding

KERR
INTANGIBLES REPEAL/HOLD HARMLESS

SENATE BILL 8
READING 2



AYE	48	ALBERTSON	DANNELLY	KERR	PLEXICO
		ALLRAN	DAVIS	KINCAID	PLYLER
		BALLANCE	EAST	LEDBETTER	RAND
		BALLANTINE	EDWARDS	LITTLE	SAWYER
		BASNIGHT	FORRESTER	LUCAS	SHAW
		BLACKMON	FOXX	MARTIN R.	SHERRON
		CARPENTER	GULLEY	MARTIN W.	SIMPSON
		CARRINGTON	HARTSELL	MCDANIEL	SOLES
		CLARK	HOBBS	MCKOY	SPEED
		COCHRANE	HORTON	ODOM	WARREN
		CONDER	HOYLE	PARNELL	WEBSTER
		COOPER	JORDAN	PERDUE	WINNER
NO	0				

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

(COPY)

NORTH CAROLINA GENERAL ASSEMBLY
SENATE

RECORDED VOTE

1995 SESSION

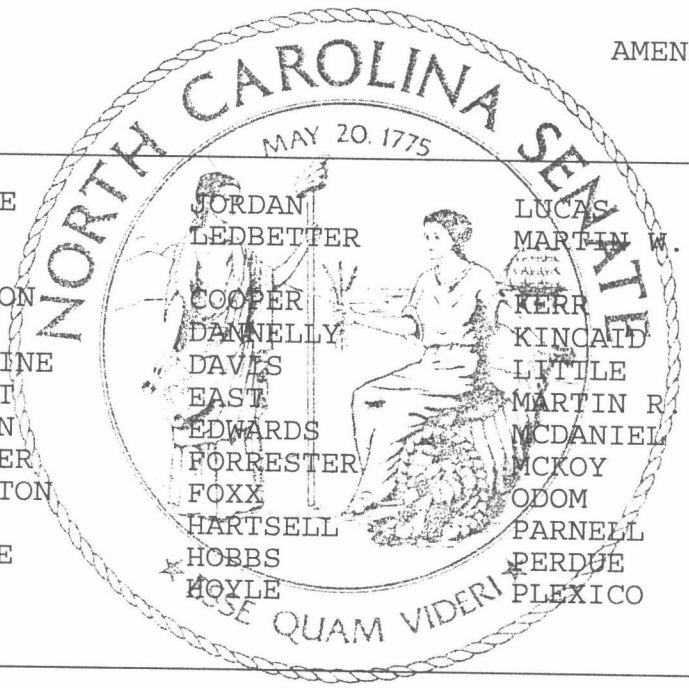
SEQ. 40/2--10:35 AM | FEBRUARY 9, 1995 | LEGISLATIVE DAY 10

LT. GOVERNOR WICKER -- Presiding

KERR
INTANGIBLES REPEAL/HOLD HARMLESS

SENATE BILL 8

AMEND 2



AYE	7	BALLANCE	JORDAN	LUCAS	WINNER
		GULLEY	LEDBETTER	MARTIN W.	
NO	39	ALBERTSON	COOPER	KERR	PLYLER
		ALLRAN	DANNELLY	KINCAID	RAND
		BALLANTINE	DAVIS	LITTLE	SHAW
		BASNIGHT	EAST	MARTIN R.	SHERRON
		BLACKMON	EDWARDS	MCDANIEL	SIMPSON
		CARPENTER	FORRESTER	MCKOY	SOLES
		CARRINGTON	FOXX	ODOM	SPEED
		CLARK	HARTSELL	PARNELL	WARREN
		COCHRANE	HOBBS	PERDUE	WEBSTER
		CONDER	HOYLE	PLEXICO	

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

(COPY)

NORTH CAROLINA GENERAL ASSEMBLY
SENATE

RECORDED VOTE

1995 SESSION

SEQ. 46/8--11:42 AM | FEBRUARY 9, 1995 | LEGISLATIVE DAY 10

LT. GOVERNOR WICKER -- Presiding

KERR
INTANGIBLES REPEAL/HOLD HARMLESS

SENATE BILL 8
READING 3

RECORDED
AYE 1 WEBSTER
ADJUSTED TOTAL
AYE 48
NO 0
NOT CAST 0
ABSENT 1

PY)



S 8

JAN 2 5 1995

PRINCIPAL CLERK

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1995

S D

SENATE DRS4511-LC065(1.1)

Short Title: Intangibles Repeal/Hold Harmless. (Public)

Sponsors: Senator Kerr.

Referred to:

A BILL TO BE ENTITLED

AN ACT TO REPEAL THE INTANGIBLES TAX AND TO REIMBURSE LOCAL GOVERNMENTS FOR THEIR RESULTING REVENUE LOSS.

The General Assembly of North Carolina enacts:

Section 1. (a) Effective July 1, 1995, G.S. 105-213.1 is recodified as G.S. 105-275.2 and G.S. 105-213 is repealed.

(b) Effective January 1, 1995, the remainder of Article 7 of Chapter 105 of the General Statutes is repealed. The Secretary of Revenue shall retain from collections under Division II of Article 4 of Chapter 105 of the General Statutes the cost for the 1995-96 fiscal year of collecting, administering, and refunding the taxes levied in Article 7 of Chapter 105 of the General Statutes.

Sec. 2. G.S. 105-275 is amended by adding the following new subdivisions:

"(31a) Accounts receivable.

(31b) Bonds, notes, and other evidences of debt.

(31c) Shares of stock, including shares and units of ownership of mutual funds, investment trusts, and investment funds.

(31d) The beneficial or equitable interest in a trust, trust fund, or trust account, including custodial accounts, held by a foreign fiduciary."

Sec. 3. G.S. 105-213.1, as recodified as G.S. 105-275.2 by Section 1 of this act, reads as rewritten:

"**§ 105-275.2. Reimbursement to counties and municipalities for ~~partial~~ repeal of State tax on intangible personal property.**

(a) Reimbursement for Repeal of Tax on Money on Deposit, Money on Hand, and Funds on Deposit with Insurance Companies. -- On or before August 30 of each year,

NORTH CAROLINA GENERAL ASSEMBLY
AMENDMENT
Senate Bill 8

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

S8-ALCF-1

Date February 7, 1995

Comm. Sub. [ ]
Amends Title [ ]

moves to amend the bill on page 2, line 28,
by adding the word "amount" after the word "this".

SIGNED J. Kerr
Amendment Sponsor

SIGNED J. K. Sherron
Committee Chair if Senate Committee Amendment

ADOPTED 2- (V) Feb 8, 95 FAILED _____ TABLED _____

NORTH CAROLINA GENERAL ASSEMBLY
AMENDMENT
Senate Bill 8

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

S8-ALCX-2/8

Date FEBRUARY 9, 1995

Comm. Sub. [ ]
Amends Title [YES]

Rep./Sen. GULLEY

moves to amend the bill on page 1, line 2,
by adding the following after the word "AND": "TO RAISE REVENUES TO PROVIDE FUNDS";

and on page 6, lines 2 - 3
by adding between the lines the following:
"Sec. 10.1. G.S. 105-151.19 is repealed.
Sec. 10.2. G.S. 105-130.7 reads as rewritten:
'§ 105-130.7. Deductible portion of dividends.
Dividends from stock issued by any a corporation shall be deducted to the extent herein provided. are deductible to the extent provided in this section.

~~(1)~~ ~~As soon as may be practicable after September 30 of each year, the Secretary of Revenue shall determine from the corporate income tax return filed during the year ending September 30 by each corporation required to file a return during that period the proportion of the entire net income or loss of the corporation allocable to this State under the provisions of G.S. 105-130.4, except as provided herein. If a corporation has a net income in North Carolina and a net loss from all sources wherever located, or if a corporation has a net loss in North Carolina and a net income from all sources wherever located, the Secretary shall require the use of the allocation fraction determined under the provisions of G.S. 105-130.4. A corporation which is a stockholder in any such corporation shall be allowed to deduct the same proportion of the dividends received by it from such corporation during its income year ending on or after September 30. No deduction shall be allowed for any part of any dividend received from any corporation that was required to file an income tax return during the year ending September 30 but failed to file the return. In the case of dividends received from a corporation that was not required to file a return

NORTH CAROLINA GENERAL ASSEMBLY
AMENDMENT
Senate Bill 8

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

S8-ALCX-2/8

during the year ending September 30, the proportion of dividends deductible by the stockholder shall be determined by the Secretary from the best information available.

(2) Dividends received by a corporation from stock in any insurance company of this State taxed under the provisions of G.S. 105-228.5 shall be deductible by such corporation, and a proportionate part of any dividends received from stock in any foreign insurance corporation shall be deductible, such part to be determined on the basis of the ratio of premiums reported for taxation in this State to total premiums collected both in and out of this State.

(3) A corporation shall be allowed to deduct such proportionate part of dividends received by it from a regulated investment company or a real estate investment trust, as defined in G.S. 105-130.12, as represents and corresponds to income received by such regulated investment company or real estate investment trust which would not be taxed by this State if received directly by the corporation.

(3a) Dividends received on shares of capital stock owned in a stock-owned savings and loan association taxed under Article 8D of this Chapter shall be deductible.

(4) Notwithstanding the provisions of subdivisions (1) through (3a) any other provision of this section, a corporation which, at the close of its taxable year, has its commercial domicile within North Carolina shall be allowed to may deduct all dividends received from corporations in which it owns more than fifty percent (50%) of the outstanding voting stock.

(5) Notwithstanding any other provisions of this Division, a corporation which that is a shareholder in a holding company shall be allowed as a deduction may deduct an amount equal to those dividends received by it from such the holding company, multiplied by a fraction, the numerator of which shall be is the dividends received by such the holding company attributable to North Carolina, that are deductible by it under subdivisions (3) and (3a) of this section and the denominator of which shall be is the gross dividends received by such the holding company. company; provided, however, that no deduction shall be allowed where the fraction is smaller than one-third (1/3). For purposes of this section, 'dividends attributable to North Carolina' shall be the amount of dividend income received by the holding company on stock owned in other corporations equal to the total of the

proportion of each of such corporation's dividends as shall be determined deductible by the Secretary under subdivisions (1) through (3a) of this section; provided that a- A holding company which that owns more than fifty percent (50%) of the outstanding voting stock of one or more holding companies as defined in this subdivision shall be permitted is allowed a deduction for all dividends received from such those holding companies and all other corporations in which it owns more than fifty percent (50%) of the outstanding voting stock. stock except that no deduction shall be allowed if less than one-third (1/3) of the dividends received by the holding company are attributable to North Carolina.--A shareholder of such a holding company shall determine the deductible portion of its dividends received from such holding company as hereinabove provided except that the amounts received from a subsidiary holding company as 'dividends attributable to North Carolina' shall be determined as though the subsidiary corporation of the subsidiary holding company had paid the dividends directly to the parent holding company. For the purposes of this section and unless the context clearly requires a different meaning, As used in this section, the term 'holding company' shall mean any means a corporation subject to the tax imposed by G.S. 105-130.3 whose ordinary gross income consists of fifty percent (50%) or more of dividend income received from corporations in which it owns more than fifty percent (50%) of the outstanding voting stock, and 'subsidiary' shall mean any corporation, more than fifty percent (50%) of whose outstanding voting stock is owned by another corporation.--For the purposes of this subsection, stock. As used in this subdivision, the term 'dividend' includes, in addition to corporate dividends, distributions received from a partnership by a corporation owning more than a fifty percent (50%) interest in the partnership.

(6) In no case shall the total amount of dividends that are allowed as a deduction to a corporation as a result of the application of subdivisions (1) through (3) and (3a) of this section be in excess of fifteen thousand dollars ($15,000) for the taxable year.'

Sec. 10.3. G.S. 105-120.2 reads as rewritten:

'§ 105-120.2. Franchise or privilege tax on holding companies.

(a) Every corporation, domestic and foreign, incorporated or, by an act, domesticated under the laws of this State or doing business in this State which, at the close of its taxable year is a holding

NORTH CAROLINA GENERAL ASSEMBLY
AMENDMENT
Senate Bill 8

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

~~company as defined in subsection (c) of this section, shall, pursuant to the provisions of G.S. 105-122:~~

~~(1) Make a report and statement, and~~

~~(2) Determine the total amount of its issued and outstanding capital stock, surplus and undivided profits, and~~

~~(3) Apportion such outstanding capital stock, surplus and undivided profits to this State.~~

Tax. -- An annual privilege tax is imposed on holding companies. This tax is in lieu of the tax imposed by G.S. 105-122. A holding company shall report and pay the tax at the time set in G.S. 105-122 for reporting and paying the tax imposed by that section.

(b) ~~(1)~~ ~~Every corporation taxed under this section shall annually pay to the Secretary of Revenue, at the time the report and statement are due, a franchise or privilege tax, which is hereby levied, at the rate of one dollar and fifty cents ($1.50) per one thousand dollars ($1,000) of the amount determined under subsection (a) of this section, but in no case shall the tax be more than seventy-five thousand dollars ($75,000) nor less than thirty-five dollars ($35.00).~~

~~(2) Notwithstanding the provisions of subdivision (1) of this subsection, if the tax produced pursuant to application of this paragraph (2) exceeds the tax produced pursuant to application of subdivision (1), then the tax shall be levied at the rate of one dollar and fifty cents ($1.50) per one thousand dollars ($1,000) on the greater of the amounts of~~

~~a. Fifty-five percent (55%) of the appraised value as determined for ad valorem taxation of all the real and tangible personal property in this State of each such corporation plus the total appraised value of intangible property returned for taxation of intangible personal property as computed under G.S. 105-122(d), or~~

~~b. The total actual investment in tangible property in this State of such corporation as computed under G.S. 105-122(d).~~

Rate. -- The tax rate is one dollar and seventy cents ($1.70) for each one thousand dollars ($1,000) value of the greatest of:

(1) The holding company's issued and outstanding capital stock, surplus, and undivided profits determined in accordance with G.S. 105-122.

(2) Fifty-five percent (55%) of the appraised value as determined for ad valorem tax purposes of the holding company's real and tangible personal property in this State as determined annually under G.S. 105-122(d).

NORTH CAROLINA GENERAL ASSEMBLY
AMENDMENT
Senate Bill 8

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

(3) The holding company's investment in tangible property in this State determined in accordance with G.S. 105-122(d).

The tax imposed under subdivision (1) of this subsection may not exceed two hundred thousand dollars ($200,000). The tax imposed by this section may not be less than the minimum tax set in G.S. 105-122.

(c) ~~For purposes of this section, a~~ Definition. -- A 'holding company' is ~~any corporation which~~ a corporation that receives during its taxable year more than eighty percent (80%) of its gross income from corporations in which it owns directly or indirectly more than fifty percent (50%) of the outstanding voting stock.

(d) Repealed by Session Laws 1985, c. 656, s. 39.

(e) No Local Tax. -- Counties, ~~cities~~ cities, and towns shall not levy a franchise tax on ~~corporations~~ a holding company taxed under this section. ~~The tax imposed under the provisions of G.S. 105-122 shall not apply to businesses taxed under the provisions of this section.~~

(f) Credit. -- A credit is allowed against the tax imposed by this section for a holding company's investments in certain corporations in accordance with Division V of Article 4 of this Chapter. ~~In determining the total tax payable by any holding company under this section, there shall be allowed as a credit on such tax the amount of the credit authorized under Division V of Article 4 of this Chapter.~~ '

Sec. 10.4. G.S. 105-122(d) reads as rewritten:

'(d) After determining the proportion of its total capital stock, surplus and undivided profits as set out in subsection (c) of this section, which amount so determined shall in no case be less than fifty-five percent (55%) of the appraised value as determined for ad valorem taxation of all the real and tangible personal property in this State of each such corporation ~~plus the total appraised value of intangible property returned for taxation of intangible personal property as herein specified~~ nor less than its total actual investment in tangible property in this State, every corporation taxed under this section shall annually pay to the Secretary of Revenue, at the time the report and statement are due, a franchise or privilege tax, which is hereby levied at the rate of ~~one dollar and fifty cents ($1.50)~~ one dollar and seventy cents ($1.70) per one thousand dollars ($1,000) of the total amount of capital stock, surplus and undivided profits as herein provided. The tax imposed in this section shall in no case be less than thirty-five dollars ($35.00) and shall be for the privilege of carrying on, doing business, and/or the continuance of articles of incorporation or domestication of each such corporation in this State. Appraised value of tangible property including real estate shall be the ad valorem valuation for the calendar year next preceding the due date of the franchise tax return. ~~Appraised value of intangible property~~

NORTH CAROLINA GENERAL ASSEMBLY
AMENDMENT
Senate Bill 8

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

S8-ALCX-2/8 Page 6 of 8

~~shall be the total gross valuation required to be reported for intangible tax purposes on April 15 coincident with or next preceding the due date of the franchise tax return.~~ The term 'total actual investment in tangible property' as used in this section shall be construed to mean the total original purchase price or consideration to the reporting taxpayer of its tangible properties, including real estate, in this State plus additions and improvements thereto less reserve for depreciation as permitted for income tax purposes, and also less any indebtedness incurred and existing by virtue of the purchase of any real estate and any permanent improvements made thereon. In computing 'total actual investment in tangible personal property' there shall also be deducted reserves for the entire cost of any air-cleaning device or sewage or waste treatment plant, including waste lagoons, and pollution abatement equipment purchased or constructed and installed which reduces the amount of air or water pollution resulting from the emission of air contaminants or the discharge of sewage and industrial wastes or other polluting materials or substances into the outdoor atmosphere or into streams, lakes, or rivers, upon condition that the corporation claiming such deduction shall furnish to the Secretary a certificate from the Department of Environment, Health, and Natural Resources or from a local air pollution control program for air-cleaning devices located in an area where the Environmental Management Commission has certified a local air pollution control program pursuant to G.S. 143-215.112 certifying that said Department or local air pollution control program has found as a fact that the air-cleaning device, waste treatment plant or pollution abatement equipment purchased or constructed and installed as above described has actually been constructed and installed and that such device, plant or equipment complies with the requirements of the Environmental Management Commission or local air pollution control program with respect to such devices, plants or equipment, that such device, plant or equipment is being effectively operated in accordance with the terms and conditions set forth in the permit, certificate of approval, or other document of approval issued by the Environmental Management Commission or local air pollution control program and that the primary purpose thereof is to reduce air or water pollution resulting from the emission of air contaminants or the discharge of sewage and waste and not merely incidental to other purposes and functions. The cost of constructing facilities of any private or public utility built for the purpose of providing sewer service to residential and outlying areas shall be treated as deductible for the purposes of this section; the deductible liability allowed by this section shall apply only with respect to such pollution abatement plants or equipment constructed or installed on or after January 1, 1955.

In determining the total tax payable by any corporation under this section, there shall be allowed as a credit on such tax the amount

NORTH CAROLINA GENERAL ASSEMBLY
AMENDMENT
Senate Bill 8

AMENDMENT NO. 21
(to be filled in by
Principal Clerk)

of the credit authorized by Division V of Article 4 of this Chapter.'

Sec. 10.5. Division II of Article 4 of Chapter 105 of the General Statutes is amended by adding a new section to read:

'§ 105-134.2A. Supplemental income tax imposed.

(a) Tax. -- A tax is imposed upon certain resident individuals' net income from intangibles at the rate of three percent (3%). This tax applies only to individuals whose North Carolina taxable income for the taxable year exceeds one hundred thousand dollars ($100,000). This tax is in addition to the tax imposed in G.S. 105-134.2 and shall be levied, collected, and paid annually in the same manner as the tax levied in G.S. 105-134.2. A taxpayer whose tax liability under this section for a taxable year is fifteen dollars ($15.00) or less is not required to pay the tax for that year. An individual's net income from intangibles is the lesser of the individual's North Carolina taxable income or the sum of the following:

(1) The individual's net capital gains, as defined in section 1222 of the Code, from intangible personal property described in G.S. 105-275(31b) and (31c).

(2) The individual's gross dividend income, as determined under the Code, from intangible personal property described in G.S. 105-275(31b) and (31c).

(3) The individual's gross interest income, as determined under the Code, from intangible personal property described in G.S. 105-275(31b) and (31c).

(b) Exemptions. -- The tax levied in this section does not apply to:

(1) Income from an obligation of (i) the United States or its possessions, (ii) this State or a political subdivision of this State, or (iii) a nonprofit educational institution organized or chartered under the laws of this State.

(2) Income deductible under G.S. 105-134.6(b)(2).

(3) Income from units of ownership in an investment trust, the corpus of which is composed entirely of obligations described in subdivisions (1) and (2) of this subsection, at least eighty percent (80%) of the fair market value of which represents obligations of this State. In order for the exemption described in this subdivision to apply, the trustees of the investment trust must provide the Secretary not later than December 31 of each year information in the form required by the Secretary sufficient to establish the applicability of the exemption.

(4) In the case of a part-year resident, income earned during the period individual was not a resident of this State.'

NORTH CAROLINA GENERAL ASSEMBLY
AMENDMENT
Senate Bill 8

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

S8-ALCX-2/8

Sec. 10.6. Division III of Article 4 of Chapter 105 of the General Statutes is amended by adding a new section to read:

'§ 105-160.2A. Supplemental tax.

A tax is imposed upon certain trusts' and estates' net income from intangibles that is for the benefit of a resident of this State. The tax shall be at the rate of three percent (3%). This tax applies only to trusts and estates whose income taxable under G.S. 105-160.2 for the taxable year exceeds one hundred thousand dollars ($100,000). This tax is in addition to the tax imposed in G.S. 105-160.2 and shall be levied, collected, and paid annually in the same manner as the tax levied in G.S. 105-160.2. The tax levied in this section does not apply to income exempt from the tax under G.S. 105-134.2A(b)(1)-(3). A taxpayer whose tax liability under this section for a taxable year is fifteen dollars ($15.00) or less is not required to pay the tax for that year. A trust's or an estate's net income from intangibles is the lesser of the trust's or estate's income taxable under G.S. 105-160.2 or the sum of the following:

(1) The trust's or estate's net capital gains, as defined in section 1222 of the Code, from intangible personal property described in G.S. 105-275(31b) and (31c).

(2) The trust's or estate's gross dividend income, as determined under the Code, from intangible personal property described in G.S. 105-275(31b) and (31c).

(3) The trust's or estate's gross interest income, as determined under the Code, from intangible personal property described in G.S. 105-275(31b) and (31c).'

Sec. 10.7. Notwithstanding the provisions of G.S. 105-163.15 and G.S. 105-163.41, no addition to tax shall be made under those sections for a taxable year beginning on or after January 1, 1995, and before January 1, 1996, with respect to any underpayment to the extent the underpayment was created or increased by Section 10.1, 10.2, 10.5, or 10.6 of this act.";

SIGNED W.P.F.
Amendment Sponsor

SIGNED _____
Committee Chair if Senate Committee Amendment

ADOPTED _____ FAILED 2-9-95 (7/39) TABLED _____

CHANGES TITLE

HELD TO BE MATERIAL
CONSTITUTES 1ST RDG

NORTH CAROLINA GENERAL ASSEMBLY
AMENDMENT
Senate Bill 8

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

S8-ALT-1

Date 4/13, 1995

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

Representative C. Wilson

moves to amend the bill on page 1, line 10, by deleting "1995-96 fiscal year" and substituting "1995-97 fiscal biennium";

and on page 2, lines 5 and 6, by rewriting those lines to read: "the Secretary of Revenue shall allocate ~~for distribution~~ to each county ~~and the municipalities in the county~~ the amount allocated to the county under this subsection";

and on page 2, lines 13 and 14, by rewriting those lines to read: "before August 30 of each year, the Secretary of Revenue shall ~~distribute~~ allocate to counties ~~and municipalities~~ an amount equal to forty percent (40%) of the tax collected on";

and on page 2, lines 26 and 27, by rewriting those lines to read: "of Revenue shall allocate to counties the sum of ninety-five million three hundred thirty-one thousand nine hundred twenty-seven dollars ($95,331,927). The";

and on page 3, line 42, by adding the following at the end of the line to read: "G.S. 105-275.2 and by".

SIGNED Constance K Wilson
Amendment Sponsor

SIGNED _____
Committee Chair if Senate Committee Amendment

ADOPTED ✓ FAILED 4/13/95 TABLED _____

16-93 EV
D Weeks

EV

NORTH CAROLINA
HOUSE OF REPRESENTATIVES
ROLL CALL

NO. # 297
LEGISLATIVE DAY 46
READING 2

4/13/95
3:17 PM
IN CHAIR: SPEAKER

AMEND #1 - Committee Amendment
INTANGIBLES REPEAL/ HOLD HARMLESS

AYES - 16

ADAMS	FITCH	HILL	REDWINE
BARNES	HACKNEY	HUNTER, H.	SHAW
BOYD-MCINTYRE	HENSLEY	MICHAUX	WOMBLE
CUNNINGHAM	HIGHTOWER	OLDHAM	WRIGHT

NOES - 93

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

EXCUSED ABSENCE - 5

BROWN, W.	MCALLISTER	RICHARDSON	SNOWDEN
ESPOSITO			

EXCUSED VOTE - 0

NOT VOTING - 6

SPEAKER	LEE	RAMSEY	TALLENT
BRASWELL	MCCRARY		

EV

NORTH CAROLINA
HOUSE OF REPRESENTATIVES
ROLL CALL

298
SLATIVE DAY 46
S
READING 2

4/13/95
3:47 PM
IN CHAIR: SPEAKER

AMEND #2
INTANGIBLES REPEAL/ HOLD HARMLESS
MOTION #3- Rep Gray calls the previous question

AYES - 87

ADAMS	CULP	HUNTER, H.	PULLEY
ALDRIDGE	CULPEPPER	HURLEY	RAYFIELD
ALEXANDER	CUMMINGS	IVES	REYNOLDS
ALLRED	DAUGHTRY	JUSTUS	ROBINSON
ARNOLD	DAVIS	KISER	ROGERS
BAKER	DECKER	LEMMOND	RUSSELL
BARBEE	DICKSON	LINNEY	SEXTON
BERRY	DOCKHAM	LOCKE	SHARPE
BLACK	EARLE	MCCOMAS	SHERRILL
BOWEN	EDDINS	MCCOMBS	SHUBERT
BOWIE	EDWARDS	MCLAUGHLIN	THOMPSON
BRAWLEY	ELLIS	MCMAHAN	WAINWRIGHT
BROWN, J.	FOX	MILLER, K.	WARNER
BUCHANAN	GARDNER	MINER	WATSON
CANSLER	GRADY	MITCHELL	WEATHERLY
CAPPS	GRAY	MORGAN	WILKINS
CARPENTER	HAYES	NEELY	WILSON, C.
CHURCH	HIATT	NICHOLS	WILSON, G.
CLARY	HILL	NYE	WOMBLE
COCKLEREECE	HOLMES	OLDHAM	WRIGHT
CRAWFORD	HOWARD	PATE	YONGUE
CREECH	HUNT	PRESTON	

NOES - 24

BARNES	FITCH	LEE	OWENS
BEALL	GAMBLE	LUEBKE	RAMSEY
BLUE	HACKNEY	MCCRARY	REDWINE
BOYD-MCINTYRE	HENSLEY	MERCER	SHAW
CUNNINGHAM	HIGHTOWER	MICHAUX	SUTTON
EASTERLING	HUNTER, R.	MILLER, G.	TOLSON

EXCUSED ABSENCE - 5

BROWN, W.	MCALLISTER	RICHARDSON	SNOWDEN
ESPOSITO			

EXCUSED VOTE - 0

NOT VOTING - 4

SPEAKER	BRASWELL	TALLENT	WOOD

NORTH CAROLINA GENERAL ASSEMBLY
AMENDMENT
Senate Bill 8

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

S8-ALJ-4

Date 4/13 ,1995

Comm. Sub. [ ]
Amends Title [ ]
Second Edition, ~~As Amended~~

Representative Hackney

moves to amend the bill on page 2, line 25, by deleting "each year," and substituting "1995,";

and on page 2, line 29, by adding the following sentences at the end of that line to read:
"On or before August 30 of each subsequent year, the Secretary of Revenue shall allocate to each county the amount allocated to the county under this subsection the previous year, plus or minus an amount that equals the product of the sum allocated the previous year and the percentage by which State disposable personal income has increased or decreased during the most recent 12-month period for which State personal income data has been compiled by the Bureau of Economic Analysis of the United States Department of Commerce."

SIGNED Hackney
Amendment Sponsor

SIGNED _____
Committee Chair if Senate Committee Amendment

ADOPTED _____ FAILED 4/13/95 TABLED _____

48-65 RC

RC

NORTH CAROLINA
HOUSE OF REPRESENTATIVES
ROLL CALL

S. # 299
LEGISLATIVE DAY 46
READING 2

4/13/95
3:48 PM
IN CHAIR: SPEAKER

AMEND #2 Rep. Hackney's
INTANGIBLES REPEAL/ HOLD HARMLESS

AYES - 48

ADAMS	EARLE	HURLEY	RAMSEY
ALEXANDER	EASTERLING	LEE	REDWINE
BARNES	FITCH	LOCKE	ROGERS
BEALL	FOX	LUEBKE	SHAW
BLACK	GAMBLE	MCCRARY	SUTTON
BLUE	HACKNEY	MCLAUGHLIN	TOLSON
BOWEN	HENSLEY	MERCER	WAINWRIGHT
BOYD-MCINTYRE	HIGHTOWER	MICHAUX	WARNER
CHURCH	HILL	MILLER, G.	WILKINS
CRAWFORD	HUNT	NYE	WOMBLE
CULPEPPER	HUNTER, H.	OLDHAM	WRIGHT
CUNNINGHAM	HUNTER, R.	OWENS	YONGUE

NOES - 65

SPEAKER	CULP	HOWARD	PRESTON
ALDRIDGE	CUMMINGS	IVES	PULLEY
ALLRED	DAUGHTRY	JUSTUS	RAYFIELD
ARNOLD	DAVIS	KISER	REYNOLDS
BAKER	DECKER	LEMMOND	ROBINSON
BARBEE	DICKSON	LINNEY	RUSSELL
BERRY	DOCKHAM	MCCOMAS	SEXTON
BOWIE	EDDINS	MCCOMBS	SHARPE
BRAWLEY	EDWARDS	MCMAHAN	SHERRILL
BROWN, J.	ELLIS	MILLER, K.	SHUBERT
BUCHANAN	GARDNER	MINER	THOMPSON
CANSLER	GRADY	MITCHELL	WATSON
CAPPS	GRAY	MORGAN	WEATHERLY
CARPENTER	HAYES	NEELY	WILSON, C.
CLARY	HIATT	NICHOLS	WILSON, G.
COCKLEREECE	HOLMES	PATE	WOOD
CREECH			

EXCUSED ABSENCE - 5

BROWN, W.	MCALLISTER	RICHARDSON	SNOWDEN
ESPOSITO			

EXCUSED VOTE - 0

NOT VOTING - 2

BRASWELL	TALLENT

NORTH CAROLINA GENERAL ASSEMBLY
AMENDMENT
Senate Bill 8

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

SB-ALCA-7

Date 4/13, 1995

Comm. Sub. [ ]
Amends Title [ ]
Second Edition, ~~as amended~~

Rep. Fox

moves to amend the bill on page 2, lines 28-29,
by rewriting the lines to read:

"Secretary shall allocate this amount among the counties in proportion to the average annual amount allocated to each county under former G.S. 105-213 (repealed) during the three-year period 1992 through 1994."

SIGNED Stan Fox
Amendment Sponsor

SIGNED _____
Committee Chair if Senate Committee Amendment

ADOPTED _____ FAILED 4/13/95 TABLED _____
48-62 EV
DWhite

EV

NORTH CAROLINA
HOUSE OF REPRESENTATIVES
ROLL CALL

S.B. # 300
LEGISLATIVE DAY 46
READING 2

4/13/95
3:52 PM
IN CHAIR: SPEAKER

AMEND #3 - Rep. Fox
INTANGIBLES REPEAL/ HOLD HARMLESS

AYES - 48

ADAMS	EARLE	LEE	REDWINE
ALEXANDER	FITCH	LOCKE	ROGERS
BARNES	FOX	LUEBKE	SHAW
BEALL	GAMBLE	MCCRARY	SUTTON
BLACK	HACKNEY	MCLAUGHLIN	TOLSON
BLUE	HENSLEY	MERCER	WAINWRIGHT
BOWEN	HIGHTOWER	MICHAUX	WARNER
BOYD-MCINTYRE	HILL	MILLER, G.	WILKINS
CHURCH	HUNT	NYE	WOMBLE
CRAWFORD	HUNTER, H.	OLDHAM	WOOD
CULPEPPER	HUNTER, R.	OWENS	WRIGHT
CUNNINGHAM	HURLEY	RAMSEY	YONGUE

NOES - 62

SPEAKER	CULP	HOWARD	PRESTON
ALDRIDGE	CUMMINGS	JUSTUS	PULLEY
ALLRED	DAUGHTRY	KISER	RAYFIELD
ARNOLD	DAVIS	LEMMOND	REYNOLDS
BAKER	DECKER	LINNEY	ROBINSON
BERRY	DICKSON	MCCOMAS	RUSSELL
BOWIE	DOCKHAM	MCCOMBS	SEXTON
BRAWLEY	EDDINS	MCMAHAN	SHARPE
BROWN, J.	EDWARDS	MILLER, K.	SHERRILL
BUCHANAN	ELLIS	MINER	SHUBERT
CANSLER	GARDNER	MITCHELL	THOMPSON
CAPPS	GRADY	MORGAN	WATSON
CARPENTER	GRAY	NEELY	WEATHERLY
CLARY	HAYES	NICHOLS	WILSON, C.
COCKLEREECE	HIATT	PATE	WILSON, G.
CREECH	HOLMES		

EXCUSED ABSENCE - 5

BROWN, W.	MCALLISTER	RICHARDSON	SNOWDEN
ESPOSITO			

EXCUSED VOTE - 0

NOT VOTING - 5

BARBEE	EASTERLING	IVES	TALLENT
BRASWELL			

S8

EV

NORTH CAROLINA
HOUSE OF REPRESENTATIVES
ROLL CALL

301
SLATIVE DAY 46
S
READING 2

4/13/95
4:23 PM
IN CHAIR: SPEAKER

AMEND #4
INTANGIBLES REPEAL/ HOLD HARMLESS
MOTION #3 - Rep Gray calls the previous question

AYES - 87

ADAMS	CULP	HILL	PATE
ALDRIDGE	CULPEPPER	HOLMES	PULLEY
ALEXANDER	CUMMINGS	HOWARD	RAMSEY
ALLRED	CUNNINGHAM	HUNT	RAYFIELD
ARNOLD	DAUGHTRY	HURLEY	REYNOLDS
BAKER	DAVIS	IVES	ROBINSON
BARBEE	DECKER	JUSTUS	RUSSELL
BARNES	DICKSON	LEE	SEXTON
BERRY	DOCKHAM	LEMMOND	SHARPE
BLACK	EARLE	LINNEY	SHAW
BOWEN	EASTERLING	LOCKE	SHERRILL
BOWIE	EDDINS	MCCOMAS	SHUBERT
BOYD-MCINTYRE	EDWARDS	MCCOMBS	THOMPSON
BRAWLEY	ELLIS	MCLAUGHLIN	WARNER
BROWN, J.	FOX	MCMAHAN	WATSON
BUCHANAN	GAMBLE	MILLER, K.	WEATHERLY
CANSLER	GARDNER	MINER	WILSON, C.
CAPPS	GRADY	MITCHELL	WILSON, G.
CARPENTER	GRAY	MORGAN	WOMBLE
CLARY	HAYES	NEELY	WRIGHT
COCKLEREECE	HIATT	NICHOLS	YONGUE
CREECH	HIGHTOWER	OLDHAM	

NOES - 16

BEALL	HUNTER, R.	MERCER	PRESTON
BLUE	KISER	MICHAUX	SUTTON
HACKNEY	LUEBKE	MILLER, G.	TOLSON
HENSLEY	MCCRARY	OWENS	WILKINS

EXCUSED ABSENCE - 6

BROWN, W.	MCALLISTER	RICHARDSON	SNOWDEN
ESPOSITO	NYE		

EXCUSED VOTE - 0

NOT VOTING - 11

SPEAKER	CRAWFORD	REDWINE	WAINWRIGHT
BRASWELL	FITCH	ROGERS	WOOD
CHURCH	HUNTER, H.	TALLENT	

NORTH CAROLINA GENERAL ASSEMBLY
AMENDMENT
Senate Bill 8

AMENDMENT NO. 4
(to be filled in by Principal Clerk)

S8-ALC-4/13

Page 1 of 1

Date 4/13, 199

Comm. Sub. [ ]
Amends Title [ ]
Second Edition, ~~as amended~~

Rep./Sen. Luebke

moves to amend the bill on page 1, line 5, through page 6, line 7, as amended, by rewriting the lines to read:

"Section. 1. G.S. 105-214 reads as rewritten:

'§ 105-214. ~~Minimum~~ Credit; minimum tax for filing return.

A taxpayer is allowed a credit of five hundred dollars ($500.00) against the tax imposed by this Article for the taxable year. A taxpayer whose tax liability under this Article for a taxable ~~year~~ year, after allowance of this credit, does not exceed the sum of ~~fifteen dollars ($15.00)~~ one dollar ($1.00) is not required to file a return for that year.'

Sec. 2. G.S. 105-213.1 is amended by adding a new subsection to read:

'(a2) Reimbursement for Credit Against Tax. -- On or before June 25 of each year, the Secretary shall allocate to counties one hundred three percent (103%) of the amount by which collections under this Article from the preceding July 1 through the preceding April 30 were reduced because of the amendment to G.S. 105-214 allowing a five hundred dollar ($500.00) tax credit in place of the former fifteen-dollar ($15.00) filing threshold. This amount shall be allocated among the counties in proportion to the net amount of taxes collected under this Article in each county during the preceding fiscal year. The amount allocated to each county shall in turn be divided and distributed between the county and the municipalities located in the county in accordance with the method of allocating intangibles tax revenue between a county and the municipalities located in the county provided in G.S. 105-213.'

Sec. 3. This act is effective for taxable years beginning on or after January 1, 1995."

SIGNED _____
Amendment Sponsor

SIGNED _____
Committee Chair if Senate Committee Amendment

ADOPTED _____ FAILED 4/13/95 TABLED _____

40-70 RC
D Weeks

RC

NORTH CAROLINA
HOUSE OF REPRESENTATIVES
ROLL CALL

302
SLATIVE DAY 46
READING 2

4/13/95
4:23 PM
IN CHAIR: SPEAKER

AMEND #4 - Rep. Luebke's
INTANGIBLES REPEAL/ HOLD HARMLESS

AYES - 40

ADAMS	CUNNINGHAM	HUNTER, H.	RAMSEY
ALEXANDER	EARLE	HUNTER, R.	ROGERS
BARNES	EASTERLING	LEE	SHAW
BEALL	FITCH	LUEBKE	SUTTON
BLACK	FOX	MCCRARY	TOLSON
BLUE	GAMBLE	MCLAUGHLIN	WAINWRIGHT
BOWEN	HACKNEY	MERCER	WARNER
BOYD-MCINTYRE	HENSLEY	MICHAUX	WOMBLE
BRAWLEY	HIGHTOWER	MILLER, G.	WRIGHT
CHURCH	HUNT	OLDHAM	YONGUE

NOES - 70

SPEAKER	CUMMINGS	IVES	PRESTON
ALDRIDGE	DAUGHTRY	JUSTUS	PULLEY
ALLRED	DAVIS	KISER	RAYFIELD
ARNOLD	DECKER	LEMMOND	REYNOLDS
BAKER	DICKSON	LINNEY	ROBINSON
BARBEE	DOCKHAM	LOCKE	RUSSELL
BERRY	EDDINS	MCCOMAS	SEXTON
BOWIE	EDWARDS	MCCOMBS	SHARPE
BROWN, J.	ELLIS	MCMAHAN	SHERRILL
BUCHANAN	GARDNER	MILLER, K.	SHUBERT
CANSLER	GRADY	MINER	THOMPSON
CAPPS	GRAY	MITCHELL	WATSON
CARPENTER	HAYES	MORGAN	WEATHERLY
CLARY	HIATT	NEELY	WILKINS
COCKLEREECE	HILL	NICHOLS	WILSON, C.
CREECH	HOLMES	OWENS	WILSON, G.
CULP	HOWARD	PATE	WOOD
CULPEPPER	HURLEY		

EXCUSED ABSENCE - 6

BROWN, W.	MCALLISTER	RICHARDSON	SNOWDEN
ESPOSITO	NYE		

EXCUSED VOTE - 0

NOT VOTING - 4

BRASWELL	CRAWFORD	REDWINE	TALLENT

EV

NORTH CAROLINA
HOUSE OF REPRESENTATIVES
ROLL CALL

S. # 303
LEGISLATIVE DAY 46
READING 2

4/13/95
4:33 PM
IN CHAIR: SPEAKER

INTANGIBLES REPEAL/ HOLD HARMLESS
MOTION #3 - Rep. Gray calls the previous question

AYES - 91

ADAMS	CUNNINGHAM	KISER	RAYFIELD
ALDRIDGE	DAUGHTRY	LEMMOND	REDWINE
ALEXANDER	DAVIS	LINNEY	REYNOLDS
ALLRED	DECKER	LOCKE	ROBINSON
BAKER	DICKSON	MCCOMAS	ROGERS
BARBEE	DOCKHAM	MCCOMBS	RUSSELL
BARNES	EARLE	MCCRARY	SEXTON
BERRY	EDDINS	MCLAUGHLIN	SHARPE
BLACK	EDWARDS	MCMAHAN	SHERRILL
BOWIE	ELLIS	MERCER	SHUBERT
BOYD-MCINTYRE	FOX	MILLER, G.	SUTTON
BROWN, J.	GARDNER	MILLER, K.	THOMPSON
BUCHANAN	GRADY	MINER	TOLSON
CANSLER	GRAY	MITCHELL	WAINWRIGHT
CAPPS	HAYES	MORGAN	WARNER
CARPENTER	HIATT	NEELY	WATSON
CHURCH	HILL	NICHOLS	WEATHERLY
CLARY	HOLMES	OLDHAM	WILKINS
COCKLEREECE	HOWARD	OWENS	WILSON, C.
CRAWFORD	HUNT	PATE	WILSON, G.
CREECH	HURLEY	PRESTON	WOOD
CULP	IVES	PULLEY	YONGUE
CUMMINGS	JUSTUS	RAMSEY	

NOES - 20

ARNOLD	CULPEPPER	HENSLEY	LUEBKE
BEALL	EASTERLING	HIGHTOWER	MICHAUX
BLUE	FITCH	HUNTER, H.	SHAW
BOWEN	GAMBLE	HUNTER, R.	WOMBLE
BRAWLEY	HACKNEY	LEE	WRIGHT

EXCUSED ABSENCE - 6

BROWN, W.	MCALLISTER	RICHARDSON	SNOWDEN
ESPOSITO	NYE		

EXCUSED VOTE - 0

NOT VOTING - 3

SPEAKER	BRASWELL	TALLENT

RC

NORTH CAROLINA

HOUSE OF REPRESENTATIVES

ROLL CALL

304
SLATIVE DAY 46
READING 2

4/13/95
4:33 PM
IN CHAIR: SPEAKER

INTANGIBLES REPEAL/ HOLD HARMLESS

AYES - 92

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

NOES - 20

BARNES	FITCH	HUNTER, H.	OLDHAM
BLUE	HACKNEY	LEE	SHAW
BOWEN	HENSLEY	LUEBKE	WAINWRIGHT
CUNNINGHAM	HIGHTOWER	MICHAUX	WOMBLE
EASTERLING	HUNT	NICHOLS	WRIGHT

EXCUSED ABSENCE - 6

BROWN, W.	MCALLISTER	RICHARDSON	SNOWDEN
ESPOSITO	NYE		

EXCUSED VOTE - 0

NOT VOTING - 2

BRASWELL	TALLENT

NORTH CAROLINA GENERAL ASSEMBLY
AMENDMENT
Senate Bill 8

AMENDMENT NO. 5
(to be filled in by
Principal Clerk)

S8-ALC-4/14 Page 1 of 1

Date 4/7, 1995

Comm. Sub. [1]
Amends Title [1]
Second Edition

Rep./Sen. Barnes

moves to amend the bill on page 2, line 24,
by adding after the phrase "(a2)" the word "Frozen";

and on page 2, line 30,
by deleting the phrase "(a3)" and substituting the phrase "(a4)";

and on page 2, lines 29 - 30,
by adding the following between the lines:
"(a3) Growth Reimbursement for Repeal of Tax on Accounts Receivable, Bonds, Stocks, and Foreign Trust Interests. -- For the purpose of this subsection, the growth percentage each year is the percentage by which State disposable personal income has increased during the most recent 12-month period for which State personal income data has been compiled by the Bureau of Economic Analysis of the United States Department of Commerce. On or before August 30, 1996, the Secretary shall allocate among the counties on a per capita basis an amount equal to the product of ninety-five million three hundred thirty-one thousand nine hundred twenty-seven dollars ($95,331,927) times the growth percentage. On or before August 30 of each subsequent year, the Secretary shall allocate among the counties on a per capita basis the amount allocated under this subsection the previous year plus the product of the total allocated under subsection (a2) and this subsection the previous year times the growth percentage. In making the per capita allocations under this subsection, the Secretary shall use the most recent annual population estimates certified by the State Planning Officer."

SIGNED Marc Basnes
Amendment Sponsor

SIGNED _____
Committee Chair if Senate Committee Amendment

ADOPTED _____ FAILED 4/7/95 TABLED _____

RC

NORTH CAROLINA
HOUSE OF REPRESENTATIVES
ROLL CALL

. # 310
,ISLATIVE DAY 47
S8
READING 3

4/17/95
7:26 PM
IN CHAIR: SPEAKER

AMEND #5 - Rep. Barnes'
INTANGIBLES REPEAL/ HOLD HARMLESS

AYES - 50

ADAMS	CULPEPPER	HURLEY	OWENS
ALEXANDER	CUNNINGHAM	LEE	RAMSEY
BARNES	EARLE	LOCKE	REDWINE
BEALL	EASTERLING	LUEBKE	RICHARDSON
BLACK	FITCH	MCALLISTER	ROGERS
BLUE	FOX	MCCRARY	SHAW
BOWEN	GAMBLE	MCLAUGHLIN	TOLSON
BOYD-MCINTYRE	HACKNEY	MERCER	WAINWRIGHT
BRASWELL	HENSLEY	MICHAUX	WARNER
BRAWLEY	HIGHTOWER	MILLER, G.	WILKINS
BROWN, W.	HILL	NYE	WOMBLE
CHURCH	HUNT	OLDHAM	YONGUE
CRAWFORD	HUNTER, H.		

NOES - 64

ALDRIDGE	CUMMINGS	HOWARD	PRESTON
ALLRED	DAUGHTRY	IVES	PULLEY
ARNOLD	DAVIS	JUSTUS	RAYFIELD
BAKER	DECKER	KISER	REYNOLDS
BARBEE	DICKSON	LEMMOND	ROBINSON
BERRY	DOCKHAM	LINNEY	RUSSELL
BOWIE	EDDINS	MCCOMAS	SEXTON
BROWN, J.	EDWARDS	MCCOMBS	SHARPE
BUCHANAN	ELLIS	MCMAHAN	SHERRILL
CANSLER	ESPOSITO	MILLER, K.	SHUBERT
CAPPS	GARDNER	MINER	TALLENT
CARPENTER	GRADY	MITCHELL	THOMPSON
CLARY	GRAY	MORGAN	WATSON
COCKLEREECE	HAYES	NEELY	WEATHERLY
CREECH	HIATT	NICHOLS	WILSON, C.
CULP	HOLMES	PATE	WILSON, G.

EXCUSED ABSENCE - 5

HUNTER, R.	SUTTON	WOOD	WRIGHT
SNOWDEN			

EXCUSED VOTE - 0

NOT VOTING - 1

SPEAKER

EV

NORTH CAROLINA
HOUSE OF REPRESENTATIVES
ROLL CALL

. # 311
GISLATIVE DAY 47
S8
READING 3

4/17/95
7:50 PM
IN CHAIR: SPEAKER

AMEND #6
INTANGIBLES REPEAL/ HOLD HARMLESS
MOTION #3 - Rep Gray calls the question

AYES - 102

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

NOES - 6

CRAWFORD	HACKNEY	MICHAUX	REDWINE
FITCH	LUEBKE		

EXCUSED ABSENCE - 5

HUNTER, R.	SUTTON	WOOD	WRIGHT
SNOWDEN			

EXCUSED VOTE - 0

NOT VOTING - 7

SPEAKER	GAMBLE	LEE	ROGERS
BLUE	HUNT	MCALLISTER	

NORTH CAROLINA GENERAL ASSEMBLY
AMENDMENT
Senate Bill 8

AMENDMENT NO. 6
(to be filled in by Principal Clerk)

S8-ALCX-4/13A

Date 4/1, 199

Comm. Sub. [ ]
Amends Title [ ]
Second Edition, as amended

Rep./Sen. [illegible]

moves to amend the bill on page 6, lines 2 - 3
by adding between the lines the following:
"Sec. 10.1. G.S. 105-151.19 is repealed.
Sec. 10.2. G.S. 105-130.7 reads as rewritten:
"§ 105-130.7. Deductible portion of dividends.
Dividends from stock issued by any a corporation shall be deducted to the extent herein provided: are deductible to the extent provided in this section.

(1) As soon as may be practicable after September 30 of each year, the Secretary of Revenue shall determine from the corporate income tax return filed during the year ending September 30 by each corporation required to file a return during that period the proportion of the entire net income or loss of the corporation allocable to this State under the provisions of G.S. 105-130.4, except as provided herein. If a corporation has a net income in North Carolina and a net loss from all sources wherever located, or if a corporation has a net loss in North Carolina and a net income from all sources wherever located, the Secretary shall require the use of the allocation fraction determined under the provisions of G.S. 105-130.4. A corporation which is a stockholder in any such corporation shall be allowed to deduct the same proportion of the dividends received by it from such corporation during its income year ending on or after September 30. No deduction shall be allowed for any part of any dividend received from any corporation that was required to file an income tax return during the year ending September 30 but failed to file the return. In the case of dividends received from a corporation that was not required to file a return during the year ending September 30, the proportion of dividends deductible by the stockholder shall be

NORTH CAROLINA GENERAL ASSEMBLY
AMENDMENT
Senate Bill 8

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

determined by the Secretary from the best information available.

(2) Dividends received by a corporation from stock in any insurance company of this State taxed under the provisions of G.S. 105-228.5 shall be deductible by such corporation, and a proportionate part of any dividends received from stock in any foreign insurance corporation shall be deductible, such part to be determined on the basis of the ratio of premiums reported for taxation in this State to total premiums collected both in and out of this State.

(3) A corporation shall be allowed to deduct such proportionate part of dividends received by it from a regulated investment company or a real estate investment trust, as defined in G.S. 105-130.12, as represents and corresponds to income received by such regulated investment company or real estate investment trust which would not be taxed by this State if received directly by the corporation.

(3a) Dividends received on shares of capital stock owned in a stock-owned savings and loan association taxed under Article 8D of this Chapter shall be deductible.

(4) Notwithstanding the provisions of subdivisions (1) through (3a) any other provision of this section, a corporation which, at the close of its taxable year, has its commercial domicile within North Carolina shall be allowed to may deduct all dividends received from corporations in which it owns more than fifty percent (50%) of the outstanding voting stock.

(5) Notwithstanding any other provisions of this Division, a corporation which that is a shareholder in a holding company shall be allowed as a deduction may deduct an amount equal to those dividends received by it from such the holding company, multiplied by a fraction, the numerator of which shall be is the dividends received by such the holding company attributable to North Carolina, that are deductible by it under subdivisions (3) and (3a) of this section and the denominator of which shall be is the gross dividends received by such the holding company. company; provided, however, that no deduction shall be allowed where the fraction is smaller than one-third (1/3). For purposes of this section, 'dividends attributable to North Carolina' shall be the amount of dividend income received by the holding company on stock owned in other corporations equal to the total of the proportion of each of such corporation's dividends as shall be determined deductible by the Secretary under

NORTH CAROLINA GENERAL ASSEMBLY
AMENDMENT
Senate Bill 8

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

subdivisions ~~(1) through (3a) of this section;~~ provided ~~that a~~ A holding company which that owns more than fifty percent (50%) of the outstanding voting stock of one or more holding companies as defined in this subdivision ~~shall be permitted~~ is allowed a deduction for all dividends received from such those holding companies and all other corporations in which it owns more than fifty percent (50%) of the outstanding voting stock. ~~stock except that no deduction shall be allowed if less than one-third (1/3) of the dividends received by the holding company are attributable to North Carolina. A shareholder of such a holding company shall determine the deductible portion of its dividends received from such holding company as hereinabove provided except that the amounts received from a subsidiary holding company as 'dividends attributable to North Carolina' shall be determined as though the subsidiary corporation of the subsidiary holding company had paid the dividends directly to the parent holding company. For the purposes of this section and unless the context clearly requires a different meaning;~~ As used in this section, the term 'holding company' ~~shall mean~~ any means a corporation subject to the tax imposed by G.S. 105-130.3 whose ordinary gross income consists of fifty percent (50%) or more of dividend income received from corporations in which it owns more than fifty percent (50%) of the outstanding voting stock; ~~and 'subsidiary' shall mean any corporation, more than fifty percent (50%) of whose outstanding voting stock is owned by another corporation. For the purposes of this subsection, stock.~~ As used in this subdivision, the term 'dividend' includes, in addition to corporate dividends, distributions received from a partnership by a corporation owning more than a fifty percent (50%) interest in the partnership.

(6) In no case shall the total amount of dividends that are allowed as a deduction to a corporation as a result of the application of subdivisions ~~(1) through~~ (3) and (3a) of this section be in excess of fifteen thousand dollars ($15,000) for the taxable year.'

Sec. 10.3. G.S. 105-120.2 reads as rewritten:

'§ 105-120.2. Franchise or privilege tax on holding companies.

~~(a) Every corporation, domestic and foreign, incorporated or, by an act, domesticated under the laws of this State or doing business in this State which, at the close of its taxable year is a holding company as defined in subsection (c) of this section, shall, pursuant to the provisions of G.S. 105-122:~~

NORTH CAROLINA GENERAL ASSEMBLY
AMENDMENT
Senate Bill 8

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

S8-ALCX-4/13A

(1) Make a report and statement; and
(2) Determine the total amount of its issued and outstanding capital stock, surplus and undivided profits; and
(3) Apportion such outstanding capital stock, surplus and undivided profits to this State.

Tax. -- An annual privilege tax is imposed on holding companies. This tax is in lieu of the tax imposed by G.S. 105-122. A holding company shall report and pay the tax at the time set in G.S. 105-122 for reporting and paying the tax imposed by that section.

(b) (1) Every corporation taxed under this section shall annually pay to the Secretary of Revenue, at the time the report and statement are due, a franchise or privilege tax, which is hereby levied, at the rate of one dollar and fifty cents ($1.50) per one thousand dollars ($1,000) of the amount determined under subsection (a) of this section, but in no case shall the tax be more than seventy-five thousand dollars ($75,000) nor less than thirty-five dollars ($35.00).

(2) Notwithstanding the provisions of subdivision (1) of this subsection, if the tax produced pursuant to application of this paragraph (2) exceeds the tax produced pursuant to application of subdivision (1), then the tax shall be levied at the rate of one dollar and fifty cents ($1.50) per one thousand dollars ($1,000) on the greater of the amounts of

a. Fifty-five percent (55%) of the appraised value as determined for ad valorem taxation of all the real and tangible personal property in this State of each such corporation plus the total appraised value of intangible property returned for taxation of intangible personal property as computed under G.S. 105-122(d); or

b. The total actual investment in tangible property in this State of such corporation as computed under G.S. 105-122(d).

Rate. -- The tax rate is one dollar and seventy cents ($1.70) for each one thousand dollars ($1,000) value of the greatest of:

(1) The holding company's issued and outstanding capital stock, surplus, and undivided profits determined in accordance with G.S. 105-122.

(2) Fifty-five percent (55%) of the appraised value as determined for ad valorem tax purposes of the holding company's real and tangible personal property in this State as determined annually under G.S. 105-122(d).

(3) The holding company's investment in tangible property in this State determined in accordance with G.S. 105-122(d).

NORTH CAROLINA GENERAL ASSEMBLY
AMENDMENT
Senate Bill 8

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

S8-ALCX-4/13A

The tax imposed under subdivision (1) of this subsection may not exceed two hundred thousand dollars ($200,000). The tax imposed by this section may not be less than the minimum tax set in G.S. 105-122.

(c) For purposes of this section, a Definition. -- A 'holding company' is any corporation which a corporation that receives during its taxable year more than eighty percent (80%) of its gross income from corporations in which it owns directly or indirectly more than fifty percent (50%) of the outstanding voting stock.

(d) Repealed by Session Laws 1985, c. 656, s. 39.

(e) No Local Tax. -- Counties, cities cities, and towns shall not levy a franchise tax on corporations a holding company taxed under this section. The tax imposed under the provisions of G.S. 105-122 shall not apply to businesses taxed under the provisions of this section.

(f) Credit. -- A credit is allowed against the tax imposed by this section for a holding company's investments in certain corporations in accordance with Division V of Article 4 of this Chapter. In determining the total tax payable by any holding company under this section, there shall be allowed as a credit on such tax the amount of the credit authorized under Division V of Article 4 of this Chapter.

Sec. 10.4. G.S. 105-122(d) reads as rewritten:

'(d) After determining the proportion of its total capital stock, surplus and undivided profits as set out in subsection (c) of this section, which amount so determined shall in no case be less than fifty-five percent (55%) of the appraised value as determined for ad valorem taxation of all the real and tangible personal property in this State of each such corporation plus the total appraised value of intangible property returned for taxation of intangible personal property as herein specified nor less than its total actual investment in tangible property in this State, every corporation taxed under this section shall annually pay to the Secretary of Revenue, at the time the report and statement are due, a franchise or privilege tax, which is hereby levied at the rate of one dollar and fifty cents ($1.50) one dollar and seventy cents ($1.70) per one thousand dollars ($1,000) of the total amount of capital stock, surplus and undivided profits as herein provided. The tax imposed in this section shall in no case be less than thirty-five dollars ($35.00) and shall be for the privilege of carrying on, doing business, and/or the continuance of articles of incorporation or domestication of each such corporation in this State. Appraised value of tangible property including real estate shall be the ad valorem valuation for the calendar year next preceding the due date of the franchise tax return. Appraised value of intangible property shall be the total gross valuation required to be reported for intangible tax purposes on April 15 coincident with or next preceding the due date of the franchise tax return. The term 'total

NORTH CAROLINA GENERAL ASSEMBLY
AMENDMENT
Senate Bill 8

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

S8-ALCX-4/12A

actual investment in tangible property' as used in this section shall be construed to mean the total original purchase price or consideration to the reporting taxpayer of its tangible properties, including real estate, in this State plus additions and improvements thereto less reserve for depreciation as permitted for income tax purposes, and also less any indebtedness incurred and existing by virtue of the purchase of any real estate and any permanent improvements made thereon. In computing 'total actual investment in tangible personal property' there shall also be deducted reserves for the entire cost of any air-cleaning device or sewage or waste treatment plant, including waste lagoons, and pollution abatement equipment purchased or constructed and installed which reduces the amount of air or water pollution resulting from the emission of air contaminants or the discharge of sewage and industrial wastes or other polluting materials or substances into the outdoor atmosphere or into streams, lakes, or rivers, upon condition that the corporation claiming such deduction shall furnish to the Secretary a certificate from the Department of Environment, Health, and Natural Resources or from a local air pollution control program for air-cleaning devices located in an area where the Environmental Management Commission has certified a local air pollution control program pursuant to G.S. 143-215.112 certifying that said Department or local air pollution control program has found as a fact that the air-cleaning device, waste treatment plant or pollution abatement equipment purchased or constructed and installed as above described has actually been constructed and installed and that such device, plant or equipment complies with the requirements of the Environmental Management Commission or local air pollution control program with respect to such devices, plants or equipment, that such device, plant or equipment is being effectively operated in accordance with the terms and conditions set forth in the permit, certificate of approval, or other document of approval issued by the Environmental Management Commission or local air pollution control program and that the primary purpose thereof is to reduce air or water pollution resulting from the emission of air contaminants or the discharge of sewage and waste and not merely incidental to other purposes and functions. The cost of constructing facilities of any private or public utility built for the purpose of providing sewer service to residential and outlying areas shall be treated as deductible for the purposes of this section; the deductible liability allowed by this section shall apply only with respect to such pollution abatement plants or equipment constructed or installed on or after January 1, 1955.

In determining the total tax payable by any corporation under this section, there shall be allowed as a credit on such tax the amount of the credit authorized by Division V of Article 4 of this Chapter.'

NORTH CAROLINA GENERAL ASSEMBLY
AMENDMENT
Senate Bill 8

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

S8-ALCX-4/13A

Sec. 10.5. Division II of Article 4 of Chapter 105 of the General Statutes is amended by adding a new section to read:

"§ 105-134.2A. Supplemental income tax imposed.

(a) Tax. -- A tax is imposed upon certain resident individuals' net income from intangibles at the rate of three percent (3%). This tax applies only to individuals whose North Carolina taxable income for the taxable year exceeds one hundred thousand dollars ($100,000). This tax is in addition to the tax imposed in G.S. 105-134.2 and shall be levied, collected, and paid annually in the same manner as the tax levied in G.S. 105-134.2. A taxpayer whose tax liability under this section for a taxable year is fifteen dollars ($15.00) or less is not required to pay the tax for that year. An individual's net income from intangibles is the lesser of the individual's North Carolina taxable income or the sum of the following:

(1) The individual's net capital gains, as defined in section 1222 of the Code, from intangible personal property described in G.S. 105-275(31b) and (31c).

(2) The individual's gross dividend income, as determined under the Code, from intangible personal property described in G.S. 105-275(31b) and (31c).

(3) The individual's gross interest income, as determined under the Code, from intangible personal property described in G.S. 105-275(31b) and (31c).

(b) Exemptions. -- The tax levied in this section does not apply to:

(1) Income from an obligation of (i) the United States or its possessions, (ii) this State or a political subdivision of this State, or (iii) a nonprofit educational institution organized or chartered under the laws of this State.

(2) Income deductible under G.S. 105-134.6(b)(2).

(3) Income from units of ownership in an investment trust, the corpus of which is composed entirely of obligations described in subdivisions (1) and (2) of this subsection, at least eighty percent (80%) of the fair market value of which represents obligations of this State. In order for the exemption described in this subdivision to apply, the trustees of the investment trust must provide the Secretary not later than December 31 of each year information in the form required by the Secretary sufficient to establish the applicability of the exemption.

(4) In the case of a part-year resident, income earned during the period individual was not a resident of this State."

Sec. 10.6. Division II of Article 4 of Chapter 105 of the General Statutes is amended by adding a new section to read:

NORTH CAROLINA GENERAL ASSEMBLY
AMENDMENT
Senate Bill 8

AMENDMENT NO. 6
(to be filled in by
Principal Clerk)

S8-ALCX-4/13A

'§ 105-160.2A. Supplemental tax.

A tax is imposed upon certain trusts' and estates' net income from intangibles that is for the benefit of a resident of this State. The tax shall be at the rate of three percent (3%). This tax applies only to trusts and estates whose income taxable under G.S. 105-160.2 for the taxable year exceeds one hundred thousand dollars ($100,000). This tax is in addition to the tax imposed in G.S. 105-160.2 and shall be levied, collected, and paid annually in the same manner as the tax levied in G.S. 105-160.2. The tax levied in this section does not apply to income exempt from the tax under G.S. 105-134.2A(b)(1)-(3). A taxpayer whose tax liability under this section for a taxable year is fifteen dollars ($15.00) or less is not required to pay the tax for that year. A trust's or an estate's net income from intangibles is the lesser of the trust's or estate's income taxable under G.S. 105-160.2 or the sum of the following:

(1) The trust's or estate's net capital gains, as defined in section 1222 of the Code, from intangible personal property described in G.S. 105-275(31b) and (31c).

(2) The trust's or estate's gross dividend income, as determined under the Code, from intangible personal property described in G.S. 105-275(31b) and (31c).

(3) The trust's or estate's gross interest income, as determined under the Code, from intangible personal property described in G.S. 105-275(31b) and (31c).'

Sec. 10.7. Notwithstanding the provisions of G.S. 105-163.15 and G.S. 105-163.41, no addition to tax shall be made under those sections for a taxable year beginning on or after January 1, 1995, and before January 1, 1996, with respect to any underpayment to the extent the underpayment was created or increased by Section 10.1, 10.2, 10.5, or 10.6 of this act."

SIGNED _____
Amendment Sponsor

SIGNED _____
Committee Chair if Senate Committee Amendment

ADOPTED _____ FAILED 4/17/95 TABLED _____

22-89 EV
Weiss

EV

NORTH CAROLINA
HOUSE OF REPRESENTATIVES
ROLL CALL

. # 312
GISLATIVE DAY 47
S8
READING 3

4/17/95
7:51 PM
IN CHAIR: SPEAKER

AMEND #6 - Rep. Luebke's
INTANGIBLES REPEAL/ HOLD HARMLESS

AYES - 22

ADAMS	BRASWELL	HACKNEY	MILLER, G.
ALEXANDER	CUNNINGHAM	LEE	OLDHAM
BARNES	EARLE	LUEBKE	ROBINSON
BLACK	EASTERLING	MCLAUGHLIN	WOMBLE
BOWEN	FITCH	MICHAUX	YONGUE
BOYD-MCINTYRE	GAMBLE		

NOES - 89

ALDRIDGE	DAUGHTRY	HURLEY	PRESTON
ALLRED	DAVIS	IVES	PULLEY
ARNOLD	DECKER	JUSTUS	RAMSEY
BAKER	DICKSON	KISER	RAYFIELD
BARBEE	DOCKHAM	LEMMOND	REDWINE
BEALL	EDDINS	LINNEY	REYNOLDS
BERRY	EDWARDS	LOCKE	RICHARDSON
BOWIE	ELLIS	MCALLISTER	RUSSELL
BRAWLEY	ESPOSITO	MCCOMAS	SEXTON
BROWN, J.	FOX	MCCOMBS	SHARPE
BROWN, W.	GARDNER	MCCRARY	SHERRILL
BUCHANAN	GRADY	MCMAHAN	SHUBERT
CANSLER	GRAY	MERCER	TALLENT
CAPPS	HAYES	MILLER, K.	THOMPSON
CARPENTER	HENSLEY	MINER	TOLSON
CHURCH	HIATT	MITCHELL	WAINWRIGHT
CLARY	HIGHTOWER	MORGAN	WARNER
COCKLEREECE	HILL	NEELY	WATSON
CRAWFORD	HOLMES	NICHOLS	WEATHERLY
CREECH	HOWARD	NYE	WILKINS
CULP	HUNT	OWENS	WILSON, C.
CULPEPPER	HUNTER, H.	PATE	WILSON, G.
CUMMINGS			

EXCUSED ABSENCE - 5

HUNTER, R.	SUTTON	WOOD	WRIGHT
SNOWDEN			

EXCUSED VOTE - 0

NOT VOTING - 4

SPEAKER	BLUE	ROGERS	SHAW

EV

NORTH CAROLINA
HOUSE OF REPRESENTATIVES
ROLL CALL

'. # 313
.ISLATIVE DAY 47
S8
READING 3

4/17/95
7:51 PM
IN CHAIR: SPEAKER

INTANGIBLES REPEAL/ HOLD HARMLESS
MOTION #3-Rep. Gray calls the previous question

AYES - 101

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

NOES - 13

BLUE	FITCH	HIGHTOWER	LUEBKE
BOWEN	HACKNEY	HUNT	MICHAUX
CUNNINGHAM	HENSLEY	HUNTER, H.	WOMBLE
EARLE			

EXCUSED ABSENCE - 5

HUNTER, R.	SUTTON	WOOD	WRIGHT
SNOWDEN			

EXCUSED VOTE - 0

NOT VOTING - 1

SPEAKER

RC

NORTH CAROLINA
HOUSE OF REPRESENTATIVES
ROLL CALL

. # 314
. GISLATIVE DAY 47
S8
READING 3

4/17/95
7:52 PM
IN CHAIR: SPEAKER

INTANGIBLES REPEAL/ HOLD HARMLESS

AYES - 99

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

NOES - 16

BARNES	EARLE	HENSLEY	LUEBKE
BLUE	EASTERLING	HIGHTOWER	MICHAUX
BRASWELL	FITCH	HUNT	OLDHAM
CUNNINGHAM	HACKNEY	HUNTER, H.	WOMBLE

EXCUSED ABSENCE - 5

HUNTER, R.	SUTTON	WOOD	WRIGHT
SNOWDEN			

EXCUSED VOTE - 0

NOT VOTING - 0

NORTH CAROLINA GENERAL ASSEMBLY
SENATE

RECORDED VOTE

1995 SESSION

SEQ. 46/8--11:42 AM FEBRUARY 9, 1995 LEGISLATIVE DAY 10

LT. GOVERNOR WICKER -- Presiding

KERR
INTANGIBLES REPEAL/HOLD HARMLESS

SENATE BILL 8
READING 3

AYE 48

ALBERTSON
ALLRAN
BALLANCE
BALLANTINE
BASNIGHT
BLACKMON
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
PARNELL
PERDUE
PLEXICO
PLYLER
RAND
SAWYER
SHAW
SHERRON
SIMPSON
SOLES
SPEED
WARREN
WEBSTER
WINNER

NO 0

EXCUSED 0

NOT CAST 0

ABSENT 1 SMITH

PAIRS 0
AYE
NO

(COPY)

S9 JAN 25 1995
PRINCIPAL CLERK

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1995

S D

SENATE DRS7520-LC061(1.1)

Short Title: Expand Homestead Exemption. (Public)

Sponsors: Senator Edwards.

Referred to:

A BILL TO BE ENTITLED

AN ACT TO EXPAND THE PROPERTY TAX HOMESTEAD EXEMPTION FOR LOW-INCOME ELDERLY AND DISABLED INDIVIDUALS.

The General Assembly of North Carolina enacts:

Section 1. G.S. 105-277.1 reads as rewritten:

"**§ 105-277.1. Property classified for taxation at reduced valuation.**

(a) Exclusion. -- The following class of property is designated a special class of property under Article V, Sec. 2(2) of the North Carolina Constitution and shall be assessed for taxation in accordance with this section. The first ~~fifteen thousand dollars ($15,000)~~ twenty thousand dollars ($20,000) in appraised value of a permanent residence owned and occupied by a qualifying owner is excluded from taxation. A qualifying owner is an owner who meets all of the following requirements as of January 1 preceding the taxable year for which the benefit is claimed:

(1) Is at least 65 years of age or totally and permanently disabled.

(2) Has an income for the preceding calendar year of not more than ~~eleven thousand dollars ($11,000).~~ fifteen thousand dollars ($15,000).

(3) Is a North Carolina resident.

An otherwise qualifying owner does not lose the benefit of this exclusion because of a temporary absence from his or her permanent residence for reasons of health, or because of an extended absence while confined to a rest home or nursing home, so long as the residence is unoccupied or occupied by the owner's spouse or other dependent.

(b) Definitions. -- When used in this section, the following definitions shall apply:

NORTH CAROLINA GENERAL ASSEMBLY
AMENDMENT
Senate Bill 9

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

S9-ALC-2/15

Date 2-15, 1995

Comm. Sub. [ ]
Amends Title [ ]

Rep./Sen. McDaniel

moves to amend the bill on page 4, lines 3 - 4, by adding the following new section between the lines and by renumbering the remaining section accordingly:

"Sec. 3. G.S. 105-277.1A reads as rewritten:

'§ 105-277.1A. Property classified for taxation at reduced valuation; duties of tax collectors; reimbursement of localities for portion of tax lost.

(a) On September 1, 1990, the tax collector of each county and the tax collector of each city shall furnish to the Secretary of Revenue a list containing the name and address of each person who has qualified in that year for the exemption provided in G.S. 105-277.1. The list shall also contain for each name the total amount of property exempted, the tax rate the property is subject to, and the product obtained by multiplying those two numbers by each other. The lists shall be accompanied by an affidavit attesting to the accuracy of the list, and shall all be on a form prescribed by the Secretary of Revenue.

(a1) On September 1 of each year, the tax collector of each county and the tax collector of each city shall furnish to the Secretary of Revenue a list containing the name and address of each taxpayer who has qualified in that year for the exemption provided in G.S. 105-277.1. The list shall also contain for each name the income as defined in G.S. 105-277.1 of the taxpayer, the total amount of property exempted, and the tax rate the property is subject to. For taxpayers whose income is above eleven thousand dollars ($11,000), the list shall contain the product obtained by multiplying the amount of property exempted times the tax rate. For taxpayers whose income is not above eleven thousand dollars ($11,000), the list shall contain the product obtained by multiplying the amount by which the amount of property exempted exceeds fifteen thousand dollars ($15,000) times the tax rate. The lists shall be accompanied by an affidavit attesting to the accuracy of the list, and shall all be on a form prescribed by the Secretary of Revenue.

(b) In addition to the list required by subsection (a) (a1) of this section, the county or city may provide a supplemental list on December 1.

See Page 2

NORTH CAROLINA GENERAL ASSEMBLY
AMENDMENT
Senate Bill 9

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

S9-ALC-2/15

(c) The Secretary of Revenue may, for cause, grant an extension for the submission of the list required by this section.

(d) Before May 31, 1991, the Secretary of Revenue shall distribute to the county or city fifty percent (50%) of the total for the entire list required by subsection (a) of this section of the product obtained by multiplying the tax exemption for each taxpayer times the applicable tax rate. Each year thereafter, on or before May 31, the Secretary of Revenue shall pay to each county and city that was entitled to receive a distribution under this section in 1991 the amount it was entitled to receive in 1991.

(d1) Before May 31 of each year, the Secretary shall pay to each county and city that submitted a list under subsection (a1) of this section an amount equal to the sum for the entire list of the two products obtained by performing the two multiplications required in subsection (a1).

(e) Any funds received by any county or city pursuant to this section because the county or city was collecting taxes for another unit of government or special district shall be credited to the funds of that other unit or district in accordance with regulations issued by the Local Government Commission.

(f) In order to pay for the reimbursement under this section and the cost to the Department of Revenue of administering the reimbursement, the Secretary of Revenue shall draw from collections received under Division I of Article 4 of this Chapter an amount equal to the reimbursement and the cost of administration.'"

SIGNED _____
Amendment Sponsor

SIGNED _____
Committee Chair if Senate Committee Amendment

ADOPTED _____ FAILED 2-16-95 (20-25) TABLED _____

S. Fink

NORTH CAROLINA GENERAL ASSEMBLY
SENATE

RECORDED VOTE

1995 SESSION

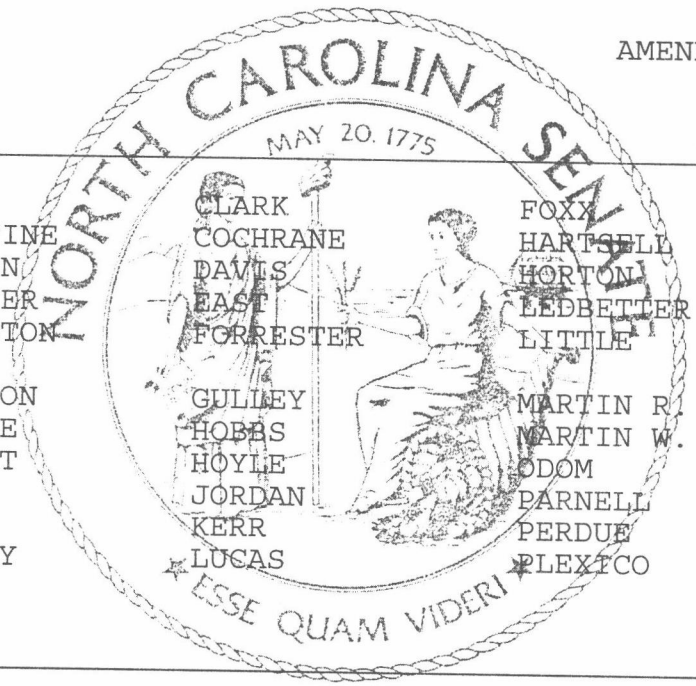
SEQ. 64/4-- 2:40 PM | FEBRUARY 16, 1995 | LEGISLATIVE DAY 14

LT. GOVERNOR WICKER -- Presiding

EDWARDS
EXPAND HOMESTEAD EXEMPTION

SENATE BILL 9

AMEND 1



AYE	20	ALLRAN	CLARK	FOXX	MCDANIEL
		BALLANTINE	COCHRANE	HARTSELL	MCKOY
		BLACKMON	DAVIS	HORTON	SHAW
		CARPENTER	EAST	LEDBETTER	SIMPSON
		CARRINGTON	FORRESTER	LITTLE	WEBSTER
NO	25	ALBERTSON	GULLEY	MARTIN R	PLYLER
		BALLANCE	HOBBS	MARTIN W.	RAND
		BASNIGHT	HOYLE	ODOM	SOLES
		CONDER	JORDAN	PARNELL	SPEED
		COOPER	KERR	PERDUE	WARREN
		DANNELLY	LUCAS	PLEXICO	WINNER
		EDWARDS			

EXCUSED	0		
NOT CAST	2	KINCAID	SAWYER
ABSENT	2	SHERRON	SMITH
PAIRS	0		
AYE			
NO			

NORTH CAROLINA GENERAL ASSEMBLY
SENATE

RECORDED VOTE

1995 SESSION

SEQ. 65/5-- 2:43 PM | FEBRUARY 16, 1995 | LEGISLATIVE DAY 14

LT. GOVERNOR WICKER -- Presiding

EDWARDS
EXPAND HOMESTEAD EXEMPTION

SENATE BILL 9
READING 2

AYE	40	ALBERTSON	COOPER	JORDAN	PERDUE
		ALLRAN	DANNELLY	KERR	PLEXICO
		BALLANCE	DAVIS	LEDBETTER	PLYLER
		BALLANTINE	EAST	LITTLE	RAND
		BASNIGHT	EDWARDS	LUCAS	SHAW
		BLACKMON	FORRESTER	MARTIN R.	SIMPSON
		CARPENTER	GULLEY	MARTIN W.	SOLES
		CARRINGTON	HARTSELL	MCKOY	SPEED
		COCHRANE	HOBBS	ODOM	WARREN
		CONDER	HOYLE	PARNELL	WINNER
NO	5	CLARK	HORTON	MCDANIEL	WEBSTER
		FOXX			

EXCUSED	0		
NOT CAST	2	KINCAID	SAWYER
ABSENT	2	SHERRON	SMITH
PAIRS	0		
AYE			
NO			

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1995

FILED - SENATE

S

S 11

D

JAN 25 1995

SENATE DRS5508-LC060(1.1)

PRINCIPAL CLERK

Short Title: Raise Standard Deduction. (Public)

Sponsors: Senator Sherron.

Referred to:

A BILL TO BE ENTITLED

AN ACT TO INCREASE THE INCOME TAX STANDARD DEDUCTION BY TWENTY PERCENT.

The General Assembly of North Carolina enacts:

Section 1. G.S. 105-134.6(c) reads as rewritten:

"(c) Additions. -- The following additions to taxable income shall be made in calculating North Carolina taxable income, to the extent each item is not included in taxable income:

(1) Interest upon the obligations of states, other than this State, and their political subdivisions.

(2) Any amount allowed as a deduction from gross income under the Code that is taxed under the Code by a separate tax other than the tax imposed in section 1 of the Code.

(3) Any amount deducted from gross income under section 164 of the Code as state, local, or foreign income tax to the extent that the taxpayer's total itemized deductions deducted under the Code for the taxable year exceed the standard deduction allowable to the taxpayer under the Code reduced by the amount by which the taxpayer's allowable standard deduction has been increased for inflation by more than twenty percent (20%) under section 63(c)(4) of the Code.

(4) The amount by which the taxpayer's standard deduction has been increased for inflation by more than twenty percent (20%) under section ~~63(c)(4)(A)~~ 63(c)(4) of the Code and the amount by which the taxpayer's personal exemptions have been increased for

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1995

FILED - SENATE
JAN 25 1995
PRINCIPAL CLERK

S D

SENATE DRS9512-LC063(1.1) S10

Short Title: Raise Deduction for Children by $500.00 (Public)

Sponsors: Senator Sherron.

Referred to:

A BILL TO BE ENTITLED

AN ACT TO INCREASE THE STATE PERSONAL EXEMPTION FOR A TAXPAYER'S DEPENDENT CHILD FROM TWO THOUSAND DOLLARS TO TWO THOUSAND FIVE HUNDRED DOLLARS.

The General Assembly of North Carolina enacts:

Section 1. G.S. 105-134.6(b) is amended by adding a new subdivision to read:

"(11) Five hundred dollars ($500.00) for each dependent child for whom the taxpayer was allowed to deduct a personal exemption under section 151(c)(1)(B) of the Code. If the taxpayer's personal exemptions have been reduced by the applicable percentage under section 151(d)(3) of the Code, the addition allowed by this subdivision is also reduced by the applicable percentage."

Sec. 2. This act is effective for taxable years beginning on or after January 1, 1995.

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1995

FILED - SENATE

S

S 11

D

JAN 25 1995

SENATE DRS5508-LC060(1.1)

PRINCIPAL CLERK

Short Title: Raise Standard Deduction. (Public)

Sponsors: Senator Sherron.

Referred to:

A BILL TO BE ENTITLED

AN ACT TO INCREASE THE INCOME TAX STANDARD DEDUCTION BY TWENTY PERCENT.

The General Assembly of North Carolina enacts:

Section 1. G.S. 105-134.6(c) reads as rewritten:

"(c) Additions. -- The following additions to taxable income shall be made in calculating North Carolina taxable income, to the extent each item is not included in taxable income:

(1) Interest upon the obligations of states, other than this State, and their political subdivisions.

(2) Any amount allowed as a deduction from gross income under the Code that is taxed under the Code by a separate tax other than the tax imposed in section 1 of the Code.

(3) Any amount deducted from gross income under section 164 of the Code as state, local, or foreign income tax to the extent that the taxpayer's total itemized deductions deducted under the Code for the taxable year exceed the standard deduction allowable to the taxpayer under the Code reduced by the amount by which the taxpayer's allowable standard deduction has been increased for inflation by more than twenty percent (20%) under section 63(c)(4) of the Code.

(4) The amount by which the taxpayer's standard deduction has been increased for inflation by more than twenty percent (20%) under section ~~63(c)(4)(A)~~ 63(c)(4) of the Code and the amount by which the taxpayer's personal exemptions have been increased for

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1995

FILED - SENATE
S 12
PRINCIPAL
JAN 25 1995

S D

SENATE DRS6512-LC062(1.1)

Short Title: Reduce Corporate Income Tax. (Public)

Sponsors: Senator Sherron.

Referred to:

A BILL TO BE ENTITLED

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

The General Assembly of North Carolina enacts:

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

"**§ 105-130.3. Corporations.**

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

Income Years Beginning	Tax
In 1995	7.5%
In 1996	7.25%
After 1996	7%."

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

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

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

(b) Each calendar quarter, the Secretary of Revenue shall remit to the State Treasurer for credit to the Public School Building Capital Fund an amount equal to ~~two-thirty-firsts (2/31)~~ the applicable proportion provided in the table below of the net collections received during the previous quarter by the Department of Revenue

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1995

FILED - SEN.
JAN 25 1995
PRINCIPAL CLERK

S 13

S D

SENATE DRS1511-LC064(1.1)

Short Title: Unemployment Tax Cut. (Public)

Sponsors: Senator Kerr.

Referred to:

A BILL TO BE ENTITLED

AN ACT TO FURTHER REDUCE EMPLOYERS' UNEMPLOYMENT INSURANCE TAXES.

The General Assembly of North Carolina enacts:

Section 1. G.S. 96-9(a)(5) reads as rewritten:

"(5) ~~Prior to January 1, 1978, the term 'wages' shall not include for the purposes of this section any remuneration in excess of four thousand two hundred dollars ($4,200) paid to any individual in a single calendar year by an employer with respect to employment.~~

a. For purposes of this section, the term 'wages' shall not include any remuneration paid to any employee in this State in excess of this State's tax base paid to an individual by a single employer if the employer of that individual made contributions in another state or states upon the wages paid to ~~such~~ that individual during the applicable calendar year, because of work performed in another state or states.

b. Any successor employer as defined in G.S. 96-8(5)b for the purposes of this section shall pay no contributions on that part of remuneration earned by any individual in the employ of the successor employer which, when added to the remuneration previously paid by the predecessor ~~employer~~ employer, exceeded this State's tax base in a single calendar year, ~~provided~~ if the following conditions are met: (i) the individual was an employee of the predecessor and was taken over as an employee by the successor as a part of the

NORTH CAROLINA GENERAL ASSEMBLY
SENATE

RECORDED VOTE

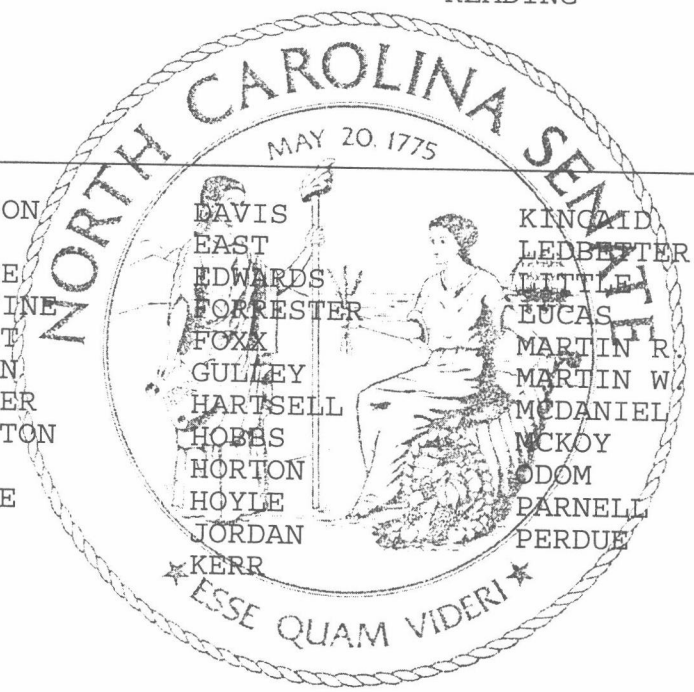
1995 SESSION

SEQ. 27/2-- 2:16 PM | FEBRUARY 2, 1995 | LEGISLATIVE DAY 6

LT. GOVERNOR WICKER -- Presiding

KERR
UNEMPLOYMENT TAX CUT
COM SUB/2ND EDITION

SENATE BILL 13
READING 2



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

EXCUSED	0			
NOT CAST	3	DANNELLY	SAWYER	SHAW
ABSENT	0			
PAIRS	0			
AYE				
NO				

(COPY)

NORTH CAROLINA GENERAL ASSEMBLY
SENATE

RECORDED VOTE

1995 SESSION

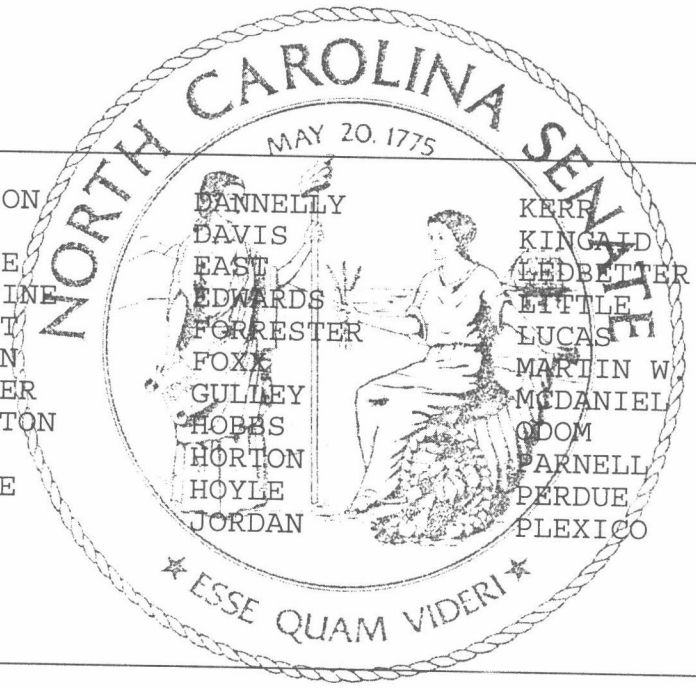
SEQ. 30/2-- 7:07 PM | FEBRUARY 6, 1995 | LEGISLATIVE DAY 7

LT. GOVERNOR WICKER -- Presiding

KERR
UNEMPLOYMENT TAX CUT
COM SUB/2ND EDITION

SENATE BILL 13

READING 3



AYE	43	ALBERTSON	DANNELLY	KERR	PLYLER
		ALLRAN	DAVIS	KINCAID	RAND
		BALLANCE	EAST	LEDBETTER	SHAW
		BALLANTINE	EDWARDS	LITTLE	SHERRON
		BASNIGHT	FORRESTER	LUCAS	SIMPSON
		BLACKMON	FOXX	MARTIN W.	SOLES
		CARPENTER	GULLEY	MCDANIEL	SPEED
		CARRINGTON	HOBBS	ODOM	WARREN
		CLARK	HORTON	PARNELL	WEBSTER
		COCHRANE	HOYLE	PERDUE	WINNER
		CONDER	JORDAN	PLEXICO	
NO	0				

EXCUSED	0			
NOT CAST	3	MARTIN R.	MCKOY	SAWYER
ABSENT	3	COOPER	HARTSELL	SMITH
PAIRS	0			
AYE				
NO				

(COPY)

RC

NORTH CAROLINA
HOUSE OF REPRESENTATIVES
ROLL CALL

SEQ. # 53
LEGISLATIVE DAY 15
S13 SCS
READING 2

2/20/95
8:16 PM
IN CHAIR: SPEAKER

UNEMPLOYMENT TAX CUT

AYES - 116

SPEAKER	CULP	IVES	RAMSEY
ADAMS	CULPEPPER	JUSTUS	RAYFIELD
ALDRIDGE	CUMMINGS	KISER	REDWINE
ALEXANDER	DAUGHTRY	LEE	REYNOLDS
ALLRED	DAVIS	LEMMOND	RICHARDSON
ARNOLD	DECKER	LINNEY	ROBINSON
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	SNOWDEN
BOWIE	FITCH	MERCER	SUTTON
BOYD-MCINTYRE	FOX	MICHAUX	TALLENT
BRASWELL	GAMBLE	MILLER, G.	THOMPSON
BRAWLEY	GARDNER	MILLER, K.	TOLSON
BROWN, J.	GRADY	MINER	WAINWRIGHT
BROWN, W.	GRAY	MITCHELL	WARNER
BUCHANAN	HAYES	MORGAN	WATSON
CANSLER	HENSLEY	NEELY	WEATHERLY
CAPPS	HIATT	NICHOLS	WILKINS
CARPENTER	HILL	NYE	WILSON, C.
CHURCH	HOLMES	OLDHAM	WILSON, G.
CLARY	HOWARD	OWENS	WOMBLE
COCKLEREECE	HUNT	PATE	WOOD
CRAWFORD	HUNTER, R.	PRESTON	WRIGHT
CREECH	HURLEY	PULLEY	YONGUE

NOES - 0

EXCUSED ABSENCE - 1

HACKNEY

EXCUSED VOTE - 0

NOT VOTING - 3

CUNNINGHAM	HIGHTOWER	HUNTER, H.

EV

NORTH CAROLINA
HOUSE OF REPRESENTATIVES
ROLL CALL

Q. # 60
LEGISLATIVE DAY 16
S13 SCS

2/21/95
2:45 PM
IN CHAIR: SPEAKER

UNEMPLOYMENT TAX CUT
MOTION #2
Representative Culpepper moves to lay upon the table Rep. Daughtry's motion to postpone to a daily certain

AYES - 46

ADAMS	CUNNINGHAM	HURLEY	RAMSEY
ALEXANDER	EARLE	LEE	RICHARDSON
BARNES	EASTERLING	LUEBKE	ROGERS
BEALL	FITCH	MCALLISTER	SUTTON
BLACK	FOX	MCCRARY	TOLSON
BLUE	GAMBLE	MCLAUGHLIN	WAINWRIGHT
BOYD-MCINTYRE	HENSLEY	MERCER	WARNER
BRASWELL	HIGHTOWER	MICHAUX	WILKINS
BROWN, W.	HILL	MILLER, G.	WOMBLE
CHURCH	HUNT	OLDHAM	WRIGHT
CRAWFORD	HUNTER, H.	OWENS	YONGUE
CULPEPPER	HUNTER, R.		

NOES - 72

ALDRIDGE	CUMMINGS	JUSTUS	RAYFIELD
ALLRED	DAUGHTRY	KISER	REDWINE
ARNOLD	DAVIS	LEMMOND	REYNOLDS
BAKER	DECKER	LINNEY	ROBINSON
BARBEE	DICKSON	LOCKE	RUSSELL
BERRY	DOCKHAM	MCCOMAS	SEXTON
BOWEN	EDDINS	MCCOMBS	SHARPE
BOWIE	EDWARDS	MCMAHAN	SHAW
BRAWLEY	ELLIS	MILLER, K.	SHERRILL
BROWN, J.	ESPOSITO	MINER	SHUBERT
BUCHANAN	GARDNER	MITCHELL	SNOWDEN
CANSLER	GRADY	MORGAN	TALLENT
CAPPS	GRAY	NEELY	THOMPSON
CARPENTER	HAYES	NICHOLS	WATSON
CLARY	HIATT	NYE	WEATHERLY
COCKLEREECE	HOLMES	PATE	WILSON, C.
CREECH	HOWARD	PRESTON	WILSON, G.
CULP	IVES	PULLEY	WOOD

EXCUSED ABSENCE - 1

HACKNEY

EXCUSED VOTE - 0

NOT VOTING - 1

SPEAKER

EV

NORTH CAROLINA
HOUSE OF REPRESENTATIVES
ROLL CALL

Q. # 61
LEGISLATIVE DAY 16
S13 SCS

2/21/95
2:46 PM
IN CHAIR: SPEAKER

UNEMPLOYMENT TAX CUT
MOTION #3

Rep. Daughtry calls the previous question on his motion to postpone to a day certain

AYES - 117

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

NOES - 1

FITCH

EXCUSED ABSENCE - 1

HACKNEY

EXCUSED VOTE - 0

NOT VOTING - 1

SPEAKER

EV

NORTH CAROLINA
HOUSE OF REPRESENTATIVES
ROLL CALL

Q. # 62
LEGISLATIVE DAY 16
S13 SCS
READING 3

2/21/95
2:47 PM
IN CHAIR: SPEAKER

AMEND #1
UNEMPLOYMENT TAX CUT
MOTION #6

Rep. Daughtry moves to postpone to a day certain

AYES - 91

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

NOES - 27

ADAMS	CUNNINGHAM	MCALLISTER	SHAW
BARNES	EARLE	MCCRARY	SUTTON
BEALL	EASTERLING	MICHAUX	WAINWRIGHT
BLACK	FITCH	MILLER, G.	WARNER
BLUE	HENSLEY	OLDHAM	WOMBLE
BOYD-MCINTYRE	HUNTER, H.	OWENS	WRIGHT
BRASWELL	LUEBKE	RICHARDSON	

EXCUSED ABSENCE - 1

HACKNEY

EXCUSED VOTE - 0

NOT VOTING - 1

SPEAKER

RC

NORTH CAROLINA
HOUSE OF REPRESENTATIVES
ROLL CALL

SQ. # 69
LEGISLATIVE DAY 18
S13 SCS
READING 3

2/23/95
1:49 PM
IN CHAIR: SPEAKER

UNEMPLOYMENT TAX CUT

AYES - 102

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

NOES - 0

EXCUSED ABSENCE - 6

CULP	MICHAUX	ROBINSON	WILKINS
MCALLISTER	RAMSEY		

EXCUSED VOTE - 0

NOT VOTING - 12

CRAWFORD	HAYES	KISER	ROGERS
ELLIS	HILL	OLDHAM	RUSSELL
GAMBLE	HUNTER, H.	PRESTON	WAINWRIGHT

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1995

FILED - SENATE
S 14 JAN 25 1995
PRINCIPAL CLERK

S D

SENATE DRS4521-RR013(1.24)

Short Title: Contribution Limits. (Public)

Sponsors: Senator Plexico.

Referred to:

A BILL TO BE ENTITLED

AN ACT TO STRENGTHEN THE LAW LIMITING CAMPAIGN CONTRIBUTIONS.

The General Assembly of North Carolina enacts:

Section 1. G.S. 163-278.13 reads as rewritten:

"**§ 163-278.13. Limitation on contributions.**

(a) No individual or political committee shall contribute to any candidate or other political committee any money or make any other contribution in any election in excess of ~~four thousand dollars ($4,000)~~ one thousand dollars ($1,000) for that election.

(b) No candidate or political committee shall accept or solicit any contribution from any individual or other political committee of any money or any other contribution in any election in excess of ~~four thousand dollars ($4,000)~~ one thousand dollars ($1,000) for that election.

~~(c) Notwithstanding the provisions of subsections (a) and (b) of this section, it shall be lawful for a candidate or a candidate's spouse, parents, brothers and sisters to make a contribution to the candidate or to the candidate's treasurer of any amount of money or to make any other contribution in any election in excess of four thousand dollars ($4,000) for that election.~~

(d) For the purposes of this section, the term 'an election' means any primary, second primary, or general election in which the candidate or political committee may be involved, without regard to whether the candidate is opposed or unopposed in the election.

(e) This section shall ~~not~~ apply to ~~any~~ State, district or county executive ~~committee~~ committees of any political party. The limitation in this section on

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1995

FILED - SENATE
S 15 JAN 25 1995
PRINCIPAL CLERK

S D

SENATE DRS8517-LE023D(1.6)

Short Title: Streamline State Education Agency. (Public)

Sponsors: Senator Perdue.

Referred to:

A BILL TO BE ENTITLED

AN ACT TO CLARIFY THE STATUTES SO AS TO STREAMLINE THE OPERATIONS OF THE STATE EDUCATION AGENCY.

The General Assembly of North Carolina enacts:

Section 1. G.S. 115C-19 reads as rewritten:

"**§ 115C-19. Chief administrative officer of the State Board of Education.**

As provided in Article IX, Sec. 4(2) of the North Carolina Constitution, the Superintendent of Public Instruction shall be the secretary and chief administrative officer of the State Board of Education. ~~The Superintendent of Public Instruction shall administer the policies adopted by the State Board of Education.~~"

Sec. 2. G.S. 115C-21 reads as rewritten:

"**§ 115C-21. Powers and duties generally.**

(a) Administrative Duties. -- It shall be the duty of the Superintendent of Public Instruction:

(1) To organize and ~~establish~~ establish, subject to the approval of the State Board of Education, a Department of Public Instruction which shall include such divisions and departments as are necessary for supervision and administration of the public school ~~system, to administer the funds for the operation of the Department of Public Instruction, and to enter into contracts for the operations of the Department of Public Instruction.~~ system. All appointments of administrative and supervisory personnel to the staff of the Department of Public Instruction shall be subject to the approval of the State Board of Education, which shall have authority to terminate such appointments for cause in conformity

NORTH CAROLINA GENERAL ASSEMBLY
SENATE

RECORDED VOTE

1995 SESSION

SEQ. 539/17-- 3:49 PM MAY 9, 1995 LEGISLATIVE DAY 60

LT. GOVERNOR WICKER -- Presiding

PERDUE
STREAMLINE STATE EDUCATION AGENCY-2
COM SUB/2ND EDITION

SENATE BILL 15
READING 2



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

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

NORTH CAROLINA GENERAL ASSEMBLY
AMENDMENT
Senate Bill 15

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

S15-ARH-001

Date July 6, 1995

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

Representative Russell

moves to amend the bill on page 3, line 35,
by rewriting the line to read:
"Sec. 3. This act becomes effective May 9, 1995.".

SIGNED Rep. Russell
Amendment Sponsor

SIGNED _____
Committee Chair if Senate Committee Amendment

ADOPTED _____ FAILED 7/6/95 TABLED _____

8 8-91 EV

EV

NORTH CAROLINA
HOUSE OF REPRESENTATIVES
ROLL CALL

SEQ. # 1485
LEGISLATIVE DAY 94
S15 SCS
READING 2

7/06/95
5:15 PM
IN CHAIR: SPEAKER

AMEND #1-Committee
STREAMLINE STATE EDUCATION AGENCY-2

AYES - 8

BEALL	DECKER	HUNTER, R.	OWENS
CUNNINGHAM	GAMBLE	LUEBKE	WOOD

NOES - 91

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

EXCUSED ABSENCE - 9

BARNES	CANSLER	PULLEY	WARNER
BLUE	IVES	REDWINE	WRIGHT
BRASWELL			

EXCUSED VOTE - 0

NOT VOTING - 12

SPEAKER	FOX	MILLER, K.	SUTTON
ALDRIDGE	KISER	MORGAN	WEATHERLY
ELLIS	LINNEY	SHAW	WILSON, C.

EV

NORTH CAROLINA
HOUSE OF REPRESENTATIVES
ROLL CALL

SEQ. # 1486
LEGISLATIVE DAY 94
S15 SCS
READING 2

7/06/95
5:16 PM
IN CHAIR: SPEAKER

STREAMLINE STATE EDUCATION AGENCY-2

AYES - 79

ALEXANDER	DAUGHTRY	JUSTUS	RICHARDSON
ALLRED	DAVIS	LEMMOND	ROBINSON, G.
ARNOLD	DECKER	LOCKE	ROBINSON, J.
BAKER	DICKSON	MCALLISTER	RUSSELL
BARBEE	DOCKHAM	MCCOMAS	SEXTON
BERRY	EARLE	MCCOMBS	SHARPE
BLACK	EASTERLING	MCLAUGHLIN	SHERRILL
BOWIE	EDDINS	MCMAHAN	SHUBERT
BOYD-MCINTYRE	EDWARDS	MERCER	TALLENT
BRAWLEY	ESPOSITO	MINER	THOMPSON
BROWN, J.	FOX	MITCHELL	TOLSON
BUCHANAN	GARDNER	NEELY	WAINWRIGHT
CAPPS	GRADY	NICHOLS	WATSON
CARPENTER	GRAY	NYE	WILKINS
CHURCH	HAYES	OLDHAM	WILSON, C.
CLARY	HIATT	OWENS	WILSON, G.
COCKLEREECE	HILL	PATE	WOMBLE
CREECH	HOLMES	PRESTON	WOOD
CULP	HOWARD	RAYFIELD	YONGUE
CUMMINGS	HURLEY	REYNOLDS	

NOES - 20

ADAMS	CUNNINGHAM	HUNT	MCCRARY
BEALL	FITCH	HUNTER, H.	MICHAUX
BROWN, W.	HACKNEY	HUNTER, R.	MILLER, G.
CRAWFORD	HENSLEY	LEE	RAMSEY
CULPEPPER	HIGHTOWER	LUEBKE	ROGERS

EXCUSED ABSENCE - 9

BARNES	CANSLER	PULLEY	WARNER
BLUE	IVES	REDWINE	WRIGHT
BRASWELL			

EXCUSED VOTE - 0

NOT VOTING - 12

SPEAKER	ELLIS	LINNEY	SHAW
ALDRIDGE	GAMBLE	MILLER, K.	SUTTON
BOWEN	KISER	MORGAN	WEATHERLY

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1995

FILED - SENATE
S 16
JAN 25 1995
PRINCIPAL CLERK

S D

SENATE DRS3515-LE032A(1.12)

Short Title: St. Board Report on School System. (Public)

Sponsors: Senator Perdue.

Referred to:

A BILL TO BE ENTITLED

AN ACT DIRECTING THE STATE BOARD OF EDUCATION TO RECOMMEND CHANGES IN THE PUBLIC SCHOOL SYSTEM.

The General Assembly of North Carolina enacts:

Section 1. The State Board of Education shall examine the structure and functions of the State public school system with a view to improving student performance, increasing local flexibility and control, and promoting economy and efficiency and shall recommend changes in the public school system to the General Assembly. In carrying out this examination, the State Board of Education shall consider ways to reorder priorities and place greater emphasis on the basics - reading, communication skills, and mathematics - in the areas of staff development, the State testing program, the State accreditation program, the use of remediation funds, the instructional program, and other components of the State public school system. The State Board of Education shall also consider the impact the changes it is considering will have on the mission of the Department of Public Instruction.

The State Board shall make a preliminary report to the General Assembly prior to May 1, 1995, and a final report prior to March 1, 1996, on the results of its examination of the State public school system. The report shall include any proposed legislation necessary to implement the State Board's recommendations.

Sec. 2. The State Board of Education shall also examine the administrative organization of the Department of Public Instruction with a view to improving student performance, increasing local flexibility, implementing any necessary changes in the mission of the Department, and promoting economy and efficiency. The State Board of Education shall develop a plan for reorganizing the Department of Public Instruction and for assigning and reassigning duties and

NORTH CAROLINA GENERAL ASSEMBLY
SENATE

RECORDED VOTE

1995 SESSION

SEQ. 28/3-- 2:48 PM | FEBRUARY 2, 1995 | LEGISLATIVE DAY 6

LT. GOVERNOR WICKER -- Presiding

PERDUE
ST. BOARD REPORT ON SCHOOL SYSTEM

SENATE BILL 16
READING 2

AYE	48	ALBERTSON	DANNELLY	KERR	PLEXICO
		ALLRAN	DAVIS	KINCAID	PLYLER
		BALLANCE	EAST	LEDBETTER	RAND
		BALLANTINE	EDWARDS	LITTLE	SHAW
		BASNIGHT	FORRESTER	LUCAS	SHERRON
		BLACKMON	FOXX	MARTIN R.	SIMPSON
		CARPENTER	GULLEY	MARTIN W.	SMITH
		CARRINGTON	HARTSELL	MCDANIEL	SOLES
		CLARK	HOBBS	MCKOY	SPEED
		COCHRANE	HORTON	ODOM	WARREN
		CONDER	HOYLE	PARNELL	WEBSTER
		COOPER	JORDAN	PERDUE	WINNER
NO	0				

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

(COPY)

NORTH CAROLINA GENERAL ASSEMBLY
AMENDMENT
Senate Bill 16

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

S16-CT-1 Page 1 of 1

Date 4, 1995

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

Representative Barnes

moves to amend the bill on page 1, line 11,
by adding the following sentences after the period:

"All State Board of Education and Department policies, rules, and regulations and all other State-imposed mandates on local school systems shall be reviewed during the development of the plan, and consideration shall be given to modifying or eliminating redundant, unnecessary, or burdensome State requirements. No reorganization or cost-savings proposal shall result in unfunded mandates or in the elimination of personnel whose primary responsibility is to assist local school systems in meeting State imposed mandates."

SIGNED
Amendment Sponsor

SIGNED
Committee Chair if Senate Committee Amendment

ADOPTED FAILED TABLED

RC

NORTH CAROLINA
HOUSE OF REPRESENTATIVES
ROLL CALL

SEQ. # 35
LEGISLATIVE DAY 12
S16 HCS
READING 2

2/14/95
2:02 PM
IN CHAIR: SPEAKER

AMEND #1 Rep. Barnes' amendment
PUBLIC INSTRUCTION REORGANIZATION PLAN

AYES - 50

ADAMS	CULPEPPER	LEE	RAMSEY
ALEXANDER	CUNNINGHAM	LOCKE	REDWINE
BARNES	EARLE	LUEBKE	RICHARDSON
BEALL	EASTERLING	MCALLISTER	ROGERS
BLACK	FITCH	MCCRARY	SHAW
BLUE	FOX	MCLAUGHLIN	SUTTON
BOWEN	HACKNEY	MERCER	TOLSON
BOYD-MCINTYRE	HENSLEY	MICHAUX	WARNER
BRASWELL	HIGHTOWER	MILLER, G.	WILKINS
BROWN, J.	HILL	NYE	WOMBLE
BROWN, W.	HUNTER, H.	OLDHAM	WRIGHT
CHURCH	HUNTER, R.	OWENS	YONGUE
CRAWFORD	HURLEY		

NOES - 64

ALDRIDGE	CUMMINGS	JUSTUS	RAYFIELD
ALLRED	DAUGHTRY	KISER	REYNOLDS
ARNOLD	DAVIS	LEMMOND	ROBINSON
BAKER	DECKER	LINNEY	RUSSELL
BARBEE	DICKSON	MCCOMAS	SEXTON
BERRY	DOCKHAM	MCCOMBS	SHARPE
BOWIE	EDDINS	MCMAHAN	SHERRILL
BRAWLEY	EDWARDS	MILLER, K.	SHUBERT
BUCHANAN	ELLIS	MINER	SNOWDEN
CANSLER	ESPOSITO	MITCHELL	TALLENT
CAPPS	GRADY	MORGAN	THOMPSON
CARPENTER	GRAY	NEELY	WATSON
CLARY	HAYES	NICHOLS	WEATHERLY
COCKLEREECE	HIATT	PATE	WILSON, C.
CREECH	HOLMES	PRESTON	WILSON, G.
CULP	IVES	PULLEY	WOOD

EXCUSED ABSENCE - 2

HUNT	WAINWRIGHT

EXCUSED VOTE - 0

NOT VOTING - 4

SPEAKER	GAMBLE	GARDNER	HOWARD

NORTH CAROLINA GENERAL ASSEMBLY
AMENDMENT
Senate Bill 16

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

S16-ARN-001

Date 2/14, 1995

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

Representative Hightower

moves to amend the bill on page 1, line 7, by deleting the phrase "reorganizing, reducing, and/or eliminating" and inserting the word "reorganizing".

SIGNED Foyle Hightower JR.
Amendment Sponsor

SIGNED _____
Committee Chair if Senate Committee Amendment

ADOPTED _____ FAILED 2/14/95 TABLED _____

'79-69 RC

RC

NORTH CAROLINA
HOUSE OF REPRESENTATIVES
ROLL CALL

SEQ. # 36
LEGISLATIVE DAY 12
S16 HCS
READING 2

2/14/95
2:18 PM
IN CHAIR: SPEAKER

AMEND #2 Rep. Hightower's Amendment
PUBLIC INSTRUCTION REORGANIZATION PLAN

AYES - 49

ADAMS	EARLE	LEE	RAMSEY
ALEXANDER	EASTERLING	LOCKE	REDWINE
BARNES	FITCH	LUEBKE	RICHARDSON
BEALL	FOX	MCALLISTER	ROGERS
BLACK	GAMBLE	MCCRARY	SHAW
BLUE	HACKNEY	MCLAUGHLIN	SUTTON
BOWEN	HENSLEY	MERCER	TOLSON
BRASWELL	HIGHTOWER	MICHAUX	WARNER
BROWN, W.	HILL	MILLER, G.	WILKINS
CHURCH	HUNTER, H.	NYE	WOMBLE
CRAWFORD	HUNTER, R.	OLDHAM	WRIGHT
CULPEPPER	HURLEY	OWENS	YONGUE
CUNNINGHAM			

NOES - ~~66~~ 67 DWeeks

ALDRIDGE	CULP	IVES	PULLEY
ALLRED	CUMMINGS	JUSTUS	RAYFIELD
ARNOLD	DAUGHTRY	KISER	REYNOLDS
BAKER	DECKER	LEMMOND	ROBINSON
BARBEE	DICKSON	LINNEY	RUSSELL
BERRY	DOCKHAM	MCCOMAS	SEXTON
BOWIE	EDDINS	MCCOMBS	SHARPE
BOYD-MCINTYRE	EDWARDS	MCMAHAN	SHERRILL
BRAWLEY	ELLIS	MILLER, K.	SHUBERT
BROWN, J.	ESPOSITO	MINER	SNOWDEN
BUCHANAN	GARDNER	MITCHELL	THOMPSON
CANSLER	GRADY	MORGAN	WATSON
CAPPS	GRAY	NEELY	WEATHERLY
CARPENTER	HAYES	NICHOLS	WILSON, C.
CLARY	HIATT	PATE	WILSON, G.
COCKLEREECE	HOLMES	PRESTON	WOOD
CREECH	HOWARD		

EXCUSED ABSENCE - 2

HUNT WAINWRIGHT

EXCUSED VOTE - 0

NOT VOTING - ~~3~~ 2 DWeeks

SPEAKER ~~DAVIS~~ TALLENT

S16 HCS

Rep. Davis requests to be recorded as voting "no".
Speaker so orders.

DWeeks 2/14/95

NORTH CAROLINA GENERAL ASSEMBLY
AMENDMENT
Senate Bill 16

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

S16-LT-2

Date 2/14 ,1995

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

Representative Rogers

moves to amend the bill on page 1, line 19, by adding the following sentence after the period:

"In addition, the State Board of Education shall survey the State's local superintendents and boards of education to determine:

(1) What changes they recommend;
(2) To what degree the services currently being provided by the Department of Public Instruction are being utilized by local school systems; and
(3) What the cost impact would be to local systems should those services be reduced or eliminated."

SIGNED Jim Rogers
Amendment Sponsor

SIGNED _____
Committee Chair if Senate Committee Amendment

ADOPTED _____ FAILED 2/14/95 TABLED _____

50-65

RC

Weeks

RC

NORTH CAROLINA

SEQ. # 37
LEGISLATIVE DAY 12
S16 HCS
READING 2

HOUSE OF REPRESENTATIVES

2/14/95
2:42 PM
IN CHAIR: SPEAKER

ROLL CALL

AMEND #3 Rep. Rogers Amendment
PUBLIC INSTRUCTION REORGANIZATION PLAN

AYES - 50

ADAMS	CUNNINGHAM	IVES	RAMSEY
ALEXANDER	EARLE	LEE	REDWINE
BARNES	EASTERLING	LUEBKE	RICHARDSON
BEALL	FITCH	MCALLISTER	ROGERS
BLACK	FOX	MCCRARY	SHAW
BLUE	GAMBLE	MCLAUGHLIN	SUTTON
BOWEN	HACKNEY	MERCER	TOLSON
BOYD-MCINTYRE	HENSLEY	MICHAUX	WARNER
BRASWELL	HIGHTOWER	MILLER, G.	WILKINS
BROWN, W.	HILL	NYE	WOMBLE
CHURCH	HUNTER, H.	OLDHAM	WRIGHT
CRAWFORD	HUNTER, R.	OWENS	YONGUE
CULPEPPER	HURLEY		

NOES - 65

ALDRIDGE	CUMMINGS	JUSTUS	PULLEY
ALLRED	DAUGHTRY	KISER	RAYFIELD
ARNOLD	DAVIS	LEMMOND	REYNOLDS
BAKER	DECKER	LINNEY	ROBINSON
BARBEE	DOCKHAM	LOCKE	RUSSELL
BERRY	EDDINS	MCCOMAS	SEXTON
BOWIE	EDWARDS	MCCOMBS	SHARPE
BRAWLEY	ELLIS	MCMAHAN	SHERRILL
BROWN, J.	ESPOSITO	MILLER, K.	SHUBERT
BUCHANAN	GARDNER	MINER	SNOWDEN
CANSLER	GRADY	MITCHELL	THOMPSON
CAPPS	GRAY	MORGAN	WATSON
CARPENTER	HAYES	NEELY	WEATHERLY
CLARY	HIATT	NICHOLS	WILSON, C.
COCKLEREECE	HOLMES	PATE	WILSON, G.
CREECH	HOWARD	PRESTON	WOOD
CULP			

EXCUSED ABSENCE - 2

HUNT	WAINWRIGHT

EXCUSED VOTE - 0

NOT VOTING - 3

SPEAKER	DICKSON	TALLENT

NORTH CAROLINA GENERAL ASSEMBLY
AMENDMENT
Senate Bill 16

AMENDMENT NO. 4
(to be filled in by
Principal Clerk)

S16-ARH-004

Date 2/14, 1995

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

Representative Hensley

moves to amend the bill on page 1, line 11,
by inserting after the word "performance." the following sentence:
"However, any staff reductions undertaken by the plan shall be by attrition, transfers, or early retirement options.".

SIGNED R. J. Hensley, Jr.
Amendment Sponsor

SIGNED _____
Committee Chair if Senate Committee Amendment

ADOPTED _____ FAILED 2/14/95 TABLED _____
43-68 RC

RC

NORTH CAROLINA

HOUSE OF REPRESENTATIVES

ROLL CALL

SEQ. # 38
LEGISLATIVE DAY 12
S16 HCS
READING 2

2/14/95
2:48 PM
IN CHAIR: SPEAKER

AMEND #4 Rep. Hensley's Amendment
PUBLIC INSTRUCTION REORGANIZATION PLAN

AYES - 43

ADAMS	CULPEPPER	HUNTER, R.	REDWINE
ALEXANDER	CUNNINGHAM	LEE	RICHARDSON
BARBEE	EARLE	LUEBKE	ROGERS
BARNES	EASTERLING	MCCRARY	SUTTON
BEALL	FITCH	MCLAUGHLIN	TOLSON
BLACK	GAMBLE	MERCER	WARNER
BLUE	HACKNEY	MICHAUX	WILKINS
BOWEN	HENSLEY	MILLER, G.	WOMBLE
BOYD-MCINTYRE	HIGHTOWER	NYE	WRIGHT
CHURCH	HILL	OLDHAM	YONGUE
CRAWFORD	HUNTER, H.	RAMSEY	

NOES - 68

ALDRIDGE	DAVIS	IVES	PATE
ALLRED	DECKER	JUSTUS	PRESTON
ARNOLD	DICKSON	KISER	PULLEY
BAKER	DOCKHAM	LEMMOND	RAYFIELD
BERRY	EDDINS	LINNEY	REYNOLDS
BRAWLEY	EDWARDS	LOCKE	ROBINSON
BROWN, J.	ELLIS	MCALLISTER	RUSSELL
BUCHANAN	ESPOSITO	MCCOMAS	SEXTON
CANSLER	FOX	MCCOMBS	SHARPE
CAPPS	GARDNER	MCMAHAN	SHERRILL
CARPENTER	GRADY	MILLER, K.	SHUBERT
CLARY	GRAY	MINER	SNOWDEN
COCKLEREECE	HAYES	MITCHELL	THOMPSON
CREECH	HIATT	MORGAN	WATSON
CULP	HOLMES	NEELY	WEATHERLY
CUMMINGS	HOWARD	NICHOLS	WILSON, C.
DAUGHTRY	HURLEY	OWENS	WILSON, G.

EXCUSED ABSENCE - 2

HUNT	WAINWRIGHT

EXCUSED VOTE - 0

NOT VOTING - 7

SPEAKER	BRASWELL	SHAW	WOOD
BOWIE	BROWN, W.	TALLENT	

EV

NORTH CAROLINA
HOUSE OF REPRESENTATIVES
ROLL CALL

SEQ. # 39
LEGISLATIVE DAY 12
S16 HCS
READING 2

2/14/95
2:49 PM
IN CHAIR: SPEAKER

PUBLIC INSTRUCTION REORGANIZATION PLAN
MOTION #3 Rep. Miner moves the previous question be called

AYES - 81

ALDRIDGE	CUMMINGS	IVES	PRESTON
ALLRED	DAUGHTRY	JUSTUS	PULLEY
ARNOLD	DAVIS	KISER	RAYFIELD
BAKER	DECKER	LEMMOND	REYNOLDS
BARBEE	DICKSON	LINNEY	ROBINSON
BERRY	DOCKHAM	LOCKE	ROGERS
BOWEN	EDDINS	MCALLISTER	RUSSELL
BOWIE	EDWARDS	MCCOMAS	SEXTON
BRAWLEY	ELLIS	MCCOMBS	SHARPE
BROWN, J.	ESPOSITO	MCMAHAN	SHERRILL
BROWN, W.	FOX	MERCER	SHUBERT
BUCHANAN	GARDNER	MILLER, G.	SNOWDEN
CANSLER	GRADY	MILLER, K.	THOMPSON
CAPPS	GRAY	MINER	TOLSON
CARPENTER	HAYES	MITCHELL	WATSON
CHURCH	HIATT	MORGAN	WEATHERLY
CLARY	HILL	NEELY	WILKINS
COCKLEREECE	HOLMES	NICHOLS	WILSON, C.
CREECH	HOWARD	OWENS	WILSON, G.
CULP	HURLEY	PATE	WOOD
CULPEPPER			

NOES - 35

ADAMS	CUNNINGHAM	HUNTER, R.	REDWINE
ALEXANDER	EARLE	LEE	RICHARDSON
BARNES	EASTERLING	LUEBKE	SHAW
BEALL	FITCH	MCCRARY	SUTTON
BLACK	GAMBLE	MCLAUGHLIN	WARNER
BLUE	HACKNEY	MICHAUX	WOMBLE
BOYD-MCINTYRE	HENSLEY	NYE	WRIGHT
BRASWELL	HIGHTOWER	OLDHAM	YONGUE
CRAWFORD	HUNTER, H.	RAMSEY	

EXCUSED ABSENCE - 2

HUNT	WAINWRIGHT

EXCUSED VOTE - 0

NOT VOTING - 2

SPEAKER	TALLENT

EV

NORTH CAROLINA
HOUSE OF REPRESENTATIVES
ROLL CALL

SEQ. # 40
LEGISLATIVE DAY 12
S16 HCS
READING 2

2/14/95
2:50 PM
IN CHAIR: SPEAKER

PUBLIC INSTRUCTION REORGANIZATION PLAN

AYES - 95

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

NOES - 20

ADAMS	HACKNEY	LUEBKE	SHAW
BEALL	HENSLEY	MCCRARY	SUTTON
BOYD-MCINTYRE	HIGHTOWER	MICHAUX	WOMBLE
CUNNINGHAM	HUNTER, H.	RAMSEY	WRIGHT
FITCH	LEE	REDWINE	YONGUE

EXCUSED ABSENCE - 2

HUNT WAINWRIGHT

EXCUSED VOTE - 0

NOT VOTING - 3

SPEAKER BLUE TALLENT

NORTH CAROLINA GENERAL ASSEMBLY
AMENDMENT
Senate Bill 16

AMENDMENT NO. 5
(to be filled in by
Principal Clerk)

S16-LT-3

Date Feb. 15, 1995

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

Representative Barnes

moves to amend the bill on page 1, lines 11 and 12, by rewriting the sentence that begins on line 11 and ends on line 12 to read:

"The State Board of Education shall make a progress report to the General Assembly no later than May 1, 1995, and a final report no later than March 1, 1996, on the plan it develops."

SIGNED Rene B Barnes
Amendment Sponsor

SIGNED _____
Committee Chair if Senate Committee Amendment

ADOPTED _____ FAILED 2/15/95 TABLED _____

46-67
RC

RC

NORTH CAROLINA
HOUSE OF REPRESENTATIVES
ROLL CALL

SEQ. # 42
LEGISLATIVE DAY 13
S16 HCS
READING 3

2/15/95
1:57 PM
IN CHAIR: SPEAKER

AMEND #5 Rep. Barnes' Amendment
PUBLIC INSTRUCTION REORGANIZATION PLAN

AYES - 46

ADAMS	CUNNINGHAM	LEE	RAMSEY
ALEXANDER	EARLE	LOCKE	REDWINE
BARNES	EASTERLING	LUEBKE	RICHARDSON
BEALL	FITCH	MCALLISTER	ROGERS
BLACK	FOX	MCCRARY	SHAW
BLUE	GAMBLE	MCLAUGHLIN	TOLSON
BOYD-MCINTYRE	HACKNEY	MERCER	WARNER
BRASWELL	HENSLEY	MICHAUX	WILKINS
BROWN, W.	HIGHTOWER	MILLER, G.	WOMBLE
CHURCH	HILL	NYE	WRIGHT
CRAWFORD	HUNTER, H.	OLDHAM	YONGUE
CULPEPPER	HURLEY		

NOES - 67

ALDRIDGE	CUMMINGS	IVES	PULLEY
ALLRED	DAUGHTRY	JUSTUS	RAYFIELD
ARNOLD	DAVIS	KISER	REYNOLDS
BAKER	DECKER	LEMMOND	ROBINSON
BARBEE	DICKSON	LINNEY	RUSSELL
BERRY	DOCKHAM	MCCOMAS	SEXTON
BOWIE	EDDINS	MCCOMBS	SHARPE
BRAWLEY	EDWARDS	MCMAHAN	SHERRILL
BROWN, J.	ELLIS	MILLER, K.	SHUBERT
BUCHANAN	ESPOSITO	MINER	SNOWDEN
CANSLER	GARDNER	MITCHELL	THOMPSON
CAPPS	GRADY	MORGAN	WATSON
CARPENTER	GRAY	NEELY	WEATHERLY
CLARY	HAYES	NICHOLS	WILSON, C.
COCKLEREECE	HIATT	OWENS	WILSON, G.
CREECH	HOLMES	PATE	WOOD
CULP	HOWARD	PRESTON	

EXCUSED ABSENCE - 5

BOWEN	HUNTER, R.	SUTTON	WAINWRIGHT
HUNT			

EXCUSED VOTE - 0

NOT VOTING - 2

SPEAKER	TALLENT

NORTH CAROLINA GENERAL ASSEMBLY
AMENDMENT
Senate Bill 16

AMENDMENT NO. 6
(to be filled in by
Principal Clerk)

S16-ARH-005.1

Date Feb. 15, 1995

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

Representative Luebke
moves to amend the bill on page 1, line 11,
by inserting after the word "performance." the following sentence:
"As it develops this plan, the State Board of Education shall estimate any expenditures that are likely to be required of a county or unit of local government, including a local board of education, as a result of reorganizing, reducing, and/or eliminating the Department of Public Instruction.".

SIGNED _____
Amendment Sponsor

SIGNED _____
Committee Chair if Senate Committee Amendment

ADOPTED _____ FAILED 2/15/95 TABLED _____

46-66 RC

RC

NORTH CAROLINA

HOUSE OF REPRESENTATIVES

ROLL CALL

SEQ. # 43
LEGISLATIVE DAY 13
S16 HCS
READING 3

2/15/95
2:07 PM
IN CHAIR: SPEAKER

AMEND #6 Representative Luebke's Amendment
PUBLIC INSTRUCTION REORGANIZATION PLAN

AYES - 46

ADAMS	CUNNINGHAM	LOCKE	RAMSEY
ALEXANDER	EARLE	LUEBKE	REDWINE
BARNES	EASTERLING	MCALLISTER	RICHARDSON
BEALL	FITCH	MCCRARY	ROGERS
BLACK	FOX	MCLAUGHLIN	SHAW
BLUE	HACKNEY	MERCER	TOLSON
BOYD-MCINTYRE	HENSLEY	MICHAUX	WARNER
BRASWELL	HIGHTOWER	MILLER, G.	WILKINS
BROWN, W.	HILL	NYE	WOMBLE
CHURCH	HUNTER, H.	OLDHAM	WRIGHT
CRAWFORD	HURLEY	OWENS	YONGUE
CULPEPPER	LEE		

NOES - 66

ALDRIDGE	CUMMINGS	IVES	PULLEY
ALLRED	DAUGHTRY	JUSTUS	RAYFIELD
ARNOLD	DAVIS	KISER	REYNOLDS
BAKER	DECKER	LEMMOND	ROBINSON
BARBEE	DICKSON	LINNEY	RUSSELL
BERRY	DOCKHAM	MCCOMAS	SEXTON
BOWIE	EDDINS	MCCOMBS	SHARPE
BRAWLEY	EDWARDS	MCMAHAN	SHERRILL
BROWN, J.	ELLIS	MILLER, K.	SHUBERT
BUCHANAN	ESPOSITO	MINER	SNOWDEN
CANSLER	GARDNER	MITCHELL	THOMPSON
CAPPS	GRADY	MORGAN	WATSON
CARPENTER	GRAY	NEELY	WEATHERLY
CLARY	HAYES	NICHOLS	WILSON, C.
COCKLEREECE	HIATT	PATE	WILSON, G.
CREECH	HOLMES	PRESTON	WOOD
CULP	HOWARD		

EXCUSED ABSENCE - 5

BOWEN	HUNTER, R.	SUTTON	WAINWRIGHT
HUNT			

EXCUSED VOTE - 0

NOT VOTING - 3

SPEAKER	GAMBLE	TALLENT

NORTH CAROLINA GENERAL ASSEMBLY AMENDMENT

(Please type or use ballpoint pen)

EDITION No. _____

H. B. No. _____ DATE 2/15/95

S. B. No. 16 Amendment No. 7

House COMMITTEE SUBSTITUTE X (to be filled in by Principal Clerk)

Rep.) Sen.) Hightower

moves to amend the bill on page 1, line 7

( ) WHICH CHANGES THE TITLE

by amends the bill on page 1 line 7 by deleting the phrase "reorganizing, reducing, and/or eliminating" and inserting the word reorganizing."

SIGNED [signature]

ADOPTED _____ FAILED 2/15/95 45-64 RC Dilkeks TABLED _____

GA-33-A

PRINCIPAL CLERK'S OFFICE (FOR ENGROSSMENT)

RC

NORTH CAROLINA

HOUSE OF REPRESENTATIVES

ROLL CALL

SEQ. # 44
LEGISLATIVE DAY 13
S16 HCS
READING 3

2/15/95
2:11 PM
IN CHAIR: SPEAKER

AMEND #7 Representative Hightower's Amendment
PUBLIC INSTRUCTION REORGANIZATION PLAN

AYES - 45

ADAMS	EARLE	LEE	RAMSEY
ALEXANDER	EASTERLING	LOCKE	REDWINE
BARNES	FITCH	LUEBKE	RICHARDSON
BEALL	FOX	MCCRARY	ROGERS
BLACK	GAMBLE	MCLAUGHLIN	SHAW
BLUE	HACKNEY	MERCER	TOLSON
BOYD-MCINTYRE	HENSLEY	MICHAUX	WARNER
BRASWELL	HIGHTOWER	MILLER, G.	WILKINS
CHURCH	HILL	NYE	WOMBLE
CRAWFORD	HUNTER, H.	OLDHAM	WRIGHT
CULPEPPER	HURLEY	OWENS	YONGUE
CUNNINGHAM			

NOES - 64

ALDRIDGE	CULP	HOWARD	PULLEY
ALLRED	CUMMINGS	JUSTUS	RAYFIELD
ARNOLD	DAUGHTRY	KISER	REYNOLDS
BAKER	DAVIS	LEMMOND	ROBINSON
BARBEE	DECKER	LINNEY	RUSSELL
BERRY	DICKSON	MCCOMAS	SEXTON
BOWIE	DOCKHAM	MCCOMBS	SHARPE
BRAWLEY	EDDINS	MCMAHAN	SHERRILL
BROWN, J.	EDWARDS	MILLER, K.	SHUBERT
BUCHANAN	ESPOSITO	MINER	SNOWDEN
CANSLER	GARDNER	MITCHELL	THOMPSON
CAPPS	GRADY	MORGAN	WATSON
CARPENTER	GRAY	NEELY	WEATHERLY
CLARY	HAYES	NICHOLS	WILSON, C.
COCKLEREECE	HIATT	PATE	WILSON, G.
CREECH	HOLMES	PRESTON	WOOD

EXCUSED ABSENCE - 5

BOWEN	HUNTER, R.	SUTTON	WAINWRIGHT
HUNT			

EXCUSED VOTE - 0

NOT VOTING - 6

SPEAKER	ELLIS	MCALLISTER	TALLENT
BROWN, W.	IVES		

NORTH CAROLINA
HOUSE OF REPRESENTATIVES
ROLL CALL

SEQ. # 45
LEGISLATIVE DAY 13
S16 HCS
READING 3

2/15/95
2:12 PM
IN CHAIR: SPEAKER

PUBLIC INSTRUCTION REORGANIZATION PLAN

AYES - ~~87~~ 88 Wilkins

SPEAKER	CULP	IVES	PULLEY
ALDRIDGE	CULPEPPER	JUSTUS	RAYFIELD
ALEXANDER	CUMMINGS	KISER	REYNOLDS
ALLRED	DAUGHTRY	LEMMOND	RICHARDSON
ARNOLD	DAVIS	LINNEY	ROBINSON
BAKER	DECKER	LOCKE	ROGERS
BARBEE	DICKSON	MCALLISTER	RUSSELL
BERRY	DOCKHAM	MCCOMAS	SEXTON
BLACK	EDDINS	MCCOMBS	SHARPE
BOWIE	EDWARDS	MCLAUGHLIN	SHERRILL
BRAWLEY	ELLIS	MCMAHAN	SHUBERT
BROWN, J.	ESPOSITO	MERCER	SNOWDEN
BROWN, W.	FOX	MILLER, K.	THOMPSON
BUCHANAN	GAMBLE	MINER	TOLSON
CANSLER	GARDNER	MITCHELL	WARNER
CAPPS	GRADY	MORGAN	WATSON
CARPENTER	GRAY	NEELY	WEATHERLY
CHURCH	HIATT	NICHOLS	WILKINS
CLARY	HILL	NYE	WILSON, C.
COCKLEREECE	HOLMES	OWENS	WILSON, G.
CRAWFORD	HOWARD	PATE	WOOD
CREECH	HURLEY	PRESTON	HAYES

NOES - 26

ADAMS	EARLE	LEE	RAMSEY
BARNES	EASTERLING	LUEBKE	REDWINE
BEALL	FITCH	MCCRARY	SHAW
BLUE	HACKNEY	MICHAUX	WOMBLE
BOYD-MCINTYRE	HENSLEY	MILLER, G.	WRIGHT
BRASWELL	HIGHTOWER	OLDHAM	YONGUE
CUNNINGHAM	HUNTER, H.		

EXCUSED ABSENCE - 5

BOWEN	HUNTER, R.	SUTTON	WAINWRIGHT
HUNT			

EXCUSED VOTE - 0

NOT VOTING - ~~2~~ 1 Wilkins

~~HAYES~~	TALLENT		

Rep. Hayes request to be recorded as voting "aye" due to malfunction of voting equipment. Speaker so orders. Wilkins

S16 HCS

NORTH CAROLINA GENERAL ASSEMBLY
SENATE

RECORDED VOTE

1995 SESSION

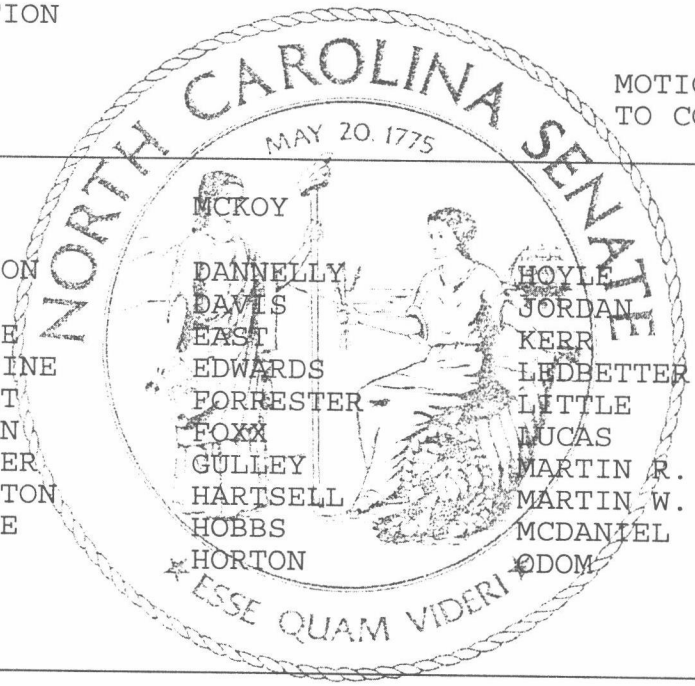
SEQ. 63/3-- 2:17 PM | FEBRUARY 16, 1995 | LEGISLATIVE DAY 14

LT. GOVERNOR WICKER -- Presiding

PERDUE
ST. BOARD REPORT ON SCHOOL SYSTEM
HOUSE COM SUB/2ND EDITION

SENATE BILL 16

MOTION 8
TO CONCUR



AYE	2	CLARK	MCKOY		
NO	41	ALBERTSON	DANNELLY	HOYLE	PARNELL
		ALLRAN	DAVIS	JORDAN	PERDUE
		BALLANCE	EAST	KERR	PLEXICO
		BALLANTINE	EDWARDS	LEDBETTER	PLYLER
		BASNIGHT	FORRESTER	LITTLE	RAND
		BLACKMON	FOXX	LUCAS	SIMPSON
		CARPENTER	GULLEY	MARTIN R.	SOLES
		CARRINGTON	HARTSELL	MARTIN W.	SPEED
		COCHRANE	HOBBS	MCDANIEL	WARREN
		CONDER	HORTON	ODOM	WINNER
		COOPER			
EXCUSED	0				
NOT CAST	4	KINCAID	SAWYER	SHAW	WEBSTER
ABSENT	2	SHERRON	SMITH		
PAIRS	0				
AYE					
NO					

NORTH CAROLINA GENERAL ASSEMBLY
SENATE

RECORDED VOTE

1995 SESSION

SEQ. 122/6-- 2:31 PM MARCH 7, 1995 LEGISLATIVE DAY 24

LT. GOVERNOR WICKER -- Presiding

PERDUE
PUBLIC INSTRUCTION REORG. PLAN
HOUSE COM SUB/2ND EDITION

SENATE BILL 16

CONFERENCE REPORT

MOTION 7
TO ADOPT

AYE	48	ALBERTSON	DANNELLY	KERR	PLEXICO
		ALLRAN	DAVIS	KINCAID	PLYLER
		BALLANCE	EAST	LEDBETTER	RAND
		BALLANTINE	EDWARDS	LITTLE	SAWYER
		BASNIGHT	FORRESTER	LUCAS	SHAW
		BLACKMON	FOXX	MARTIN R.	SHERRON
		CARPENTER	GULLEY	MARTIN W.	SIMPSON
		CARRINGTON	HARTSELL	MCDANIEL	SOLES
		CLARK	HOBBS	MCKOY	SPEED
		COCHRANE	HORTON	ODOM	WARREN
		CONDER	HOYLE	PARNELL	WEBSTER
		COOPER	JORDAN	PERDUE	WINNER
NO	0				

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

EV

NORTH CAROLINA
HOUSE OF REPRESENTATIVES
ROLL CALL

SEQ. # 105
LEGISLATIVE DAY 25
HCS
CONFERENCE REPORT

3/08/95
1:47 PM
IN CHAIR: SPEAKER

PUBLIC INSTRUCTION REORGANIZATION PLAN

AYES - 84

SPEAKER	CULP	HURLEY	PATE
ALEXANDER	CULPEPPER	IVES	PRESTON
ALLRED	CUMMINGS	JUSTUS	PULLEY
ARNOLD	DAUGHTRY	KISER	RAYFIELD
BAKER	DAVIS	LEMMOND	REYNOLDS
BARBEE	DICKSON	LINNEY	ROBINSON
BERRY	DOCKHAM	LOCKE	RUSSELL
BLACK	EASTERLING	MCALLISTER	SEXTON
BOWEN	EDDINS	MCCOMAS	SHARPE
BOWIE	EDWARDS	MCCOMBS	SHERRILL
BOYD-MCINTYRE	ELLIS	MCLAUGHLIN	SHUBERT
BRAWLEY	ESPOSITO	MCMAHAN	SNOWDEN
BROWN, J.	GAMBLE	MILLER, G.	THOMPSON
BUCHANAN	GARDNER	MILLER, K.	WARNER
CANSLER	GRADY	MINER	WATSON
CAPPS	GRAY	MITCHELL	WEATHERLY
CARPENTER	HAYES	MORGAN	WILKINS
CHURCH	HIATT	NEELY	WILSON, C.
CLARY	HILL	NICHOLS	WILSON, G.
COCKLEREECE	HOLMES	NYE	WOOD
CREECH	HOWARD	OLDHAM	YONGUE

NOES - 28

ADAMS	EARLE	LEE	REDWINE
BARNES	FITCH	LUEBKE	RICHARDSON
BEALL	FOX	MCCRARY	ROGERS
BRASWELL	HACKNEY	MERCER	SHAW
BROWN, W.	HENSLEY	MICHAUX	SUTTON
CRAWFORD	HIGHTOWER	OWENS	TOLSON
CUNNINGHAM	HUNTER, R.	RAMSEY	WRIGHT

EXCUSED ABSENCE - 2

ALDRIDGE	DECKER

EXCUSED VOTE - 0

NOT VOTING - 6

BLUE	HUNTER, H.	WAINWRIGHT	WOMBLE
HUNT	TALLENT		

NORTH CAROLINA GENERAL ASSEMBLY
CONFERENCE REPORT
Senate Bill 16

S16-CRRA-002

☑ 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 16, A BILL TO BE ENTITLED AN ACT DIRECTING THE STATE BOARD OF EDUCATION TO DEVELOP A PLAN FOR THE REORGANIZATION OF THE DEPARTMENT OF PUBLIC INSTRUCTION, House Committee Substitute Favorable 2/9/95, submit the following report:

The Senate and House agree to the following amendment to House Committee Substitute Favorable 2/9/95, and the Senate concurs in the House Committee Substitute as amended:

Delete the entire House Committee Substitute and substitute the attached Proposed Committee Substitute PCCS 9536.

see page 2

NORTH CAROLINA GENERAL ASSEMBLY
CONFERENCE REPORT
Senate Bill 16

S16-CRRA-002

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

Date conferees approved report: March 6, 1995.

Conferees for the Senate

Senator Perdue, Chair

Senator Winner

Senator Little

Conferees for the House of Representatives

Representative Wood, Chair

Representative Miner

Representative Daughtry

Representative Russell

SENATE Submitted 3/7/95
ADOPTED 3/7/95 (48 / 0) Message Received 3/8/95
HOUSE ADOPTED 3/8/95 (/) Ordered Enrolled 3/8/95

Send Message
S Teik
Release 3/8/95

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1995

FILED - SENATE

S

S 17

JAN 25 1995

SENATE DRS5507-LE034A(1.12)

PRINCIPAL CLERK

Short Title: Additional Teacher Staff Dev. Days. (Public)

Sponsors: Senator Lucas.

Referred to:

A BILL TO BE ENTITLED

AN ACT TO PROVIDE ADDITIONAL TIME FOR TEACHER STAFF DEVELOPMENT.

The General Assembly of North Carolina enacts:

Section 1. There is appropriated from the General Fund to State Aid to Local School Administrative Units the sum of nine million seven hundred thousand dollars ($9,700,000) for the 1995-96 fiscal year and the sum of nine million seven hundred thousand dollars ($9,700,000) for the 1996-97 fiscal year to provide additional time for teacher staff development or instructional or curriculum development activities. These funds shall be allocated to local boards of education on the basis of the number of classroom teachers paid with State funds in the local school administrative units.

The local board of education shall determine which classroom teachers who are paid with State funds will benefit most from additional time for staff development or instructional or curriculum development activities and shall authorize those teachers to participate in up to five days of these activities outside of the 200 day school calendar. The teachers authorized to participate shall receive a stipend of fifty dollars ($50.00) per day for each day they participate in activities authorized by the principal.

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

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1995

FILED - SENATE

S D

S 1 8

JAN 2 5 1995

PRINCIPAL CLERK

SENATE DRS4510-LE027A(1.11)

Short Title: School Budget Flexibility. (Public)

Sponsors: Senator Winner.

Referred to:

A BILL TO BE ENTITLED

AN ACT TO PROVIDE ADDITIONAL BUDGET FLEXIBILITY TO CERTAIN LOCAL SCHOOL ADMINISTRATIVE UNITS.

The General Assembly of North Carolina enacts:

Section 1. G.S. 115C-238.5 reads as rewritten:

"**§ 115C-238.5. Flexible funding.**

(a) For fiscal years beginning with the ~~1990-91~~ 1995-96 fiscal year, ~~the State Board of Education, only upon the recommendation of the State Superintendent, shall increase flexibility in the use of State funds for schools by combining into a single funding category the existing categories for instructional materials, supplies and equipment, textbooks, testing support, and drivers education except for funds for classroom teachers of drivers education.~~ funding allotments in the Public School Fund are consolidated as follows to increase flexibility in the use of State funds:

	Existing Funding Allotments	**New Funding Allotments**
(1)	Superintendent; School Administrators; Finance Officers; Child Nutrition Supervisors; Maintenance Supervisors.	Administrative Allotment -- Central Office.
(2)	Classroom Teachers - Regular; Math, Science, and Computer Teachers; Classroom Teachers - Program Enhancement.	Classroom Teachers.
(3)	Exceptional Children -	Exceptional Children.

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1995

FILED - SENATE
S19
JAN 25 1995
PRINCIPAL CLERK

S D

SENATE DRSA510-LE053(1.12)

Short Title: Sch. Improvement Incentives/Funds. (Public)

Sponsors: Senator Hobbs.

Referred to:

A BILL TO BE ENTITLED

AN ACT TO PROVIDE FOR A SCHOOL IMPROVEMENT INCENTIVE GRANT PROGRAM.

The General Assembly of North Carolina enacts:

Section 1. G.S. 115C-238.2(b) is amended by adding a new subdivision to read:

"(3a) Are eligible to receive awards through the School-Based Incentive Award Program established in G.S. 115C-238.6B."

Sec. 2. Chapter 115C of the General Statutes is amended by adding a new section to read:

"**§ 115C-238.6B. School-Based Incentive Award Program.**

The State Board of Education, after consultation with the Task Force on Site-Based Management, shall adopt a School-Based Incentive Award Program to reward individual schools for significant progress in attaining the school's school performance and student performance goals. Local boards of education shall not be required to apply for these awards. Award recipients shall be selected based on the annual reports on progress in achieving those goals.

A school may use these incentive funds in accordance with a plan developed by that school and approved by the local board of education. The local board of education shall approve the plan developed by the school unless the plan involves expenditures of funds that are not for a public purpose or that are otherwise unlawful."

Sec. 3. There is appropriated from the General Fund to State Aid to Local School Administrative Units the sum of twenty-nine million dollars ($29,000,000) for the 1995-96 fiscal year and the sum of twenty-nine million dollars

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1995

FILED - SENATE
S 20
JAN 25 1995
PRINCIPAL CLERK

S D

SENATE DRS2513-LE009C(12.16)

Short Title: School Accountability Changes. (Public)

Sponsors: Senator Cooper.

Referred to:

A BILL TO BE ENTITLED

AN ACT TO AMEND THE SCHOOL IMPROVEMENT AND ACCOUNTABILITY ACT OF 1989.

The General Assembly of North Carolina enacts:

Section 1. G.S. 115C-238.1 reads as rewritten:

"**§ 115C-238.1. Performance-based Accountability Program; development and implementation by State Board.**

The General Assembly believes that all children can learn. It is the intent of the General Assembly that the mission of the public school community is to challenge with high expectations each child to learn, to achieve, and to fulfill his or her potential. With that mission as its guide, the State Board of Education shall develop and implement a Performance-based Accountability Program. The primary goal of the Program shall be to improve student performance. The State Board of ~~Education~~ Education, after consultation with the Task Force on Site-Based Management, shall adopt:

(1) Procedures and guidelines through ~~which, beginning with the 1990-91 fiscal year,~~ which local school administrative units may participate in the Program; and

(2) Guidelines for developing local school improvement plans with ~~three-year student performance goals and annual milestones to measure progress in meeting those goals;~~ school and student performance goals and strategies to achieve the standards adopted by the State Board. The guidelines shall require each participating local school administrative unit to submit plans for each school in the unit for achieving those goals. The guidelines shall also

NORTH CAROLINA GENERAL ASSEMBLY AMENDMENT

(Please type or use ballpoint pen)

EDITION No. _____

H. B. No. _____ DATE March 16, 1995

S. B. No. 20 Amendment No. 1 (one)
(to be filled in by Principal Clerk)

COMMITTEE SUBSTITUTE _____

~~Rep.~~ Sen.) Cooper

moves to amend the bill on page 1, line 20

( ) WHICH CHANGES THE TITLE

by deleting "~~three-year~~" and by substituting "three-year";

and further amends the bill on page 4, line 40, by deleting "building-level staff," and by substituting: "building-level staff, ~~[redacted]~~ assistant principals, instructional personnel, instructional support personnel, and teacher assistants assigned to the school building,".

SIGNED _____

ADOPTED BY THE COMMITTEE ON EDUCATION/HIGHER EDUCATION _____

ADOPTED 3-20-95 (V) FAILED _____ TABLED _____

GA-33-A

PRINCIPAL CLERK'S OFFICE (FOR ENGROSSMENT)

NORTH CAROLINA GENERAL ASSEMBLY
SENATE

RECORDED VOTE

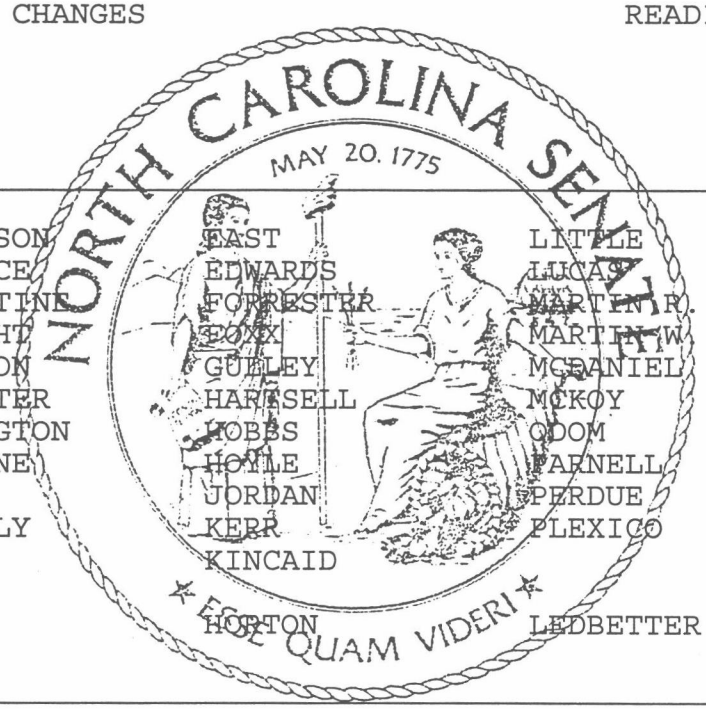
1995 SESSION

SEQ. 174/8-- 7:46 PM MARCH 20, 1995 LEGISLATIVE DAY 31

LT. GOVERNOR WICKER -- Presiding

COOPER
SCHOOL ACCOUNTABILITY CHANGES

SENATE BILL 20
READING 2



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

EXCUSED	0				
NOT CAST	0				
ABSENT	4	ALLRAN	CONDER	SAWYER	SMITH
PAIRS	0				
AYE					
NO					

NORTH CAROLINA GENERAL ASSEMBLY
AMENDMENT
Senate Bill 20

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

S20-ARH-001

Date June 8, 1995

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

Representative EDDINS

moves to amend the bill on page 7, line 37,
by deleting the word "may".

SIGNED _____
Amendment Sponsor

SIGNED _____
Committee Chair if Senate Committee Amendment

ADOPTED 6/8/95 FAILED _____ TABLED _____

106-0 EV

NORTH CAROLINA
HOUSE OF REPRESENTATIVES
ROLL CALL

. # 1042
ISLATIVE DAY 78
S20
READING 2

6/08/95
2:26 PM
IN CHAIR: SPEAKER

AMEND #1 - Committee
SCHOOL ACCOUNT- ABILITY CHANGES

AYES - 106

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

NOES - 0

EXCUSED ABSENCE - 5

BARNES	HURLEY	JUSTUS	WEATHERLY
DECKER			

EXCUSED VOTE - 0

NOT VOTING - 9

SPEAKER	CRAWFORD	MILLER, K.	SHAW
ALDRIDGE	LINNEY	SHARPE	TALLENT
BROWN, W.			

NORTH CAROLINA

HOUSE OF REPRESENTATIVES

ROLL CALL

. # 1043
ISLATIVE DAY 78
S20
READING 2

6/08/95
2:29 PM
IN CHAIR: SPEAKER

SCHOOL ACCOUNT- ABILITY CHANGES

AYES - 101

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

NOES - 3

HACKNEY	HENSLEY	HUNTER, H.

EXCUSED ABSENCE - 5

BARNES	HURLEY	JUSTUS	WEATHERLY
DECKER			

EXCUSED VOTE - 0

NOT VOTING - 11

SPEAKER	CRAWFORD	LINNEY	SHAW
ALDRIDGE	DAUGHTRY	MICHAUX	TALLENT
BROWN, W.	HUNTER, R.	MILLER, G.	

EV

NORTH CAROLINA
HOUSE OF REPRESENTATIVES
ROLL CALL

. # 1077
GISLATIVE DAY 80
S20
READING 3

6/13/95
1:52 PM
IN CHAIR: SPEAKER

SCHOOL ACCOUNT- ABILITY CHANGES

AYES - 108

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

NOES - 0

EXCUSED ABSENCE - 6

BROWN, W.	CHURCH	SHARPE	THOMPSON
BUCHANAN	ROGERS		

EXCUSED VOTE - 0

NOT VOTING - 6

SPEAKER	HUNTER, R.	MCALLISTER	YONGUE
HACKNEY	LINNEY		

NORTH CAROLINA GENERAL ASSEMBLY
SENATE

RECORDED VOTE

1995 SESSION

SEQ. 1003/15-- 1:00 PM JUNE 15, 1995 LEGISLATIVE DAY 82

LT. GOVERNOR WICKER -- Presiding

COOPER
SCHOOL ACCOUNTABILITY CHANGES
2ND EDITION

SENATE BILL 20

HOUSE AMD. NO. 1

MOTION 8
TO CONCUR

AYE	49	ALBERTSON	DAVIS	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			
NO	0				

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

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1995

FILED - SENATE
JAN 25 1995
PRINCIPAL CLERK

S

S 21

D

SENATE DRS7522-LE051(1.20)

Short Title: Use of Teacher Assistant Funds. (Public)

Sponsors: Senator Winner.

Referred to:

A BILL TO BE ENTITLED

AN ACT TO PERMIT LOCAL BOARDS OF EDUCATION TO USE FUNDS ALLOCATED FOR TEACHER ASSISTANTS TO REDUCE CLASS SIZE.

The General Assembly of North Carolina enacts:

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

"**§ 115C-417.1. Use of funds allocated for teacher assistants.**

Local boards of education may use funds allocated by the State Board of Education for teacher assistants to reduce class size or to reduce the student-teacher ratio in kindergarten through the third grade."

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

NORTH CAROLINA GENERAL ASSEMBLY
SENATE

RECORDED VOTE

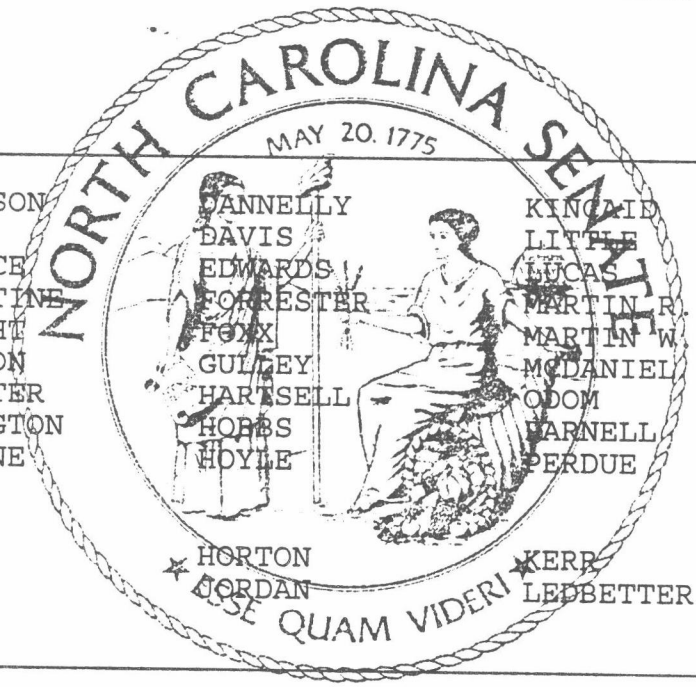
1995 SESSION

SEQ. 137/14-- 3:37 PM MARCH 8, 1995 LEGISLATIVE DAY 25

LT. GOVERNOR WICKER -- Presiding

WINNER
USE OF TEACHER ASSISTANT FUNDS
COM SUB/2ND EDITION

SENATE BILL 21
READING 2



AYE	37	ALBERTSON	DANNELLY	KINCAID	PLEXICO
		ALLRAN	DAVIS	LITTLE	PLYLER
		BALLANCE	EDWARDS	LUCAS	RAND
		BALLANTINE	FORRESTER	MARTIN R.	SHERRON
		BASNIGHT	FOXX	MARTIN W.	SIMPSON
		BLACKMON	GULLEY	MCDANIEL	SOLES
		CARPENTER	HARTSELL	ODOM	WARREN
		CARRINGTON	HOBBS	PARNELL	WEBSTER
		COCHRANE	HOYLE	PERDUE	WINNER
		COOPER			
NO	8	CLARK	HORTON	KERR	MCKOY
		EAST	JORDAN	LEDBETTER	SHAW

EXCUSED	0			
NOT CAST	1	SPEED		
ABSENT	3	CONDER	SAWYER	SMITH
PAIRS	0			
AYE				
NO				

NORTH CAROLINA GENERAL ASSEMBLY
AMENDMENT
SENATE BILL 21

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

S21-ALE-02

Date March 9, 1995

Comm. Sub. [YES]
Amends Title []
SECOND EDITION

Senator Winner

moves to amend the bill on page 3, line 7, by inserting before the period at the end of the sentence the following:
": Provided, however, while considering this decision, the building-level committee shall consider projected attrition rates at the school for teacher assistants and program enhancement teachers".

SIGNED Leslie Winner
Amendment Sponsor

SIGNED _____
Committee Chair if Senate Committee Amendment

ADOPTED 3/9/95 FAILED _____ TABLED _____
37-7
S Fink

NORTH CAROLINA GENERAL ASSEMBLY
SENATE

RECORDED VOTE

1995 SESSION

SEQ. 148/11-- 2:26 PM MARCH 9, 1995 LEGISLATIVE DAY 26

LT. GOVERNOR WICKER -- Presiding

WINNER
USE OF TEACHER ASSISTANT FUNDS
COM SUB/2ND EDITION

SENATE BILL 21

AMEND 1

AYE	37	ALBERTSON	DAVIS	KERR	PLYLER
		ALLRAN	EDWARDS	KINCAID	RAND
		BALLANCE	FORRESTER	MEDBETTER	SHAW
		BASNIGHT	FOXX	LITTLE	SHERRON
		BLACKMON	GULLEY	LUCAS	SOLES
		CARPENTER	HARRELL	MARTIN R.	SPEED
		CARRINGTON	HOBBS	MARTIN W.	WARREN
		COCHRANE	HOYLE	PARNELL	WEBSTER
		COOPER	JORDAN	PERDUE	WINNER
		DANNELLY			
NO	7	BALLANTINE	EAST	MCDANIEL	SIMPSON
		CLARK	HORTON	MCKOY	
EXCUSED	0				
NOT CAST	0				
ABSENT	5	CONDER	PLEXICO	SAWYER	SMITH
		ODOM			
PAIRS	0				
AYE					
NO					

NORTH CAROLINA GENERAL ASSEMBLY
AMENDMENT
SENATE BILL 21

SUBSTITUTE 2 (two)

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

S21-ALE-04

Date March 9, 1995

Comm. Sub. [YES]
Amends Title []
SECOND EDITION

Senator _____

moves to amend the bill on page 3, line 7, by inserting before the period at the end of the sentence the following:
": Provided, however, this strategy shall be used only when it can be implemented through attrition and not by failing to rehire individual employees".

SIGNED J Kerr
Amendment Sponsor

SIGNED _____
Committee Chair if Senate Committee Amendment

ADOPTED _____ FAILED 3/9/95 TABLED _____

13-31

S Fish

NORTH CAROLINA GENERAL ASSEMBLY
SENATE

RECORDED VOTE

1995 SESSION

SEQ. 147/10-- 2:26 PM MARCH 9, 1995 LEGISLATIVE DAY 26

LT. GOVERNOR WICKER -- Presiding

WINNER
USE OF TEACHER ASSISTANT FUNDS
COM SUB/2ND EDITION

SENATE BILL 21

AMEND 2

AYE	13	ALBERTSON	BOYLE	LEDBETTER	SHAW
		CLARK	KERR	MARTIN R.	WARREN
		DAVIS	KINCAID	MCKOY	WEBSTER
		FORRESTER			
NO	31	ALLRAN	COOPER	HORTON	PLYLER
		BALLANCE	DANNELLY	JORDAN	RAND
		BALLANTINE	EAST	WITTLE	SHERRON
		BASNIGHT	EDWARDS	LUCAS	SIMPSON
		BLACKMON	FOXX	MARTIN W.	SOLES
		CARPENTER	GULLEY	MCDANIEL	SPEED
		CARRINGTON	HARTSELL	PARNELL	WINNER
		COCHRANE	HOBBS	PERDUE	
EXCUSED	0				
NOT CAST	0				
ABSENT	5	CONDER	PLEXICO	SAWYER	SMITH
		ODOM			
PAIRS	0				
AYE					
NO					

NORTH CAROLINA GENERAL ASSEMBLY
AMENDMENT
Senate Bill 21

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

S21-ALT-1

Date March 9, 1995

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

Senator Winner

moves to amend the bill on page 4, lines 19 and 20, by adding a new section between the lines to read:

"Sec. 4. The State Board of Education shall evaluate programs initiated by local school units using teacher assistant funds to reduce class size or the student-teacher ratio in kindergarten through third grade. The Board shall make an appropriate evaluation of the positions affected, the effect on student achievement, and any other factors the Board deems appropriate. The Board shall report the results of the evaluation to the Joint Legislative Education Oversight Committee on or before July 1, 1996 and annually thereafter through July 1, 1999.";

and further moves to amend the bill on page 4, line 20, by renumbering the section accordingly.

SIGNED Leslie Winner
Amendment Sponsor

SIGNED _____
Committee Chair if Senate Committee Amendment

ADOPTED 3-9-95 (38-5) FAILED _____ TABLED _____

NORTH CAROLINA GENERAL ASSEMBLY
SENATE

RECORDED VOTE

1995 SESSION

SEQ. 149/12-- 2:31 PM MARCH 9, 1995 LEGISLATIVE DAY 26

LT. GOVERNOR WICKER -- Presiding

WINNER
USE OF TEACHER ASSISTANT FUNDS
COM SUB/2ND EDITION

SENATE BILL 21

AMEND 3

AYE	38	ALBERTSON	DAVIS	KERR	PLYLER
		BALLANCE	EAST	KINCAID	RAND
		BALLANTINE	EDWARDS	LEDBETTER	SHAW
		BASNIGHT	FORRESTER	LITTLE	SHERRON
		BLACKMON	FOXX	LUCAS	SIMPSON
		CARPENTER	GULLEY	MARTIN R	SOLES
		CARRINGTON	HARTSELL	MARTIN W	SPEED
		COCHRANE	HOBBS	PARNELL	WARREN
		COOPER	HOYLE	PERDUE	WINNER
		DANNELLY	JORDAN		
NO	5	CLARK	MCDANIEL	MCKOY	WEBSTER
		HORTON			

EXCUSED	0				
NOT CAST	1	ALLRAN			
ABSENT	5	CONDER	PLEXICO	SAWYER	SMITH
		ODOM			
PAIRS	0				
AYE					
NO					

NORTH CAROLINA GENERAL ASSEMBLY
SENATE

RECORDED VOTE

1995 SESSION

SEQ. 150/13-- 2:32 PM MARCH 9, 1995 LEGISLATIVE DAY 26

LT. GOVERNOR WICKER -- Presiding

WINNER
USE OF TEACHER ASSISTANT FUNDS
COM SUB/2ND EDITION

SENATE BILL 21
READING 3

AYE	39	ALBERTSON	CANNELLY	JORDAN	PERDUE
		ALLRAN	DAVIS	KERR	PLYLER
		BALLANCE	EAST	KINCAID	RAND
		BALLANTINE	EDWARDS	LEDBETTER	SHERRON
		BASNIGHT	FORRESTER	LITTLE	SIMPSON
		BLACKMON	FOXX	LUCAS	SOLES
		CARPENTER	GULLEY	MARTIN R.	SPEED
		CARRINGTON	HARTSELL	MARTIN W.	WARREN
		COCHRANE	HOBBS	MCDANIEL	WINNER
		COOPER	HOYLE	PARNELL	
NO	5	CLARK	MCKOY	SHAW	WEBSTER
		HORTON			

EXCUSED	0				
NOT CAST	0				
ABSENT	5	CONDER	PLEXICO	SAWYER	SMITH
		ODOM			
PAIRS	0				
AYE					
NO					

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1995

FILED - SENATE
JAN 25 1995
PRINCIPAL CLERK

S

S 22

D

SENATE DRS2512-LE036(1.12)

Short Title: Allocate School Tech. Reserve Funds. (Public)

Sponsors: Senator Winner.

Referred to:

A BILL TO BE ENTITLED

AN ACT TO ALLOCATE FUNDS APPROPRIATED BY THE 1993 GENERAL ASSEMBLY TO THE SCHOOL TECHNOLOGY RESERVE.

The General Assembly of North Carolina enacts:

Section 1. The funds appropriated for the 1994-95 fiscal year to the Office of State Budget and Management, School Technology Reserve, and the interest earned on that reserve are transferred to the State Board of Education, State School Technology Fund and shall be spent as follows:

(1) All funds in the Reserve except for $550,000 shall be allocated by the State Board of Education to local school administrative units. The State Board shall allocate ten percent (10%) of these funds first on a per county basis and then to local school administrative units located within the county on the basis of average daily membership: Provided, however, if a local school administrative unit is located in part within a county, it shall receive funds from that county on the basis of the average daily membership of the unit that resides in that county. The State Board shall allocate ninety percent (90%) of these funds on the basis of average daily membership.

Before a local school technology plan is approved by the State Board of Education, a local board of education may use up to ten percent (10%) of the funds allocated to it from the fund to develop its local school technology plan or, to the extent that these funds are not needed to develop the local school technology plan, for staff development to improve the use of instructional technology.

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1995

FILED - SENATE
S 2 3
JAN 25 1995
PRINCIPAL CLERK

S D

SENATE DRS5506-LE037(1.12)

Short Title: School Technology Funds. (Public)

Sponsors: Senator Winner.

Referred to:

A BILL TO BE ENTITLED

AN ACT TO APPROPRIATE FUNDS TO THE SCHOOL TECHNOLOGY FUND.

The General Assembly of North Carolina enacts:

Section 1. There is appropriated from the General Fund to the State School Technology Fund, the sum of seventy-one million dollars ($71,000,000) for the 1995-96 fiscal year and the sum of seventy-two million dollars ($72,000,000) for the 1996-97 fiscal year to implement the local school technology plans. The State Board of Education shall allocate these funds on an average daily membership basis.

These funds are nonrecurring funds.

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

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1995

FILED - SENATE
S24
JAN 25 1995
PRINCIPAL CLERK

S D

SENATE DRS9510-LE033(1.12)

Short Title: Refocus Sch. Testing on Basics. (Public)

Sponsors: Senator Lucas.

Referred to:

A BILL TO BE ENTITLED

AN ACT TO REFOCUS THE SCHOOL TESTING PROGRAM ON THE BASICS.

The General Assembly of North Carolina enacts:

Section 1. Part 1 of Article 10A of Chapter 115C of the General Statutes is repealed.

Sec. 2. G.S. 115C-174.10 reads as rewritten:

"**§ 115C-174.10. Purposes of the Statewide Testing Program.**

The three testing programs in this Article have three purposes: (i) to assure that all high school graduates possess those minimum skills and that knowledge thought necessary to function as a member of society; (ii) to provide a means of identifying strengths and weaknesses in the education ~~process;~~ process in order to improve instructional delivery; and (iii) to establish additional means for making the education system at the State, local, and school levels accountable to the public for results."

Sec. 3. G.S. 115C-174.11 reads as rewritten:

"**§ 115C-174.11. Components of the testing program.**

(a) ~~Annual Testing Program.~~ Assessment instruments for first and second grades. -- The State Board of Education shall adopt and provide to the local school administrative units developmentally appropriate individualized assessment instruments consistent with the Basic Education Program for the first and second grades, rather than standardized tests. Local school administrative units may use these assessment instruments provided to them by the State Board for first and second grade students, and shall not use standardized tests. ~~The State Board of Education shall report to the Joint Legislative Commission on Governmental Operations prior to May 1, 1988, and to the Senate and House Appropriations~~

NORTH CAROLINA GENERAL ASSEMBLY
SENATE

RECORDED VOTE

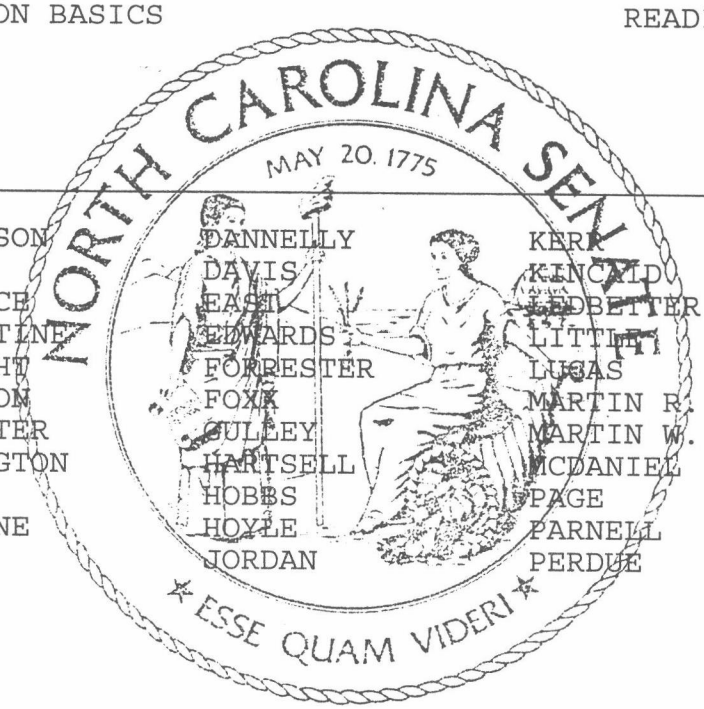
1995 SESSION

SEQ. 223/4-- 3:24 PM APRIL 4, 1995 LEGISLATIVE DAY 40

LT. GOVERNOR WICKER -- Presiding

LUCAS
REFOCUS SCH. TESTING ON BASICS
COM SUB/2ND EDITION

SENATE BILL 24
READING 2



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

EXCUSED	0		
NOT CAST	2	MCKOY	ODOM
ABSENT	2	SAWYER	SMITH
PAIRS	0		
AYE			
NO			

NORTH CAROLINA GENERAL ASSEMBLY
SENATE

RECORDED VOTE

1995 SESSION

SEQ. 262/10-- 4:42 PM | APRIL 11, 1995 | LEGISLATIVE DAY 44

LT. GOVERNOR WICKER -- Presiding

LUCAS
REFOCUS SCH. TESTING ON BASICS
COM SUB/2ND EDITION

SENATE BILL 24
READING 2

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

EXCUSED	0			
NOT CAST	1	MCKOY		
ABSENT	3	ODOM	SAWYER	SMITH
PAIRS	0			
AYE				
NO				

(COPY)

NORTH CAROLINA GENERAL ASSEMBLY
SENATE

RECORDED VOTE

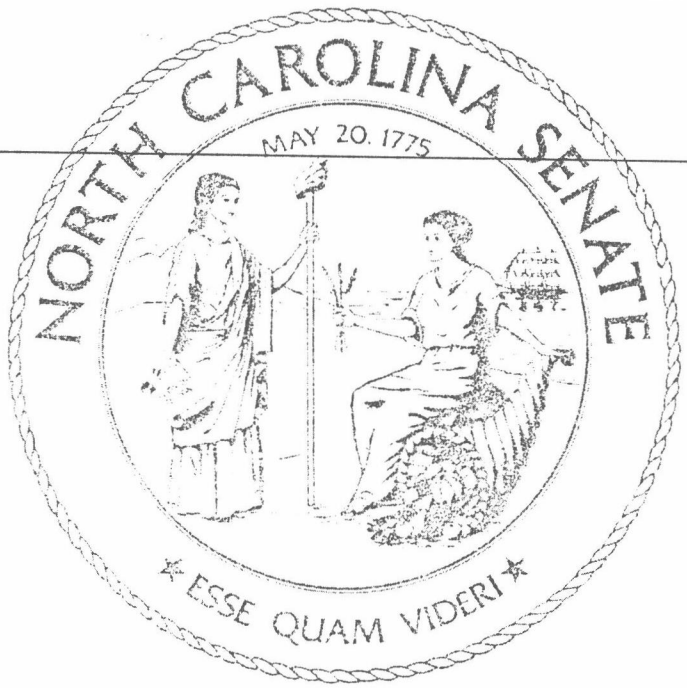
1995 SESSION

SEQ. 262/10-- 4:42 PM APRIL 11, 1995 LEGISLATIVE DAY 44

LT. GOVERNOR WICKER -- Presiding

LUCAS
REFOCUS SCH. TESTING ON BASICS
COM SUB/2ND EDITION

SENATE BILL 24
READING 2



RECORDED		
ABSENT	1	ODOM
ADJUSTED TOTAL		
AYE	45	
NO	1	
NOT CAST	1	
ABSENT	3	

(COPY)

NORTH CAROLINA GENERAL ASSEMBLY
SENATE

RECORDED VOTE

1995 SESSION

SEQ. 1374/18-- 4:21 PM JULY 19, 1995 LEGISLATIVE DAY 10

LT. GOVERNOR WICKER -- Presiding

LUCAS
REFOCUS SCH. TESTING ON BASICS
HOUSE COM SUB/3RD EDITION

SENATE BILL 24

MOTION 8
TO CONCUR

AYE	13	BALLANTINE	HORTON	ODOM	SHAW
		BLACKMON	KINCAID	PAGE	SHERRON
		CLARK	MCDANIEL	SAWYER	WEBSTER
		DAVIS			
NO	37	ALBERTSON	EAST	KERR	PLEXICO
		ALLRAN	EDWARDS	LEDBETTER	PLYLER
		BALLANCE	FORRESTER	LITTLE	RAND
		BASNIGHT	FOXX	LUCAS	SIMPSON
		CARPENTER	GULLEY	MARTIN R.	SMITH
		CARRINGTON	HARTSELL	MARTIN W.	SOLES
		COCHRANE	HOBBS	MCKOY	SPEED
		CONDER	HOYLE	PARNELL	WARREN
		COOPER	JORDAN	PERDUE	WINNER
		DANNELLY			

EXCUSED 0

NOT CAST 0

ABSENT 0

PAIRS 0
AYE
NO

EV

NORTH CAROLINA
HOUSE OF REPRESENTATIVES
ROLL CALL

SQ. # 1583
LEGISLATIVE DAY 98
S24 HCS
READING 2

7/13/95
10:52 AM
IN CHAIR: SPEAKER

REFOCUS SCHOOL TESTING ON BASICS

AYES - 102

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

NOES - 0

EXCUSED ABSENCE - 4

CLARY	MCCRARY	ROGERS	SHAW

EXCUSED VOTE - 0

NOT VOTING - 14

SPEAKER	BRASWELL	DICKSON	MILLER, G.
ALDRIDGE	CHURCH	HOLMES	PRESTON
BARNES	CRAWFORD	JUSTUS	REYNOLDS
BOWEN	CUMMINGS		

EV

NORTH CAROLINA
HOUSE OF REPRESENTATIVES
ROLL CALL

SEQ. # 1603
LEGISLATIVE DAY 99
S24 HCS
READING 3

7/17/95
5:01 PM
IN CHAIR: SPEAKER

REFOCUS SCHOOL TESTING ON BASICS

AYES - 103

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

NOES - 0

EXCUSED ABSENCE - 10

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

EXCUSED VOTE - 0

NOT VOTING - 7

SPEAKER	HURLEY	MILLER, G.	WEATHERLY
BROWN, W.	MICHAUX	ROGERS	

NORTH CAROLINA GENERAL ASSEMBLY
CONFERENCE REPORT
Senate Bill 24

S24-CRRH-001

[ ] 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 24, A BILL TO BE ENTITLED AN ACT TO REFOCUS THE SCHOOL TESTING PROGRAM ON THE BASICS, House Committee Substitute Favorable 5/29/95, submit the following report:

The Senate and House agree to the following amendments to House Committee Substitute Favorable 5/29/95, and the Senate concurs in the House Committee Substitute as amended:

on page 3, lines 42-44, rewrite the lines to read:
"Sec. 6. The State Board of Education shall consider the recommendations of the North Carolina Education Standards and Accountability Commission in its report that is due by July 1, 1996, and, based on this consideration, the State Board shall review the tests being administered through State and local testing programs, determine the strengths and weaknesses of those programs, and report to the General Assembly by December 1, 1996, on";

and on page 4, line 9, insert at the end of the line the word "and";

and on page 4, lines 10-11, delete the lines;

and on page 4, line 12, delete "(4)" and substitute "(3)";

and on page 4, lines 20-22, delete the lines.

see page 2

NORTH CAROLINA GENERAL ASSEMBLY
CONFERENCE REPORT
Senate Bill 24

S24-CRRH-001

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

Date conferees approved report: July 27, 1995.

Conferees for the Senate

Senator Winner

Senator Lucas

Senator Davis

Conferees for the House of Representatives

Representative Wood

Representative Russell

Representative Preston

Representative Crawford

SENATE Submitted 7-27-95 PLACED ON CALENDAR 7-28 FOR ADOPTION
ADOPTED 7-28-95 (45 / 0) Message Received 7-28-95
HOUSE ADOPTED 7-28-95 (/) Ordered Enrolled 7-29-95

Send Message

Release

NORTH CAROLINA GENERAL ASSEMBLY
SENATE

RECORDED VOTE

1995 SESSION

SEQ. 1488/9-- 2:40 PM JULY 28, 1995 LEGISLATIVE DAY 108

LT. GOVERNOR WICKER -- Presiding

LUCAS
REFOCUS SCH. TESTING ON BASICS
HOUSE COM SUB/3RD EDITION

SENATE BILL 24

CONFERENCE REPORT

MOTION 7
TO ADOPT

AYE	45	ALBERTSON	DANNELLY	KINCAID	PERDUE
		ALLRAN	DAVIS	LEDBETTER	PLYLER
		BALLANCE	EAST	LITTLE	RAND
		BALLANTINE	EDWARDS	LUCAS	SAWYER
		BASNIGHT	FOXX	MARTIN R.	SHAW
		BLACKMON	GULLEY	MARTIN W.	SIMPSON
		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	2	KERR	SHERRON		
ABSENT	3	FORRESTER	PLEXICO	SMITH	
PAIRS	0				
AYE					
NO					

(COPY)

NORTH CAROLINA GENERAL ASSEMBLY
CONFERENCE REPORT
Senate Bill 24

S24-CRRH-001

[ ] Title Change [YES] For Committee Substitute

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

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and on page 4, lines 10-11, delete the lines;

and on page 4, line 12, delete "(4)" and substitute "(3)";

and on page 4, lines 20-22, delete the lines.

EV

NORTH CAROLINA
HOUSE OF REPRESENTATIVES
ROLL CALL

SEQ. # 1777
LEGISLATIVE DAY 107
S24 HCS
CONFERENCE REPORT

7/28/95
7:52 PM
IN CHAIR: SPEAKER

REFOCUS SCHOOL TESTING ON BASICS

AYES - 100

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

NOES - 0

EXCUSED ABSENCE - 8

BARNES	BRASWELL	MILLER, K.	WAINWRIGHT
BOWEN	GRAY	OLDHAM	WEATHERLY

EXCUSED VOTE - 0

NOT VOTING - 12

SPEAKER	BUCHANAN	CUNNINGHAM	MERCER
BERRY	CAPPS	FITCH	MICHAUX
BOWIE	CRAWFORD	LEMMOND	RICHARDSON

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1995

FILED - SENATE
JAN 25 1995
PRINCIPAL CLERK

S D

S 25

SENATE DRSA509-LE031A(1.12)

Short Title: Alternative Schools Funds. (Public)

Sponsors: Senator Warren.

Referred to:

A BILL TO BE ENTITLED

AN ACT TO APPROPRIATE FUNDS FOR ALTERNATIVE SCHOOLS.

The General Assembly of North Carolina enacts:

Section 1. There is appropriated from the General Fund to Aid to Local School Administrative Units the sum of ten million dollars ($10,000,000) for the 1995-96 fiscal year to enable local school administrative units to establish, expand, or continue alternative school programs.

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

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1995

FILED - SENATE
JAN 25 1995
PRINCIPAL CLERK

S 26 D

SENATE DRS4518-LE030(1.12)

Short Title: School Expulsion Modified. (Public)

Sponsors: Senator Perdue.

Referred to:

A BILL TO BE ENTITLED

AN ACT TO ENABLE LOCAL BOARDS OF EDUCATION TO EXPEL FROM SCHOOL THOSE STUDENTS WHOSE CONTINUED PRESENCE IN SCHOOL CONSTITUTES A CLEAR THREAT TO THE SAFETY AND HEALTH OF OTHER STUDENTS OR EMPLOYEES.

The General Assembly of North Carolina enacts:

Section 1. G.S. 115C-391(d) reads as rewritten:

"(d) A local board of education may, upon recommendation of the principal and superintendent, expel any student 14 years of age or older ~~who has been convicted of a felony and~~ whose continued presence in school constitutes a clear threat to the safety and health of other students or employees. At any time after the first July 1 that is at least six months after the board's decision to expel a student under this subsection, a student may request the local board of education to reconsider that decision. If the student demonstrates to the satisfaction of the local board of education that the student's presence in school no longer constitutes a threat to the safety and health of other students or employees, the board shall re-admit the student to a school in that local school administrative unit on a date the board considers appropriate. The decision of the board on an expelled student's request to reconsider his expulsion is not appealable. Notwithstanding the provisions of G.S. 115C-112, a local board of education has no duty to continue to provide a child with special needs, expelled pursuant to this subsection, with any special education or related services during the period of expulsion."

Sec. 2. The State Board of Education shall report to the 1995 General Assembly and the Joint Legislative Education Oversight Committee no later than

NORTH CAROLINA GENERAL ASSEMBLY
AMENDMENT
Senate Bill 26

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

S26-ARU-005

Page 1 of __

Date 5-8-, 1995

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

Senator Winner

moves to amend the bill on page 1, line 10
by inserting between the words "whose" and "continued" the
following:
"behavior indicates that the student's";

and, on page 1, line 11,
by inserting between the words "employees." and "At" the following
sentence:
"The local board of education's decision to expel a student under
this section shall be based on clear and convincing evidence."

SIGNED _____
Amendment Sponsor

SIGNED _____
Committee Chair if Senate Committee Amendment

ADOPTED 5-8-95 FAILED _____ TABLED _____

45-3

NORTH CAROLINA GENERAL ASSEMBLY
SENATE

RECORDED VOTE

1995 SESSION

SEQ. 493/25-- 6:16 PM MAY 8, 1995 LEGISLATIVE DAY 59

LT. GOVERNOR WICKER -- Presiding

PERDUE
SCHOOL EXPULSION MODIFIED
COM SUB/2ND EDITION

SENATE BILL 26

AMEND 1

AYE	45	ALBERTSON	DAVIS	LEDBETTER	PLEXICO
		ALLRAN	EAST	LITTLE	PLYLER
		BALLANCE	EDWARDS	LUCAS	RAND
		BALLANTINE	FORRESTER	MARTIN R	SAWYER
		BASNIGHT	FOXX	MARTIN W	SHAW
		BLACKMON	GULLEY	MCDANIEL	SHERRON
		CARPENTER	HARTSELL	MCKOY	SOLES
		CARRINGTON	HOBBS	ODOM	SPEED
		COCHRANE	HORTON	PAGE	WARREN
		CONDER	JORDAN	PARNELL	WEBSTER
		COOPER	KERR	PERDUE	WINNER
		DANNELLY			
NO	3	CLARK	KINCAID	SIMPSON	
EXCUSED	0				
NOT CAST	0				
ABSENT	2	HOYLE	SMITH		
PAIRS	0				
AYE					
NO					

NORTH CAROLINA SENATE
MAY 20. 1775
ESSE QUAM VIDERI

NORTH CAROLINA GENERAL ASSEMBLY
SENATE

RECORDED VOTE

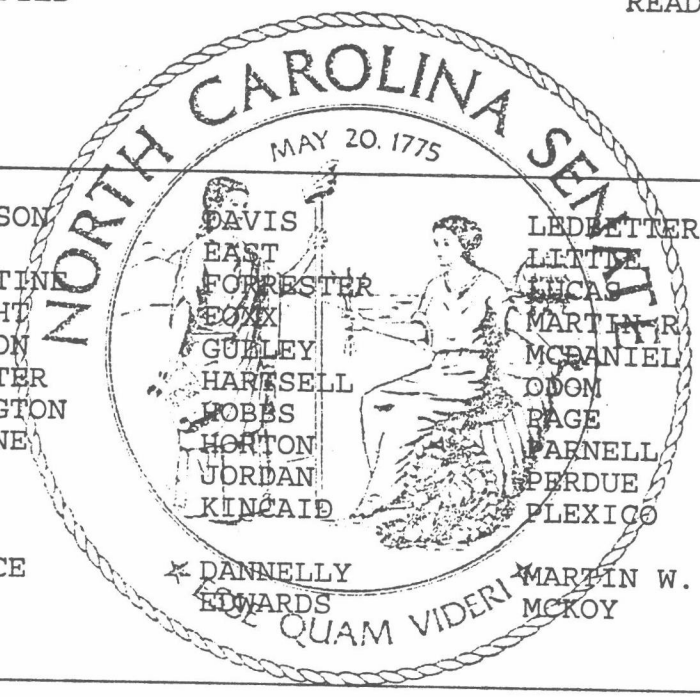
1995 SESSION

SEQ. 494/26-- 6:16 PM MAY 8, 1995 LEGISLATIVE DAY 5

LT. GOVERNOR WICKER -- Presiding

PERDUE
SCHOOL EXPULSION MODIFIED
COM SUB/2ND EDITION

SENATE BILL 26
READING 2



AYE	39	ALBERTSON	DAVIS	LEDBETTER	PLYLER
		ALLRAN	EAST	LITTLE	RAND
		BALLANTINE	FORRESTER	LUCAS	SHAW
		BASNIGHT	FOX	MARTIN R.	SHERRON
		BLACKMON	GUDLEY	MCDANIEL	SIMPSON
		CARPENTER	HARTSELL	ODOM	SOLES
		CARRINGTON	HOBBS	PAGE	SPEED
		COCHRANE	HORTON	PARNELL	WARREN
		CONDER	JORDAN	PERDUE	WINNER
		COOPER	KINCAID	PLEXICO	
NO	7	BALLANCE	DANNELLY	MARTIN W.	WEBSTER
		CLARK	EDWARDS	MCKOY	

EXCUSED	0		
NOT CAST	2	KERR	SAWYER
ABSENT	2	HOYLE	SMITH
PAIRS	0		
AYE			
NO			

NORTH CAROLINA GENERAL ASSEMBLY
AMENDMENT
Senate Bill 26

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

S26-ARH-004 Page 1 of 1

Date June 20, 1995

Hrnm
Comm. Sub. [YES]
Amends Title [ ]
Fifth Edition

Representative WRIGHT

moves to amend the bill on page 2, lines 2-3,
by inserting between the lines the following new section:
"Sec. 2. G.S. 115C-274 is amended by adding a new subsection to read:
'(r) To Maintain Student Discipline. -- The superintendent shall maintain student discipline in accordance with Article 27 of this Chapter and shall keep data on each student suspended or expelled. This data shall include the race, gender, and age of each student, the duration of suspension for each student, whether an alternative education was considered or provided for each student, and whether a student had multiple suspensions.';

and further amends the bill by renumbering the remaining sections.

SIGNED
Amendment Sponsor

SIGNED
Committee Chair if Senate Committee Amendment

ADOPTED 6/20/95 FAILED TABLED

97-11 EV

NORTH CAROLINA

HOUSE OF REPRESENTATIVES

ROLL CALL

. # 1175
ISLATIVE DAY 84
S26 HCS #2
READING 2

6/20/95
2:55 PM
IN CHAIR: SPEAKER

AMEND #1 Wright
SCHOOL EXPULSION MODIFIED

AYES - 97

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

NOES - 11

ALLRED	CAPPS	EDDINS	MCMAHAN
BAKER	COCKLEREECE	ELLIS	NICHOLS
BROWN, J.	CREECH	HIATT	

EXCUSED ABSENCE - 5

ALDRIDGE	HURLEY	THOMPSON	WAINWRIGHT
CHURCH			

EXCUSED VOTE - 0

NOT VOTING - 7

SPEAKER	DOCKHAM	HAYES	PATE
DAUGHTRY	ESPOSITO	MINER	

NORTH CAROLINA GENERAL ASSEMBLY
AMENDMENT
Senate Bill 26

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

S26-ARH-005

Page 1 of 1

Date June 20, 1995

House #2
Comm. Sub. [YES]
Amends Title [ ]
Fifth Edition

Representative WRIGHT

moves to amend the bill on page 2, lines 2-3, by inserting between the lines the following new section:

"Sec. 2. Article 27 of Chapter 115C of the General Statutes is amended by adding a new section to read:

'§ 115C-389.1. Discipline Policy.

The General Assembly believes that all children can learn. The General Assembly further believes that it is the responsibility of the public school community, including each student in that community, to maintain a safe and orderly environment so that each student may learn, achieve, and fulfill his or her potential. It is the intent of the General Assembly that discipline policies adopted in this State shall be fair and equitable and shall provide consequences for behaviors that interfere with a safe and orderly school environment. In administering discipline policies, school personnel shall not discriminate on the basis of race, sex, religion, or national origin. It is the belief of the General Assembly that school programs should include the prevention of discipline problems through early intervention with students who are at risk of school failure and should provide students with opportunities to gain self-esteem and to learn self-discipline.'";

and further amends the bill by renumbering the remaining sections.

SIGNED
Amendment Sponsor

SIGNED
Committee Chair if Senate Committee Amendment

ADOPTED FAILED 6/20/95 TABLED

52-64 EV DWerks

NORTH CAROLINA
HOUSE OF REPRESENTATIVES
ROLL CALL

. # 1176
ISLATIVE DAY 84
S26 HCS
READING 2

6/20/95
3:01 PM
IN CHAIR: SPEAKER

AMEND #2 - Wright
SCHOOL EXPULSION MODIFIED

AYES - 50

ADAMS	EARLE	LEE	RAMSEY
ALEXANDER	EASTERLING	LINNEY	REDWINE
BARNES	FITCH	LUEBKE	RICHARDSON
BEALL	FOX	MCALLISTER	ROGERS
BLACK	GAMBLE	MCCRARY	SHAW
BLUE	HACKNEY	MCLAUGHLIN	SUTTON
BOWEN	HENSLEY	MERCER	TOLSON
BOYD-MCINTYRE	HIGHTOWER	MICHAUX	WARNER
BRASWELL	HILL	MILLER, G.	WILKINS
BROWN, W.	HUNT	NYE	WOMBLE
CULPEPPER	HUNTER, H.	OLDHAM	WRIGHT
CUMMINGS	HUNTER, R.	OWENS	YONGUE
CUNNINGHAM	IVES		

NOES - 64

ALLRED	CULP	HOWARD	PULLEY
ARNOLD	DAUGHTRY	JUSTUS	RAYFIELD
BAKER	DAVIS	KISER	REYNOLDS
BARBEE	DECKER	LEMMOND	ROBINSON, G.
BERRY	DICKSON	LOCKE	ROBINSON, J.
BOWIE	DOCKHAM	MCCOMAS	RUSSELL
BRAWLEY	EDDINS	MCCOMBS	SEXTON
BROWN, J.	EDWARDS	MCMAHAN	SHARPE
BUCHANAN	ELLIS	MILLER, K.	SHERRILL
CANSLER	ESPOSITO	MINER	SHUBERT
CAPPS	GARDNER	MITCHELL	TALLENT
CARPENTER	GRADY	MORGAN	WATSON
CLARY	GRAY	NEELY	WEATHERLY
COCKLEREECE	HAYES	NICHOLS	WILSON, C.
CRAWFORD	HIATT	PATE	WILSON, G.
CREECH	HOLMES	PRESTON	WOOD

EXCUSED ABSENCE - 5

ALDRIDGE	HURLEY	THOMPSON	WAINWRIGHT
CHURCH			

EXCUSED VOTE - 0

NOT VOTING - 1

SPEAKER

NORTH CAROLINA GENERAL ASSEMBLY
AMENDMENT
SENATE BILL 26

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

S26-ALE-03

Date June 20, 1995

Comm. Sub. [ ]
Amends Title [ ]
FOURTH EDITION

Representative Cunningham

moves to amend the bill on page 1, line 13, by adding a new sentence after the period on line 13 to read:
"Prior to ordering the expulsion of a student pursuant to this subsection, the local board of education shall consider whether there is an alternative program offered by the local school administrative unit that may provide education services for the student who is subject to expulsion."

SIGNED _____
Amendment Sponsor

SIGNED _____
Committee Chair if Senate Committee Amendment

ADOPTED 6/20/95 FAILED _____ TABLED _____

75-37 EV

NORTH CAROLINA
HOUSE OF REPRESENTATIVES
ROLL CALL

. # 1178
ISLATIVE DAY 84
S26 HCS # 2
READING 2

6/20/95
3:26 PM
IN CHAIR: SPEAKER

AMEND #3 - Cunningham
SCHOOL EXPULSION MODIFIED

AYES - 75

ADAMS	DICKSON	LEE	RAMSEY
ALEXANDER	DOCKHAM	LEMMOND	RAYFIELD
BARNES	EARLE	LINNEY	REDWINE
BEALL	EASTERLING	LOCKE	REYNOLDS
BLACK	EDWARDS	LUEBKE	RICHARDSON
BLUE	FITCH	MCCRARY	ROBINSON, J.
BOWEN	FOX	MCLAUGHLIN	ROGERS
BOWIE	GAMBLE	MCMAHAN	RUSSELL
BOYD-MCINTYRE	GRADY	MERCER	SEXTON
BRASWELL	GRAY	MICHAUX	SHARPE
BROWN, W.	HACKNEY	MILLER, G.	SHAW
CARPENTER	HAYES	MINER	SUTTON
CLARY	HENSLEY	MORGAN	TOLSON
CRAWFORD	HIGHTOWER	NEELY	WARNER
CULP	HILL	NYE	WILKINS
CULPEPPER	HOWARD	OLDHAM	WILSON, C.
CUMMINGS	HUNT	OWENS	WILSON, G.
CUNNINGHAM	HUNTER, H.	PRESTON	WOMBLE
DAUGHTRY	IVES	PULLEY	

NOES - 37

ALLRED	COCKLEREECE	HOLMES	PATE
ARNOLD	CREECH	JUSTUS	ROBINSON, G.
BAKER	DAVIS	KISER	SHERRILL
BARBEE	DECKER	MCALLISTER	SHUBERT
BERRY	EDDINS	MCCOMAS	TALLENT
BRAWLEY	ELLIS	MCCOMBS	WATSON
BROWN, J.	ESPOSITO	MILLER, K.	WEATHERLY
BUCHANAN	GARDNER	MITCHELL	WOOD
CANSLER	HIATT	NICHOLS	WRIGHT
CAPPS			

EXCUSED ABSENCE - 6

ALDRIDGE	HURLEY	WAINWRIGHT	YONGUE
CHURCH	THOMPSON		

EXCUSED VOTE - 0

NOT VOTING - 2

SPEAKER	HUNTER, R.

NORTH CAROLINA

HOUSE OF REPRESENTATIVES

ROLL CALL

H. # 1177
LEGISLATIVE DAY 84
S26 HCS
READING 2

6/20/95
3:26 PM
IN CHAIR: SPEAKER

AMEND #3
SCHOOL EXPULSION MODIFIED
MOTION #3

AYES - 89

ADAMS	CREECH	HOLMES	OLDHAM
ALEXANDER	CULP	HOWARD	OWENS
ALLRED	CULPEPPER	HUNT	PATE
ARNOLD	CUMMINGS	IVES	PRESTON
BAKER	DAUGHTRY	JUSTUS	RAMSEY
BARBEE	DAVIS	KISER	RAYFIELD
BARNES	DECKER	LEE	REYNOLDS
BEALL	DICKSON	LEMMOND	ROBINSON, G.
BERRY	DOCKHAM	LINNEY	ROBINSON, J.
BLACK	EARLE	LOCKE	ROGERS
BOWEN	EDDINS	MCCOMAS	RUSSELL
BOWIE	EDWARDS	MCCOMBS	SEXTON
BRASWELL	ELLIS	MCLAUGHLIN	SHARPE
BRAWLEY	ESPOSITO	MCMAHAN	SHERRILL
BROWN, J.	FOX	MERCER	SHUBERT
BROWN, W.	GARDNER	MILLER, G.	TALLENT
BUCHANAN	GRADY	MINER	WARNER
CANSLER	GRAY	MITCHELL	WATSON
CAPPS	HAYES	MORGAN	WEATHERLY
CARPENTER	HIATT	NEELY	WILKINS
CLARY	HIGHTOWER	NICHOLS	WILSON, G.
COCKLEREECE	HILL	NYE	WOOD
CRAWFORD			

NOES - 18

BLUE	HACKNEY	MICHAUX	SUTTON
BOYD-MCINTYRE	HENSLEY	REDWINE	TOLSON
CUNNINGHAM	HUNTER, H.	RICHARDSON	WOMBLE
EASTERLING	LUEBKE	SHAW	WRIGHT
FITCH	MCCRARY		

EXCUSED ABSENCE - 6

ALDRIDGE	HURLEY	WAINWRIGHT	YONGUE
CHURCH	THOMPSON		

EXCUSED VOTE - 0

NOT VOTING - 7

SPEAKER	HUNTER, R.	MILLER, K.	WILSON, C.
GAMBLE	MCALLISTER	PULLEY	

NORTH CAROLINA
HOUSE OF REPRESENTATIVES
ROLL CALL

EV

. # 1179
ISLATIVE DAY 84
S26 HCS #2
READING 2

6/20/95
3:27 PM
IN CHAIR: SPEAKER

SCHOOL EXPULSION MODIFIED
MOTION #3 Rep Morgan calls for previous question

AYES - 88

ALEXANDER	CREECH	HUNT	PULLEY
ALLRED	CULP	IVES	RAMSEY
ARNOLD	CULPEPPER	JUSTUS	RAYFIELD
BAKER	CUMMINGS	KISER	REYNOLDS
BARBEE	DAUGHTRY	LEE	ROBINSON, G.
BEALL	DAVIS	LEMMOND	ROBINSON, J.
BERRY	DECKER	LINNEY	ROGERS
BLACK	DICKSON	LOCKE	RUSSELL
BOWEN	DOCKHAM	MCCOMAS	SEXTON
BOWIE	EDDINS	MCCOMBS	SHARPE
BOYD-MCINTYRE	EDWARDS	MCMAHAN	SHAW
BRASWELL	ELLIS	MERCER	SHERRILL
BRAWLEY	ESPOSITO	MILLER, K.	SHUBERT
BROWN, J.	GARDNER	MINER	SUTTON
BROWN, W.	GRADY	MITCHELL	TALLENT
BUCHANAN	GRAY	MORGAN	WARNER
CANSLER	HAYES	NEELY	WATSON
CAPPS	HIATT	NICHOLS	WEATHERLY
CARPENTER	HIGHTOWER	NYE	WILKINS
CLARY	HILL	OLDHAM	WILSON, C.
COCKLEREECE	HOLMES	PATE	WILSON, G.
CRAWFORD	HOWARD	PRESTON	WOOD

NOES - 24

ADAMS	FITCH	LUEBKE	OWENS
BARNES	FOX	MCALLISTER	REDWINE
BLUE	GAMBLE	MCCRARY	RICHARDSON
CUNNINGHAM	HACKNEY	MCLAUGHLIN	TOLSON
EARLE	HENSLEY	MICHAUX	WOMBLE
EASTERLING	HUNTER, H.	MILLER, G.	WRIGHT

EXCUSED ABSENCE - 6

ALDRIDGE	HURLEY	WAINWRIGHT	YONGUE
CHURCH	THOMPSON		

EXCUSED VOTE - 0

NOT VOTING - 2

SPEAKER	HUNTER, R.

NORTH CAROLINA GENERAL ASSEMBLY
AMENDMENT
Senate Bill 26

AMENDMENT NO. 4
(to be filled in by
Principal Clerk)

S26-ARH-006

Date June 20, 1995

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

Representative Wright

moves to amend the bill on page 2, lines 2-3,
by inserting between the lines the following new section:
"Sec. 2. G.S. 115C-391(a) reads as rewritten:
'(a) Local boards of education shall adopt policies not inconsistent with the provisions of the Constitutions of the United States and North Carolina, governing the conduct of students and establishing procedures to be followed by school officials in suspending or expelling any student, or in disciplining any student if the offensive behavior could result in suspension, expulsion, or the administration of corporal punishment. The policies that shall be adopted for the administration of corporal punishment shall include at a minimum the following conditions:

(1) Corporal punishment shall not be administered in a classroom with other children present;

(2) The student body shall be informed beforehand what general types of misconduct could result in corporal punishment;

(3) Only a teacher, substitute teacher, principal, or assistant principal may administer corporal punishment and may do so only in the presence of a principal, assistant principal, teacher, substitute teacher, teacher assistant, or student teacher, who shall be informed beforehand and in the student's presence of the reason for the punishment; and

(4) An appropriate school official shall provide the child's parent or guardian with notification that corporal punishment has been administered, and upon request, the official who administered the corporal punishment shall provide the child's parent or guardian a written explanation of the reasons and the name of the second school official who was present.

~~The board shall publish~~ In setting policies to govern the duration of suspensions or expulsions, local boards of education shall

NORTH CAROLINA
HOUSE OF REPRESENTATIVES
ROLL CALL

[redacted]. # 1328
[redacted]ISLATIVE DAY 90
[redacted] HCS #2
READING 3

6/29/95
4:26 PM
IN CHAIR: SPEAKER

AMEND #4 - Wright
SCHOOL EXPULSION MODIFIED

AYES - 49

ADAMS	EASTERLING	LEE	REDWINE
ALEXANDER	FITCH	LEMMOND	RICHARDSON
BARNES	FOX	LINNEY	ROGERS
BEALL	GAMBLE	LUEBKE	SHAW
BLACK	HACKNEY	MCALLISTER	SUTTON
BLUE	HENSLEY	MCCRARY	TOLSON
BOWEN	HILL	MCLAUGHLIN	WAINWRIGHT
BOYD-MCINTYRE	HUNT	MERCER	WARNER
BROWN, W.	HUNTER, H.	MICHAUX	WILKINS
CHURCH	HUNTER, R.	NYE	WOMBLE
CRAWFORD	HURLEY	OWENS	WRIGHT
CULPEPPER	IVES	RAMSEY	YONGUE
EARLE			

NOES - 66

ALDRIDGE	CUMMINGS	HOWARD	RAYFIELD
ALLRED	DAUGHTRY	JUSTUS	REYNOLDS
ARNOLD	DAVIS	KISER	ROBINSON, G.
BAKER	DECKER	LOCKE	ROBINSON, J.
BARBEE	DICKSON	MCCOMBS	RUSSELL
BERRY	DOCKHAM	MCMAHAN	SEXTON
BOWIE	EDDINS	MILLER, K.	SHARPE
BRAWLEY	EDWARDS	MINER	SHERRILL
BROWN, J.	ELLIS	MITCHELL	SHUBERT
BUCHANAN	ESPOSITO	MORGAN	TALLENT
CANSLER	GARDNER	NEELY	THOMPSON
CAPPS	GRADY	NICHOLS	WATSON
CARPENTER	GRAY	OLDHAM	WEATHERLY
CLARY	HAYES	PATE	WILSON, C.
COCKLEREECE	HIATT	PRESTON	WILSON, G.
CREECH	HIGHTOWER	PULLEY	WOOD
CULP	HOLMES		

EXCUSED ABSENCE - 1

BRASWELL

EXCUSED VOTE - 0

NOT VOTING - 4

SPEAKER	CUNNINGHAM	MCCOMAS	MILLER, G.

S26 HCS

CV

NORTH CAROLINA
HOUSE OF REPRESENTATIVES
ROLL CALL

. # 1180
ISLATIVE DAY 84
S26 HCS #2
READING 2

6/20/95
3:27 PM
IN CHAIR: SPEAKER

SCHOOL EXPULSION MODIFIED

AYES - 97

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

NOES - 15

ADAMS	CUNNINGHAM	HENSLEY	MICHAUX
BARNES	EARLE	HUNTER, H.	WOMBLE
BLUE	FITCH	LINNEY	WRIGHT
BRASWELL	HACKNEY	MCALLISTER	

EXCUSED ABSENCE - 6

ALDRIDGE	HURLEY	WAINWRIGHT	YONGUE
CHURCH	THOMPSON		

EXCUSED VOTE - 0

NOT VOTING - 2

SPEAKER	HUNTER, R.

S26 HCS

NORTH CAROLINA
HOUSE OF REPRESENTATIVES
ROLL CALL

SEQ. # 132[redacted]4
LEGISLATIVE DAY 90
[redacted] HCS #2
READING 3

6/29/95
4:42 PM
IN CHAIR: SPEAKER

SCHOOL EXPULSION MODIFIED
MOTION #3 Rep Russell calls the previous question

AYES - 87

ALDRIDGE	CULPEPPER	KISER	RAYFIELD
ALLRED	CUMMINGS	LEE	REYNOLDS
ARNOLD	DAUGHTRY	LEMMOND	RICHARDSON
BAKER	DAVIS	LOCKE	ROBINSON, J.
BARBEE	DICKSON	MCALLISTER	ROGERS
BEALL	DOCKHAM	MCCOMAS	RUSSELL
BERRY	EDDINS	MCCOMBS	SEXTON
BLACK	EDWARDS	MCCRARY	SHARPE
BOWEN	ESPOSITO	MCLAUGHLIN	SHERRILL
BOWIE	GAMBLE	MCMAHAN	SHUBERT
BRAWLEY	GARDNER	MERCER	TALLENT
BROWN, J.	GRADY	MILLER, K.	THOMPSON
BUCHANAN	GRAY	MINER	TOLSON
CANSLER	HAYES	MITCHELL	WAINWRIGHT
CAPPS	HIATT	MORGAN	WARNER
CARPENTER	HIGHTOWER	NEELY	WATSON
CHURCH	HILL	NICHOLS	WEATHERLY
CLARY	HOLMES	OLDHAM	WILKINS
COCKLEREECE	HOWARD	PATE	WILSON, C.
CRAWFORD	HURLEY	PRESTON	WILSON, G.
CREECH	IVES	PULLEY	WOOD
CULP	JUSTUS	RAMSEY	

NOES - 28

ADAMS	EARLE	HUNTER, H.	REDWINE
ALEXANDER	EASTERLING	HUNTER, R.	ROBINSON, G.
BARNES	FITCH	LINNEY	SHAW
BLUE	FOX	LUEBKE	SUTTON
BOYD-MCINTYRE	HACKNEY	MICHAUX	WOMBLE
BROWN, W.	HENSLEY	NYE	WRIGHT
CUNNINGHAM	HUNT	OWENS	YONGUE

EXCUSED ABSENCE - 1

BRASWELL

EXCUSED VOTE - 0

NOT VOTING - 4

SPEAKER	DECKER	ELLIS	MILLER, G.

S26 HCS

E1

NORTH CAROLINA
HOUSE OF REPRESENTATIVES
ROLL CALL

SEQ. # 1325
LEGISLATIVE DAY 90
S26 HCS #2
READING 3

6/29/95
4:43 PM
IN CHAIR: SPEAKER

SCHOOL EXPULSION MODIFIED

AYES - 94

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

NOES - 20

ADAMS	BROWN, W.	HACKNEY	MCALLISTER
BARNES	CUNNINGHAM	HENSLEY	MICHAUX
BLUE	EARLE	HUNTER, H.	SHAW
BOWEN	EASTERLING	LINNEY	WOMBLE
BOYD-MCINTYRE	FITCH	LUEBKE	WRIGHT

EXCUSED ABSENCE - 1

BRASWELL

EXCUSED VOTE - 0

NOT VOTING - 5

SPEAKER	CANSLER	ELLIS	MILLER, G.
BOWIE			

S26 HCS

NORTH CAROLINA GENERAL ASSEMBLY
SENATE

RECORDED VOTE

1995 SESSION

SEQ. 1205/11-- 4:07 PM JULY 6, 1995 LEGISLATIVE DAY 9

LT. GOVERNOR WICKER -- Presiding

PERDUE
SCHOOL EXPULSION MODIFIED
HOUSE COM SUB NO.2/6TH EDITION

SENATE BILL 26

MOTION 8
TO CONCUR

AYE	39	ALBERTSON	COOPER	KERR	PERDUE
		ALLRAN	DAVIS	KINCAID	PLEXICO
		BALLANTINE	EDWARDS	LEDBETTER	PLYLER
		BASNIGHT	FORRESTER	LUCAS	SHERRON
		BLACKMON	FOXX	MARTIN R.	SIMPSON
		CARPENTER	HARTSELL	MARTIN W.	SMITH
		CARRINGTON	HOBBS	MCDANIEL	SOLES
		CLARK	HORTON	ODOM	WEBSTER
		COCHRANE	HOYLE	PAGE	WINNER
		CONDER	JORDAN	PARNELL	
NO	1	DANNELLY			
EXCUSED	0				
NOT CAST	9	BALLANCE	LITTLE	RAND	SPEED
		EAST	MCKOY	SHAW	WARREN
		GULLEY			
ABSENT	1	SAWYER			
PAIRS	0				
AYE					
NO					

(CONTINUED)

NORTH CAROLINA GENERAL ASSEMBLY
SENATE

RECORDED VOTE

1995 SESSION

SEQ. 1216/22-- 5:39 PM JULY 6, 1995 LEGISLATIVE DAY 9

LT. GOVERNOR WICKER -- Presiding

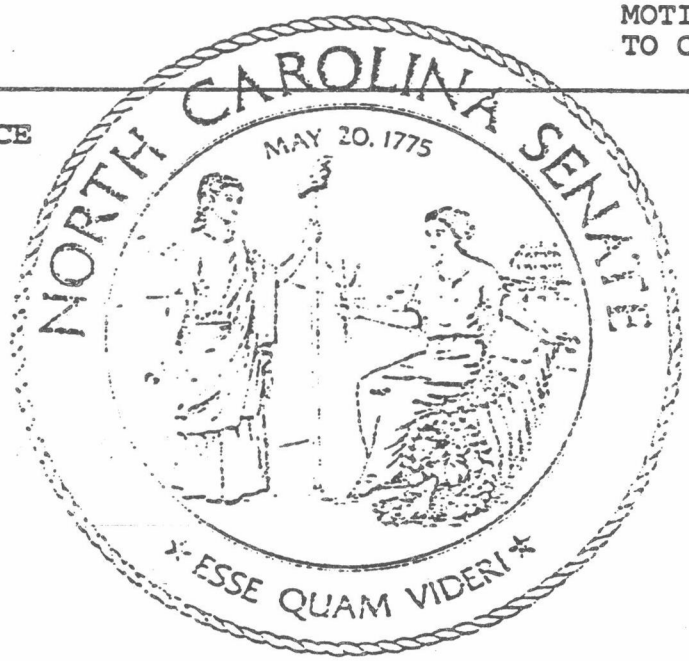
PERDUE
SCHOOL EXPULSION MODIFIED
HOUSE COM SUB NO.2/6TH EDITION

SENATE BILL 26

MOTION 8
TO CONCUR

RECORDED		
ABSENT	1	BALLANCE
ADJUSTED TOTAL		
AYE	39	
NO	1	
NOT CAST	8	
ABSENT	2	

(COPY)



NORTH CAROLINA GENERAL ASSEMBLY
SENATE

RECORDED VOTE

1995 SESSION

SEQ. 1216/22-- 5:39 PM JULY 6, 1995 LEGISLATIVE DAY 94

LT. GOVERNOR WICKER -- Presiding

PERDUE
SCHOOL EXPULSION MODIFIED
HOUSE COM SUB NO.2/6TH EDITION

SENATE BILL 26

MOTION 8
TO CONCUR

AYE	39	ALBERTSON	COOPER	KERR	PERDUE
		ALLRAN	DAVIS	KINCAID	PLEXICO
		BALLANTINE	EDWARDS	LEDBETTER	PLYLER
		BASNIGHT	FORRESTER	LUCAS	SHERRON
		BLACKMON	FOXX	MARTIN R.	SIMPSON
		CARPENTER	HARTSELL	MARTIN W.	SMITH
		CARRINGTON	HOBBS	MCDANIEL	SOLES
		CLARK	HORTON	ODOM	WEBSTER
		COCHRANE	HOYLE	PAGE	WINNER
		CONDER	JORDAN	PARNELL	
NO	1	DANNELLY			
EXCUSED	0				
NOT CAST	8	EAST	LITTLE	RAND	SPEED
		GULLEY	MCKOY	SHAW	WARREN
ABSENT	2	BALLANCE	SAWYER		
PAIRS	0				
AYE					
NO					

(COPY)

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1995

FILED - SENATE
JAN 25 1995
PRINCIPAL CLERK

S 27 D

SENATE DRS5513-LL033B(1.1)

Short Title: Repeal Prison Cap. (Public)

Sponsors: Senator Odom.

Referred to:

A BILL TO BE ENTITLED

AN ACT TO REPEAL THE PRISON POPULATION CAP.

The General Assembly of North Carolina enacts:

Section 1. G.S. 148-4.1(c1) reads as rewritten:

"(c1) For purposes of this section only, 'prison capacity' means the number of prisoners housed in facilities located in North Carolina and owned or operated by the State of North Carolina, as set by the Governor. In setting the prison capacity for purposes of this section, the Governor shall consider the number of beds available and shall make a finding that the number set would not jeopardize the State's ability to perform its obligations under the law. In no event shall the number set by the Governor under this subsection exceed ~~24,500.~~ 29,775."

Sec. 2. Effective September 1, 1996, G.S. 148-4.1 reads as rewritten:

"**§ 148-4.1. Release of inmates.**

(a) Whenever the Secretary of Correction determines from data compiled by the Department of Correction that it is necessary to reduce the prison population to a more manageable level, he shall direct the Parole Commission to release on parole over a reasonable period of time a number of prisoners sufficient to that purpose. From the time the Secretary directs the Parole Commission to begin releasing prisoners on parole until the prison population has been reduced to a more manageable level, the Secretary may not accept any inmates ordered transferred from local confinement facilities to the State prison system under G.S. 148-32.1(b). Further, the Secretary may return any inmate housed in the State prison system under an order entered pursuant to G.S. 148-32.1(b) to the local confinement facility from which the inmate was transferred.

EV

NORTH CAROLINA
HOUSE OF REPRESENTATIVES
ROLL CALL

SEQ. # 128
LEGISLATIVE DAY 28
S27 HCS
READING 2

3/14/95
3:55 PM
IN CHAIR: SPEAKER

REPEAL PRISON CAP

AYES - 109

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

NOES - 7

ADAMS	FITCH	MCALLISTER	WRIGHT
BROWN, W.	HUNTER, H.	SHAW	

EXCUSED ABSENCE - 3

ALDRIDGE	BOWEN	LINNEY

EXCUSED VOTE - 0

NOT VOTING - 1

MILLER, G.

S27 HCS

EV

NORTH CAROLINA
HOUSE OF REPRESENTATIVES
ROLL CALL

SEQ. # 132
LEGISLATIVE DAY 29
S27 HCS
READING 3

3/15/95
3:26 PM
IN CHAIR: SPEAKER

AMEND #1
REPEAL PRISON CAP
Rep Michaux's Amendment

AYES - 104

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

NOES - 0

EXCUSED ABSENCE - 5

ALDRIDGE	ESPOSITO	NEELY	TOLSON
BRAWLEY			

EXCUSED VOTE - 0

NOT VOTING - 11

SPEAKER	CRAWFORD	HILL	WOOD
BERRY	CREECH	REDWINE	WRIGHT
BLUE	DAUGHTRY	TALLENT	

EV

NORTH CAROLINA
HOUSE OF REPRESENTATIVES
ROLL CALL

SEQ. # 133
LEGISLATIVE DAY 29
S27 HCS
READING 3

3/15/95
3:27 PM
IN CHAIR: SPEAKER

REPEAL PRISON CAP

AYES - 106

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

NOES - 1

WRIGHT

EXCUSED ABSENCE - 5

ALDRIDGE	ESPOSITO	NEELY	TOLSON
BRAWLEY			

EXCUSED VOTE - 0

NOT VOTING - 8

BLUE	CREECH	FITCH	REDWINE
CRAWFORD	DAUGHTRY	HILL	TALLENT

NORTH CAROLINA GENERAL ASSEMBLY
SENATE

RECORDED VOTE

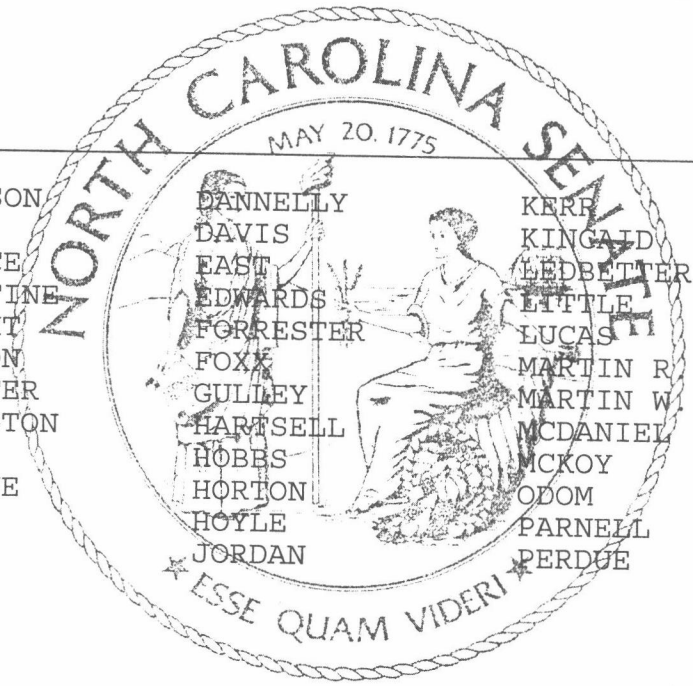
1995 SESSION

SEQ. 38/5-- 2:23 PM FEBRUARY 8, 1995 LEGISLATIVE DAY 9

LT. GOVERNOR WICKER -- Presiding

ODOM
REPEAL PRISON CAP
COM SUB/2ND EDITION

SENATE BILL 27
READING 2



AYE	48	ALBERTSON	DANNELLY	KERR	PLEXICO
		ALLRAN	DAVIS	KINCAID	PLYLER
		BALLANCE	EAST	LEDBETTER	RAND
		BALLANTINE	EDWARDS	LITTLE	SAWYER
		BASNIGHT	FORRESTER	LUCAS	SHAW
		BLACKMON	FOXX	MARTIN R	SHERRON
		CARPENTER	GULLEY	MARTIN W.	SIMPSON
		CARRINGTON	HARTSELL	MCDANIEL	SOLES
		CLARK	HOBBS	MCKOY	SPEED
		COCHRANE	HORTON	ODOM	WARREN
		CONDER	HOYLE	PARNELL	WEBSTER
		COOPER	JORDAN	PERDUE	WINNER
NO	0				

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

(COPY)

NORTH CAROLINA GENERAL ASSEMBLY
AMENDMENT
Senate Bill 27

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

S27-ARG-001

Page 1 of 1

Date 3-15 ,1995

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

moves to amend the bill on page 7, line 14,
by adding at the beginning of the line the term "Sec. 9.";

and by renumbering the remaining sections accordingly.

SIGNED _____
Amendment Sponsor

SIGNED _____
Committee Chair if Senate Committee Amendment

ADOPTED 3/15/95 FAILED _____ TABLED _____

104-0 EV

NORTH CAROLINA GENERAL ASSEMBLY
SENATE

RECORDED VOTE

1995 SESSION

SEQ. 163/3-- 4:04 PM MARCH 16, 1995 LEGISLATIVE DAY 30

LT. GOVERNOR WICKER -- Presiding

ODOM
REPEAL PRISON CAP
HOUSE COM SUB/4TH EDITION

SENATE BILL 27

MOTION 8
TO CONCUR

AYE	16	BALLANTINE	COCHRANE	HORTON	MCKOY
		BLACKMON	EAST	KINCAID	SHAW
		CARRINGTON	FORRESTER	LEE	SIMPSON
		CLARK	FOXX	MCDANIEL	WEBSTER
NO	28	ALBERTSON	EDWARDS	LEDBETTER	PLYLER
		BALLANCE	GULLEY	LUCAS	RAND
		BASNIGHT	HARTSELL	MARTIN R.	SHERRON
		CARPENTER	HOBBS	MARTIN W.	SOLES
		COOPER	HOYLE	ODOM	SPEED
		DANNELLY	JORDAN	PARNELL	WARREN
		DAVIS	KERR	PERDUE	WINNER
EXCUSED	0				
NOT CAST	0				
ABSENT	5	ALLRAN	PLEXICO	SAWYER	SMITH
		CONDER			
PAIRS	0				
AYE					
NO					

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1995

FILED - SENATE
JAN 25 1995
PRINCIPAL CLERK

S 28 D

SENATE DRS8518-LH038B(1.9)

Short Title: Increase Some Crim. Penalties. (Public)

Sponsors: Senator Odom.

Referred to:

A BILL TO BE ENTITLED

AN ACT TO CREATE A NEW OFFENSE CLASS AND PUNISHMENT ROW FOR MISDEMEANOR ASSAULTS, TO INCREASE THE PUNISHMENT FOR THE FELONY OFFENSES OF COMMON LAW ROBBERY, BREAKING AND ENTERING, ASSAULT ON A LAW ENFORCEMENT OFFICER, AND POSSESSION OF A FIREARM BY A FELON, TO LENGTHEN THE MINIMUM SENTENCES FOR FELONY OFFENSE CLASSES B2, C, AND D.

The General Assembly of North Carolina enacts:

Section 1. G.S. 14-33 reads as rewritten:

"**§ 14-33. Misdemeanor assaults, batteries, and affrays, simple and aggravated; punishments.**

(a) Any person who commits a simple assault or a simple assault and battery or participates in a simple affray is guilty of a Class ~~1~~ 2 misdemeanor.

(b) Unless his conduct is covered under some other provision of law providing greater punishment, any person who commits any assault, assault and battery, or affray is guilty of a Class 1 misdemeanor if, in the course of the assault, assault and battery, or affray, he:

~~(1) Inflicts, or attempts to inflict, serious injury upon another person or uses a deadly weapon;~~

~~(2) Assaults a female, he being a male person at least 18 years of age;~~

~~(3) Assaults a child under the age of 12 years;~~

(4) through (7) Repealed by Session Laws 1991, c. 525, s. 1;

~~(8) Assaults an officer or employee of the State or of any political subdivision of the State, a company police officer certified pursuant to the provisions of Chapter 74E of the General Statutes,~~

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1995

FILED - SENATE
S 2 9
JAN
PRINCIPAL CLERK
995

S D

SENATE DRS4517-LH042(1.13)

Short Title: Capital Cases/Revise Appeal Process. (Public)

Sponsors: Senator Odom.

Referred to:

A BILL TO BE ENTITLED

AN ACT TO EXPEDITE THE POSTCONVICTION PROCESS IN NORTH CAROLINA FOR CAPITAL CASES.

The General Assembly of North Carolina enacts:

Section 1. G.S. 15A-1415 reads as rewritten:

"**§ 15A-1415. Grounds for appropriate relief which may be asserted by defendant after ~~verdict~~ verdict; ~~and without~~ limitation as to time.**

(a) ~~At any time after verdict,~~ Within the time limitations specified herein, the defendant by motion may seek appropriate relief upon any of the grounds enumerated in this section. A postconviction motion for appropriate relief shall be filed within 120 days from the latest of the following:

(1) The entry of the court's judgment has been filed, but the defendant failed to perfect a timely appeal;

(2) The mandate issued by a court of the appellate division on direct appeal pursuant to N.C.App.P. 32(b) and the time for filing a petition for certiorari to the United States Supreme Court has expired without a petition being filed;

(3) The United States Supreme Court denied a timely petition for certiorari of the decision on direct appeal by the Supreme Court of North Carolina;

(4) Following the denial of discretionary review by the Supreme Court of North Carolina, the United States Supreme Court denied a timely petition for certiorari seeking review of the decision on direct appeal by the North Carolina Court of Appeals;

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1995

FILED SENATE
JAN 25 1995
S 30
PRINCIPAL CLERK

S D

SENATE DRS3504-LL035(1.1)

Short Title: Long-Term Confinement Contracts. (Public)

Sponsors: Senator Odom.

Referred to:

A BILL TO BE ENTITLED

AN ACT TO AUTHORIZE THE SECRETARY OF CORRECTION TO ENTER LONG-TERM CONTRACTS FOR THE CONFINEMENT OF STATE PRISONERS IN COUNTY FACILITIES.

The General Assembly of North Carolina enacts:

Section 1. G.S. 148-37(b) reads as rewritten:

"(b) The Secretary of Correction may contract with the proper official of the United States or of any county or city of this State for the confinement of federal prisoners after they have been sentenced, county, or city prisoners in facilities of the State prison system or for the confinement of State prisoners in any county or any city facility located in North Carolina, or any facility of the United States Bureau of Prisons, when to do so would most economically and effectively promote the purposes served by the Department of Correction. ~~Any~~ Except as otherwise provided, any contract made under the authority of this section shall be for a period of not more than two years, and shall be renewable from time to time for a period not to exceed two years. Contracts made under the authority of this section for the confinement of State prisoners in county facilities shall be for a period of not more than 10 years, and shall be renewable from time to time for a period not to exceed 10 years. Contracts for receiving federal, county and city prisoners shall provide for reimbursing the State in full for all costs involved. The financial provisions shall have the approval of the Department of Administration before the contract is executed. Payments received under such contracts shall be deposited in the State treasury for the use of the State Department of Correction. Such payments are hereby appropriated to the State Department of Correction as a supplementary fund

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1995

FILED - SENATE
JAN 25 1995
PRINCIPAL CLERK

S

S 31

D

SENATE DRS4519-LL034C(1.1)

Short Title: Allow Private Prisons. (Public)

Sponsors: Senator Parnell.

Referred to:

A BILL TO BE ENTITLED

AN ACT TO ALLOW FOR THE CONTRACTING OF PRIVATE PRISONS.

The General Assembly of North Carolina enacts:

Section 1. G.S. 148-37(c) reads as rewritten:

"(c) In addition to the authority contained in subsections (a) and (b) of this section, and in addition to the contracts ratified by subsection (f) of this section, the Secretary of Correction may enter into contracts with any public entity or any private nonprofit or for-profit firms for the confinement and care of State prisoners in any out-of-state public correctional facility when to do so would most economically and effectively promote the purposes served by the Department of Correction. Subject to the provisions of subsection (e) of this section, the combined authority contained in this subsection and in subsection (f) of this section may be used to house a maximum of 1,000 prisoners at any one time, which maximum shall include those housed on March 25, 1994, under contracts ratified by subsection (f) of this section. Prisoners may be sent to out-of-state correctional facilities only when there are no available facilities in this State within the State prison system to appropriately house those prisoners. Any contract made under the authority of this subsection ~~shall expire not later than June 30, 1995, and~~ shall be approved by the Department of Administration before the contract is executed."

Sec. 2. G.S. 148-37 is amended by adding a new subsection to read:

"(g) The Secretary of Correction may contract with private for-profit or nonprofit firms for the provision and operation of confinement facilities in the State to house State prisoners. Contracts entered under the authority of this section shall be for a period not to exceed 10 years, shall be renewable from time to time for a period not to exceed 10 years, and are subject to the approval of the Council of State and the

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1995

FILED - SENATE
S 32 JAN 25 1995
PRINCIPAL CLERK

S D

SENATE DRS4522-LL036(1.1)

Short Title: Housing of Misdemeanants LRC. (Public)

Sponsors: Senator Hobbs.

Referred to:

A BILL TO BE ENTITLED

AN ACT TO AUTHORIZE THE LEGISLATIVE RESEARCH COMMISSION TO STUDY THE HOUSING OF MISDEMEANANTS IN LOCAL CONFINEMENT FACILITIES.

The General Assembly of North Carolina enacts:

Section 1. The Legislative Research Commission may study the current relationship between the State and local governments regarding the housing of inmates and determine whether the State should continue housing misdemeanants in the State prison system or should commit all misdemeanants to the custody of local confinement facilities. The study may include an evaluation of the system of reimbursement to local confinement facilities for the housing of inmates under G.S 148-32.1.

Sec. 2. The Legislative Research Commission may report its findings and any recommendations to the 1997 General Assembly, and may make an interim report to the 1995 General Assembly, 1996 Regular Session.

Sec. 3. This act is effective upon ratification.

GENERAL ASSEMBLY OF NORTH CAROLINA

FILED - SENATE

SESSION 1995

S

S 3 3

JAN 25 1995

D

SENATE DRS5512-LH036A(1.1)

PRINCIPAL CLERK

Short Title: Felony Pleas in Dist. Ct. (Public)

Sponsors: Senator Ballance.

Referred to:

A BILL TO BE ENTITLED

AN ACT TO GIVE THE DISTRICT COURT CONCURRENT JURISDICTION WITH THE SUPERIOR COURT TO ACCEPT A PLEA OF GUILTY OR NO CONTEST TO A CLASS F, G, H, OR I FELONY WITH THE CONSENT OF THE STATE AND THE DEFENDANT.

The General Assembly of North Carolina enacts:

Section 1. G.S. 7A-272 is amended by adding the following new subsections to read:

"(c) With the consent of both the prosecutor and the defendant, the district court has jurisdiction to accept a defendant's plea of guilty or no contest to a Class F, G, H, or I felony if:

(1) The defendant is charged with a felony in an information filed pursuant to G.S. 15A-644.1, the felony is pending in district court, and the defendant has not been indicted for the offense; or

(2) The defendant has been indicted for a criminal offense but the defendant's case is transferred from superior court to district court pursuant to G.S. 15A-1029.1.

(d) Provisions in Chapter 15A of the General Statutes relating to appeal, release after conviction, motion for appropriate relief, and the like shall apply to a plea authorized under subsection (c) of this section as if the plea had been entered in superior court, so that a district court judge is authorized to act in these matters in the same manner as a superior court judge would be authorized to act if the plea had been entered in superior court, and appeals that are authorized in these matters are to the appellate division."

Sec. 2. The catch line for G.S. 7A-272 reads as rewritten:

NORTH CAROLINA GENERAL ASSEMBLY
AMENDMENT
Senate Bill 33

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

S33-ARU-001

Date 5-9 ,1995

Comm. Sub. [ ]
Amends Title [ ]

moves to amend the bill on page 1, lines 18 and 19,
by deleting the words "relating to appeal, release after conviction, motion for appropriate relief, and the like";

and, on page 3, line 6,
by inserting between the words "Article 58" and "apply" the words "of this Chapter".

SIGNED _____
Amendment Sponsor

SIGNED _____
Committee Chair if Senate Committee Amendment

ADOPTED 5-10-95 (V) FAILED _____ TABLED _____

NORTH CAROLINA GENERAL ASSEMBLY
AMENDMENT
Senate Bill 33

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

S33-ARV-001

Date 5/10 ,1995

Comm. Sub. [ ]
Amends Title [YES]

Senator Ballance

moves to amend the bill on page 1, line 5,
by rewriting that line to read: "THE PRESIDING DISTRICT COURT JUDGE,
THE STATE, AND THE DEFENDANT.";

and on page 1, line 9,
by rewriting that line to read:
"(c) With the consent of the presiding district court judge, the prosecutor, and the defendant, the district court".

SIGNED _____
Amendment Sponsor

SIGNED _____
Committee Chair if Senate Committee Amendment

ADOPTED 5-10-95 (42-0) FAILED _____ TABLED _____

NORTH CAROLINA GENERAL ASSEMBLY
SENATE

RECORDED VOTE

1995 SESSION

SEQ. 606/22-- 4:38 PM MAY 10, 1995 LEGISLATIVE DAY 61

LT. GOVERNOR WICKER -- Presiding

BALLANCE
FELONY PLEAS IN DIST. CT.

SENATE BILL 33

AMEND 2

AYE	42	ALBERTSON	DAVIS	LUCAS	PLYLER
		ALLRAN	FORRESTER	MARTIN R.	RAND
		BALLANCE	FOXX	MARTIN W.	SHAW
		BALLANTINE	GULLEY	MCDANIEL	SHERRON
		BASNIGHT	HARTSELL	MCKOY	SIMPSON
		BLACKMON	HOBBS	ODOM	SOLES
		CARPENTER	HOYLE	PAGE	SPEED
		CARRINGTON	JORDAN	PARNELL	WARREN
		CLARK	KINCAID	PERDUE	WEBSTER
		COCHRANE	LEDBETTER	PLEXICO	WINNER
		COOPER	LITTLE		
NO	0				
EXCUSED	0				
NOT CAST	6	CONDER	EAST	KERR	SAWYER
		DANNELLY	HORTON		
ABSENT	2	EDWARDS	SMITH		
PAIRS	0				
AYE					
NO					

NORTH CAROLINA GENERAL ASSEMBLY
SENATE

RECORDED VOTE

1995 SESSION

SEQ. 607/23-- 4:40 PM MAY 10, 1995 LEGISLATIVE DAY 61

LT. GOVERNOR WICKER -- Presiding

BALLANCE
FELONY PLEAS IN DIST. CT.

SENATE BILL 33
READING 2



AYE	42	ALBERTSON	DAVIS	LUCAS	PLYLER
		ALLRAN	EAST	MARTIN R.	RAND
		BALLANCE	FORRESTER	MARTIN W.	SHAW
		BALLANTINE	FOXX	MCDANIEL	SHERRON
		BASNIGHT	HARTSELL	MCKOY	SIMPSON
		BLACKMON	HOBBS	ODOM	SOLES
		CARPENTER	HOYLE	PAGE	SPEED
		CARRINGTON	JORDAN	PARNELL	WARREN
		COCHRANE	KINCAID	PERDUE	WEBSTER
		COOPER	LEDBETTER	PLEXICO	WINNER
		DANNELLY	LITTLE		
NO	1	CLARK			

EXCUSED	0				
NOT CAST	5	CONDER	HORTON	KERR	SAWYER
		GULLEY			
ABSENT	2	EDWARDS	SMITH		
PAIRS	0				
AYE					
NO					

EV

NORTH CAROLINA

HOUSE OF REPRESENTATIVES

ROLL CALL

S[redacted] # 2110
LEGISLATIVE DAY 134
S33 HCS#2
READING 2

6/20/96
7:18 PM
IN CHAIR: SPEAKER

FELONY PLEAS/ ARRAIGNMENT CHANGES

AYES - 99

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

NOES - 9

BOYD-MCINTYRE	MCALLISTER	MILLER, G.	SUTTON
CULPEPPER	MICHAUX	ROGERS	YONGUE
LUEBKE			

EXCUSED ABSENCE - 7

BEALL	FOX	OLDHAM	WARNER
BLUE	HUNT	ROBINSON, G.	

EXCUSED VOTE - 0

NOT VOTING - 5

SPEAKER	LEMMOND	MCLAUGHLIN	MILLER, K.
HUNTER, H.			

NORTH CAROLINA GENERAL ASSEMBLY
SENATE

RECORDED VOTE

1995 SESSION
SECOND REGULAR SESSION

SEQ. 1848/61-- 4:55 PM JUNE 21, 1996 LEGISLATIVE DAY 134

LT. GOVERNOR WICKER -- Presiding

BALLANCE
FELONY PLEA/ARRAIGNMENT CHANGES
HOUSE COM SUB NO. 2/4TH EDITION

SENATE BILL 33

MOTION 8
TO CONCUR

AYE	43	ALBERTSON	COOPER	JORDAN	PARNELL
		ALLRAN	DANNELLY	KERR	PLEXICO
		BALLANCE	DAVIS	LEDBETTER	PLYLER
		BALLANTINE	EAST	LITTLE	RAND
		BASNIGHT	FORRESTER	LUCAS	SHAW
		BLACKMON	FOXX	MARTIN R.	SHERRON
		BLUST	GULLEY	MARTIN W.	SPEED
		CARRINGTON	HARTSELL	MCDANIEL	WARREN
		CLARK	HOBBS	MCKOY	WEBSTER
		COCHRANE	HORTON	ODOM	WINNER
		CONDER	HOYLE	PAGE	
NO	0				
EXCUSED	0				
NOT CAST	4	KINCAID	PERDUE	SIMPSON	SOLES
ABSENT	3	CARPENTER	EDWARDS	SMITH	
PAIRS	0				
AYE					
NO					

COPY)

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1995

S FILED - SENATE D

SENATE DRS7509-LH045(1.13) S 34 JAN 25 1995

PRINCIPAL CLERK

Short Title: Death by Administration of Lethal Drugs. (Public)

Sponsors: Senator Odom.

Referred to:

A BILL TO BE ENTITLED

AN ACT TO ABOLISH EXECUTION BY LETHAL GAS AND TO PROVIDE THAT A PERSON CONVICTED OF A CRIMINAL OFFENSE WHO IS SENTENCED TO DEATH SHALL BE EXECUTED BY THE ADMINISTRATION OF LETHAL DRUGS.

The General Assembly of North Carolina enacts:

Section 1. G.S. 15-187 reads as rewritten:

"**§ 15-187. Death by administration of lethal ~~gas or~~ drugs.**

Death by electrocution under sentence of law ~~is hereby abolished~~ and death by the administration of lethal gas ~~substituted therefor, except that if any person sentenced to death so chooses, he may at least five days prior to his execution date, elect in writing to be executed by the administration of a lethal quantity of an ultrashort-acting barbiturate in combination with a chemical paralytic agent.~~ are under sentence of law are abolished. Any person convicted of a criminal offense and sentenced to death shall be executed only by the administration of a lethal quantity of an ultrashort-acting barbiturate in combination with a chemical paralytic agent."

Sec. 2. G.S. 15-188 reads as rewritten:

"**§ 15-188. Manner and place of execution.**

~~Except as otherwise provided in~~ In accordance with G.S. 15-187, the mode of executing a death sentence must in every case be by ~~causing~~ administering to the convict or felon ~~to inhale lethal gas of sufficient quantity to cause death, and the administration of such lethal gas must be continued until such~~ a lethal quantity of an ultrashort-acting barbiturate in combination with a chemical paralytic agent until the convict or felon is dead; and when any person, convict or felon shall be sentenced by any court of the State having competent jurisdiction to be so executed, ~~such~~ the

NORTH CAROLINA GENERAL ASSEMBLY
AMENDMENT
Senate Bill 34

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

S34-ARV-001

Page 1 of 1

Date March 16 ,1995

Comm. Sub. [ ]
Amends Title [ ]

Senator Parnell

moves to amend the bill on page 1, line 13,
by deleting the word "are".

SIGNED _____
Amendment Sponsor

SIGNED _____
Committee Chair if Senate Committee Amendment

ADOPTED 3-16-95 FAILED _____ TABLED _____
(V)

NORTH CAROLINA GENERAL ASSEMBLY
AMENDMENT
Senate Bill 34

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

S34-ALHF-5

Date 3-22, 1995

Comm. Sub. [ ]
Amends Title [ ]

Senator Odom

moves to amend the bill as amended by amendment #1 on page 2, line 9,
by rewriting that line to read:
"Sec. 3. This act is effective upon ratification and applies to offenses committed on or after that date. Nothing in this act shall be construed to alter in any manner the method of execution that shall be used to carry out the sentence of death imposed on a convicted defendant as a result of any crime committed before the effective date of this act."

SIGNED _____
Amendment Sponsor

SIGNED _____
Committee Chair if Senate Committee Amendment

ADOPTED 3-22-95 (45-0) FAILED _____ TABLED _____

NORTH CAROLINA GENERAL ASSEMBLY
SENATE

RECORDED VOTE

1995 SESSION

SEQ. 186/3-- 3:27 PM | MARCH 22, 1995 | LEGISLATIVE DAY 33

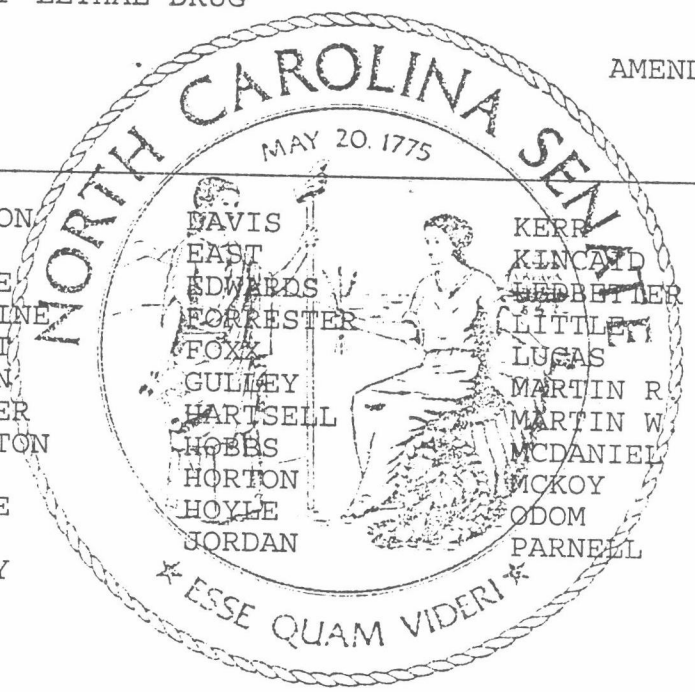
LT. GOVERNOR WICKER -- Presiding

ODOM
DEATH/ADMINISTRATION OF LETHAL DRUG

SENATE BILL 34

AMEND 2

AYE	45	ALBERTSON	DAVIS	KERR	PERDUE
		ALLRAN	EAST	KINCAID	PLEXICO
		BALLANCE	EDWARDS	GEORGE LEE	PLYLER
		BALLANTINE	FORRESTER	LITTLEJOHN	RAND
		BASNIGHT	FOXX	LUCAS	SHERRON
		BLACKMON	GULLEY	MARTIN R	SIMPSON
		CARPENTER	HARTSELL	MARTIN W	SOLES
		CARRINGTON	HOBBS	MCDANIEL	SPEED
		CLARK	HORTON	MCKOY	WARREN
		COCHRANE	HOYLE	ODOM	WEBSTER
		COOPER	JORDAN	PARNELL	WINNER
		DANNELLY			
NO	0				



EXCUSED	0				
NOT CAST	0				
ABSENT	4	CONDER	SAWYER	SHAW	SMITH
PAIRS	0				
AYE					
NO					

NORTH CAROLINA GENERAL ASSEMBLY AMENDMENT

(Please type or use ballpoint pen)

EDITION No. _____

H. B. No. _____ DATE 3-22-94

S. B. No. 34 Amendment No. 3 (three)

(to be filled in by Principal Clerk)

COMMITTEE SUBSTITUTE _____

Rep.)
Sen.) Mark McDaniel

1 moves to amend the bill on page 1, line 13

2 ( ) WHICH CHANGES THE TITLE

3 by Delete the word "are"

4

5

6

7

8

9

10

11

12

13

14

15

16

17

18

19

SIGNED _____

ADOPTED WITHDRAWN FAILED _____ TABLED _____

GA-33-A

PRINCIPAL CLERK'S OFFICE (FOR ENGROSSMENT)

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1995

S D

SENATE DRS6514*-LFZ013(1.1)

FILED - SENATE
S 35
JAN 25 1995
PRINTED

Short Title: 1995 Welfare Reform. (Public)

Sponsors: Senators Martin of Guilford, Dannelly, Kerr, and Warren.

Referred to:

A BILL TO BE ENTITLED

AN ACT TO ESTABLISH THE 1995 NORTH CAROLINA WELFARE REFORM ACT.

The General Assembly of North Carolina enacts:

Section 1. Article 2 of Chapter 108A of the General Statutes is amended by adding a new Part to read:

"Part 1A. The 1995 North Carolina Welfare Reform Act.

"**§ 108A-26.10. Goal of Welfare Reform.**

Welfare Reform should aim at moving people permanently from the welfare dependency cycle to work and self-sufficiency. In so doing, it should treat all people fairly and promote individual and family responsibility, family stability, dignity, and self-respect. It should focus on the well-being and development of children into self-sufficient adults and should be administered in a fiscally responsible manner. The agreement should also recognize that some people are not capable of total, permanent self-sufficiency but may be moved toward relatively independent living.

"**§ 108A-26.11. Methodology of Welfare Reform; agreement between recipient and service provider; agreement specifics.**

(a) The Department of Human Resources shall ensure that every family receiving assistance shall participate in forming, and shall formally consent to, an agreement with the State and with the local social services agency, with the local agency acting for the State. This agreement shall specify all services and benefits to be provided the family to facilitate moving the family to permanent self-sufficiency. If the director of the local social services agency determines that the recipient is not capable of eventual total, permanent self-sufficiency, the agreement shall specify how the recipient may be advanced toward relatively independent living. The agreement

NORTH CAROLINA GENERAL ASSEMBLY
AMENDMENT
Senate Bill 35

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

S035-ARK-003.1

Date 7/5, 1995

NO. 2
Comm. Sub. [Yes]
Amends Title [No]
Third Edition

Senator Martin of Guilford

moves to amend the bill on page 14, line 39, by rewriting that line to read:
"social services agencies."; and

on page 14, line 40, by deleting that line; and

on page 15, lines 7 through 31, by deleting those lines.

SIGNED _____
Amendment Sponsor

SIGNED _____
Committee Chair if Senate Committee Amendment

ADOPTED 7-5-95 (41-8) FAILED _____ TABLED _____

S Fink

With drawn — 7-5-96
Resubmitted — 7-5-95

NORTH CAROLINA GENERAL ASSEMBLY
SENATE

RECORDED VOTE

1995 SESSION

SEQ. 1189/10-- 3:48 PM JULY 5, 1995 LEGISLATIVE DAY 93

LT. GOVERNOR WICKER -- Presiding

MARTIN W.
PARTNERSHIP FOR INDEPENDENCE
COM SUB NO.2/3RD EDITION

SENATE BILL 35

AMEND 1

AYE	41	ALBERTSON	EDWARDS	LUCAS	SAWYER
		BALLANCE	FORRESTER	MARTIN R.	SHAW
		BASNIGHT	GULLEY	MARTIN W.	SHERRON
		CARPENTER	HARTSELL	MCKOY	SIMPSON
		CLARK	HOBBS	ODOM	SMITH
		COCHRANE	HOYLE	PARNELL	SOLES
		CONDER	JORDAN	PERDUE	SPEED
		COOPER	KERR	PLEXICO	WARREN
		DANNELLY	LEDBETTER	PLYLER	WEBSTER
		DAVIS	LITTLE	RAND	WINNER
		EAST			
NO	8	ALLRAN	BLACKMON	FOXX	MCDANIEL
		BALLANTINE	CARRINGTON	KINCAID	PAGE

EXCUSED 0

NOT CAST 1 HORTON

ABSENT 0

PAIRS 0
AYE
NO

NORTH CAROLINA GENERAL ASSEMBLY AMENDMENT

(Please type or use ballpoint pen)

EDITION No. _____

H. B. No. _____

S. B. No. 35

COMMITTEE SUBSTITUTE No. 2

DATE 7-5-95

Amendment No. 2 (two)
(to be filled in by Principal Clerk)

Rep.) Ballance
Sen.)

moves to amend the bill on page 12, line 10

( ) WHICH CHANGES THE TITLE

by adding before the period " on the vehicle owned by or in the possession of the applicant with a value not exceeding $9,500".

SIGNED Ballance

ADOPTED _____ FAILED _____ TABLED _____

WITHDRAWN

GA-33-A

PRINCIPAL CLERK'S OFFICE (FOR ENGROSSMENT)

NORTH CAROLINA GENERAL ASSEMBLY
AMENDMENT
Senate Bill 35

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

S35-ARI-008.3

Date 7-5, 1995

Comm. Sub. [] No. 2
Amends Title []
Second Edition

Senator Cochrane

moves to amend the bill on page 10, between lines 32 and 33, by adding the following new subdivisions to read:

"(4) BENEFITS INCLUDED AS INCOME.

The Department of Human Resources shall ensure that the following is included as income for the purposes of determining AFDC eligibility:

a. 100% of the monthly food stamp allotment for which the assistance unit qualifies; and

b. 100% of the monthly housing subsidy for which the assistance unit qualifies.

(5) OTHER HOUSEHOLD RESOURCES.

a. The General Assembly finds that pursuant to federal regulations for AFDC, there is no incentive for AFDC recipients to adopt traditional family structures because the income of a 'substitute parent' or 'man-in-the-house' is not an acceptable basis for a finding of ineligibility or for assuming the availability of income in determining AFDC assistance pursuant to 45 CFR 233.90. The General Assembly finds further that a person who is living with a recipient parent as a 'substitute parent' or 'man-in-the-house' should bear the same responsibilities and obligations as the recipient parent with regard to the family.

b. The Department shall ensure that the income of a person, living with a recipient family as a 'substitute parent' or 'man-in-the-house' shall be treated as a resource for the purpose of determining the AFDC eligibility for that family."; and

See page 2

NORTH CAROLINA GENERAL ASSEMBLY
AMENDMENT
Senate Bill 35

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

S35-ARI-008.3

by renumbering the remaining subdivisions in this subsection accordingly.

SIGNED Betsy Cochrane
Amendment Sponsor

SIGNED _____
Committee Chair if Senate Committee Amendment

ADOPTED _____ FAILED _____ TABLED _____

NORTH CAROLINA GENERAL ASSEMBLY
SENATE

RECORDED VOTE

1995 SESSION

SEQ. 1203/9-- 3:51 PM JULY 6, 1995 LEGISLATIVE DAY 9

LT. GOVERNOR WICKER -- Presiding

MARTIN W.
PARTNERSHIP FOR INDEPENDENCE
COM SUB NO.2/3RD EDITION

SENATE BILL 35

MOTION 5
TO REFER

AYE	26	ALBERTSON	GULLEY	MARTIN W.	RAND
		BALLANCE	HOBBS	ODOM	SHERRON
		BASNIGHT	HOYLE	PARNELL	SOLES
		CONDER	JORDAN	PERDUE	SPEED
		COOPER	KERR	PLEXICO	WARREN
		DANNELLY	LUCAS	PLYLER	WINNER
		EDWARDS	MARTIN R.		
NO	23	ALLRAN	COCHRANE	HORTON	PAGE
		BALLANTINE	DAVIS	KINCAID	SHAW
		BLACKMON	EAST	LEDBETTER	SIMPSON
		CARPENTER	FORRESTER	LITTLE	SMITH
		CARRINGTON	FOXX	MCDANIEL	WEBSTER
		CLARK	HARTSELL	MCKOY	

EXCUSED 0

NOT CAST 0

ABSENT 1 SAWYER

PAIRS 0
AYE
NO

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1995

FILED - SENATE
JAN 25 1995
PRINCIPAL CLERK

S 36 D

SENATE DRS8523-RB15.1(1.23)

Short Title: Taxpayer Bill of Rights. (Public)

Sponsors: Senators Hoyle, Kerr, Plyler, Rand, Speed, and Warren.

Referred to:

A BILL TO BE ENTITLED

AN ACT TO PROTECT THE TAXPAYERS OF NORTH CAROLINA BY ESTABLISHING THE TAXPAYER BILL OF RIGHTS.

The General Assembly of North Carolina enacts:

Section 1. Chapter 105 of the General Statutes is amended by adding a new section immediately before Article 1 to read:

"**§ 105-1.1. Declaration of taxpayer rights.**

By means of the United States Constitution and the North Carolina Constitution, the people have bestowed upon the General Assembly the power to obtain a regular and adequate supply of revenue to serve the public good. The General Assembly exercises this power, which is an indispensable ingredient of government, by imposing taxes on the people of the State. In exercising this power, the General Assembly pledges to be ever mindful that the Assembly is the embodiment of the people and guarantees to the people, who are the necessary subjects of taxation, the following rights:

(1) To be protected from tax increases caused by 'bracket-creep' and other effects of inflation on tax liabilities, in accordance with G.S. 105-134.2 and G.S. 105-277.1.

(2) To have a constitutional limit on the State income tax rate, in accordance with Article V, Sec. 2 of the North Carolina Constitution.

(3) To have a balanced State budget, in accordance with Article III, Sec. 5 of the North Carolina Constitution.

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1995

FILED - SENATE
JAN 25 1995
PRINCIPAL CLERK

S D

SENATE DRS3513-LB066(1.3) S37

Short Title: Term Limits. (Public)

Sponsors: Senator Conder.

Referred to:

A BILL TO BE ENTITLED

AN ACT TO AMEND THE CONSTITUTION OF NORTH CAROLINA TO PROVIDE FOR TERM LIMITS FOR MEMBERS OF THE GENERAL ASSEMBLY, COUNCIL OF STATE, LOCAL OFFICIALS, AND MEMBERS OF THE CONGRESS OF THE UNITED STATES.

The General Assembly of North Carolina enacts:

Section 1. Article II of the Constitution of North Carolina is amended by adding a new section to read:

"**Sec. 25. Limitation of consecutive terms.**

(1) Term limits. No person shall be eligible for election to more than six consecutive terms of office as a member of the House of Representatives, nor for election to more than six consecutive terms of office as a member of the Senate. If a person is not elected to a full term, service caused by filling of a vacancy shall not be considered as election to a term for the purpose of this section.

(2) Effectiveness. Terms of office commencing prior to January 1, 1996, shall be considered for the purpose of this section except that this sentence shall not forbid any person in office on that date from completing that term of office.

(3) Filling of vacancy. A person disqualified by this section from election to the next succeeding term as a member of the House or Senate may not fill a vacancy in that succeeding term."

Sec. 2. Section 2(2) of Article III of the Constitution of North Carolina reads as rewritten:

"(2) Qualifications. No person shall be eligible for election to the office of Governor or Lieutenant Governor unless, at the time of his election, he shall have attained the age of 30 years and shall have been a citizen of the United States for five

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1995

S D

SENATE DRS3521-RR014(1.25)

FILED - SENATE

S 3 8

JAN 2 5 1995

PRINCIPAL CLERK

Short Title: Campaign Reporting. (Public)

Sponsors: Senator Plexico.

Referred to:

A BILL TO BE ENTITLED

AN ACT TO AMEND THE CAMPAIGN-REPORTING LAWS TO REQUIRE MORE DISCLOSURE ABOUT CONTRIBUTORS AND TO ADD A REPORT AROUND LABOR DAY FOR CERTAIN CANDIDATES; AND TO ELIMINATE THE EXTRA CONTRIBUTION LIMIT PERIOD FOR THE SECOND PRIMARY FOR CANDIDATES WHO ARE NOT ON THE BALLOT IN THE SECOND PRIMARY.

The General Assembly of North Carolina enacts:

Section 1. G.S. 163-278.8(c) reads as rewritten:

"(c) A treasurer may not accept a contribution of more than one hundred dollars ($100.00) from a nonresident of this State unless the contribution is accompanied by a written statement setting forth the ~~name and address~~ name, home mailing address, occupation, and business mailing address of each contributor."

Sec. 2. G.S. 163-278.8(d) reads as rewritten:

"(d) A treasurer shall not be required to report the name of any individual who is a resident of this State who makes a total contribution of one hundred dollars ($100.00) or less but he shall instead report the fact that he has received a total contribution of one hundred dollars ($100.00) or less, the amount of the contribution, and the date of receipt. If a treasurer receives contributions of one hundred dollars ($100.00) or less, each at a single event, he may account for and report the total amount received at that event, the date and place of the event, the nature of the event, and the approximate number of people at the event. With respect to the proceeds of sale of services, campaign literature and materials, wearing apparel, tickets or admission prices to campaign events such as rallies or dinners, and the proceeds of sale of any campaign-related services or goods, if the price or value

NORTH CAROLINA GENERAL ASSEMBLY
SENATE

RECORDED VOTE

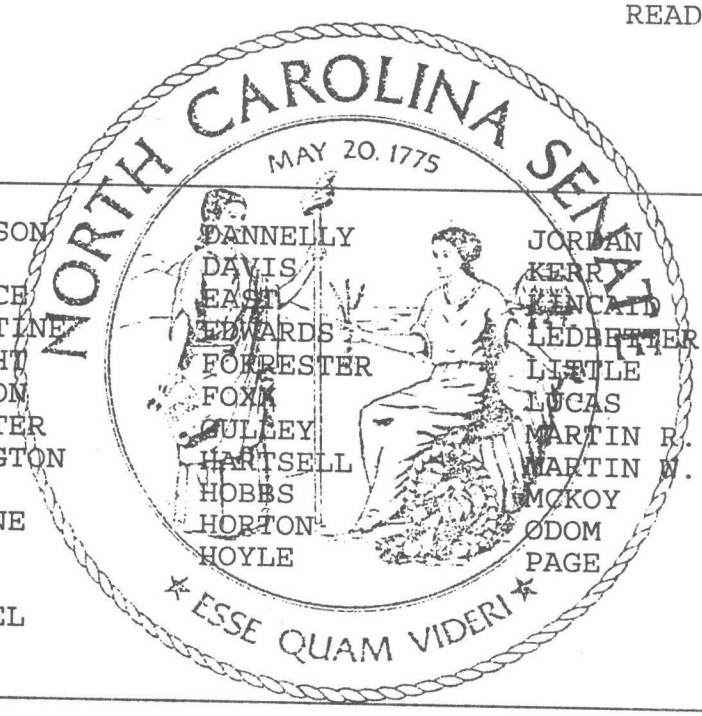
1995 SESSION

SEQ. 280/4--12:34 PM | APRIL 13, 1995 | LEGISLATIVE DAY 46

LT. GOVERNOR WICKER -- Presiding

PLEXICO
CAMPAIGN REPORTING
COM SUB/2ND EDITION

SENATE BILL 38
READING 2



AYE	43	ALBERTSON	DANNELLY	JORDAN	PARNELL
		ALLRAN	DAVIS	KERR	PERDUE
		BALLANCE	EAST	KINCAID	PLEXICO
		BALLANTINE	EDWARDS	LEDBETTER	PLYLER
		BASNIGHT	FORRESTER	LITTLE	RAND
		BLACKMON	FOXX	LUCAS	SHAW
		CARPENTER	GULLEY	MARTIN R.	SHERRON
		CARRINGTON	HARTSELL	MARTIN W.	SIMPSON
		CLARK	HOBBS	MCKOY	SPEED
		COCHRANE	HORTON	ODOM	WINNER
		COOPER	HOYLE	PAGE	
NO	1	MCDANIEL			

EXCUSED	0				
NOT CAST	4	CONDER	SAWYER	SOLES	WARREN
ABSENT	2	SMITH	WEBSTER		
PAIRS	0				
AYE					
NO					

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1995

S D

SENATE DRS5515-LJ(1.24)

FILED - SENATE

S 3 9 JAN 2 5 1995

PRINCIPAL CLERK

Short Title: Taxpayers Protection Act. (Public)

Sponsors: Senators Speed, Hoyle, and Warren.

Referred to:

A BILL TO BE ENTITLED

AN ACT TO PROVIDE GOVERNMENTAL ACCOUNTABILITY AND PROTECTION TO THE TAXPAYERS BY LIMITING INCREASES IN THE GENERAL FUND BUDGET, REFORMING THE BUDGET PROCESS, ESTABLISHING A RAINY DAY EMERGENCY RESERVE TRUST FUND, AND APPROPRIATING FUNDS TO THE SAVINGS RESERVE ACCOUNT.

The General Assembly of North Carolina enacts:

Section 1. Article 1 of Chapter 143 of the General Statutes is amended by adding the following new sections:

"**§ 143-2.1. Definitions and determination of the General Fund expenditure limit.**

(a) The following definitions apply in G.S. 143-2.1, 143-2.3, 143-2.4, and 143-15.3A:

(1) Credit balance. -- That part of the credit balance, as determined on a cash basis, not already reserved to the Rainy Day Emergency Reserve Trust Fund or the Repairs and Renovations Reserve Account, excluding excess revenue that is over the General Fund expenditure limit.

(2) Fiscal growth factor. -- The average of the sum of inflation and population change for each of the preceding three calendar years. If either the inflation change or the population change for the preceding three calendar years is negative, then that change shall be counted as zero.

(3) Inflation. -- The percentage in the consumer price index for the United States for each calendar year as published by the Federal Bureau of Labor Statistics.

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1995

S D

SENATE DRS8521*-LBZ017F(1.1)

FILED - SENATE

S 4 0

JAN 2 6 1995

PRINCIPAL CLERK

Short Title: Absentee Voting Revision. (Public)

Sponsors: Senators Plexico and Smith.

Referred to:

A BILL TO BE ENTITLED

AN ACT TO STREAMLINE, SIMPLIFY, AND MODERNIZE THE ABSENTEE VOTING LAWS, AND TO CONFORM TO FEDERAL LAWS ON ABSENTEE VOTING.

The General Assembly of North Carolina enacts:

Section 1. Subchapter VII of Chapter 163 of the General Statutes reads as rewritten:

"SUBCHAPTER VII. ABSENTEE VOTING.

"ARTICLE 20.

"Absentee Ballot.

"§ 163-226. Who may vote an absentee ballot.

(a) Who May Vote Absentee Ballot; Generally. -- ~~Any~~ Except as provided by G.S. 163-302 with respect to municipal elections, and except as provided by G.S. 163-82.7(g)(2) in the case where a person's voter registration notice has been returned by the Postal Service as undeliverable, any qualified voter ~~of the State may vote by absentee ballot in a statewide primary, general, or special election on constitutional amendments, referenda or bond proposals, and any qualified voter of a county is authorized to~~ may vote by absentee ballot in any ~~primary or~~ election conducted by the county board of elections, in the manner provided in this Article if:

(1) ~~He~~ The qualified voter expects not to be present at the voting place to vote in person ~~be absent from the county in which he is~~

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1995

FILED - SENATE
S 41
JAN 26 1995
PRINCIPAL CLERK

S D

SENATE DRSA502-LD026(1.23)

Short Title: Pro Se Indigent Prisoners/AB. (Public)

Sponsors: Senator Odom.

Referred to:

A BILL TO BE ENTITLED

AN ACT TO PROVIDE A PROCEDURE FOR ELIMINATING FRIVOLOUS LAWSUITS BY PRISONERS AND TO ESTABLISH A PARTIAL FILING FEE FOR PRISONERS PROCEEDING AS INDIGENTS.

The General Assembly of North Carolina enacts:

Section 1. G.S. 1-110 reads as rewritten:

"**§ G.S. 1-110. Suit as an indigent; ~~counsel.~~ counsel; suits filed pro se by prison inmates.**

(a) Subject to the provisions of subsection (b) of this section with respect to prison inmates, any ~~Any~~ superior or district court judge or clerk of the superior court may authorize a person to sue as an indigent in their respective courts when the person makes affidavit that he or she is unable to advance the required court costs. The clerk of superior court shall authorize a person to sue as an indigent if the person makes the required affidavit and meets one or more of the following criteria:

(1) Receives food stamps.
(2) Receives Aid to Families with Dependent Children (AFDC).
(3) Receives Supplemental Security Income (SSI).
(4) Is represented by a legal services organization that has as its primary purpose the furnishing of legal services to indigent persons.
(5) Is represented by private counsel working on the behalf of or under the auspices of a legal services organization under subdivision (4) of this section.

A superior or district court judge or clerk of superior court may authorize a person who does not meet one or more of these criteria to sue as an indigent if the person is

NORTH CAROLINA GENERAL ASSEMBLY
SENATE

RECORDED VOTE

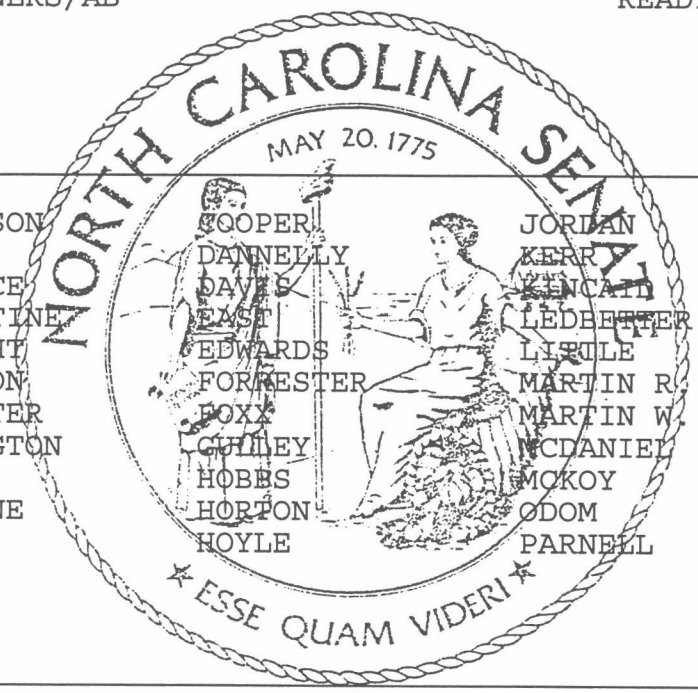
1995 SESSION

SEQ. 195/2-- 2:08 PM MARCH 28, 1995 LEGISLATIVE DAY 36

LT. GOVERNOR WICKER -- Presiding

ODOM
PRO SE INDIGENT PRISONERS/AB
COM SUB/2ND EDITION

SENATE BILL 41
READING 2



AYE	43	ALBERTSON	COOPER	JORDAN	PERDUE
		ALLRAN	DANNELLY	KERR	PLYLER
		BALLANCE	DAVIS	KINCAID	RAND
		BALLANTINE	EAST	LEDBETTER	SHAW
		BASNIGHT	EDWARDS	LITTLE	SHERRON
		BLACKMON	FORRESTER	MARTIN R.	SIMPSON
		CARPENTER	FOXX	MARTIN W.	SOLES
		CARRINGTON	GUILEY	MCDANIEL	SPEED
		CLARK	HOBBS	MCKOY	WARREN
		COCHRANE	HORTON	ODOM	WEBSTER
		CONDER	HOYLE	PARNELL	
NO	0				

EXCUSED	4	HARTSELL	LUCAS	PLEXICO	WINNER
NOT CAST	0				
ABSENT	2	SAWYER	SMITH		
PAIRS	0				
AYE					
NO					

NORTH CAROLINA
HOUSE OF REPRESENTATIVES
ROLL CALL

E1

SQ. # 897
LEGISLATIVE DAY 69
S41 SCS
READING 2

5/24/95
2:01 PM
IN CHAIR: SPEAKER

PRO SE INDIGENT PRISONERS/AB

AYES - 108

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

NOES - 1

MILLER, K.

EXCUSED ABSENCE - 2

FITCH WRIGHT

EXCUSED VOTE - 0

NOT VOTING - 9

SPEAKER	BOYD-MCINTYRE	ELLIS	LINNEY
BLUE	BRASWELL	GAMBLE	MICHAUX
BOWEN			

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1995

FILED - SENATE

JAN 26 1995

PRINCIPAL CLERK

S

S 42

D

SENATE DRS9518-LC020(1.1)

Short Title: One-Time Tax Rebate. (Public)

Sponsors: Senator Albertson.

Referred to:

A BILL TO BE ENTITLED

AN ACT TO PROVIDE A ONE-TIME TAX REBATE TO EACH INDIVIDUAL TAXPAYER WHO RESIDES IN THIS STATE.

The General Assembly of North Carolina enacts:

Section 1. (a) Taxpayer Rebate. -- The Department of Revenue shall implement a one-time income tax rebate program as provided in this act. For the purpose of this act, the term "income tax" means the individual income tax levied in Division II of Article 4 of Chapter 105 of the General Statutes. Every individual who was a resident of this State for part or all of their taxable year beginning in 1994 and who was liable for and paid income tax for that taxable year before the deadline provided in this act is eligible for an income tax rebate equal to fifty dollars ($50.00). In the case of a married couple filing a joint return, the Department shall treat each spouse as a separate taxpayer for the purpose of this tax rebate. In the case of a taxpayer who has two taxable years beginning in 1994, this act applies only to the first of those taxable years.

(b) Setoff Debt Collection. -- Before paying a rebate pursuant to this act, the Department of Revenue shall, pursuant to G.S. 105A-5, set off any debts owing a State agency against the rebate to the same extent as if the rebate were a refund as defined in G.S. 105A-2. The procedure for setting off debts shall be as provided in Chapter 105A of the General Statutes.

(c) Deadlines. -- To qualify for the rebate provided in this act, the taxpayer must file a final return and pay the entire income tax due for the taxable year within 90 days after the due date, including any approved filing extensions, of the return. The Department of Revenue shall pay the rebate by check mailed within 90 days after the later of (i) September 15, 1995, (ii) the date the return was due,

GENERAL ASSEMBLY OF NORTH CAROLINA

FILED - SENATE

SESSION 1995

S

S43

JAN 26 1995

D

SENATE DRS1506-LB065A(1.1)

PRINCIPAL CLERK

Short Title: Veto Conforming Changes. (Public)

Sponsors: Senator Cooper.

Referred to:

A BILL TO BE ENTITLED

AN ACT TO MAKE STATUTORY CONFORMING CHANGES NECESSITATED BY AN ACT TO PROVIDE FOR A GUBERNATORIAL VETO.

The General Assembly of North Carolina enacts:

Section 1. G.S. 120-33 reads as rewritten:

"**§ 120-33. Duties of enrolling clerk.**

(a) All bills passed by the General Assembly shall be enrolled for ratification under the supervision of the enrolling clerk.

(b) Prior to enrolling any bill, the enrolling clerk shall substitute the corresponding Arabic numeral(s) for any date or section number of the General Statutes or of any act of the General Assembly which is written in words. The enrolled bill shall have the word 'RATIFIED' following the bill number.

(c) All bills shall be typewritten and carefully proofread before enrollment.

(d) Upon ratification of an act or joint resolution, the enrolling clerk shall ~~assign in Arabic numerals a Chapter number to each session law and~~ present one true ratified copy:

(1) To the Governor of any act except acts not required to be presented to the Governor under Article II, Section 22 of the Constitution of North Carolina; and

(2) To the Secretary of State of:

a. Acts not required to be presented to the Governor under Article II, Section 22 of the Constitution of North Carolina; and

b. Joint resolutions.

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1995

FILED - SENATE
S 4 4 JAN 2 6 1995
PRINCIPAL CLERK

S D

SENATE DRS7519-LK040(1.19)

Short Title: Sports Teams Registration Plates. (Public)

Sponsors: Senator Odom.

Referred to:

A BILL TO BE ENTITLED

AN ACT TO PROVIDE FOR SPECIAL REGISTRATION PLATES FOR SUPPORTERS OF PROFESSIONAL SPORTS TEAMS.

The General Assembly of North Carolina enacts:

Section 1. G.S. 20-79.4(b) is amended by adding a new subdivision to read:

"21(a) Professional Sports Supporter. -- Issuable to the registered owner of a motor vehicle. The plate shall bear the logo for a particular professional sports team located in North Carolina."

Sec. 2. G.S. 20-81.12 is amended by adding a new subsection to read:

"(b4) Professional Sports Supporters Plates. -- The Division may, upon receipt of the 300 or more applications from supporters of a particular professional sports team representing a city in North Carolina, develop a registration plate with a unique number and bearing the logo for that professional sports team. Provided, however, no sports supporter plate shall be developed unless the professional sports team licenses the State of North Carolina to develop the sports supporter plate bearing the official team logo."

Sec. 3. This act is effective upon ratification.

NORTH CAROLINA GENERAL ASSEMBLY
AMENDMENT
Senate Bill 44

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

S44-ALK-2

Date Feb. 15 ,1995

Comm. Sub. [ ]
Amends Title [ ]

Senator Odom

moves to amend the bill on page 1, line 13,
by deleting: "representing a city" and substituting "located".

SIGNED _____
~~Amendment~~ Sponsor

SIGNED James D. Speed
Committee Chair if Senate Committee Amendment

ADOPTED 2-22-95 FAILED _____ TABLED _____

(V)

S Fisk

NORTH CAROLINA GENERAL ASSEMBLY
SENATE

RECORDED VOTE

1995 SESSION

SEQ. 127/4-- 2:25 PM MARCH 8, 1995 LEGISLATIVE DAY 25

LT. GOVERNOR WICKER -- Presiding

ODOM
SPORTS TEAMS REGISTRATION PLATES
COM SUB/3RD EDITION

SENATE BILL 44
READING 2

AYE 46

ALBERTSON
ALLRAN
BALLANCE
BALLANTINE
BASNIGHT
BLACKMON
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
PARNELL
PERDUE
PLEXICO
PLYLER
RAND
SHAW
SHERRON
SIMPSON
SOLES
SPEED
WARREN
WEBSTER
WINNER

NO 0

EXCUSED 0

NOT CAST 0

ABSENT 3 CONDER SAWYER SMITH

PAIRS 0
AYE
NO

NORTH CAROLINA GENERAL ASSEMBLY
SENATE

RECORDED VOTE

1995 SESSION

SEQ. 143/6-- 1:54 PM MARCH 9, 1995 LEGISLATIVE DAY 26

LT. GOVERNOR WICKER -- Presiding

ODOM
SPORTS TEAMS REGISTRATION PLATES
COM SUB/3RD EDITION

SENATE BILL 44
READING 3

AYE	42	ALBERTSON	DANNELLY	JORDAN	PLYLER
		ALLRAN	DAVIS	KINCAID	RAND
		BALLANCE	EAST	LEDBETTER	SHAW
		BALLANTINE	EDWARDS	LITTLE	SHERRON
		BASNIGHT	FORRESTER	LUCAS	SIMPSON
		BLACKMON	FOXX	MARTIN W.	SOLES
		CARPENTER	GULLEY	MCDANIEL	SPEED
		CARRINGTON	HARTSELL	MCKOY	WARREN
		CLARK	HOBBS	PARNELL	WEBSTER
		COCHRANE	HORTON	PERDUE	WINNER
		COOPER	HOYLE		
NO	0				

EXCUSED	0				
NOT CAST	2	KERR	MARTIN R.		
ABSENT	5	CONDER	PLEXICO	SAWYER	SMITH
		ODOM			
PAIRS	0				
AYE					
NO					

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1995

FILED - SENATE

S

S 4 5

D

JAN 26 1995

SENATE DRS9520*-LH020A(1.1)

PRINCIPAL CLERK

Short Title: Streamline Crim. Appeals. (Public)

Sponsors: Senators Hartsell, Cochrane, McKoy, Carrington, and Sawyer.

Referred to:

A BILL TO BE ENTITLED

AN ACT TO STREAMLINE THE APPEALS PROCESS IN NORTH CAROLINA FOR CRIMINAL CASES.

The General Assembly of North Carolina enacts:

Section 1. G.S. 15A-1419 reads as rewritten:

"**§ 15A-1419. When motion for appropriate relief denied.**

(a) The following are grounds for the denial of a motion for appropriate ~~relief.~~ relief, including motions filed in capital cases:

(1) Upon a previous motion made pursuant to this Article, the defendant was in a position to adequately raise the ground or issue underlying the present motion but did not do so. This subdivision does not apply to a motion based upon deprivation of the right to counsel at the trial or upon failure of the trial court to advise the defendant of such right. This subdivision does not apply when the previous motion was made within 10 days after entry of judgment.

(2) The ground or issue underlying the motion was previously determined on the merits upon an appeal from the judgment or upon a previous motion or proceeding in the courts of this State or a federal court, unless since the time of such previous determination there has been a retroactively effective change in the law controlling such issue.

(3) Upon a previous appeal the defendant was in a position to adequately raise the ground or issue underlying the present motion but did not do so.

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1995

FILED - SENATE

JAN 26 1995

PRINCIPAL CLERK

S

S 4 6

D

SENATE DRS2516*-LL026(1.24)

Short Title: Repeal Prison Cap. (Public)

Sponsors: Senators Hartsell, Cochrane, Carrington, Allran, Ballantine, Blackmon, Carpenter, Forrester, Kincaid, McKoy, Sawyer, Shaw, and Simpson.

Referred to:

A BILL TO BE ENTITLED

AN ACT TO REPEAL THE PRISON POPULATION CAP.

The General Assembly of North Carolina enacts:

Section 1. G.S. 148-4.1 reads as rewritten:

"**§ 148-4.1. Release of inmates.**

(a) Whenever the Secretary of Correction determines from data compiled by the Department of Correction that it is necessary to reduce the prison population to a more manageable level, he shall direct the Parole Commission to release on parole over a reasonable period of time a number of prisoners sufficient to that purpose.

(b) Except as provided in subsection ~~(c) and (c1),~~ (c), only inmates who are otherwise eligible for parole pursuant to Article 85 of Chapter 15A or pursuant to Article 3B of this Chapter may be released under this section.

(c) Persons eligible for parole under Article 85A of Chapter 15A shall be eligible for early parole under this section nine months prior to the discharge date otherwise applicable, and six months prior to the date of automatic 90-day parole authorized by G.S. 15A-1380.2.

~~(c1) For purposes of this section only, 'prison capacity' means the number of prisoners housed in facilities located in North Carolina and owned or operated by the State of North Carolina, as set by the Governor. In setting the prison capacity for purposes of this section, the Governor shall consider the number of beds available and shall make a finding that the number set would not jeopardize the State's ability to perform its obligations under the law. In no event shall the number set by the Governor under this subsection exceed 24,500.~~

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1995

FILED - SENATE

S

S 4 7 JAN 2 6 1995 D

SENATE DRS9519*-LB061H(1.1)

PRINCIPAL CLERK

Short Title: Initiative. (Public)

Sponsors: Senators Carpenter, Cochrane, Ledbetter, and Clark.

Referred to:

A BILL TO BE ENTITLED

AN ACT TO AMEND THE CONSTITUTION OF NORTH CAROLINA TO PROVIDE TO THE PEOPLE THE POWER OF INITIATIVE.

The General Assembly of North Carolina enacts:

Section 1. Article VI of the Constitution of North Carolina is amended by adding at the end new sections to read:

"**Sec. 11. Initiative.**

(1) **Initiative defined.** The initiative is the power of the people to propose:

(a) Amendments to the Constitution and bond issues and to adopt or reject them at the polls, independently of the General Assembly; and

(b) Laws other than bond issues to the General Assembly and to enact or reject them at the polls if the General Assembly fails to enact them.

(2) **Procedure for proposal.** An initiative measure may be proposed by presenting to the agency provided by law a petition that sets forth the text of the proposed law or amendment to the Constitution and is certified to have been signed by qualified voters not less in number than:

(a) Twenty-five percent (25%) in the case of an amendment to the Constitution; and

(b) Fifteen percent (15%) in the case of a law

of the votes for all candidates for Governor at the last gubernatorial election. In the case of a law, the petition shall include from at least three-fourths of the counties the signatures of qualified voters not less in number than fifteen percent (15%) of the votes cast for Governor in each of those counties at the last gubernatorial election. In

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1995

S D

SENATE DRS6516*-LF049B(1.10)

FILED - SENATE

S 4 8 JAN 2 6 1995

PRINCIPAL CLERK

Short Title: Public Assistance Responsibility. (Public)

Sponsors: Senators Allran, Clark, Cochrane, and Foxx.

Referred to:

A BILL TO BE ENTITLED

AN ACT TO ESTABLISH THE PUBLIC ASSISTANCE PERSONAL AND FAMILY RESPONSIBILITY ACT OF 1995.

The General Assembly of North Carolina enacts:

Section 1. This act shall be known and cited as "The Public Assistance Personal and Family Responsibility Act of 1995".

Sec. 2. Part 1 of Article 2 of Chapter 108A is amended by adding the following new sections to read:

"**§ 108A-26.5. Personal responsibility of recipients; education.**.

(a) The General Assembly finds that the rapidly increasing number of out-of-wedlock births to recipients is one major cause of the public assistance system's failure to move families from welfare dependency to permanent self-sufficiency and that the safety and well-being of society as a whole is greatly threatened by this failure.

(b) The Department of Human Resources shall ensure that no recipient parent of any age who gives birth on or after the effective date of this section to an out-of-wedlock child receives any AFDC or Food Stamp benefits for the parent or child, unless:

(1) The birth was a result of rape or incest;

(2) The recipient subsequently marries an individual who acknowledges paternity or assumes financial responsibility for the child; or

(3) The child is subsequently adopted and remains otherwise eligible for benefits, in which case these benefits shall be provided for the child.

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1995

FILED - SENATE

S D

SENATE DRS3514*-LF048(1.10) S49 JAN 26 1995

PRINCIPAL CLERK

Short Title: Food Stamp Fraud Felony. (Public)

Sponsors: Senators Allran, Clark, Cochrane, and Foxx.

Referred to:

A BILL TO BE ENTITLED

AN ACT TO RETURN THE FOOD STAMP FRAUD FELONY THRESHOLD TO ITS PRE-1991 LIMIT.

The General Assembly of North Carolina enacts:

Section 1. G.S. 108A-53(a) reads as rewritten:

"(a) Any person, whether provider or recipient or person representing himself as such, who knowingly obtains or attempts to obtain, or aids or abets any person to obtain by means of making a willfully false statement or representation or by impersonation or by failing to disclose material facts or in any manner not authorized by this Part or the regulations issued pursuant thereto, transfers with intent to defraud any food stamps or authorization cards to which he is not entitled in the amount of ~~two thousand dollars ($2,000)~~ four hundred dollars ($400.00) or less shall be guilty of a Class 1 misdemeanor. Whoever knowingly obtains or attempts to obtain, or aids or abets any person to obtain by means of making a willfully false statement or representation or by impersonation or by failing to disclose material facts or in any manner not authorized by this Part or the regulations issued pursuant thereto, transfers with intent to defraud any food stamps or authorization cards to which he is not entitled in an amount more than ~~two thousand dollars ($2,000)~~ four hundred dollars ($400.00) shall be guilty of a Class I felony."

Sec. 2. This act becomes effective December 1, 1995, and applies to convictions for offenses committed on or after that date.

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1995

FILED - SENATE

JAN 26 1995

PRINCIPAL CLERK

S 50

SENATE DRS5514*-LF047A(1.10)

Short Title: Child Day Care Payments. (Public)

Sponsors: Senators Allran, Clark, Cochrane, and Foxx.

Referred to:

A BILL TO BE ENTITLED

AN ACT TO ENSURE THE BEST USE OF DAY CARE FUNDS.

The General Assembly of North Carolina enacts:

Section 1. Part 2 of Article 2 of Chapter 108A of the General Statutes is amended by adding a new section to read:

"**§ 108A-36.1. Child day care payments.**

(a) Child day care payments available under this Part shall be made by check with both the recipient and the child day care provider as payees. All payments shall be made in arrears.

(b) When child day care payments are being made in order to enable a recipient to work, the Department of Human Resources shall periodically require documentary proof of employment."

Sec. 2. This act becomes effective October 1, 1995, and applies to payments made on or after that date.

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1995

FILED - SENATE
JAN 26 1995

S D

S 51

SENATE DRS8522-LE052(1.21)

Short Title: Remove Dangerous Students From Sch. (Public)

Sponsors: Senator Cooper.

Referred to:

A BILL TO BE ENTITLED

AN ACT TO REQUIRE A ONE-YEAR SUSPENSION FOR ANY STUDENT WHO BRINGS A GUN ONTO SCHOOL PROPERTY AND TO ALLOW FOR EXPELLING OF STUDENTS WHOSE CONTINUED PRESENCE IN SCHOOL CONSTITUTES A CLEAR THREAT TO THE SAFETY AND HEALTH OF OTHER STUDENTS OR EMPLOYEES.

The General Assembly of North Carolina enacts:

Section 1. G.S. 115C-391 reads as rewritten:

"**§ 115C-391. Corporal punishment, suspension, or expulsion of pupils.**

(a) Local boards of education shall adopt policies not inconsistent with the provisions of the Constitutions of the United States and North Carolina, governing the conduct of students and establishing procedures to be followed by school officials in suspending or expelling any student, or in disciplining any student if the offensive behavior could result in suspension, expulsion, or the administration of corporal punishment. The policies that shall be adopted for the administration of corporal punishment shall include at a minimum the following conditions:

(1) Corporal punishment shall not be administered in a classroom with other children present;

(2) The student body shall be informed beforehand what general types of misconduct could result in corporal punishment;

(3) Only a teacher, substitute teacher, principal, or assistant principal may administer corporal punishment and may do so only in the presence of a principal, assistant principal, teacher, substitute teacher, teacher assistant, or student teacher, who shall be

NORTH CAROLINA GENERAL ASSEMBLY AMENDMENT

(Please type or use ballpoint pen)

EDITION No. _____

H. B. No. _____ DATE 5/4/95

S. B. No. 51 Amendment No. 1 (one)
(to be filled in by Principal Clerk)

COMMITTEE SUBSTITUTE ✓

~~Rep.~~)
Sen.) BILL MARTIN

1 moves to amend the bill on page 1, line 14
2 ( ) WHICH CHANGES THE TITLE
3 by INSERTING THE FOLLOWING LANGUAGE
4 BETWEEN THE WORDS "PROVIDE"
5 AND "EDUCATIONAL":
6 ", OR CONTRACT FOR THE
7 PROVISION OF,"
8
9
10
11
12
13
14
15
16
17
18
19

SIGNED _____

ADOPTED 5-4-95 (46-0) FAILED _____ TABLED _____

GA-33-A

PRINCIPAL CLERK'S OFFICE (FOR ENGROSSMENT)

NORTH CAROLINA GENERAL ASSEMBLY
SENATE

RECORDED VOTE

1995 SESSION

SEQ. 455/11-- 4:40 PM MAY 4, 1995 LEGISLATIVE DAY 58

LT. GOVERNOR WICKER -- Presiding

COOPER
REMOVE DANGEROUS STUDENTS/SCHOOL
COM SUB/2ND EDITION

SENATE BILL 51

AMEND 1

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

EXCUSED	0				
NOT CAST	0				
ABSENT	4	PERDUE	SAWYER	SMITH	SOLES
PAIRS	0				
AYE					
NO					

NORTH CAROLINA GENERAL ASSEMBLY
SENATE

RECORDED VOTE

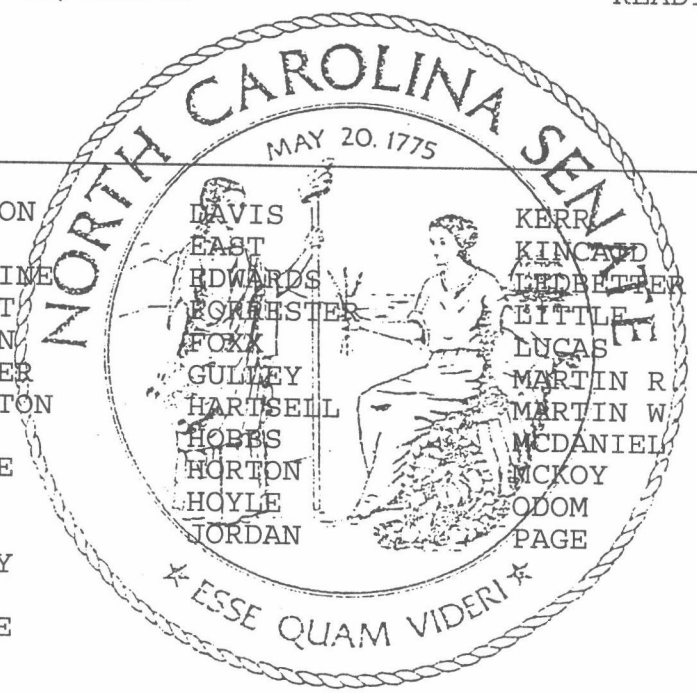
1995 SESSION

SEQ. 456/12-- 4:42 PM MAY 4, 1995 LEGISLATIVE DAY 58

LT. GOVERNOR WICKER -- Presiding

COOPER
REMOVE DANGEROUS STUDENTS/SCHOOL
COM SUB/2ND EDITION

SENATE BILL 51
READING 2



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

EXCUSED	0				
NOT CAST	0				
ABSENT	4	PERDUE	SAWYER	SMITH	SOLES
PAIRS	0				
AYE					
NO					

EV

NORTH CAROLINA
HOUSE OF REPRESENTATIVES
ROLL CALL

NO. # 1081
LEGISLATIVE DAY 80
S51 HCS
READING 2

6/13/95
2:07 PM
IN CHAIR: SPEAKER

REMOVE DANGEROUS STUDENTS FROM SCHOOL

AYES - 108

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

NOES - 2

LINNEY	MILLER, K.

EXCUSED ABSENCE - 6

BROWN, W.	CHURCH	SHARPE	THOMPSON
BUCHANAN	ROGERS		

EXCUSED VOTE - 0

NOT VOTING - 4

SPEAKER	ELLIS	HUNTER, R.	MCALLISTER

EV

NORTH CAROLINA
HOUSE OF REPRESENTATIVES
ROLL CALL

SQ. # 1112
LEGISLATIVE DAY 81
S51 HCS
READING 3

6/14/95
3:26 PM
IN CHAIR: SPEAKER

REMOVE DANGEROUS STUDENTS FROM SCHOOL

AYES - 106

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

NOES - 1

LINNEY

EXCUSED ABSENCE - 3

CHURCH	CULPEPPER	SHARPE

EXCUSED VOTE - 0

NOT VOTING - 10

SPEAKER	CULP	MCALLISTER	RICHARDSON
ALDRIDGE	EASTERLING	RAYFIELD	SHAW
CARPENTER	KISER		

NORTH CAROLINA GENERAL ASSEMBLY
SENATE

RECORDED VOTE

1995 SESSION

SEQ. 1020/15-- 5:00 PM JUNE 19, 1995 LEGISLATIVE DAY 83

LT. GOVERNOR WICKER -- Presiding

COOPER
REMOVE DANGEROUS STUDENTS/SCHOOL
HOUSE COM SUB/4TH EDITION

SENATE BILL 51

MOTION 8
TO CONCUR

AYE	49	ALBERTSON	EAST	LEDBETTER	PLYLER
		ALLRAN	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
		CLARK	HORTON	ODOM	SOLES
		COCHRANE	HOYLE	PAGE	SPEED
		CONDER	JORDAN	PARNELL	WARREN
		COOPER	KERR	PERDUE	WEBSTER
		DANNELLY	KINCAID	PLEXICO	WINNER
		DAVIS			
NO	1	BALLANCE			

EXCUSED 0

NOT CAST 0

ABSENT 0

PAIRS 0
AYE
NO

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1995

FILED - SENATE
JAN 26 1995
PRINCIPAL CLERK

S

S 5 2

D

SENATE DRS6517*-RD007.2(1.25)

Short Title: State-Owned Submerged Lands Study. (Public)

Sponsors: Senator Albertson.

Referred to:

A BILL TO BE ENTITLED

AN ACT TO CREATE THE STATE-OWNED SUBMERGED LANDS ADVISORY COMMITTEE AND TO REQUIRE THAT THE ADVISORY COMMITTEE MAKE ITS FINAL REPORT TO THE GENERAL ASSEMBLY ON OR BEFORE MAY 1, 1995.

The General Assembly of North Carolina enacts:

Section 1. There is created the State-Owned Submerged Lands Advisory Committee.

(a) The Advisory Committee shall consist of 20 members, 10 appointed by the President Pro Tempore of the Senate and 10 appointed by the Speaker of the House of Representatives.

(b) The President Pro Tempore of the Senate and the Speaker of the House of Representatives shall each designate a cochair from their respective appointees.

(c) The Advisory Committee shall study the issue of management of the private user of State-owned submerged lands, also known as public trust lands. The Advisory Committee shall review the history of the present use of these lands, and shall consider current use of public trust lands and the appropriate fee structure, if any, for such use.

(d) The Advisory Committee shall meet upon the call of the Cochairs. The first meeting shall be held within 10 days after the Advisory Committee has been appointed.

(e) Any person who is a member of the Advisory Committee may hold such membership concurrently with and in addition to any other elective or appointive office or offices such as a person is permitted to hold under G.S. 128-1.1.

NORTH CAROLINA GENERAL ASSEMBLY
SENATE

RECORDED VOTE

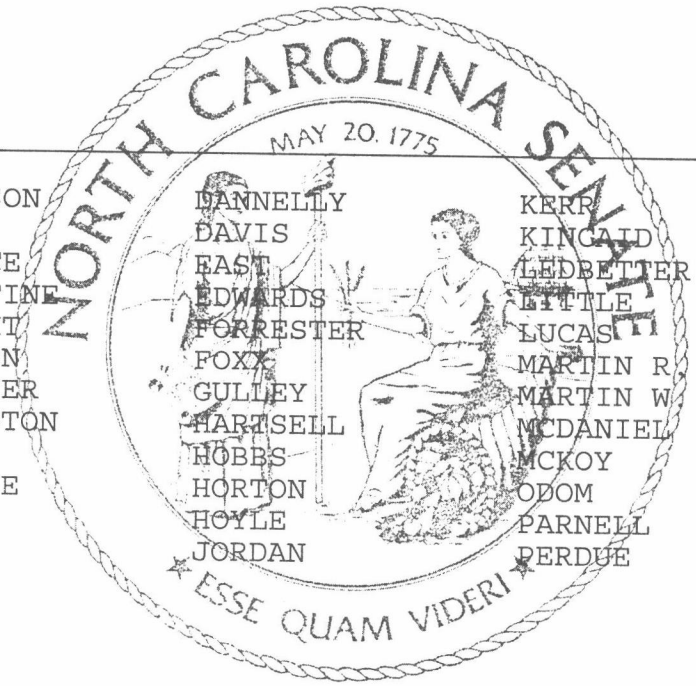
1995 SESSION

SEQ. 37/4-- 2:05 PM | FEBRUARY 8, 1995 | LEGISLATIVE DAY 9

LT. GOVERNOR WICKER -- Presiding

ALBERTSON
STATE-OWNED SUBMERGED LANDS STUDY
COM SUB/2ND EDITION

SENATE BILL 52
READING 2



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

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

(COPY)

NORTH CAROLINA
HOUSE OF REPRESENTATIVES
ROLL CALL

. # 1580
ISLATIVE DAY 97
S52

7/12/95
4:36 PM
IN CHAIR: SPEAKER

MOTION #7 Rep Morgan moves to [illegible]

AYES - 75

ALDRIDGE	CULP	HOWARD	PRESTON
ALLRED	CULPEPPER	IVES	PULLEY
ARNOLD	CUMMINGS	JUSTUS	RAYFIELD
BAKER	DAUGHTRY	KISER	REDWINE
BARBEE	DAVIS	LOCKE	REYNOLDS
BERRY	DOCKHAM	MCALLISTER	ROBINSON, J.
BOWEN	EASTERLING	MCCOMAS	RUSSELL
BOWIE	EDDINS	MCCOMBS	SEXTON
BOYD-MCINTYRE	EDWARDS	MCMAHAN	SHARPE
BRAWLEY	ELLIS	MERCER	SHERRILL
BROWN, J.	ESPOSITO	MILLER, K.	SHUBERT
BUCHANAN	FOX	MINER	THOMPSON
CANSLER	GARDNER	MITCHELL	TOLSON
CAPPS	GRADY	MORGAN	WARNER
CARPENTER	GRAY	NEELY	WATSON
CLARY	HAYES	NICHOLS	WEATHERLY
COCKLEREECE	HIATT	NYE	WILSON, C.
CRAWFORD	HILL	OWENS	WILSON, G.
CREECH	HOLMES	PATE	

NOES - 24

ADAMS	CHURCH	HURLEY	SUTTON
ALEXANDER	CUNNINGHAM	LEMMOND	WAINWRIGHT
BARNES	FITCH	LUEBKE	WILKINS
BEALL	GAMBLE	MCLAUGHLIN	WOMBLE
BLACK	HACKNEY	MICHAUX	WRIGHT
BROWN, W.	HENSLEY	RICHARDSON	YONGUE

EXCUSED ABSENCE - 7

BRASWELL	MCCRARY	ROBINSON, G.	WOOD
HIGHTOWER	MILLER, G.	ROGERS	

EXCUSED VOTE - 0

NOT VOTING - 14

SPEAKER	EARLE	LEE	RAMSEY
BLUE	HUNT	LINNEY	SHAW
DECKER	HUNTER, H.	OLDHAM	TALLENT
DICKSON	HUNTER, R.		

NORTH CAROLINA

EV

HOUSE OF REPRESENTATIVES

ROLL CALL

. # 1703
ISLATIVE DAY 105
S52 HCS # 5
READING 2

7/26/95
2:39 PM
IN CHAIR: SPEAKER

AMEND #1 - Rep. Preston
STATE-OWNED SUBMERGED LANDS

AYES - 110

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

NOES - 0

EXCUSED ABSENCE - 5

BLUE	ROBINSON, G.	WAINWRIGHT	WOOD
MILLER, K.			

EXCUSED VOTE - 0

NOT VOTING - 5

SPEAKER	COCKLEREECE	NYE	YONGUE
BEALL			

S52 HCS

NORTH CAROLINA

EV

1704
ISLATIVE DAY 105
S52 HCS #5
READING 2

HOUSE OF REPRESENTATIVES

7/26/95
3:17 PM
IN CHAIR: SPEAKER

ROLL CALL

AMEND #2
STATE-OWNED SUBMERGED LANDS
MOTION #3 Rep. Nichols calls previous question

AYES - 68

ALDRIDGE	CULP	HIATT	PATE
ARNOLD	CULPEPPER	HILL	PRESTON
BAKER	CUMMINGS	HOLMES	PULLEY
BARBEE	DAUGHTRY	IVES	RAYFIELD
BERRY	DAVIS	JUSTUS	REYNOLDS
BOWEN	DECKER	KISER	ROGERS
BOWIE	DICKSON	LEMMOND	RUSSELL
BRAWLEY	DOCKHAM	LINNEY	SEXTON
BROWN, J.	EARLE	MCALLISTER	SHARPE
BROWN, W.	EDDINS	MCCOMAS	SHAW
BUCHANAN	EDWARDS	MCCOMBS	SHERRILL
CANSLER	ELLIS	MCMAHAN	SHUBERT
CAPPS	ESPOSITO	MINER	TALLENT
CARPENTER	GARDNER	MITCHELL	TOLSON
CLARY	GRADY	MORGAN	WEATHERLY
COCKLEREECE	GRAY	NEELY	WILSON, C.
CREECH	HAYES	NICHOLS	WILSON, G.

NOES - 42

ADAMS	GAMBLE	LUEBKE	REDWINE
ALEXANDER	HACKNEY	MCCRARY	RICHARDSON
ALLRED	HENSLEY	MCLAUGHLIN	ROBINSON, J.
BARNES	HIGHTOWER	MERCER	SUTTON
BEALL	HOWARD	MICHAUX	WARNER
BRASWELL	HUNT	MILLER, G.	WATSON
CHURCH	HUNTER, H.	NYE	WILKINS
CUNNINGHAM	HUNTER, R.	OLDHAM	WOMBLE
EASTERLING	HURLEY	OWENS	WRIGHT
FITCH	LEE	RAMSEY	YONGUE
FOX	LOCKE		

EXCUSED ABSENCE - 5

BLUE	ROBINSON, G.	WAINWRIGHT	WOOD
MILLER, K.			

EXCUSED VOTE - 0

NOT VOTING - 5

SPEAKER	BOYD-MCINTYRE	CRAWFORD	THOMPSON
BLACK			

NORTH CAROLINA
HOUSE OF REPRESENTATIVES
ROLL CALL

EV

. # 1705
ISLATIVE DAY 105
S52 HCS #5
READING 2

7/26/95
3:18 PM
IN CHAIR: SPEAKER

AMEND #2 — Rep. Gamble
STATE-OWNED SUBMERGED LANDS

AYES - ~~41~~ 40 SWeeker

ADAMS	FITCH	HURLEY	RAMSEY
ALEXANDER	FOX	LEE	RICHARDSON
BARNES	GAMBLE	LINNEY	SHARPE
BEALL	HACKNEY	LUEBKE	SHAW
BOWEN	HENSLEY	MCALLISTER	~~SHUBERT~~ SW
BOYD-MCINTYRE	HIGHTOWER	MCCRARY	SUTTON
BRASWELL	HOWARD	MCLAUGHLIN	WARNER
CHURCH	HUNT	MICHAUX	WOMBLE
CUNNINGHAM	HUNTER, H.	MILLER, G.	WRIGHT
EARLE	HUNTER, R.	OLDHAM	YONGUE
EASTERLING			

NOES - ~~71~~ 72 fW

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

EXCUSED ABSENCE - 5

BLUE	ROBINSON, G.	WAINWRIGHT	WOOD
MILLER, K.			

EXCUSED VOTE - 0

NOT VOTING - 3

SPEAKER	BLACK	CRAWFORD

Rep. Shubert request to be recorded as voting "no". Speaker so orders.

SWeeker

S52 HCS

EV

NORTH CAROLINA
HOUSE OF REPRESENTATIVES
ROLL CALL

. # 1706
ISLATIVE DAY 105
S52 HCS #5
READING 2

7/26/95
3:45 PM
IN CHAIR: SPEAKER

AMEND #3 - Rep. Luebke
STATE-OWNED SUBMERGED LANDS
MOTION #2 - Rep. Edwards motion to table Amd. #3

AYES - 59

ALDRIDGE	CULPEPPER	IVES	PRESTON
ALLRED	CUMMINGS	JUSTUS	RAYFIELD
ARNOLD	DAUGHTRY	KISER	REDWINE
BAKER	DAVIS	LOCKE	REYNOLDS
BERRY	DECKER	MCCOMAS	ROBINSON, J.
BRAWLEY	DOCKHAM	MCCOMBS	RUSSELL
BROWN, J.	EDDINS	MCMAHAN	SEXTON
BUCHANAN	EDWARDS	MINER	SHERRILL
CANSLER	ELLIS	MITCHELL	SHUBERT
CAPPS	ESPOSITO	MORGAN	THOMPSON
CARPENTER	GRADY	NEELY	WATSON
CLARY	GRAY	NICHOLS	WEATHERLY
COCKLEREECE	HAYES	NYE	WILSON, C.
CREECH	HIATT	OWENS	WILSON, G.
CULP	HOLMES	PATE	

NOES - 47

ADAMS	EASTERLING	HURLEY	RICHARDSON
ALEXANDER	FITCH	LEE	SHARPE
BARBEE	FOX	LEMMOND	SHAW
BARNES	GAMBLE	LINNEY	SUTTON
BEALL	GARDNER	LUEBKE	TALLENT
BLACK	HACKNEY	MCCRARY	TOLSON
BOWEN	HENSLEY	MCLAUGHLIN	WARNER
BOYD-MCINTYRE	HIGHTOWER	MICHAUX	WILKINS
BRASWELL	HILL	MILLER, G.	WOMBLE
BROWN, W.	HUNT	OLDHAM	WRIGHT
CUNNINGHAM	HUNTER, H.	PULLEY	YONGUE
EARLE	HUNTER, R.	RAMSEY	

EXCUSED ABSENCE - 5

BLUE	ROBINSON, G.	WAINWRIGHT	WOOD
MILLER, K.			

EXCUSED VOTE - 0

NOT VOTING - 9

SPEAKER	CRAWFORD	HOWARD	MERCER
BOWIE	DICKSON	MCALLISTER	ROGERS
CHURCH			

NORTH CAROLINA

EV

HOUSE OF REPRESENTATIVES

1707
ISLATIVE DAY 105
S52 HCS #5
READING 2

7/26/95
3:46 PM
IN CHAIR: SPEAKER

ROLL CALL

STATE-OWNED SUBMERGED LANDS
MOTION #3 Rep. Daughtry calls previous question

AYES - 78

ALDRIDGE	DAUGHTRY	IVES	PULLEY
ALLRED	DAVIS	JUSTUS	RAMSEY
ARNOLD	DECKER	KISER	RAYFIELD
BAKER	DICKSON	LEE	REYNOLDS
BARBEE	DOCKHAM	LEMMOND	ROBINSON, J.
BERRY	EARLE	LOCKE	ROGERS
BOWIE	EDDINS	MCCOMAS	RUSSELL
BRASWELL	EDWARDS	MCCOMBS	SEXTON
BRAWLEY	ELLIS	MCLAUGHLIN	SHARPE
BROWN, J.	ESPOSITO	MCMAHAN	SHERRILL
BUCHANAN	GARDNER	MERCER	SHUBERT
CANSLER	GRADY	MINER	TALLENT
CAPPS	GRAY	MITCHELL	THOMPSON
CARPENTER	HAYES	MORGAN	TOLSON
CLARY	HIATT	NEELY	WATSON
COCKLEREECE	HILL	NICHOLS	WEATHERLY
CREECH	HOLMES	NYE	WILKINS
CULP	HOWARD	PATE	WILSON, C.
CULPEPPER	HUNT	PRESTON	WILSON, G.
CUMMINGS	HURLEY		

NOES - 32

ADAMS	EASTERLING	HUNTER, R.	REDWINE
ALEXANDER	FITCH	LINNEY	RICHARDSON
BARNES	FOX	LUEBKE	SHAW
BEALL	GAMBLE	MCCRARY	SUTTON
BLACK	HACKNEY	MICHAUX	WARNER
BOWEN	HENSLEY	MILLER, G.	WOMBLE
BOYD-MCINTYRE	HIGHTOWER	OLDHAM	WRIGHT
CUNNINGHAM	HUNTER, H.	OWENS	YONGUE

EXCUSED ABSENCE - 5

BLUE	ROBINSON, G.	WAINWRIGHT	WOOD
MILLER, K.			

EXCUSED VOTE - 0

NOT VOTING - 5

SPEAKER	CHURCH	CRAWFORD	MCALLISTER
BROWN, W.			

S52 HCS

NORTH CAROLINA GENERAL ASSEMBLY
AMENDMENT
Senate Bill 52

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

S52-HARD-004

July 26,1995

Comm. Sub. [ ]
Amends Title [ ]
7th Edition

Rep. Preston

moves to amend the bill on page 4 line 21,
by inserting the phrase, "of the structure" after the word "uses";

Further, on page 6, lines 14-15,
by deleting the phrase, "and which generates" and by substituting the phrase, "which generate";

Further, on page 6, line 15,
by adding the following at the end of the line before the semi-colon: "and which accommodate no more than ten vessels".

SIGNED J. Preston
Amendment Sponsor

SIGNED _____
Committee Chair if Senate Committee Amendment

ADOPTED 7/26/95 FAILED _____ TABLED _____

110-0 EV
Shuler

NORTH CAROLINA GENERAL ASSEMBLY
AMENDMENT
Senate Bill 52

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

S52-ALT-001

Date July 26, 1995

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

Representative Gamble

moves to amend the bill on page 4, line 39, through page 5, line 13, by rewriting those lines to read:

"issued under subsection (b) of this section shall be fair market value as determined by the State Property Office or its agent."; and

on page 5, lines 34 through 36, by rewriting the lines to read:

"the expansion. Easement holders may voluntarily apply for modification"; and

on page 6, lines 2 through 6, by rewriting the lines to read:

"purchase payment."

SIGNED J R Gamble Jr
Amendment Sponsor

SIGNED _____
Committee Chair if Senate Committee Amendment

ADOPTED _____ FAILED 7/26/95 TABLED _____

40-72 EV
adjusted

EV

NORTH CAROLINA
HOUSE OF REPRESENTATIVES
ROLL CALL

Q. # 1705
LEGISLATIVE DAY 105
S52 HCS #5
READING 2

7/26/95
3:18 PM
IN CHAIR: SPEAKER

AMEND #2 — Rep. Gamble
STATE-OWNED SUBMERGED LANDS

AYES - ~~41~~ 40 Bulla

ADAMS	FITCH	HURLEY	RAMSEY
ALEXANDER	FOX	LEE	RICHARDSON
BARNES	GAMBLE	LINNEY	SHARPE
BEALL	HACKNEY	LUEBKE	SHAW
BOWEN	HENSLEY	MCALLISTER	~~SHUBERT~~ SW
BOYD-MCINTYRE	HIGHTOWER	MCCRARY	SUTTON
BRASWELL	HOWARD	MCLAUGHLIN	WARNER
CHURCH	HUNT	MICHAUX	WOMBLE
CUNNINGHAM	HUNTER, H.	MILLER, G.	WRIGHT
EARLE	HUNTER, R.	OLDHAM	YONGUE
EASTERLING			

NOES - ~~71~~ 72 fw

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

EXCUSED ABSENCE - 5

BLUE	ROBINSON, G.	WAINWRIGHT	WOOD
MILLER, K.			

EXCUSED VOTE - 0

NOT VOTING - 3

SPEAKER	BLACK	CRAWFORD

Rep. Hackney request to be recorded as voting "no!
Speaker so ordered.
Bulla

S52 HCS

NORTH CAROLINA GENERAL ASSEMBLY
AMENDMENT
Senate Bill 52

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

S52-ALJ-2

Date July 26, 1995

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

Representative Luebke

moves to amend the bill on page 4, lines 15 and 16, and on page 5, line 24, by deleting "50" and substituting "15";

and on page 6, lines 3 and 5, by deleting "25 years" and substituting "half".

SIGNED _____
Amendment Sponsor

SIGNED _____
Committee Chair if Senate Committee Amendment

ADOPTED _____ FAILED _____ TABLED 7/26/95
59-47

NORTH CAROLINA

RC

1708
LEGISLATIVE DAY 105
S52 HCS #5
READING 2

HOUSE OF REPRESENTATIVES

7/26/95
3:46 PM
IN CHAIR: SPEAKER

ROLL CALL

STATE-OWNED SUBMERGED LANDS

AYES - 84

ADAMS	CUMMINGS	HURLEY	PULLEY
ALDRIDGE	DAUGHTRY	IVES	RAYFIELD
ALLRED	DAVIS	JUSTUS	REDWINE
ARNOLD	DECKER	KISER	REYNOLDS
BAKER	DICKSON	LEMMOND	RICHARDSON
BARBEE	DOCKHAM	LOCKE	ROBINSON, J.
BLACK	EARLE	MCCOMAS	ROGERS
BOWIE	EASTERLING	MCCOMBS	RUSSELL
BOYD-MCINTYRE	EDDINS	MCCRARY	SEXTON
BRAWLEY	EDWARDS	MCLAUGHLIN	SHARPE
BROWN, J.	ELLIS	MCMAHAN	SHERRILL
BUCHANAN	ESPOSITO	MERCER	SHUBERT
CANSLER	GARDNER	MINER	TALLENT
CAPPS	GRADY	MITCHELL	THOMPSON
CARPENTER	GRAY	MORGAN	TOLSON
CLARY	HAYES	NEELY	WATSON
COCKLEREECE	HIATT	NICHOLS	WEATHERLY
CRAWFORD	HILL	NYE	WILKINS
CREECH	HOLMES	OWENS	WILSON, C.
CULP	HUNTER, H.	PATE	WILSON, G.
CULPEPPER	HUNTER, R.	PRESTON	WRIGHT

NOES - 27

ALEXANDER	FOX	LEE	RAMSEY
BARNES	GAMBLE	LINNEY	SHAW
BEALL	HACKNEY	LUEBKE	SUTTON
BOWEN	HENSLEY	MCALLISTER	WARNER
BRASWELL	HIGHTOWER	MICHAUX	WOMBLE
CUNNINGHAM	HOWARD	MILLER, G.	YONGUE
FITCH	HUNT	OLDHAM	

EXCUSED ABSENCE - 5

BLUE	ROBINSON, G.	WAINWRIGHT	WOOD
MILLER, K.			

EXCUSED VOTE - 0

NOT VOTING - 4

SPEAKER	BERRY	BROWN, W.	CHURCH

S52 HCS

NORTH CAROLINA GENERAL ASSEMBLY
AMENDMENT
Senate Bill 52

AMENDMENT NO. 4
(to be filled in by
Principal Clerk)

S52-ALJ-3

Date July 28, 1995

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

Representative Luebke

moves to amend the bill on page 3, lines 37 and 38, by inserting the following subdivision between those lines to read:

"(7) Be accompanied by an application fee of fifty dollars ($50.00) payable to the State Property Office."

SIGNED _____
Amendment Sponsor

SIGNED _____
Committee Chair if Senate Committee Amendment

ADOPTED _____ FAILED 7/28/95 TABLED _____

37-69 EV

NORTH CAROLINA

EV

HOUSE OF REPRESENTATIVES

ROLL CALL

. # 1725
ISLATIVE DAY 106
S52 HCS #5
READING 3

7/27/95
4:32 PM
IN CHAIR: SPEAKER

AMEND #4 Rep. Luebke
STATE-OWNED SUBMERGED LANDS

AYES - 37

ADAMS	CUNNINGHAM	HUNTER, H.	RAMSEY
ALEXANDER	EARLE	HURLEY	RICHARDSON
BEALL	EASTERLING	LEE	SHAW
BLACK	FITCH	LINNEY	SUTTON
BLUE	GAMBLE	LUEBKE	TOLSON
BOWEN	HACKNEY	MCCRARY	WILKINS
BOYD-MCINTYRE	HENSLEY	MCLAUGHLIN	WOMBLE
BRASWELL	HIGHTOWER	MICHAUX	WRIGHT
BROWN, W.	HUNT	MILLER, G.	YONGUE
CHURCH			

NOES - 69

ALDRIDGE	DAUGHTRY	HUNTER, R.	OWENS
ALLRED	DAVIS	IVES	PATE
BAKER	DECKER	JUSTUS	PRESTON
BARBEE	DICKSON	KISER	RAYFIELD
BERRY	DOCKHAM	LEMMOND	REDWINE
BRAWLEY	EDDINS	LOCKE	REYNOLDS
BROWN, J.	EDWARDS	MCALLISTER	ROBINSON, J.
BUCHANAN	ELLIS	MCCOMAS	ROGERS
CANSLER	ESPOSITO	MCCOMBS	RUSSELL
CAPPS	GARDNER	MCMAHAN	SEXTON
CARPENTER	GRADY	MERCER	SHARPE
CLARY	GRAY	MINER	SHUBERT
COCKLEREECE	HAYES	MITCHELL	THOMPSON
CRAWFORD	HIATT	MORGAN	WARNER
CREECH	HILL	NEELY	WATSON
CULP	HOLMES	NICHOLS	WILSON, C.
CULPEPPER	HOWARD	NYE	WOOD
CUMMINGS			

EXCUSED ABSENCE - 8

BARNES	MILLER, K.	ROBINSON, G.	WEATHERLY
FOX	OLDHAM	WAINWRIGHT	WILSON, G.

EXCUSED VOTE - 0

NOT VOTING - 6

SPEAKER	BOWIE	SHERRILL	TALLENT
ARNOLD	PULLEY		

NORTH CAROLINA

EV

HOUSE OF REPRESENTATIVES

ROLL CALL

S[illegible]. # 1726
[illegible]ISLATIVE DAY 106
S52 HCS #5
READING 3

7/27/95
4:32 PM
IN CHAIR: SPEAKER

STATE-OWNED SUBMERGED LANDS
MOTION #3 Rep. Preston calls previous question

AYES - 71

ALDRIDGE	CULPEPPER	HOWARD	RAMSEY
ALLRED	CUMMINGS	HURLEY	RAYFIELD
BAKER	DAUGHTRY	IVES	REDWINE
BARBEE	DAVIS	KISER	REYNOLDS
BERRY	DECKER	LEMMOND	ROBINSON, J.
BOWEN	DICKSON	LOCKE	ROGERS
BRAWLEY	DOCKHAM	MCALLISTER	RUSSELL
BROWN, W.	EDDINS	MCCOMAS	SEXTON
BUCHANAN	EDWARDS	MCCOMBS	SHARPE
CANSLER	ELLIS	MCMAHAN	SHERRILL
CAPPS	ESPOSITO	MERCER	SHUBERT
CARPENTER	GARDNER	MINER	THOMPSON
CHURCH	GRADY	MITCHELL	WARNER
CLARY	GRAY	MORGAN	WATSON
COCKLEREECE	HAYES	NEELY	WILKINS
CRAWFORD	HIATT	NICHOLS	WILSON, C.
CREECH	HILL	PATE	WOOD
CULP	HOLMES	PRESTON	

NOES - 32

ADAMS	EASTERLING	HUNTER, R.	NYE
ALEXANDER	FITCH	LEE	OWENS
BEALL	GAMBLE	LINNEY	RICHARDSON
BLACK	HACKNEY	LUEBKE	SHAW
BOYD-MCINTYRE	HENSLEY	MCCRARY	TOLSON
BRASWELL	HIGHTOWER	MCLAUGHLIN	WOMBLE
CUNNINGHAM	HUNT	MICHAUX	WRIGHT
EARLE	HUNTER, H.	MILLER, G.	YONGUE

EXCUSED ABSENCE - 8

BARNES	MILLER, K.	ROBINSON, G.	WEATHERLY
FOX	OLDHAM	WAINWRIGHT	WILSON, G.

EXCUSED VOTE - 0

NOT VOTING - 9

SPEAKER	BOWIE	JUSTUS	SUTTON
ARNOLD	BROWN, J.	PULLEY	TALLENT
BLUE			

NORTH CAROLINA

RC

HOUSE OF REPRESENTATIVES

ROLL CALL

NO. # 1727
LEGISLATIVE DAY 106
S52 HCS #5
READING 3

7/27/95
4:33 PM
IN CHAIR: SPEAKER

STATE-OWNED SUBMERGED LANDS

AYES - 85

ADAMS	CULPEPPER	HUNTER, R.	PATE
ALDRIDGE	CUMMINGS	HURLEY	PRESTON
ALLRED	DAUGHTRY	IVES	RAYFIELD
BAKER	DAVIS	JUSTUS	REDWINE
BARBEE	DECKER	KISER	REYNOLDS
BERRY	DICKSON	LEMMOND	RICHARDSON
BLACK	DOCKHAM	LOCKE	ROBINSON, J.
BOWEN	EARLE	MCALLISTER	ROGERS
BOYD-MCINTYRE	EASTERLING	MCCOMAS	RUSSELL
BRAWLEY	EDDINS	MCCOMBS	SEXTON
BROWN, J.	EDWARDS	MCCRARY	SHARPE
BROWN, W.	ELLIS	MCLAUGHLIN	SHERRILL
BUCHANAN	ESPOSITO	MCMAHAN	SHUBERT
CANSLER	GARDNER	MERCER	THOMPSON
CAPPS	GRADY	MINER	TOLSON
CARPENTER	GRAY	MITCHELL	WARNER
CHURCH	HAYES	MORGAN	WATSON
CLARY	HIATT	NEELY	WILKINS
COCKLEREECE	HILL	NICHOLS	WILSON, C.
CRAWFORD	HOLMES	NYE	WOOD
CREECH	HUNTER, H.	OWENS	WRIGHT
CULP			

NOES - 22

ALEXANDER	GAMBLE	LEE	RAMSEY
BEALL	HACKNEY	LINNEY	SHAW
BLUE	HENSLEY	LUEBKE	SUTTON
BRASWELL	HIGHTOWER	MICHAUX	WOMBLE
CUNNINGHAM	HOWARD	MILLER, G.	YONGUE
FITCH	HUNT		

EXCUSED ABSENCE - 8

BARNES	MILLER, K.	ROBINSON, G.	WEATHERLY
FOX	OLDHAM	WAINWRIGHT	WILSON, G.

EXCUSED VOTE - 0

NOT VOTING - 5

SPEAKER	BOWIE	PULLEY	TALLENT
ARNOLD			

NORTH CAROLINA GENERAL ASSEMBLY
SENATE

RECORDED VOTE

1995 SESSION

SEQ. 1485/6-- 2:35 PM JULY 28, 1995 LEGISLATIVE DAY 108

LT. GOVERNOR WICKER -- Presiding

ALBERTSON
STATE-OWNED SUBMERGED LANDS
HOUSE COM SUB NO.5/8TH EDITION

SENATE BILL 52
READING 2

MOTION 8
TO CONCUR

AYE	43	ALBERTSON	DANNELLY	LEDBETTER	PLYLER
		ALLRAN	DAVIS	LITTLE	RAND
		BALLANCE	EAST	LUCAS	SAWYER
		BALLANTINE	EDWARDS	MARTIN R.	SHAW
		BASNIGHT	FOXX	MARTIN W.	SIMPSON
		BLACKMON	HARTSELL	MCDANIEL	SOLES
		CARPENTER	HOBBS	MCKOY	SPEED
		CARRINGTON	HORTON	ODOM	WARREN
		CLARK	HOYLE	PAGE	WEBSTER
		COCHRANE	JORDAN	PARNELL	WINNER
		COOPER	KINCAID	PERDUE	
NO	1	GULLEY			

EXCUSED	0			
NOT CAST	3	CONDER	KERR	SHERRON
ABSENT	3	FORRESTER	PLEXICO	SMITH
PAIRS	0			
AYE				
NO				

(COPY)

NORTH CAROLINA GENERAL ASSEMBLY
SENATE

RECORDED VOTE

1995 SESSION

SEQ. 1516/4-- 8:19 AM | JULY 29, 1995 | LEGISLATIVE DAY 109

LT. GOVERNOR WICKER -- Presiding

ALBERTSON
STATE-OWNED SUBMERGED LANDS
HOUSE COM SUB NO.5/8TH EDITION

SENATE BILL 52
READING 3

MOTION 8
TO CONCUR

AYE	38	ALBERTSON	COOPER	LUCAS	PLYLER
		ALLRAN	DANNELLY	MARTIN R.	RAND
		BALLANCE	DAVIS	MARTIN W.	SHAW
		BALLANTINE	EAST	MCDANIEL	SHERRON
		BASNIGHT	HARTSELL	MCKOY	SIMPSON
		BLACKMON	HOBBS	ODOM	SOLES
		CARPENTER	HOYLE	PAGE	SPEED
		CARRINGTON	JORDAN	PARNELL	WARREN
		CLARK	LEDBETTER	PERDUE	WINNER
		COCHRANE	LITTLE		
NO	3	FOXX	GULLEY	WEBSTER	
EXCUSED	0				
NOT CAST	3	KERR	KINCAID	SAWYER	
ABSENT	6	CONDER	FORRESTER	PLEXICO	SMITH
		EDWARDS	HORTON		
PAIRS	0				
AYE					
NO					

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1995

FILED SENATE

S 5 3

JAN 2 6 1995

PRINCIPAL CLERK

S D

SENATE DRS8520-LH064A(1.14)

Short Title: Sex Offender Registration. (Public)

Sponsors: Senator Odom.

Referred to:

A BILL TO BE ENTITLED

AN ACT TO REQUIRE THE REGISTRATION OF PERSONS CONVICTED OF CERTAIN CRIMINAL SEXUAL OFFENSES.

The General Assembly of North Carolina enacts:

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

"ARTICLE 27A.

"Sexual Offender Registration Program.

"**§ 14-208.5. Purpose.**

The General Assembly recognizes that sex offenders often pose a high risk of engaging in sex offenses even after being released from incarceration or commitment and that protection of the public from sex offenders is of paramount governmental interest. Further, the General Assembly recognizes that local law enforcement officers' efforts to protect their communities, conduct investigations, and quickly apprehend offenders who commit sex offenses are impaired by the lack of information available to law enforcement agencies about convicted sex offenders who live within the agency's jurisdiction. Persons found to have committed a sex offense have a reduced expectation of privacy because of the public's interest in public safety and in the effective operation of government. Release of information about sex offenders to law enforcement agencies, and under limited circumstances to authorized requesters, will further the governmental interests of public safety so long as the information released is rationally related to the furtherance of those goals.

NORTH CAROLINA GENERAL ASSEMBLY AMENDMENT

(Please type or use ballpoint pen)

EDITION No. 2

H. B. No. _____ DATE 7/19/95

S. B. No. 53 Amendment No. 1 (one)
(to be filled in by Principal Clerk)

COMMITTEE SUBSTITUTE ✓

~~Rep.~~)
(Sen.) WEBSTER

moves to amend the bill on page 3, line 4

( ) WHICH CHANGES THE TITLE

by ADDING AT THE END (AFTER THE PERIOD)

"THIS ACT SHALL BE KNOWN AS THE 'AMY JACKSON ~~ACT~~ LAW'."

SIGNED _____

ADOPTED 7-19-95 (49-0) FAILED _____ TABLED _____

GA 33-A

PRINCIPAL CLERK'S OFFICE (FOR ENGROSSMENT)

NORTH CAROLINA GENERAL ASSEMBLY
SENATE

RECORDED VOTE

1995 SESSION

SEQ. 1365/9-- 3:10 PM JULY 19, 1995 LEGISLATIVE DAY 10

LT. GOVERNOR WICKER -- Presiding

ODOM
SEX OFFENDER REGISTRATION
COM SUB/2ND EDITION

SENATE BILL 53

AMEND 1

AYE	49	ALBERTSON	DAVIS	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	JORDAN	PARNELL	WARREN
		CONDER	KERR	PERDUE	WEBSTER
		COOPER	KINCAID	PLEXICO	WINNER
		DANNELLY			
NO	0				

EXCUSED 0

NOT CAST 0

ABSENT 1 HOYLE

PAIRS 0
AYE
NO

NORTH CAROLINA GENERAL ASSEMBLY
SENATE

RECORDED VOTE

1995 SESSION

SEQ. 1366/10-- 3:22 PM JULY 19, 1995 LEGISLATIVE DAY 10

LT. GOVERNOR WICKER -- Presiding

ODOM
SEX OFFENDER REGISTRATION
COM SUB/2ND EDITION

SENATE BILL 53
READING 2

AYE	48	ALBERTSON	DAVIS	LEDBETTER	PLYLER
		ALLRAN	EAST	LITTLE	RAND
		BALLANTINE	EDWARDS	LUCAS	SAWYER
		BASNIGHT	FORRESTER	MARTIN R.	SHAW
		BLACKMON	FOXX	MARTIN W.	SHERRON
		CARPENTER	GULLEY	MCDANIEL	SIMPSON
		CARRINGTON	HARTSELL	MCKOY	SMITH
		CLARK	HOBBS	ODOM	SOLES
		COCHRANE	HORTON	PAGE	SPEED
		CONDER	JORDAN	PARNELL	WARREN
		COOPER	KERR	PERDUE	WEBSTER
		DANNELLY	KINCAID	PLEXICO	WINNER
NO	1	BALLANCE			

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

NORTH CAROLINA GENERAL ASSEMBLY AMENDMENT

(Please type or use ballpoint pen)

EDITION No. _____

H. B. No. _____ DATE 7/29/95

S. B. No. 53 Amendment No. 1

(to be filled in by Principal Clerk)

COMMITTEE SUBSTITUTE _____

Rep.) Decker

Sen.)

moves to amend the bill on page 4, line 2

( ) WHICH CHANGES THE TITLE

by deleting the words beginning on Line 2 and continuing TO ~~line~~ the word "Required." on Line 10.

SIGNED Michael Decker

ADOPTED _____ FAILED 7/29/95 29-74 EV _____ TABLED _____

GA-33-A

PRINCIPAL CLERK'S OFFICE (FOR ENGROSSMENT)

NORTH CAROLINA
HOUSE OF REPRESENTATIVES
ROLL CALL

EV

SEQ. # 1810
LEGISLATIVE DAY 108
S53 HCS
READING 2

7/29/95
9:50 AM
IN CHAIR: SPEAKER

AMEND #1 – Rep. Decker
SEX OFFENDER REGISTRATION
MOTION #3 – Rep. Decker calls the previous question

AYES - 73

ALDRIDGE	DAVIS	LEMMOND	RAYFIELD
ALLRED	DECKER	LOCKE	REYNOLDS
ARNOLD	DOCKHAM	MCALLISTER	ROBINSON, G.
BAKER	EARLE	MCCOMAS	ROGERS
BARBEE	EASTERLING	MCCOMBS	RUSSELL
BEALL	EDDINS	MCLAUGHLIN	SHARPE
BERRY	EDWARDS	MCMAHAN	SHERRILL
BOWIE	ESPOSITO	MERCER	SHUBERT
BOYD-MCINTYRE	FOX	MINER	SUTTON
BRASWELL	GAMBLE	MITCHELL	TALLENT
BRAWLEY	GRADY	MORGAN	THOMPSON
BROWN, J.	HIATT	NICHOLS	TOLSON
CANSLER	HIGHTOWER	NYE	WARNER
CAPPS	HOWARD	OWENS	WATSON
CLARY	HURLEY	PATE	WILSON, C.
COCKLEREECE	JUSTUS	PRESTON	WILSON, G.
CREECH	KISER	PULLEY	WOOD
CULPEPPER	LEE	RAMSEY	YONGUE
DAUGHTRY			

NOES - 28

ADAMS	CUMMINGS	HILL	REDWINE
ALEXANDER	CUNNINGHAM	HUNTER, H.	RICHARDSON
BLUE	FITCH	LINNEY	ROBINSON, J.
BROWN, W.	GARDNER	MCCRARY	SEXTON
CARPENTER	HACKNEY	MICHAUX	SHAW
CHURCH	HAYES	MILLER, G.	WOMBLE
CULP	HENSLEY	NEELY	WRIGHT

EXCUSED ABSENCE - 9

BARNES	ELLIS	MILLER, K.	WAINWRIGHT
BOWEN	GRAY	OLDHAM	WEATHERLY
BUCHANAN			

EXCUSED VOTE - 0

NOT VOTING - 10

SPEAKER	DICKSON	HUNTER, R.	LUEBKE
BLACK	HOLMES	IVES	WILKINS
CRAWFORD	HUNT		

NORTH CAROLINA

EV

HOUSE OF REPRESENTATIVES

ROLL CALL

SEQ. # 1811
LEGISLATIVE DAY 108
S53 HCS
READING 2

7/29/95
9:50 AM
IN CHAIR: SPEAKER

AMEND #1 - Rep. Decker
SEX OFFENDER REGISTRATION

AYES - 29

ALDRIDGE	DAVIS	HIATT	SHARPE
ALLRED	DECKER	HOWARD	SHERRILL
BARBEE	DOCKHAM	JUSTUS	TALLENT
BRAWLEY	EDDINS	MCMAHAN	WARNER
BROWN, J.	EDWARDS	MORGAN	WATSON
CAPPS	ESPOSITO	PRESTON	WILSON, G.
CLARY	GRADY	REYNOLDS	WOOD
CUMMINGS			

NOES - 74

ADAMS	DAUGHTRY	LOCKE	RAYFIELD
ALEXANDER	EARLE	MCALLISTER	REDWINE
ARNOLD	EASTERLING	MCCOMAS	RICHARDSON
BAKER	FITCH	MCCOMBS	ROBINSON, G.
BEALL	FOX	MCCRARY	ROBINSON, J.
BERRY	GAMBLE	MCLAUGHLIN	ROGERS
BLUE	GARDNER	MERCER	RUSSELL
BOWIE	HACKNEY	MICHAUX	SEXTON
BOYD-MCINTYRE	HAYES	MILLER, G.	SHAW
BRASWELL	HENSLEY	MINER	SHUBERT
BROWN, W.	HIGHTOWER	MITCHELL	SUTTON
CANSLER	HILL	NEELY	THOMPSON
CARPENTER	HUNT	NICHOLS	TOLSON
CHURCH	HUNTER, H.	NYE	WILKINS
COCKLEREECE	HURLEY	OWENS	WILSON, C.
CREECH	KISER	PATE	WOMBLE
CULP	LEE	PULLEY	WRIGHT
CULPEPPER	LEMMOND	RAMSEY	YONGUE
CUNNINGHAM	LINNEY		

EXCUSED ABSENCE - 9

BARNES	ELLIS	MILLER, K.	WAINWRIGHT
BOWEN	GRAY	OLDHAM	WEATHERLY
BUCHANAN			

EXCUSED VOTE - 0

NOT VOTING - 8

SPEAKER	CRAWFORD	HOLMES	IVES
BLACK	DICKSON	HUNTER, R.	LUEBKE

NORTH CAROLINA
HOUSE OF REPRESENTATIVES
ROLL CALL

EV

SEQ. # 1812
LEGISLATIVE DAY 108
S53 HCS
READING 2

7/29/95

IN CHAIR: SPEAKER

SEX OFFENDER REGISTRATION
MOTION #3 Rep. Morgan calls previous question

AYES - 84

ALDRIDGE	CUNNINGHAM	JUSTUS	RAMSEY
ALLRED	DAUGHTRY	KISER	RAYFIELD
ARNOLD	DAVIS	LEE	REDWINE
BAKER	DECKER	LEMMOND	REYNOLDS
BARBEE	DOCKHAM	LINNEY	ROBINSON, G.
BEALL	EARLE	MCCOMAS	ROBINSON, J.
BERRY	EASTERLING	MCCOMBS	ROGERS
BRASWELL	EDDINS	MCCRARY	RUSSELL
BRAWLEY	EDWARDS	MCLAUGHLIN	SEXTON
BROWN, J.	ESPOSITO	MCMAHAN	SHARPE
BROWN, W.	FOX	MERCER	SHERRILL
CANSLER	GAMBLE	MINER	SHUBERT
CAPPS	GARDNER	MITCHELL	SUTTON
CARPENTER	GRADY	MORGAN	TALLENT
CHURCH	HAYES	NEELY	WARNER
CLARY	HIATT	NICHOLS	WATSON
COCKLEREECE	HIGHTOWER	NYE	WILKINS
CREECH	HILL	OWENS	WILSON, C.
CULP	HOWARD	PATE	WILSON, G.
CULPEPPER	HUNT	PRESTON	WOOD
CUMMINGS	HURLEY	PULLEY	YONGUE

NOES - 19

ADAMS	HACKNEY	MCALLISTER	THOMPSON
ALEXANDER	HENSLEY	MICHAUX	TOLSON
BLUE	HUNTER, H.	MILLER, G.	WOMBLE
BOYD-MCINTYRE	LOCKE	RICHARDSON	WRIGHT
FITCH	LUEBKE	SHAW	

EXCUSED ABSENCE - 9

BARNES	ELLIS	MILLER, K.	WAINWRIGHT
BOWEN	GRAY	OLDHAM	WEATHERLY
BUCHANAN			

EXCUSED VOTE - 0

NOT VOTING - 8

SPEAKER	BOWIE	DICKSON	HUNTER, R.
BLACK	CRAWFORD	HOLMES	IVES

NORTH CAROLINA
HOUSE OF REPRESENTATIVES
ROLL CALL

EV

EQ. # 1813
LEGISLATIVE DAY 108
S53 HCS
READING 2

7/29/95
[redacted]
IN CHAIR: SPEAKER

SEX OFFENDER REGISTRATION

AYES - 99

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

NOES - 3

FITCH	HACKNEY	LINNEY

EXCUSED ABSENCE - 9

BARNES	ELLIS	MILLER, K.	WAINWRIGHT
BOWEN	GRAY	OLDHAM	WEATHERLY
BUCHANAN			

EXCUSED VOTE - 0

NOT VOTING - 9

SPEAKER	CRAWFORD	HOLMES	IVES
BLACK	DICKSON	HUNTER, R.	WOOD
BOWIE			

NORTH CAROLINA
HOUSE OF REPRESENTATIVES
ROLL CALL

EV

EQ. # 1814
LEGISLATIVE DAY 108
S53 HCS

7/29/95

IN CHAIR: SPEAKER

SEX OFFENDER REGISTRATION
MOTION #3 Rep. Morgan calls previous question on Rep. Daughtry's motion to Suspend Rules

AYES - 86

ALDRIDGE	CUNNINGHAM	LEE	RAYFIELD
ALLRED	DAUGHTRY	LEMMOND	REDWINE
ARNOLD	DAVIS	LOCKE	REYNOLDS
BAKER	DECKER	MCALLISTER	ROBINSON, G.
BARBEE	DOCKHAM	MCCOMAS	ROBINSON, J.
BEALL	EARLE	MCCOMBS	ROGERS
BERRY	EASTERLING	MCCRARY	RUSSELL
BOWIE	EDDINS	MCLAUGHLIN	SEXTON
BOYD-MCINTYRE	EDWARDS	MCMAHAN	SHARPE
BRAWLEY	ESPOSITO	MERCER	SHERRILL
BROWN, J.	FOX	MINER	SHUBERT
BROWN, W.	GAMBLE	MITCHELL	TALLENT
CANSLER	GARDNER	MORGAN	THOMPSON
CAPPS	GRADY	NEELY	TOLSON
CARPENTER	HAYES	NICHOLS	WARNER
CHURCH	HIATT	NYE	WATSON
CLARY	HIGHTOWER	OWENS	WILKINS
COCKLEREECE	HILL	PATE	WILSON, C.
CREECH	HUNT	PRESTON	WILSON, G.
CULP	HURLEY	PULLEY	WOOD
CULPEPPER	JUSTUS	RAMSEY	YONGUE
CUMMINGS	KISER		

NOES - 16

ADAMS	FITCH	LINNEY	RICHARDSON
ALEXANDER	HACKNEY	LUEBKE	SHAW
BLUE	HENSLEY	MICHAUX	WOMBLE
BRASWELL	HUNTER, H.	MILLER, G.	WRIGHT

EXCUSED ABSENCE - 9

BARNES	ELLIS	MILLER, K.	WAINWRIGHT
BOWEN	GRAY	OLDHAM	WEATHERLY
BUCHANAN			

EXCUSED VOTE - 0

NOT VOTING - 9

SPEAKER	DICKSON	HOWARD	IVES
BLACK	HOLMES	HUNTER, R.	SUTTON
CRAWFORD			

NORTH CAROLINA

EV

SEQ. # 1815
LEGISLATIVE DAY 108
S53 HCS

HOUSE OF REPRESENTATIVES

7/29/95

IN CHAIR: SPEAKER

ROLL CALL

SEX OFFENDER REGISTRATION
MOTION #12 Rep Daughtry motion to suspend Rule 41(b) for 3rd reading today.

AYES - 86

ALDRIDGE	DAUGHTRY	LOCKE	REDWINE
ALLRED	DAVIS	MCALLISTER	REYNOLDS
ARNOLD	DECKER	MCCOMAS	ROBINSON, G.
BAKER	DOCKHAM	MCCOMBS	ROBINSON, J.
BARBEE	EASTERLING	MCCRARY	ROGERS
BEALL	EDDINS	MCLAUGHLIN	RUSSELL
BERRY	EDWARDS	MCMAHAN	SEXTON
BOWIE	ESPOSITO	MERCER	SHARPE
BRAWLEY	FOX	MILLER, G.	SHERRILL
BROWN, J.	GARDNER	MINER	SHUBERT
BROWN, W.	GRADY	MITCHELL	SUTTON
CANSLER	HAYES	MORGAN	TALLENT
CAPPS	HIATT	NEELY	THOMPSON
CARPENTER	HIGHTOWER	NICHOLS	TOLSON
CHURCH	HILL	NYE	WARNER
CLARY	HOWARD	OWENS	WATSON
COCKLEREECE	HUNT	PATE	WILKINS
CREECH	HURLEY	PRESTON	WILSON, C.
CULP	JUSTUS	PULLEY	WILSON, G.
CULPEPPER	KISER	RAMSEY	WOOD
CUMMINGS	LEE	RAYFIELD	YONGUE
CUNNINGHAM	LEMMOND		

NOES - 18

ADAMS	EARLE	HUNTER, H.	RICHARDSON
ALEXANDER	FITCH	LINNEY	SHAW
BLUE	GAMBLE	LUEBKE	WOMBLE
BOYD-MCINTYRE	HACKNEY	MICHAUX	WRIGHT
BRASWELL	HENSLEY		

EXCUSED ABSENCE - 9

BARNES	ELLIS	MILLER, K.	WAINWRIGHT
BOWEN	GRAY	OLDHAM	WEATHERLY
BUCHANAN			

EXCUSED VOTE - 0

NOT VOTING - 7

SPEAKER	CRAWFORD	HOLMES	IVES
BLACK	DICKSON	HUNTER, R.	

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1995

S 1

SENATE BILL 54*

Short Title: Veto Conforming Changes. (Public)

Sponsors: Senators Cochrane, Carpenter, East, Shaw, Smith Kincaid, Simpson, Allran, Blackmon, Forrester, Hartsell, Ballantine; McKoy, Ledbetter, McDaniel, Little, Davis, Carrington, Clark, Webster, Horton, and Foxx.

Referred to: Judiciary I/Constitution.

January 26, 1995

A BILL TO BE ENTITLED

AN ACT TO MAKE STATUTORY CONFORMING CHANGES NECESSITATED BY AN ACT TO PROVIDE FOR A GUBERNATORIAL LINE-ITEM REDUCTION VETO.

The General Assembly of North Carolina enacts:

Section 1. G.S. 120-33 reads as rewritten:

"**§ 120-33. Duties of enrolling clerk.**

(a) All bills passed by the General Assembly shall be enrolled for ratification under the supervision of the enrolling clerk.

(b) Prior to enrolling any bill, the enrolling clerk shall substitute the corresponding Arabic numeral(s) for any date or section number of the General Statutes or of any act of the General Assembly which is written in words. The enrolled bill shall have the word 'RATIFIED' following the bill number.

(c) All bills shall be typewritten and carefully proofread before enrollment.

(d) Upon ratification of an act or joint resolution, the enrolling clerk shall ~~assign in Arabic numerals a Chapter number to each session law and~~ present one true ratified copy:

(1) To the Governor of any act except acts not required to be presented to the Governor under Article II, Section 22 of the Constitution of North Carolina; and

(2) To the Secretary of State of:

NORTH CAROLINA GENERAL ASSEMBLY
AMENDMENT
Senate Bill 54

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

S54-ALB-1

Date March 8, 1995

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

moves to amend the bill on page 6, lines 39 through 43, by deleting "Sections 1 through 16 of this act shall become effective only if Senate Bill 3, AN ACT TO PROVIDE FOR A REFERENDUM TO AMEND THE CONSTITUTION TO ESTABLISH A GUBERNATORIAL VETO is ratified and the constitutional amendments proposed by Sections 1 and 2 of that act are approved as provided by Sections 3 and 4 of that act," and substituting:
"Sections 1 through 16 of this act shall become effective only if the constitutional amendments proposed by Sections 1 and 2 of Chapter 5 of the Session Laws of 1995 are approved as provided by Sections 3 and 4 of Chapter 5 of the Session Laws of 1995,"

SIGNED Betsy Cochrane
Amendment Sponsor

SIGNED _____
Committee Chair if Senate Committee Amendment

ADOPTED 3-8-95 (46-0) FAILED _____ TABLED _____

NORTH CAROLINA GENERAL ASSEMBLY
SENATE

RECORDED VOTE

1995 SESSION

SEQ. 129/6-- 2:34 PM | MARCH 8, 1995 | LEGISLATIVE DAY 25

LT. GOVERNOR WICKER -- Presiding

COCHRANE
VETO CONFORMING CHANGES
COM SUB/2ND EDITION

SENATE BILL 54

AMEND 1

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

EXCUSED	0			
NOT CAST	0			
ABSENT	3	CONDER	SAWYER	SMITH
PAIRS	0			
AYE				
NO				

NORTH CAROLINA GENERAL ASSEMBLY
SENATE

RECORDED VOTE

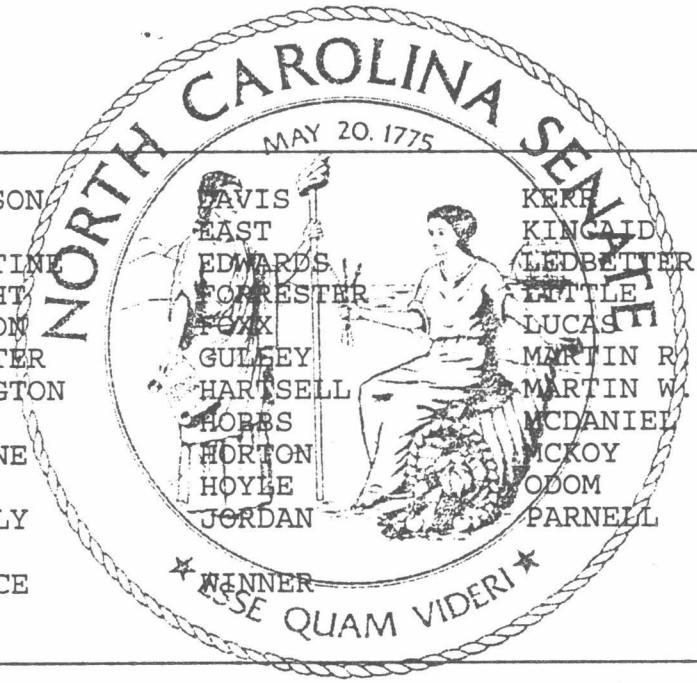
1995 SESSION

SEQ. 130/7-- 2:41 PM MARCH 8, 1995 LEGISLATIVE DAY 25

LT. GOVERNOR WICKER -- Presiding

COCHRANE
VETO CONFORMING CHANGES
COM SUB/2ND EDITION

SENATE BILL 54
READING 2



AYE	44	ALBERTSON	DAVIS	KERR	PERDUE
		ALLRAN	EAST	KINCAID	PLEXICO
		BALLANTINE	EDWARDS	LEDBETTER	PLYLER
		BASNIGHT	FORRESTER	LITTLE	RAND
		BLACKMON	FOXX	LUCAS	SHAW
		CARPENTER	GULLEY	MARTIN R.	SHERRON
		CARRINGTON	HARTSELL	MARTIN W.	SIMPSON
		CLARK	HOBBS	MCDANIEL	SOLES
		COCHRANE	HORTON	MCKOY	SPEED
		COOPER	HOYLE	ODOM	WARREN
		DANNELLY	JORDAN	PARNELL	WEBSTER
NO	2	BALLANCE	WINNER		

EXCUSED	0			
NOT CAST	0			
ABSENT	3	CONDER	SAWYER	SMITH
PAIRS	0			
AYE				
NO				

EV

NORTH CAROLINA
HOUSE OF REPRESENTATIVES
ROLL CALL

SEQ. # 203
LEGISLATIVE DAY 36
S54 SCS
READING 2

3/28/95
3:34 PM
IN CHAIR: SPEAKER

VETO CONFORMING CHANGES

AYES - 89

ALDRIDGE	CUMMINGS	IVES	PRESTON
ALEXANDER	DAUGHTRY	JUSTUS	PULLEY
ALLRED	DAVIS	KISER	RAMSEY
ARNOLD	DECKER	LEMMOND	RAYFIELD
BAKER	DICKSON	LINNEY	REDWINE
BERRY	DOCKHAM	LOCKE	REYNOLDS
BLACK	EARLE	LUEBKE	RICHARDSON
BOWEN	EASTERLING	MCCOMAS	RUSSELL
BOWIE	EDDINS	MCCOMBS	SEXTON
BOYD-MCINTYRE	EDWARDS	MCCRARY	SHARPE
BRAWLEY	FOX	MCLAUGHLIN	SHERRILL
BROWN, J.	GAMBLE	MCMAHAN	SHUBERT
BROWN, W.	GARDNER	MILLER, G.	SNOWDEN
BUCHANAN	GRADY	MINER	THOMPSON
CANSLER	GRAY	MITCHELL	TOLSON
CAPPS	HACKNEY	MORGAN	WARNER
CARPENTER	HAYES	NEELY	WEATHERLY
CHURCH	HENSLEY	NICHOLS	WILKINS
CLARY	HIATT	NYE	WILSON, C.
COCKLEREECE	HILL	OLDHAM	WILSON, G.
CRAWFORD	HOLMES	OWENS	WOOD
CREECH	HURLEY	PATE	YONGUE
CULP			

NOES - 11

ADAMS	CULPEPPER	LEE	WOMBLE
BEALL	FITCH	ROGERS	WRIGHT
BRASWELL	HUNTER, R.	SUTTON	

EXCUSED ABSENCE - 2

ESPOSITO	WAINWRIGHT

EXCUSED VOTE - 0

NOT VOTING - 18

SPEAKER	ELLIS	MCALLISTER	ROBINSON
BARBEE	HIGHTOWER	MERCER	SHAW
BARNES	HOWARD	MICHAUX	TALLENT
BLUE	HUNT	MILLER, K.	WATSON
CUNNINGHAM	HUNTER, H.		

EV

NORTH CAROLINA
HOUSE OF REPRESENTATIVES
ROLL CALL

SEQ. # 214
LEGISLATIVE DAY 38
S54 SCS
READING 3

3/30/95
12:26 PM
IN CHAIR: SPEAKER

VETO CONFORMING CHANGES

AYES - 90

ALDRIDGE	CUMMINGS	IVES	PRESTON
ALEXANDER	CUNNINGHAM	JUSTUS	PULLEY
ALLRED	DAUGHTRY	KISER	RAMSEY
ARNOLD	DAVIS	LEMMOND	RAYFIELD
BAKER	DICKSON	LOCKE	REDWINE
BARBEE	DOCKHAM	LUEBKE	REYNOLDS
BARNES	EDDINS	MCCOMAS	RICHARDSON
BERRY	EDWARDS	MCCOMBS	RUSSELL
BLACK	ELLIS	MCCRARY	SEXTON
BOWIE	FITCH	MCMAHAN	SHARPE
BOYD-MCINTYRE	FOX	MERCER	SHERRILL
BRAWLEY	GAMBLE	MILLER, G.	SHUBERT
BROWN, J.	GARDNER	MILLER, K.	SNOWDEN
BROWN, W.	GRADY	MINER	THOMPSON
BUCHANAN	GRAY	MITCHELL	TOLSON
CANSLER	HACKNEY	MORGAN	WARNER
CAPPS	HAYES	NEELY	WATSON
CARPENTER	HIATT	NICHOLS	WEATHERLY
CLARY	HILL	NYE	WILKINS
COCKLEREECE	HOWARD	OLDHAM	WILSON, C.
CRAWFORD	HUNTER, H.	OWENS	WILSON, G.
CREECH	HUNTER, R.	PATE	WOOD
CULP	HURLEY		

NOES - 13

ADAMS	CULPEPPER	ROGERS	WOMBLE
BEALL	EARLE	SHAW	WRIGHT
BOWEN	HUNT	SUTTON	YONGUE
BRASWELL			

EXCUSED ABSENCE - 4

ESPOSITO	HIGHTOWER	LEE	LINNEY

EXCUSED VOTE - 0

NOT VOTING - 13

SPEAKER	EASTERLING	MCALLISTER	ROBINSON
BLUE	HENSLEY	MCLAUGHLIN	TALLENT
CHURCH	HOLMES	MICHAUX	WAINWRIGHT
DECKER			

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1995

FILED - SENATE

S

S 5 5

JAN 2 6 1995

D

SENATE DRS4506*-LB042E(1-PI)

PRINCIPAL CLERK

Short Title: Veto. (Public)

Sponsors: Senators Cochrane, Carpenter, East, Shaw, Smith, Kincaid, Simpson, Allran, Blackmon, Forrester, Hartsell, and Ballantine.

Referred to:

A BILL TO BE ENTITLED

AN ACT TO PROVIDE FOR A REFERENDUM TO AMEND THE CONSTITUTION TO PROVIDE FOR A GUBERNATORIAL VETO OF ENTIRE BILLS, A GUBERNATORIAL LINE-ITEM VETO OF APPROPRIATIONS, AND TO ALLOW THE GOVERNOR TO REDUCE AN APPROPRIATION RATHER THAN REJECTING IT.

The General Assembly of North Carolina enacts:

Section 1. Section 22 of Article II of the Constitution of North Carolina reads as rewritten:

"**Sec. 22. Action on bills.**

~~All bills and resolutions of a legislative nature shall be read three times in each house before they become laws, and shall be signed by the presiding officers of both houses.~~

(1) **Bills subject to veto by Governor; override of veto.** Except as provided by subsections (3) through (6) of this section, all bills shall be read three times in each house and shall be signed by the presiding officer of each house before being presented to the Governor. If the Governor approves, the Governor shall sign it and it shall become a law; but if not, the Governor shall return it with objections, together with a veto message stating the reasons for such objections, to that house in which it shall have originated, which shall enter the objections and veto message at large on its journal, and proceed to reconsider it. If after such reconsideration three-fifths of the members of that house present and voting shall agree to pass the bill, it shall be sent, together with the objections and veto message, to the other house, by which it shall likewise be reconsidered; and if approved by three-fifths of the members of that

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1995

S FILED - SENATE D

SENATE DRS4509-LB071B(1.4) S 5 6 JAN 26 1995

PRINCIPAL CLERK

Short Title: Antiquated Laws Repealed. (Public)

Sponsors: Senators Plyler, Conder, and Hoyle.

Referred to:

A BILL TO BE ENTITLED

AN ACT TO REPEAL ANTIQUATED, OBSOLETE, OR UNCONSTITUTIONAL LAWS.

The General Assembly of North Carolina enacts:

COUNTERFEITING SPANISH MILLED DOLLAR

Section 1. (a) G.S. 14-13 reads as rewritten:

"**§ 14-13. Counterfeiting coin and uttering coin that is counterfeit.**

If any person shall falsely make, forge or counterfeit, or cause or procure to be falsely made, forged or counterfeited, or willingly aid or assist in falsely making, forging or counterfeiting the resemblance or similitude or likeness of ~~a Spanish milled dollar, or~~ any coin of gold or silver which is in common use and received in the discharge of contracts by the citizens of the State; or shall pass, utter, publish or sell, or attempt to pass, utter, publish or sell, or bring into the State from any other place with intent to pass, utter, publish or sell as true, any such false, forged or counterfeited coin, knowing the same to be false, forged or counterfeited, with intent to defraud any person whatsoever, every person so offending shall be punished as a Class I felon."

(b) G.S. 14-14 reads as rewritten:

"**§ 14-14. Possessing tools for counterfeiting.**

If any person shall have in his possession any instrument for the purpose of making any counterfeit similitude or likeness of ~~a Spanish milled dollar, or other~~ any coin made of gold or silver which is in common use and received in discharge of contracts by the citizens of the State, and shall be duly convicted thereof, the person so offending shall be punished as a Class I felon."

NORTH CAROLINA GENERAL ASSEMBLY
AMENDMENT
Senate Bill 56

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

S56-ARV-1

Date March 9, 1995

Comm. Sub. [ ]
Amends Title [ ]

Senator Rand

moves to amend the bill on page 9, lines 37-44
on page 10, lines 1-18,
on page 12, lines 7-13 and lines 21-22,
by deleting those lines in their entirety.

SIGNED _____
Amendment Sponsor

SIGNED _____
Committee Chair if Senate Committee Amendment

ADOPTED 3-14-95 FAILED _____ TABLED _____

NORTH CAROLINA GENERAL ASSEMBLY AMENDMENT

(Please type or use ballpoint pen)

EDITION No. _____

H. B. No. _____ DATE March 14, 1995

S. B. No. 56 Amendment No. 2 (two)
(to be filled in by Principal Clerk)

COMMITTEE SUBSTITUTE _____

~~Rep.~~ XXX.)
) Mark McDaniel
Sen.)

1 moves to amend the bill on page 3, lines 18 and 19
2 ( ) WHICH CHANGES THE TITLE
3 by deleting lines 18 and 19
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19

SIGNED _____

ADOPTED _____ FAILED 3-14-95 (9-32) TABLED _____

GA 32-A

PRINCIPAL CLERK'S OFFICE USE FOR ENGROSSMENT

NORTH CAROLINA GENERAL ASSEMBLY
SENATE

RECORDED VOTE

1995 SESSION

SEQ. 156/3-- 3:33 PM | MARCH 14, 1995 | LEGISLATIVE DAY 28

LT. GOVERNOR WICKER -- Presiding

PLYLER
ANTIQUATED LAWS REPEALED

SENATE BILL 56

AMEND 2

AYE	9	ALLRAN	DAVIS	LEDBETTER	SHAW
		BALLANTINE	HARTSELL	MCDANIEL	SIMPSON
		CLARK			
NO	32	ALBERTSON	DANNELLY	JORDAN	PARNELL
		BALLANCE	EDWARDS	KERR	PLYLER
		BASNIGHT	FORRESTER	LITTLE	RAND
		BLACKMON	FOXX	LUCAS	SOLES
		CARPENTER	GULLEY	MARTIN R.	SPEED
		CARRINGTON	HOBBS	MARTIN W.	WARREN
		COCHRANE	HORTON	MCKOY	WEBSTER
		COOPER	HOYLE	ODOM	WINNER
EXCUSED	0				
NOT CAST	3	EAST	KINCAID	PERDUE	
ABSENT	5	CONDER	SAWYER	SHERRON	SMITH
		PLEXICO			
PAIRS	0				
AYE					
NO					

NORTH CAROLINA GENERAL ASSEMBLY
SENATE

RECORDED VOTE

1995 SESSION

SEQ. 157/4-- 3:33 PM | MARCH 14, 1995 | LEGISLATIVE DAY 28

LT. GOVERNOR WICKER -- Presiding

PLYLER
ANTIQUATED LAWS REPEALED

SENATE BILL 56
READING 2

AYE	41	ALBERTSON	DAVIS	JORDAN	PERDUE
		ALLRAN	EAST	KERR	PLYLER
		BALLANCE	EDWARDS	LITTLE	RAND
		BALLANTINE	FORRESTER	LUCAS	SHAW
		BASNIGHT	FOXX	MARTIN R	SIMPSON
		BLACKMON	GULLEY	MARTIN W	SOLES
		CARPENTER	HARTSELL	MCDANIEL	SPEED
		CARRINGTON	HOBBS	MCKOY	WARREN
		COCHRANE	HORTON	ODOM	WEBSTER
		COOPER	HOYLE	PARNELL	WINNER
		DANNELLY			
NO	2	CLARK	LEDBETTER		
EXCUSED	0				
NOT CAST	1	KINCAID			
ABSENT	5	CONDER	SAWYER	SHERRON	SMITH
		PLEXICO			
PAIRS	0				
AYE					
NO					

NORTH CAROLINA STATE MAY 20 1775 ESSE QUAM VIDERI

NORTH CAROLINA GENERAL ASSEMBLY
AMENDMENT
Senate Bill 56

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

S5G-AL2-6

Page 1 of 1

Date 5/17, 1995

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

Rep. Culpepper

moves to amend the bill on page 3, lines 18 through 20, by deleting those lines

SIGNED Bill Culpepper
Amendment Sponsor

SIGNED _____
Committee Chair if Senate Committee Amendment

ADOPTED 5/17/95 FAILED _____ TABLED _____

107-1 EV

NORTH CAROLINA

HOUSE OF REPRESENTATIVES

ROLL CALL

. # 857
GISLATIVE DAY 65
S56 HCS
READING 3

5/17/95
1:48 PM
IN CHAIR: SPEAKER

AMEND #1 - Culpepper
ANTIQUATED LAWS REPEALED

AYES - 107

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

NOES - 1

MERCER

EXCUSED ABSENCE - 3

CANSLER	FITCH	LEE

EXCUSED VOTE - 0

NOT VOTING - 9

SPEAKER	CRAWFORD	LEMMOND	WILKINS
BLACK	ELLIS	SHAW	WILSON, C.
BLUE			

NORTH CAROLINA GENERAL ASSEMBLY
AMENDMENT
Senate Bill 56

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

S56-ALS-8 Page 1 of 1

Date 5-17 1995

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

Representative Justus

moves to amend the bill on page 11, line 27,
by adding the following between lines 27 and 28:
"REPEAL 1937 LAW ALLOWING MOTOR VEHICLES TO USE ACETYLENE HEADLAMPS
Sec. 18.1. G.S. 20-132 is repealed.

REPEAL 1924 LAW MAKING IT UNLAWFUL TO DISPLAY AN EMBLEM OF AN ORGANIZATION ON A MOTOR VEHICLE UNLESS THE OWNER IS A MEMBER
Sec. 18.2. G.S. 20-137 is repealed.

REPEAL 1784 LAW MAKING IT UNLAWFUL TO SELL FIREWOOD IN INCORPORATED TOWN OTHER THAN BY THE CORD
Sec. 18.3. G.S. 66-8 is repealed.

REPEAL 1941 LAW REQUIRING SECONDHAND WATCHES TO BE TAGGED AS SUCH
Sec. 18.4. Article 7 of Chapter 66 of the General Statutes is repealed.

REPEAL 1943 LAW FORBIDDING PHOTOGRAPHERS FROM SELLING COUPONS REDEEMABLE FOR PHOTOGRAPHS WITHOUT POSTING A BOND, WHICH WAS HELD UNCONSTITUTIONAL IN 1951
Sec. 18.5. Article 12 of Chapter 66 of the General Statutes is repealed."

SIGNED Henry T. Justus
Amendment Sponsor

SIGNED
Committee Chair if Senate Committee Amendment

ADOPTED 5/17/95 FAILED TABLED

110-0 EV

NORTH CAROLINA

HOUSE OF REPRESENTATIVES

ROLL CALL

NO. # 858
LEGISLATIVE DAY 65
S56 HCS
READING 3

5/17/95
1:51 PM
IN CHAIR: SPEAKER

AMEND #2 - [illegible]
ANTIQUATED LAWS REPEALED

AYES - 110

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

NOES - 0

EXCUSED ABSENCE - 3

CANSLER	FITCH	LEE

EXCUSED VOTE - 0

NOT VOTING - 7

SPEAKER	BOWEN	LEMMOND	WILKINS
BLUE	CRAWFORD	SHAW	

NORTH CAROLINA GENERAL ASSEMBLY
AMENDMENT
Senate Bill 56

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

S56-AMB-7

Page 1 of 1

Date 5/17, 1995

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

1 moves to amend the bill on page 3, lines 15 through 17,
2 by deleting those lines

SIGNED Carolyn B. Russell
Amendment Sponsor

SIGNED _____
Committee Chair if Senate Committee Amendment

ADOPTED 5/17/95 FAILED _____ TABLED _____

108-4 EV

NORTH CAROLINA

HOUSE OF REPRESENTATIVES

ROLL CALL

. # 859
ISLATIVE DAY 65
S56 HCS
READING 3

5/17/95
1:54 PM
IN CHAIR: SPEAKER

AMEND #3 Russell
ANTIQUATED LAWS REPEALED

AYES - 108

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

NOES - 4

ALLRED	BRASWELL	HENSLEY	MCALLISTER

EXCUSED ABSENCE - 3

CANSLER	FITCH	LEE

EXCUSED VOTE - 0

NOT VOTING - 5

SPEAKER	CRAWFORD	LEMMOND	SHAW
BLUE			

EV

NORTH CAROLINA

HOUSE OF REPRESENTATIVES

ROLL CALL

SQ. # 860
LEGISLATIVE DAY 65
S56 HCS
READING 3

5/17/95
1:55 PM
IN CHAIR: SPEAKER

ANTIQUATED LAWS REPEALED

AYES - 110

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

NOES - 1

ALLRED

EXCUSED ABSENCE - 3

CANSLER	FITCH	LEE

EXCUSED VOTE - 0

NOT VOTING - 6

SPEAKER	BOWIE	DICKSON	SHAW
BLUE	CRAWFORD		

NORTH CAROLINA GENERAL ASSEMBLY
SENATE

RECORDED VOTE

1995 SESSION

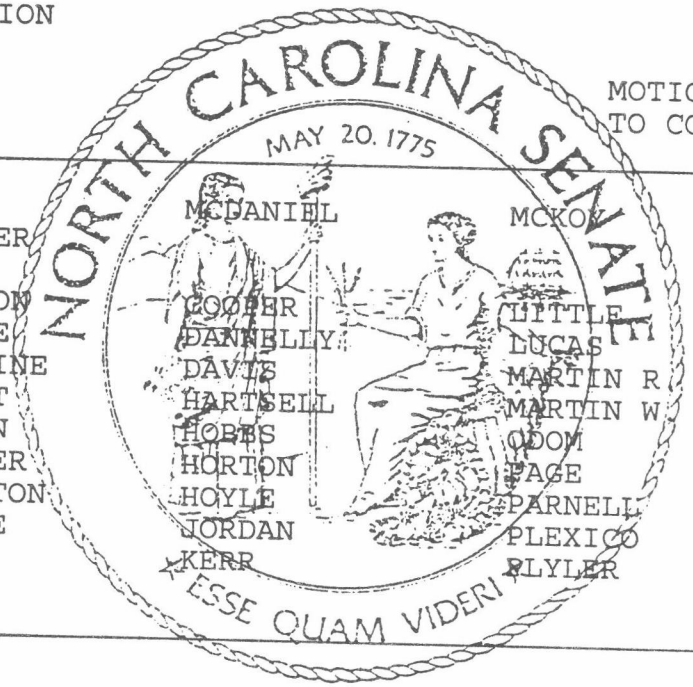
SEQ. 750/2-- 7:25 PM | MAY 22, 1995 | LEGISLATIVE DAY

LT. GOVERNOR WICKER -- Presiding

PLYLER
ANTIQUATED LAWS REPEALED
HOUSE COM SUB/4TH EDITION

SENATE BILL 56

MOTION 8
TO CONCUR



AYE	5	CLARK	MCDANIEL	MCKOY	WEBSTER
		LEDBETTER			
NO	35	ALBERTSON	COOPER	LITTLE	RAND
		BALLANCE	DANNELLY	LUCAS	SAWYER
		BALLANTINE	DAVIS	MARTIN R	SHAW
		BASNIGHT	HARTSELL	MARTIN W	SHERRON
		BLACKMON	HOBBS	ODOM	SMITH
		CARPENTER	HORTON	PAGE	SOLES
		CARRINGTON	HOYLE	PARNELL	SPEED
		COCHRANE	JORDAN	PLEXICO	WARREN
		CONDER	KERR	PLYLER	
EXCUSED	0				
NOT CAST	4	ALLRAN	EAST	FOXX	KINCAID
ABSENT	6	EDWARDS	GULLEY	SIMPSON	WINNER
		FORRESTER	PERDUE		
PAIRS	0				
AYE					
NO					

NORTH CAROLINA GENERAL ASSEMBLY
CONFERENCE REPORT
Senate Bill 56

S56-CRLB-1

[ ] 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 56, A BILL TO BE ENTITLED AN ACT TO REPEAL ANTIQUATED, OBSOLETE, OR UNCONSTITUTIONAL LAWS, Fourth Edition Engrossed 5/17/95, submit the following report:

The Senate concurs in the House Committee Substitute, Fourth Edition Engrossed 5/17/95 with the following amendment:

On page 11, lines 22 through 24, rewrite those lines to read:

"AMEND 1937 LAW ALLOWING MOTOR VEHICLES
TO USE ACETYLENE HEADLAMPS

Sec. 18.1. G.S. 20-132 reads as rewritten:

'§ 20-132. Acetylene lights.

Motor vehicles eligible for a Historic Vehicle Owner special registration plate under G.S. 20-79.4 may be equipped with two acetylene headlamps of approximately equal candlepower when equipped with clear plane-glass fronts, bright six-inch spherical mirrors, and standard acetylene five-eighths foot burners not more and not less and which do not project a glaring or dazzling light into the eyes of approaching drivers.'"

see page 2

NORTH CAROLINA GENERAL ASSEMBLY
CONFERENCE REPORT
Senate Bill 56

S56-CRLB-1

The House agrees to the same.

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

Date conferees approved report: June 30, ~~1995~~ 1995.

Conferees for the Senate

Aaron W. Plyler

Anthony Rand

Fletcher L. Hartsell, Jr.

Conferees for the House of Representatives

N. Leo Daughtry

Larry T. Justus

William T. Culpepper, III

SENATE Submitted 6-30-95
SENATE ADOPTED 6-30-95 (40 / 1) Message Received 7-5-95
HOUSE ADOPTED 7-5-95 (—) Ordered Enrolled 7-5-95

Send Message

Release S Fisk

NORTH CAROLINA GENERAL ASSEMBLY
SENATE

RECORDED VOTE

1995 SESSION

SEQ. 1175/25--11:52 AM | JUNE 30, 1995 | LEGISLATIVE DAY 91

LT. GOVERNOR WICKER -- Presiding

PLYLER
ANTIQUATED LAWS REPEALED
HOUSE COM SUB/4TH EDITION

SENATE BILL 56

CONFERENCE REPORT

MOTION 7
TO ADOPT

AYE	40	ALBERTSON	COOPER	JORDAN	PERDUE
		ALLRAN	DANNELLY	KERR	PLEXICO
		BALLANCE	DAVIS	LEDBETTER	PLYLER
		BALLANTINE	EAST	LUCAS	RAND
		BASNIGHT	FORRESTER	MARTIN R.	SHAW
		BLACKMON	FOXX	MARTIN W.	SIMPSON
		CARPENTER	GULLEY	MCDANIEL	SOLES
		CARRINGTON	HARTSELL	MCKOY	SPEED
		COCHRANE	HOBBS	ODOM	WEBSTER
		CONDER	HOYLE	PAGE	WINNER
NO	1	CLARK			
EXCUSED	0				
NOT CAST	4	HORTON	KINCAID	LITTLE	WARREN
ABSENT	5	EDWARDS	SAWYER	SHERRON	SMITH
		PARNELL			
PAIRS	0				
AYE					
NO					

EV

NORTH CAROLINA
HOUSE OF REPRESENTATIVES
ROLL CALL

1433
LATIVE DAY 93
HCS
CONFERENCE REPORT

7/05/95
4:18 PM
IN CHAIR: SPEAKER

ANTIQUATED LAWS REPEALED

AYES - 100

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

NOES - 0

EXCUSED ABSENCE - 8

BRASWELL	LUEBKE	PULLEY	WAINWRIGHT
GRAY	MINER	REDWINE	WOOD

EXCUSED VOTE - 0

NOT VOTING - 12

SPEAKER	HOLMES	IVES	SEXTON
BOWIE	HUNTER, H.	LEMMOND	SHAW
HIGHTOWER	HUNTER, R.	NICHOLS	WRIGHT

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1995

S D

SENATE DRS3501*-LKZ015(11.30)

FILED - SENATE

S 5 7 JAN 2 6 1995

PRINCIPAL CLERK

Short Title: ABC LRC Study Recommendations. (Public)

Sponsors: Senator Conder.

Referred to:

A BILL TO BE ENTITLED

AN ACT TO IMPLEMENT THE RECOMMENDATIONS OF THE LEGISLATIVE RESEARCH COMMISSION COMMITTEE ON ALCOHOLIC BEVERAGE CONTROL.

The General Assembly of North Carolina enacts:

Section 1. G.S. 18B-101 reads as rewritten:

"**§ 18B-101. Definitions.**

As used in this Chapter, unless the context requires otherwise:

(1) 'ABC law' or 'ABC laws' means any statute or statutes in this Chapter or in Article 2C of Chapter 105, and the rules issued by the Commission under the authority of this Chapter.

(2) 'ABC permit' or 'permits' means any written or printed authorization issued by the Commission pursuant to the provisions of this Chapter, other than a purchase-transportation permit. Unless the context clearly requires otherwise, as in the provisions concerning applications for permits, 'ABC permit' or 'permit' means a presently valid permit.

(3) 'ABC system' means a local board and all ABC stores operated by it, its law-enforcement branch, and all its employees.

(4) 'Alcoholic beverage' means any beverage containing at least one-half of one percent (0.5%) alcohol by volume, including malt beverages, unfortified wine, fortified wine, spirituous liquor, and mixed beverages.

(5) 'ALE Division' means the Alcohol Law Enforcement Division of the Department of Crime Control and Public Safety.

NORTH CAROLINA GENERAL ASSEMBLY
SENATE

RECORDED VOTE

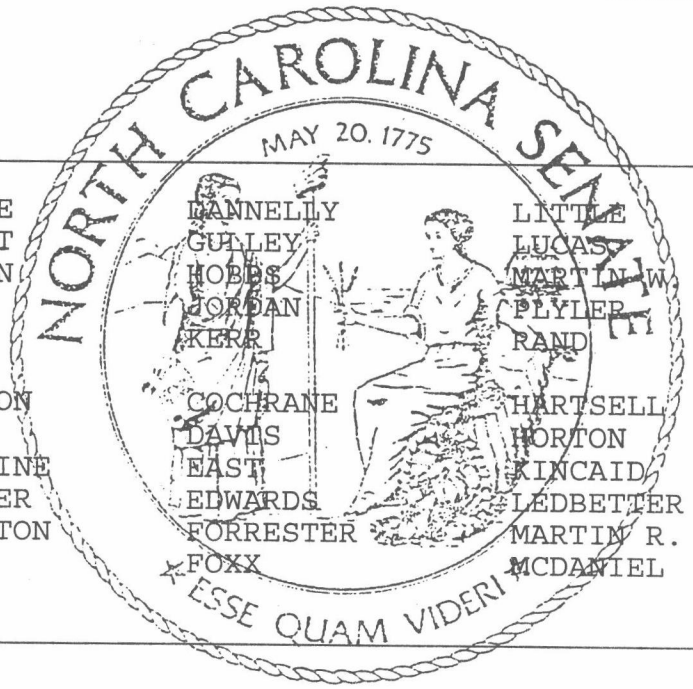
1995 SESSION

SEQ. 457/13-- 5:01 PM MAY 4, 1995 LEGISLATIVE DAY 58

LT. GOVERNOR WICKER -- Presiding

CONDER
ABC LRC & OTHER CHANGES
COM SUB/2ND EDITION

SENATE BILL 57
READING 2



AYE	20	BALLANCE	GANNELLY	LITTLE	SHAW
		BASNIGHT	GULLEY	LUCAS	SHERRON
		BLACKMON	HOBBS	MARTIN W.	SPEED
		CONDER	JORDAN	PLYLER	WARREN
		COOPER	KERR	RAND	WINNER
	24	ALBERTSON	COCHRANE	HARTSELL	MCKOY
		ALLRAN	DAVIS	HORTON	ODOM
		BALLANTINE	EAST	KINCAID	PAGE
		CARPENTER	EDWARDS	LEDBETTER	PARNELL
		CARRINGTON	FORRESTER	MARTIN R.	SIMPSON
		CLARK	*FOXX	MCDANIEL	WEBSTER
EXCUSED	0				
NOT CAST	2	HOYLE	PLEXICO		
ABSENT	4	PERDUE	SAWYER	SMITH	SOLES
PAIRS	0				
AYE					
NO					

NORTH CAROLINA GENERAL ASSEMBLY
SENATE

RECORDED VOTE

1995 SESSION

SEQ. 458/14-- 5:03 PM MAY 4, 1995 LEGISLATIVE DAY 58

LT. GOVERNOR WICKER -- Presiding

CONDER
ABC LRC & OTHER CHANGES
COM SUB/2ND EDITION

SENATE BILL 57
READING 2

MOTION 6
TO RECONSIDER

AYE	24	ALBERTSON	DANNELLY	KERR	RAND
		BALLANCE	EDWARDS	LITTLE	SHAW
		BASNIGHT	GULLEY	LUCAS	SHERRON
		BLACKMON	HARTSELL	MARTIN,W	SPEED
		CONDER	HOBBS	ODOM	WARREN
		COOPER	JORDAN	PULLER	WINNER
	20	ALLRAN	COCHRANE	HORTON	MCKOY
		BALLANTINE	DAVIS	KINCAID	PAGE
		CARPENTER	EAST	LEDBETTER	PARNELL
		CARRINGTON	FORRESTER	MARTIN R.	SIMPSON
		CLARK	FOXX	MCDANIEL	WEBSTER
EXCUSED	0				
NOT CAST	2	HOYLE	PLEXICO		
ABSENT	4	PERDUE	SAWYER	SMITH	SOLES
PAIRS	0				
AYE					
NO					

NORTH CAROLINA SENATE
MAY 20. 1775
ESSE QUAM VIDERI

NORTH CAROLINA GENERAL ASSEMBLY
SENATE

RECORDED VOTE

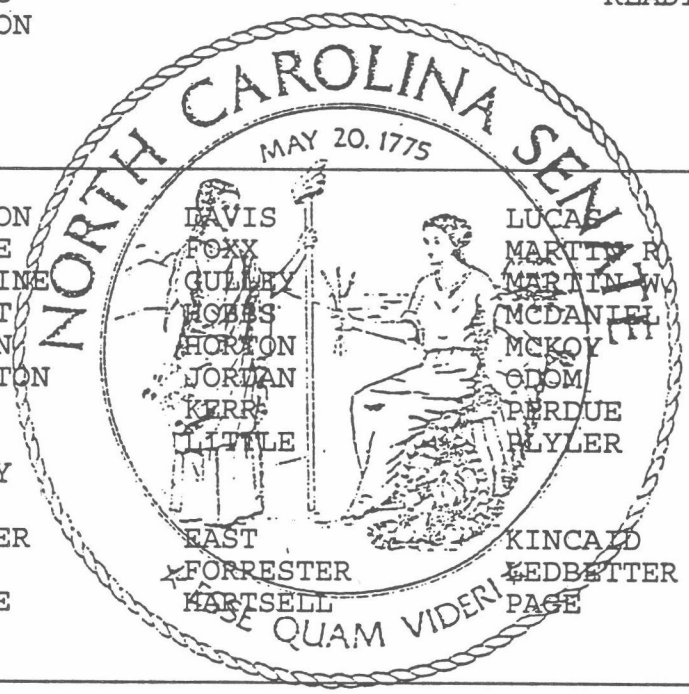
1995 SESSION

SEQ. 608/24-- 4:51 PM | MAY 10, 1995 | LEGISLATIVE DAY 61

LT. GOVERNOR WICKER -- Presiding

CONDER
ABC LRC & OTHER CHANGES
COM SUB NO.2/3RD EDITION

SENATE BILL 57
READING 2



AYE	33	ALBERTSON	DAVIS	LUCAS	RAND
		BALLANCE	FOXX	MARTIN R	SHAW
		BALLANTINE	GULLEY	MARTIN W	SHERRON
		BASNIGHT	HOBBS	MCDANIEL	SIMPSON
		BLACKMON	HORTON	MCKOY	SOLES
		CARRINGTON	JORDAN	ODOM	SPEED
		CONDER	KERR	PERDUE	WARREN
		COOPER	LITTLE	PLYLER	WINNER
		DANNELLY			
NO	11	CARPENTER	EAST	KINCAID	PARNELL
		CLARK	FORRESTER	LEDBETTER	WEBSTER
		COCHRANE	HARTSELL	PAGE	

EXCUSED	0				
NOT CAST	4	ALLRAN	HOYLE	PLEXICO	SAWYER
ABSENT	2	EDWARDS	SMITH		
PAIRS	0				
AYE					
NO					

NORTH CAROLINA GENERAL ASSEMBLY
SENATE

RECORDED VOTE

1995 SESSION

SEQ. 609/25-- 4:57 PM | MAY 10, 1995 | LEGISLATIVE DAY 61

LT. GOVERNOR WICKER -- Presiding

CONDER
ABC LRC & OTHER CHANGES
COM SUB NO.2/3RD EDITION

SENATE BILL 57
READING 3

MOTION 2
FOR PREVIOUS QUESTION

AYE	31	ALBERTSON	DAVIS	LUCAS	SHAW
		BALLANCE	GULLEY	MARTIN R	SHERRON
		BASNIGHT	HOBBS	MARTIN W	SIMPSON
		BLACKMON	HOLTON	MCKOY	SOLES
		CARRINGTON	JORDAN	ODOM	SPEED
		CONDER	KERR	PERDUE	WARREN
		COOPER	KINCAID	PLYLER	WINNER
		DANNELLY	LITTLE	RAND	
NO	14	ALLRAN	COCHRANE	HARTSELL	PAGE
		BALLANTINE	EAST	LEDBETTER	PARNELL
		CARPENTER	FORRESTER	MCDANIEL	WEBSTER
		CLARK	FOXX		

EXCUSED	0			
NOT CAST	3	HOYLE	PLEXICO	SAWYER
ABSENT	2	EDWARDS	SMITH	
PAIRS	0			
AYE				
NO				

NORTH CAROLINA GENERAL ASSEMBLY
SENATE

RECORDED VOTE

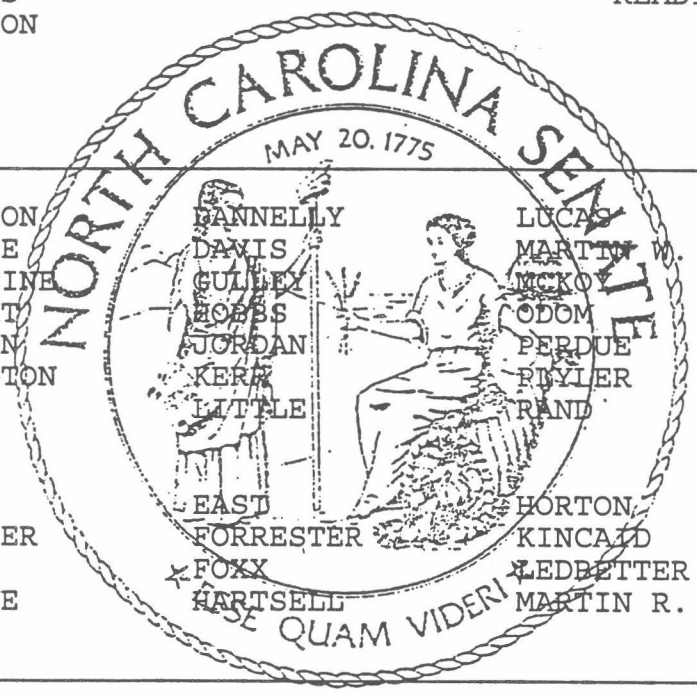
1995 SESSION

SEQ. 610/26-- 4:57 PM MAY 10, 1995 LEGISLATIVE DAY 61

LT. GOVERNOR WICKER -- Presiding

CONDER
ABC LRC & OTHER CHANGES
COM SUB NO.2/3RD EDITION

SENATE BILL 57
READING 3



AYE	29	ALBERTSON	DANNELLY	LUCAS	SHAW
		BALLANCE	DAVIS	MARTIN W.	SHERRON
		BALLANTINE	GULLEY	MCKOY	SIMPSON
		BASNIGHT	HOBBS	ODOM	SOLES
		BLACKMON	JORDAN	PERDUE	SPEED
		CARRINGTON	KERR	PLYLER	WARREN
		CONDER	LITTLE	RAND	WINNER
		COOPER			
NO	16	ALLRAN	EAST	HORTON	MCDANIEL
		CARPENTER	FORRESTER	KINCAID	PAGE
		CLARK	FOXX	LEDBETTER	PARNELL
		COCHRANE	HARTSELL	MARTIN R.	WEBSTER

EXCUSED	0			
NOT CAST	3	HOYLE	PLEXICO	SAWYER
ABSENT	2	EDWARDS	SMITH	
PAIRS	0			
AYE				
NO				

NORTH CAROLINA GENERAL ASSEMBLY
AMENDMENT
Senate Bill 57

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

S57-ALJ-6

Date 6/15, 1995

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

Representative Bowen

moves to amend the bill on page 4, lines 35 and 36, by inserting a new section between those lines to read:

"Sec. 4.1. G.S. 18B-600(c) reads as rewritten:

'(c) City Malt Beverage and Unfortified Wine Elections. -- A city may hold a malt beverage or unfortified wine election only if the county in which the city is located has already held such an election, the vote in the last county election was against the sale of that kind of alcoholic beverage, and:

(1) The city has a population of ~~500~~ 100 or more; or

(2) The city operates an ABC store.'";

part #1A fails 38-53 EV

and on page 11, lines 28 through 35, by deleting those lines;

and on page 11, lines 36 and 40, and page 12, lines 1 and 3, by renumbering the succeeding subdivisions accordingly.

SIGNED E. J. Bowen
Amendment Sponsor

SIGNED _____
Committee Chair if Senate Committee Amendment

part #1B ADOPTED 6/15/95 FAILED _____ TABLED _____

99-2 EV DWelch

EV

NORTH CAROLINA
HOUSE OF REPRESENTATIVES
ROLL CALL

SEQ. # 1145
LEGISLATIVE DAY 82
S57 HCS
READING 2

6/15/95
3:50 PM
IN CHAIR: SPEAKER

AMEND #1A Brown
A.B.C. L.R.C. AND OTHER CHANGES

AYES - 38

ADAMS	CULPEPPER	HIGHTOWER	MILLER, G.
ARNOLD	CUMMINGS	HURLEY	MINER
BERRY	DAUGHTRY	LEE	MORGAN
BLUE	DICKSON	LOCKE	NICHOLS
BOWEN	EARLE	LUEBKE	OWENS
BOYD-MCINTYRE	EASTERLING	MCCOMAS	RAMSEY
BRASWELL	FITCH	MCCRARY	RICHARDSON
BROWN, W.	GRADY	MCLAUGHLIN	SHAW
COCKLEREECE	GRAY	MICHAUX	WEATHERLY
CULP	HACKNEY		

NOES - 53

ALDRIDGE	ESPOSITO	LINNEY	ROBINSON, G.
ALLRED	FOX	MCALLISTER	ROBINSON, J.
BAKER	GARDNER	MCCOMBS	RUSSELL
BARBEE	HAYES	MCMAHAN	SEXTON
BRAWLEY	HENSLEY	MILLER, K.	THOMPSON
BROWN, J.	HIATT	MITCHELL	TOLSON
CAPPS	HILL	NEELY	WAINWRIGHT
CARPENTER	HOLMES	NYE	WARNER
CHURCH	HOWARD	OLDHAM	WILKINS
CLARY	HUNT	PATE	WILSON, C.
CRAWFORD	HUNTER, R.	PRESTON	WILSON, G.
DAVIS	JUSTUS	RAYFIELD	WOOD
DECKER	LEMMOND	REYNOLDS	YONGUE
EDDINS			

EXCUSED ABSENCE - 8

CANSLER	IVES	REDWINE	SHERRILL
EDWARDS	MERCER	SHARPE	WRIGHT

EXCUSED VOTE - 0

NOT VOTING - 21

SPEAKER	BUCHANAN	GAMBLE	SHUBERT
ALEXANDER	CREECH	HUNTER, H.	SUTTON
BARNES	CUNNINGHAM	KISER	TALLENT
BEALL	DOCKHAM	PULLEY	WATSON
BLACK	ELLIS	ROGERS	WOMBLE
BOWIE			

NORTH CAROLINA
HOUSE OF REPRESENTATIVES
ROLL CALL

SEQ. # 1146
LEGISLATIVE DAY 82
S57 HCS
READING 2

6/15/95
3:52 PM
IN CHAIR: SPEAKER

AMEND #1B - Bowen
A.B.C. L.R.C. AND OTHER CHANGES

AYES - 99

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

NOES - 2

COCKLEREECE	MILLER, K.

EXCUSED ABSENCE - 8

CANSLER	IVES	REDWINE	SHERRILL
EDWARDS	MERCER	SHARPE	WRIGHT

EXCUSED VOTE - 0

NOT VOTING - 11

SPEAKER	CUNNINGHAM	ROBINSON, J.	SUTTON
BLACK	HAYES	ROGERS	TALLENT
BOWIE	HUNTER, H.	SHUBERT	

NORTH CAROLINA GENERAL ASSEMBLY
AMENDMENT
Senate Bill 57

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

857-ALJ-5 Page 1 of 2

Date 6/15 ,1995

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

Representative DEWEY HALL

moves to amend the bill on page 13, lines 5 and 6, by inserting a new section between those lines to read:

"Sec. 17. Section 6 of Chapter 734 of the 1969 Session Laws, as amended by Chapter 129 of the 1987 Session Laws, reads as rewritten:

'Sec. 6. Out of the gross profits derived from the operation of said alcoholic beverage control stores and after the payment of all costs and operating expenses and after retaining sufficient and proper working capital, the amount thereof to be determined by the Town of Sunset Beach Board of Alcoholic Control, said board shall further expend an amount as necessary for law enforcement purposes of not less than five per cent (5%) nor more than ten per cent ~~(10%) thereof, to be determined by quarterly audit,~~ which (10%). This amount shall supplement and not supplant the amount usually budgeted for such purposes by the Town of Sunset Beach. In the expenditure of said funds, the Town Board of Alcoholic Control shall employ one or more persons as law enforcement officer or officers to be appointed by and directly responsible to the said board. The person or persons so appointed shall, after taking the oath prescribed by law for peace officers, have the same powers and authorities within Brunswick County as other peace officers. And any such person or persons so appointed, or any other peace officer while in hot pursuit of anyone found to be violating the prohibition laws of this State, shall have the right to go into any other county of the State and arrest such defendant therein so long as such hot pursuit of such person shall continue, and the common law of hot pursuit shall be applicable to said offenses and such officer or officers. Any law enforcement officer appointed by the said Board of Alcoholic Control and any other peace officer are hereby authorized, upon request of the sheriff or other lawful officer in any other county, to go into such other county and assist in suppressing a violation of the prohibition laws therein, and while so acting, shall have such powers as a peace officer as are granted to him in Brunswick

NORTH CAROLINA GENERAL ASSEMBLY
AMENDMENT
Senate Bill 57

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

S57-ALJ-5

County and be entitled to all the protection provided for said officer while acting in his own county.

Out of the net profits derived from the operation of said alcoholic beverage control stores, the Town of Sunset Beach Board of Alcoholic Control, shall, on a quarterly basis, pay over to the following named governing bodies, departments, boards, and agencies amounts equal to the percentages of the net profits which shall be expended by said governing bodies, departments, boards, and agencies for these purposes and none other as follows:

(a) Fifteen per cent (15%) to be given to the Calabash Volunteer Rescue Squad, Inc.

(b) Sixty-five per cent (65%) to be retained by the Town Board of Alcohol Control in a special fund until sufficient funds are available from this and other sources for the construction of a new building by the board and then this percentage of funds are to be distributed to the general fund of the Town of Sunset Beach.

(c) Twenty per cent (20%) to go to the Board of Education of Brunswick County for use at the Union Primary School, the Shallotte School, Waccamaw Primary School, and West Brunswick High School.'";

and on page 13, line 6, by deleting "Sec. 17." and substituting "Sec. 18."

SIGNED Sherry Hee
Amendment Sponsor

SIGNED _____
Committee Chair if Senate Committee Amendment

ADOPTED 6/15/95 FAILED _____ TABLED _____

84-19 cv

CV

NORTH CAROLINA
HOUSE OF REPRESENTATIVES
ROLL CALL

EQ. # 1147
GISLATIVE DAY 82
S57 HCS
READING 2

6/15/95
3:59 PM
IN CHAIR: SPEAKER

AMEND #2 - H.11
A.B.C. L.R.C. AND OTHER CHANGES

AYES - 84

ALDRIDGE	CUMMINGS	HURLEY	OWENS
ALEXANDER	DAUGHTRY	JUSTUS	PATE
ALLRED	DAVIS	KISER	PRESTON
ARNOLD	DECKER	LEE	PULLEY
BAKER	DICKSON	LEMMOND	RAMSEY
BARNES	DOCKHAM	LOCKE	RAYFIELD
BERRY	EARLE	LUEBKE	RICHARDSON
BOWEN	EASTERLING	MCALLISTER	ROBINSON, J.
BOYD-MCINTYRE	ELLIS	MCCOMAS	SEXTON
BRASWELL	ESPOSITO	MCCOMBS	SHAW
BRAWLEY	FOX	MCCRARY	TOLSON
BROWN, J.	GAMBLE	MCMAHAN	WAINWRIGHT
BROWN, W.	GRADY	MICHAUX	WARNER
BUCHANAN	GRAY	MILLER, G.	WATSON
CAPPS	HACKNEY	MINER	WEATHERLY
CARPENTER	HIATT	MITCHELL	WILKINS
CHURCH	HIGHTOWER	MORGAN	WILSON, C.
COCKLEREECE	HILL	NEELY	WILSON, G.
CREECH	HOLMES	NICHOLS	WOMBLE
CULP	HUNT	NYE	WOOD
CULPEPPER	HUNTER, R.	OLDHAM	YONGUE

NOES - 19

ADAMS	EDDINS	HOWARD	REYNOLDS
BARBEE	FITCH	HUNTER, H.	ROBINSON, G.
BEALL	GARDNER	LINNEY	RUSSELL
BLUE	HAYES	MCLAUGHLIN	THOMPSON
CLARY	HENSLEY	MILLER, K.	

EXCUSED ABSENCE - 8

CANSLER	IVES	REDWINE	SHERRILL
EDWARDS	MERCER	SHARPE	WRIGHT

EXCUSED VOTE - 0

NOT VOTING - 9

SPEAKER	CRAWFORD	ROGERS	SUTTON
BLACK	CUNNINGHAM	SHUBERT	TALLENT
BOWIE			

EV

NORTH CAROLINA
HOUSE OF REPRESENTATIVES
ROLL CALL

. # 1148
ISLATIVE DAY 82
S57 HCS
READING 2

6/15/95
4:07 PM
IN CHAIR: SPEAKER

A.B.C. L.R.C. AND OTHER CHANGES
MOTION #3 Rep. Morgan calls the previous question

AYES - 70

ALEXANDER	CUMMINGS	LEMMOND	PULLEY
ALLRED	DAUGHTRY	LOCKE	RAMSEY
ARNOLD	DECKER	MCCOMAS	RAYFIELD
BAKER	DICKSON	MCCOMBS	REYNOLDS
BARNES	DOCKHAM	MCCRARY	ROBINSON, G.
BEALL	EARLE	MCLAUGHLIN	ROBINSON, J.
BOWEN	EDDINS	MCMAHAN	RUSSELL
BRASWELL	ELLIS	MILLER, G.	SEXTON
BRAWLEY	ESPOSITO	MILLER, K.	SHAW
BROWN, W.	FOX	MINER	THOMPSON
BUCHANAN	GAMBLE	MITCHELL	TOLSON
CARPENTER	GRADY	MORGAN	WARNER
CHURCH	GRAY	NEELY	WATSON
CLARY	HOLMES	NICHOLS	WEATHERLY
COCKLEREECE	HOWARD	OLDHAM	WILKINS
CREECH	HURLEY	PATE	WILSON, C.
CULP	KISER	PRESTON	WILSON, G.
CULPEPPER	LEE		

NOES - 35

ADAMS	CUNNINGHAM	HIGHTOWER	MICHAUX
ALDRIDGE	DAVIS	HILL	NYE
BARBEE	EASTERLING	HUNT	OWENS
BERRY	FITCH	HUNTER, H.	RICHARDSON
BLUE	GARDNER	HUNTER, R.	SUTTON
BOYD-MCINTYRE	HACKNEY	JUSTUS	WAINWRIGHT
BROWN, J.	HAYES	LINNEY	WOOD
CAPPS	HENSLEY	LUEBKE	YONGUE
CRAWFORD	HIATT	MCALLISTER	

EXCUSED ABSENCE - 8

CANSLER	IVES	REDWINE	SHERRILL
EDWARDS	MERCER	SHARPE	WRIGHT

EXCUSED VOTE - 0

NOT VOTING - 7

SPEAKER	BOWIE	SHUBERT	WOMBLE
BLACK	ROGERS	TALLENT	

EV

NORTH CAROLINA
HOUSE OF REPRESENTATIVES
ROLL CALL

SEQ. # 1149
LEGISLATIVE DAY 82
S57 HCS
READING 2

6/15/95
4:07 PM
IN CHAIR: SPEAKER

A.B.C. L.R.C. AND OTHER CHANGES

AYES - 48

ADAMS	DICKSON	LOCKE	OLDHAM
ALEXANDER	EASTERLING	LUEBKE	OWENS
ARNOLD	FOX	MCALLISTER	PATE
BAKER	GAMBLE	MCCOMAS	PRESTON
BARNES	GRADY	MCCRARY	PULLEY
BERRY	GRAY	MCMAHAN	RICHARDSON
BOWEN	HACKNEY	MICHAUX	ROBINSON, J.
BRASWELL	HENSLEY	MILLER, G.	SEXTON
BROWN, W.	HUNTER, H.	MINER	SHAW
COCKLEREECE	HURLEY	MORGAN	WATSON
CULPEPPER	LEE	NEELY	WILKINS
DAUGHTRY	LEMMOND	NICHOLS	WILSON, G.

NOES - 56

ALDRIDGE	CREECH	HIGHTOWER	RAMSEY
ALLRED	CULP	HILL	RAYFIELD
BARBEE	CUMMINGS	HOLMES	REYNOLDS
BEALL	DAVIS	HOWARD	ROBINSON, G.
BLUE	DECKER	HUNT	RUSSELL
BOYD-MCINTYRE	DOCKHAM	HUNTER, R.	SUTTON
BRAWLEY	EARLE	JUSTUS	THOMPSON
BROWN, J.	EDDINS	KISER	TOLSON
BUCHANAN	ELLIS	LINNEY	WAINWRIGHT
CAPPS	ESPOSITO	MCCOMBS	WARNER
CARPENTER	FITCH	MCLAUGHLIN	WEATHERLY
CHURCH	GARDNER	MILLER, K.	WILSON, C.
CLARY	HAYES	MITCHELL	WOOD
CRAWFORD	HIATT	NYE	YONGUE

EXCUSED ABSENCE - 8

CANSLER	IVES	REDWINE	SHERRILL
EDWARDS	MERCER	SHARPE	WRIGHT

EXCUSED VOTE - 0

NOT VOTING - 8

SPEAKER	BOWIE	ROGERS	TALLENT
BLACK	CUNNINGHAM	SHUBERT	WOMBLE

NORTH CAROLINA
HOUSE OF REPRESENTATIVES
ROLL CALL

SEQ. # 1153
LEGISLATIVE DAY 83
S57 HCS
READING 2

6/19/95
7:22 PM
IN CHAIR: SPEAKER

A.B.C. L.R.C. AND OTHER CHANGES
MOTION #5

AYES - 55

ALEXANDER	DICKSON	LUEBKE	PRESTON
BAKER	EARLE	MCCOMAS	PULLEY
BARNES	EASTERLING	MCCRARY	RAMSEY
BERRY	EDDINS	MCMAHAN	RICHARDSON
BLACK	FOX	MERCER	ROBINSON, J.
BOWEN	GRADY	MICHAUX	ROGERS
BOWIE	GRAY	MILLER, G.	SEXTON
BRASWELL	HACKNEY	MINER	SHERRILL
BRAWLEY	HENSLEY	MITCHELL	SHUBERT
CHURCH	HILL	MORGAN	TOLSON
CRAWFORD	HUNT	NEELY	WILKINS
CULPEPPER	LEE	NICHOLS	WILSON, G.
DAUGHTRY	LEMMOND	OLDHAM	WOMBLE
DECKER	LOCKE	OWENS	

NOES - 50

ADAMS	CLARY	HIGHTOWER	PATE
ALDRIDGE	COCKLEREECE	HOLMES	RAYFIELD
ALLRED	CREECH	HOWARD	REYNOLDS
ARNOLD	CULP	HURLEY	ROBINSON, G.
BARBEE	CUMMINGS	IVES	RUSSELL
BEALL	DAVIS	JUSTUS	SHARPE
BLUE	DOCKHAM	KISER	SHAW
BOYD-MCINTYRE	ELLIS	LINNEY	TALLENT
BROWN, J.	ESPOSITO	MCCOMBS	WATSON
BROWN, W.	FITCH	MCLAUGHLIN	WEATHERLY
BUCHANAN	GAMBLE	MILLER, K.	WOOD
CANSLER	GARDNER	NYE	YONGUE
CAPPS	HAYES		

EXCUSED ABSENCE - 7

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

EXCUSED VOTE - 0

NOT VOTING - 8

SPEAKER	EDWARDS	HUNTER, H.	WARNER
CUNNINGHAM	HIATT	MCALLISTER	WRIGHT

NORTH CAROLINA GENERAL ASSEMBLY
AMENDMENT
Senate Bill 57

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

S57-ARG-001

Date July 12, 1995

Comm. Sub. [Yes]
Amends Title []
Seventh Edition

moves to amend the bill on page 11, lines 39-40,
by deleting the words "permits and the operation of an ABC store."
and substituting the word "permits.";

and on page 11, lines 22-23,
by inserting between those lines the following:

"(5) Has not approved the issuance of any permits, borders one of the two largest counties in the State with more than 940 square miles, has an interstate highway running through it, and has at least six cities that have approved the sale of some malt beverages and unfortified wine and four of which have approved ABC systems.";

and on page 11, line 23,
by deleting the number "(5)" and substituting the number "(6)";

and on page 11, line 28,
by deleting the number "(6)" and substituting the number "(7)".

SIGNED Bill Palmer
Amendment Sponsor

SIGNED _____
Committee Chair if Senate Committee Amendment

ADOPTED 7/12/95 FAILED _____ TABLED _____

92-12 IV
BW

EV

NORTH CAROLINA

HOUSE OF REPRESENTATIVES

ROLL CALL

. # 1569
GISLATIVE DAY 97
S57 HCS #2
READING 2

7/12/95
3:55 PM
IN CHAIR: SPEAKER

AMEND #1 - Culpepper
A.B.C. L.R.C. AND OTHER CHANGES

AYES - 92

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

NOES - 12

BROWN, J.	DAVIS	HIATT	NYE
CAPPS	DECKER	HOWARD	RAYFIELD
CARPENTER	GARDNER	KISER	THOMPSON

EXCUSED ABSENCE - 5

BRASWELL	MCCRARY	ROBINSON, G.	ROGERS
HIGHTOWER			

EXCUSED VOTE - 0

NOT VOTING - 11

SPEAKER	EDWARDS	HUNTER, R.	SHAW
BEALL	GRAY	JUSTUS	TOLSON
CHURCH	HUNTER, H.	MILLER, K.	

NORTH CAROLINA GENERAL ASSEMBLY
AMENDMENT
Senate Bill 57

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

S57-ALJ-9

Date July 12, 1995

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

Representative REDWINE

moves to amend the bill on page 13, lines 39 and 40, by inserting a new section between those lines to read:

"Sec. 17.1. Section 6 of Chapter 519 of the 1959 Session Laws, as amended by Chapter 331 of the 1961 Session Laws, Chapter 376 of the 1971 Session Laws, and Chapter 474 of the 1975 Session Laws, reads as rewritten:

'Sec. 6. Out of the gross profits derived from the operation of said alcoholic beverage control stores and after the payment of all costs and operating expenses and after retaining sufficient and proper working capital, the amount thereof to be determined by the Town of Shallotte Board of Alcoholic Control, said board shall further expend an amount as necessary for law enforcement purposes of not less than five per cent (5%) nor more than ten per cent ~~(10%) thereof, to be determined by quarterly audit, which~~ (10%). This amount shall supplement and not supplant the amount usually budgeted for such purposes by the Town of Shallotte. In the expenditure of said funds, the City Board of Alcoholic Control shall employ one or more persons as law enforcement officer or officers to be appointed by and directly responsible to the said board. The person or persons so appointed shall, after taking the oath prescribed by law for peace officers, have the same powers and authorities within Brunswick County as other peace officers. And any such person or persons so appointed, or any other peace officer while in hot pursuit of anyone found to be violating the prohibition laws of this State, shall have the right to go into any other county of the State and arrest such defendant therein so long as such hot pursuit of such person shall continue, and the common law of hot pursuit shall be applicable to said offenses and such officer or officers. Any law enforcement officer appointed by the said Board of Alcoholic Control and any other peace officer are hereby authorized, upon request of the sheriff or other lawful officer in any other county,

NORTH CAROLINA
HOUSE OF REPRESENTATIVES
ROLL CALL

SQ. # 1570
LEGISLATIVE DAY 97
S57 HCS #2
READING 2

7/12/95
3:57 PM
IN CHAIR: SPEAKER

AMEND #2 - Redwine
A.B.C. L.R.C. AND OTHER CHANGES

AYES - 98

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

NOES - 6

BROWN, J.	COCKLEREECE	RUSSELL	THOMPSON
CLARY	EDDINS		

EXCUSED ABSENCE - 5

BRASWELL	MCCRARY	ROBINSON, G.	ROGERS
HIGHTOWER			

EXCUSED VOTE - 0

NOT VOTING - 11

SPEAKER	CHURCH	HOWARD	MILLER, G.
BEALL	EDWARDS	HUNTER, H.	SHAW
BLUE	HOLMES	HUNTER, R.	

NORTH CAROLINA
HOUSE OF REPRESENTATIVES
ROLL CALL

. # 1571
ISLATIVE DAY 97
S57 HCS #2
READING 2

7/12/95
4:08 PM
IN CHAIR: SPEAKER

A.B.C. L.R.C. AND OTHER CHANGES
MOTION #3 Rep Neely calls the previous question

AYES - 77

ALDRIDGE	CUMMINGS	KISER	RAMSEY
ALEXANDER	CUNNINGHAM	LEE	RAYFIELD
ALLRED	DAUGHTRY	LEMMOND	REDWINE
ARNOLD	DOCKHAM	LOCKE	REYNOLDS
BAKER	EARLE	MCALLISTER	RICHARDSON
BARBEE	EASTERLING	MCCOMAS	RUSSELL
BARNES	ESPOSITO	MCCOMBS	SEXTON
BERRY	FOX	MCMAHAN	SHARPE
BLACK	GAMBLE	MERCER	SHERRILL
BOWEN	GRADY	MINER	SHUBERT
BOWIE	GRAY	MITCHELL	TALLENT
BRAWLEY	HAYES	MORGAN	THOMPSON
BUCHANAN	HIATT	NEELY	TOLSON
CANSLER	HILL	NICHOLS	WATSON
CARPENTER	HOLMES	OLDHAM	WEATHERLY
COCKLEREECE	HOWARD	OWENS	WILKINS
CRAWFORD	HUNT	PATE	WILSON, C.
CREECH	HURLEY	PRESTON	WILSON, G.
CULP	IVES	PULLEY	YONGUE
CULPEPPER			

NOES - 28

ADAMS	DECKER	JUSTUS	ROBINSON, J.
BLUE	EDDINS	LINNEY	SUTTON
BOYD-MCINTYRE	ELLIS	LUEBKE	WAINWRIGHT
BROWN, J.	FITCH	MICHAUX	WARNER
CAPPS	GARDNER	MILLER, G.	WOMBLE
CLARY	HACKNEY	MILLER, K.	WOOD
DAVIS	HENSLEY	NYE	WRIGHT

EXCUSED ABSENCE - 5

BRASWELL	MCCRARY	ROBINSON, G.	ROGERS
HIGHTOWER			

EXCUSED VOTE - 0

NOT VOTING - 10

SPEAKER	CHURCH	HUNTER, H.	MCLAUGHLIN
BEALL	DICKSON	HUNTER, R.	SHAW
BROWN, W.	EDWARDS		

RC

NORTH CAROLINA
HOUSE OF REPRESENTATIVES
ROLL CALL

O. # 1572
GISLATIVE DAY 97
S57 HCS #2
READING 2

7/12/95
4:08 PM
IN CHAIR: SPEAKER

A.B.C. L.R.C. AND OTHER CHANGES

AYES - 65

ADAMS	EARLE	MCALLISTER	REDWINE
ALEXANDER	EASTERLING	MCCOMAS	RICHARDSON
ARNOLD	ESPOSITO	MCMAHAN	ROBINSON, J.
BARNES	FITCH	MERCER	SEXTON
BERRY	FOX	MICHAUX	SHARPE
BLACK	GAMBLE	MILLER, G.	SHERRILL
BLUE	GRADY	MINER	SUTTON
BOWEN	GRAY	MITCHELL	TALLENT
BOWIE	HACKNEY	MORGAN	TOLSON
BRAWLEY	HENSLEY	NEELY	WAINWRIGHT
CANSLER	HILL	NICHOLS	WATSON
COCKLEREECE	HURLEY	OLDHAM	WILKINS
CRAWFORD	LEE	OWENS	WILSON, G.
CULPEPPER	LEMMOND	PATE	WOMBLE
CUMMINGS	LOCKE	PRESTON	WRIGHT
CUNNINGHAM	LUEBKE	PULLEY	YONGUE
DAUGHTRY			

NOES - 38

ALDRIDGE	CREECH	HOLMES	NYE
ALLRED	CULP	HOWARD	RAYFIELD
BAKER	DAVIS	HUNT	REYNOLDS
BARBEE	DECKER	IVES	RUSSELL
BOYD-MCINTYRE	DOCKHAM	JUSTUS	THOMPSON
BROWN, J.	EDDINS	KISER	WARNER
BUCHANAN	ELLIS	LINNEY	WEATHERLY
CAPPS	GARDNER	MCCOMBS	WILSON, C.
CARPENTER	HAYES	MILLER, K.	WOOD
CLARY	HIATT		

EXCUSED ABSENCE - 5

BRASWELL	MCCRARY	ROBINSON, G.	ROGERS
HIGHTOWER			

EXCUSED VOTE - 0

NOT VOTING - 12

SPEAKER	CHURCH	HUNTER, H.	RAMSEY
BEALL	DICKSON	HUNTER, R.	SHAW
BROWN, W.	EDWARDS	MCLAUGHLIN	SHUBERT

RC

NORTH CAROLINA
HOUSE OF REPRESENTATIVES
ROLL CALL

Q. # 1587
LEGISLATIVE DAY 98
S57 HCS - 2
READING 3

7/13/95
11:12 AM
IN CHAIR: SPEAKER

A.B.C. L.R.C. AND OTHER CHANGES

AYES - ~~82~~ 78 DWicker

ADAMS	CUMMINGS	LEMMOND	RAMSEY
ALDRIDGE	CUNNINGHAM	LOCKE	RAYFIELD
ALEXANDER	DAUGHTRY	LUEBKE	REDWINE
ALLRED	~~DECKER~~ DW	MCALLISTER	RICHARDSON
ARNOLD	DOCKHAM	MCCOMAS	~~ROBINSON, G.~~ DW
BARBEE	EARLE	MCMAHAN	ROBINSON, J.
BARNES	EASTERLING	MERCER	SEXTON
BERRY	ESPOSITO	MICHAUX	SHARPE
BLACK	FITCH	MILLER, G.	SHERRILL
BLUE	FOX	MINER	SUTTON
BOWEN	GARDNER	MITCHELL	TALLENT
BOWIE	GRADY	MORGAN	~~THOMPSON~~ DW
BOYD-MCINTYRE	GRAY	NEELY	TOLSON
BRAWLEY	HACKNEY	NICHOLS	WAINWRIGHT
~~BROWN, J.~~ DW	HENSLEY	NYE	WILKINS
BROWN, W.	HIGHTOWER	OLDHAM	WILSON, G.
CANSLER	HOWARD	OWENS	WOMBLE
COCKLEREECE	HUNTER, H.	PATE	WOOD
CRAWFORD	HURLEY	PRESTON	WRIGHT
CREECH	JUSTUS	PULLEY	YONGUE
CULPEPPER	LEE		

NOES - ~~23~~ 27 DWicker

BAKER	DAVIS	HUNT	MILLER, K.	DECKER DW
BEALL	EDDINS	HUNTER, R.	RUSSELL	G. ROBINSON
CAPPS	ELLIS	IVES	SHUBERT	THOMPSON
CARPENTER	HAYES	KISER	WARNER	
CHURCH	HIATT	LINNEY	WEATHERLY	
CULP	HILL	MCCOMBS	J. BROWN DW	

EXCUSED ABSENCE - 4

CLARY	MCCRARY	ROGERS	SHAW

EXCUSED VOTE - 0

NOT VOTING - 11

SPEAKER	DICKSON	HOLMES	WATSON
BRASWELL	EDWARDS	MCLAUGHLIN	WILSON, C.
BUCHANAN	GAMBLE	REYNOLDS	

S57 HCS

Reps. Decker, Thompson, G. Robinson and J. Brown state their equipment malfunctions and request to be recorded as voting "noe". Speaker so orders.

DWicker

NORTH CAROLINA GENERAL ASSEMBLY
SENATE

RECORDED VOTE

1995 SESSION

SEQ. 1345/24-- 5:39 PM JULY 17, 1995 LEGISLATIVE DAY 10

LT. GOVERNOR WICKER -- Presiding

CONDER
ABC LRC & OTHER CHANGES
HOUSE COM SUB NO.2/8TH EDITION

SENATE BILL 57

MOTION 8
TO CONCUR

AYE	3	ALBERTSON	WARREN	WEBSTER	
NO	43	ALLRAN	DANNELLY	LEDBETTER	PLEXICO
		BALLANCE	DAVIS	LITTLE	PLYLER
		BALLANTINE	EAST	LUCAS	RAND
		BASNIGHT	EDWARDS	MARTIN R.	SHAW
		BLACKMON	FORRESTER	MARTIN W.	SHERRON
		CARPENTER	FOXX	MCDANIEL	SIMPSON
		CARRINGTON	GULLEY	MCKOY	SMITH
		CLARK	HARTSELL	ODOM	SOLES
		COCHRANE	HOBBS	PAGE	SPEED
		CONDER	HOYLE	PARNELL	WINNER
		COOPER	KERR	PERDUE	
EXCUSED	0				
NOT CAST	4	HORTON	JORDAN	KINCAID	SAWYER
ABSENT	0				
PAIRS	0				
AYE					
NO					

NORTH CAROLINA GENERAL ASSEMBLY
SENATE

RECORDED VOTE

1995 SESSION

SEQ. 1378/22-- 4:40 PM JULY 19, 1995 LEGISLATIVE DAY 10

LT. GOVERNOR WICKER -- Presiding

CONDER
ABC LRC & OTHER CHANGES
HOUSE COM SUB NO.2/8TH EDITION

SENATE BILL 57

AFTER RECONSIDERATION

MOTION 8
TO CONCUR

AYE	28	ALBERTSON	COOPER	KERR	PLYLER
		BALLANCE	DANNELLY	LITTLE	RAND
		BALLANTINE	EAST	LUCAS	SHERRON
		BASNIGHT	GULLEY	MARTIN R.	SOLES
		BLACKMON	HOBBS	MARTIN W.	SPEED
		CARRINGTON	HOYLE	ODOM	WARREN
		CONDER	JORDAN	PERDUE	WINNER
	17	ALLRAN	FOXX	LEDBETTER	PARNELL
		CARPENTER	HARTSELL	MCDANIEL	SHAW
		CLARK	HORTON	MCKOY	SIMPSON
		COCHRANE	KINCAID	PAGE	SMITH
		FORRESTER			
EXCUSED	0				
NOT CAST	5	DAVIS	PLEXICO	SAWYER	WEBSTER
		EDWARDS			
ABSENT	0				
PAIRS	0				
AYE					
NO					

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1995

FILED - SENATE

S D

SENATE DRS2520*-RRZ001.1(1.25) S 5 8 JAN 26 1995

PRINCIPAL CLERK

Short Title: Voter Reg. Cleanup. (Public)

Sponsors: Senators Plexico and Smith.

Referred to:

A BILL TO BE ENTITLED

AN ACT TO MAKE TECHNICAL CORRECTIONS IN VOTER REGISTRATION LAWS AND OTHER ELECTION LAWS.

The General Assembly of North Carolina enacts:

Section 1. G.S. 163-22(e) reads as rewritten:

"(e) The State Board of Elections shall determine, in the manner provided by law, the form and content of ballots, instruction sheets, pollbooks, talley sheets, abstract and return forms, certificates of election, and other forms to be used in primaries and elections. The Board shall furnish to the county ~~and municipal~~ boards of elections the registration application forms required pursuant to G.S. ~~163-67.~~ 163-82.3. The State Board of Elections shall direct the county boards of elections to purchase a sufficient quantity of all forms attendant to the registration and elections process. In addition, the State Board shall provide a source of supply from which the county boards of elections may purchase the quantity of pollbooks needed for the execution of its responsibilities. In the preparation of ballots, pollbooks, abstract and return forms, and all other forms, the State Board of Elections may call to its aid the Attorney General of the State, and it shall be the duty of the Attorney General to advise and aid in the preparation of these books, ballots and forms."

Sec. 2. Article 4 of Chapter 163 of the General Statutes is amended by adding a new section to read:

"**§ 163-37. Duty of county board of commissioners.**

The respective boards of county commissioners shall appropriate reasonable and adequate funds necessary for the legal functions of the county board of elections, including reasonable and just compensation of the supervisor of elections."

NORTH CAROLINA GENERAL ASSEMBLY
SENATE

RECORDED VOTE

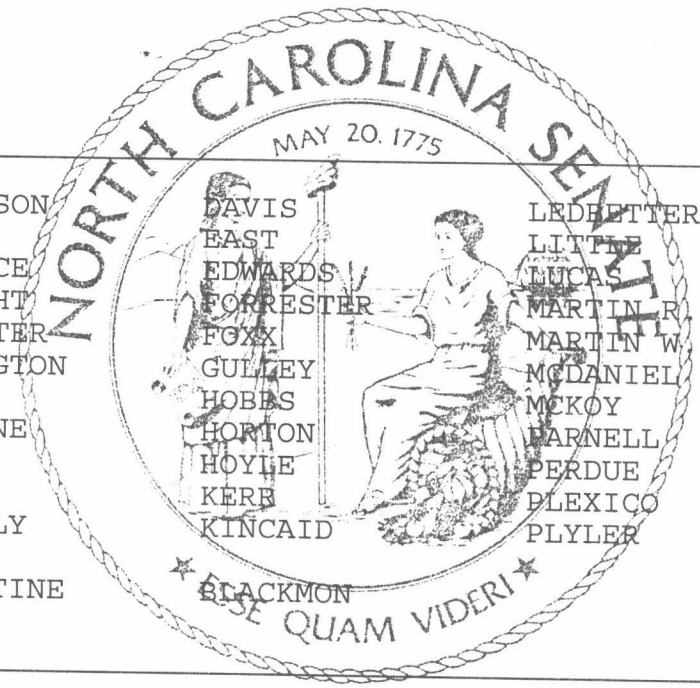
1995 SESSION

SEQ. 116/3-- 7:15 PM MARCH 6, 1995 LEGISLATIVE DAY 23

LT. GOVERNOR WICKER -- Presiding

PLEXICO
VOTER REG. CLEANUP

SENATE BILL 58
READING 2



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

EXCUSED 0

NOT CAST 1 JORDAN

ABSENT 3 HARTSELL ODOM SMITH

PAIRS 0
AYE
NO

NORTH CAROLINA GENERAL ASSEMBLY
AMENDMENT
Senate Bill 58

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

S58-AER-004.3 Page 1 of 2

Date July 13, 1995

Comm. Sub. [1]
Amends Title [1]

Representative [illegible]

moves to amend the bill on page 4, line 30, by deleting the language on that line and substituting the following:

"Sec. 8. G.S. 163-82.10 reads as rewritten:
'§ 163-82.10. Official record of voter registration.
(a) Application Form Becomes Official Record. -- A completed and signed registration application form described in G.S. 163-82.3, once approved by the county board of elections, becomes the official registration record of the voter. The county board of elections shall maintain custody of the official registration records of all voters in the county and shall keep them in a place where they are secure.
(b) Access to Registration Records. -- Upon request by that person, the county board of elections shall provide to any person a list of the registered voters of the county or of any precinct or precincts in the county. The county board may furnish selective lists according to party affiliation, gender, race, date of registration, precinct name, precinct identification code, congressional district, senate district, representative district, and, where applicable, county commissioner district, city governing board district, fire district, soil and water conservation district, and voter history including primary, general, and special districts, or any other reasonable category. The following shall apply if a county maintains or has its voter registration list maintained on a computer:
(1) In addition to the typed, mimeographed, photocopied, computer printout or label lists, the county board of elections shall make the voter registration information available to the public on magnetic medium. Magnetic medium for the purpose of this section shall consist of nine track tape or 3.5 inch diskettes and 5.25 inch diskettes readily accessible

using MS-DOS or Microsoft Windows operating systems or both such systems; and

(2) Information requested on magnetic medium shall contain the following if known to the board of elections: voter name including courtesy title, county voter identification number, residential address, mailing address, sex, race, age or date of birth or both, party affiliation, precinct name, precinct identification code, congressional district, senate district, representative district, and, where applicable, county commissioner district, city governing board district, fire district, soil and water conservation district, and any other district information available, and voter history including primary, general, and special districts, or any other reasonable category,

provided that this subsection shall not require a county to computerize its lists, but if a county does computerize it shall comply with subdivisions (1) and (2) of this subsection. The county board shall require each person to whom a list is furnished to reimburse the board for the actual cost incurred in preparing it, except as provided in subsection (c) of this section. Actual cost for the purpose of this section shall not include the cost of any equipment or any imputed overhead expenses. It may include the actual cost of paper, labels, and magnetic medium. The purchaser at its discretion may provide the magnetic medium. When furnishing information under this subsection to a purchaser on a magnetic medium provided by the county board or the purchaser, the county board may impose a service charge of up to twenty five dollars ($25.00).

(c) Free Lists. - Free lists of all registered voters in the county shall be provided in the following cases:

(1) A county board that maintains voter records on computer shall provide, upon written request, one free list to:

a. The State chair of each political party; and

b. The county chair of each political party

once in every odd-numbered year, once during the first six calendar months of every even-numbered year, and once during the latter six calendar months of every even-numbered year.

(2) A county board that does not maintain voter records on computer shall provide one free paper list every two years to the county chair of each political party.

NORTH CAROLINA GENERAL ASSEMBLY
AMENDMENT
Senate Bill 58

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

S58-AMR-004.3 Page 3 of 3

Each free list shall include the name, address, gender, date of birth, race, political affiliation, voting history, and precinct precinct, precinct name, precinct identification code, congressional district, senate district, representative district, and, where applicable, county commissioner district, city governing board district, fire district, soil and water conservation district, and voter history including primary, general, and special districts of each registered voter. The free paper list to the county party chairs shall group voters by precinct. All free lists shall be provided as soon as practicable but no later than 30 days after written request. Each State party chair shall provide the discs or tapes received from the county boards to candidates of that party who request the discs or tapes in writing. Each State party chair shall return discs and tapes to the county boards within 20 days after receiving them. As used in this section, 'political party' means a political party as defined in G.S. 163-96.'

Sec. 9. Section 8 of this act becomes effective January 1, 1996. The remainder of this act is effective upon ratification."

SIGNED _____
Amendment Sponsor

SIGNED _____
Committee Chair if Senate Committee Amendment

ADOPTED 11/15 FAILED _____ TABLED _____

NORTH CAROLINA

HOUSE OF REPRESENTATIVES

ROLL CALL

EV

SQ. # 1582
LEGISLATIVE DAY 98
S58
READING 2

7/13/95
10:47 AM
IN CHAIR: SPEAKER

AMEND #1 - Morgan
VOTER REGISTRATION CLEANUP

AYES - 106

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

NOES - 2

COCKLEREECE	HIGHTOWER

EXCUSED ABSENCE - 4

CLARY	MCCRARY	ROGERS	SHAW

EXCUSED VOTE - 0

NOT VOTING - 8

SPEAKER	CHURCH	DICKSON	REYNOLDS
BRASWELL	CRAWFORD	FITCH	WILSON, C.

NORTH CAROLINA GENERAL ASSEMBLY
AMENDMENT
Senate Bill 58

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

S58-ARR-003.1A

Page 1 of __

Date 18 July ,1995

Comm. Sub. [ ]
Amends Title [ ]

Representative JUSTUS

moves to amend the bill on page 6, line 16, by inserting after that line the following:

Sec. 8.9. G.S. 163-82.8(e) reads as rewritten:

"(e) Display of ~~Card May Not Be Required to Vote.~~ Card. -- ~~No~~ Except as provided by G.S. 163-150(a), no county board of elections may require that a voter registration card be displayed in order to vote."

Sec. 8.10. G.S. 163-150(a) reads as rewritten:

"(a) Checking Registration. -- A person seeking to vote shall enter the voting enclosure at the voting place through the appropriate entrance and shall at once state his name and place of residence to one of the judges of election. Unless the voter is personally known by a precinct official in the precinct, in order to vote a voter must show one of the following types of identification:

(1) A voter registration card issued under G.S. 163-82.8 in a county which issues such cards;
(2) A drivers license;
(3) A special identification card issued under G.S. 20-37.7;
(4) A passport;
(5) An identification card issued by the U.S. Department of Defense; or
(6) A social security card and one other type of identification showing the name and a picture of the voter; or
(7) Other identification acceptable to a precinct official in the precinct.

In a primary election, the voter shall also state the political party with which he affiliates and in whose primary he desires to vote, or if the voter is an unaffiliated voter permitted to vote in the primary of a particular party under G.S. ~~163-116,~~ 163-119, the voter shall state the name of the authorizing political party in whose primary he wishes to vote. The judge to whom the voter gives

NORTH CAROLINA GENERAL ASSEMBLY
AMENDMENT
Senate Bill 58

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

S58-ARR-003.1A

this information shall announce the name and residence of the voter in a distinct tone of voice. After examining the precinct registration records, the chief judge shall state whether the person seeking to vote is duly registered."; and
on page 6, line 17,
by inserting the following immediately before the period at the end of the line:
"Sections 8.9 and 8.10 become effective with respect to primaries and elections held on and after January 1, 1996."

SIGNED Larry T. Justus
Amendment Sponsor

SIGNED _____
Committee Chair if Senate Committee Amendment

ADOPTED 7/18/95 FAILED _____ TABLED _____

67-38 EV
DWicker

NORTH CAROLINA GENERAL ASSEMBLY
AMENDMENT
Senate Bill 58

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

S58-ARR-006

Page 1 of 2

Date July 18, 1995

Comm. Sub. [ ]
Amends Title [ ]

Representative Wood

moves to amend the bill on page 6, line 16, as amended by Amend. #1 by inserting after that line the following:

"Sec. 8A. G.S. 163-278.12 reads as rewritten:
"§ 163-278.12. **Contributions and expenditures by an individual other than a candidate.** candidate; media endorsements reported.

(a) Subject to G.S. 163-278.16(f) and 163-278.14, it shall be permissible for an individual other than a candidate to make contributions or expenditures in support of, or in opposition to, any candidate, political committee, or referendum committee other than by contribution to a candidate, political committee, or referendum committee. In the event an individual makes contributions or expenditures, other than by contribution to a candidate, political committee, or referendum committee, in excess of one hundred dollars ($100.00), then, within 10 days after making such a contribution or expenditure, he shall file a statement of such contribution or expenditure with the Board in accordance with the terms and conditions of G.S. 163-278.11.

(b) The value of an endorsement of a candidate or party by a media, as defined in G.S. 163-278.6, shall be reported by that media to the same board that the candidate or party endorsed is required to file reports with under this Article. The reports shall be made on the same schedule and cover the same time periods as reports made under G.S. 163-278.9. The reports shall itemize the value of the endorsement of each candidate or party endorsed. For the purpose of this section, the value of the endorsement is the amount that the media would have charged for a similarly placed commercial advertisement, except that if the Communications Act of 1934 would provide for a lower amount to be charged for a candidate's ad on a radio or television station, the value of the endorsement by the radio or television station shall be the amount that the Communications Act of 1934 would require to be charged to a candidate."; and

NORTH CAROLINA GENERAL ASSEMBLY
AMENDMENT
Senate Bill 58

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

S58-ARR-006

on page 6, line 17,
by adding the following immediately after the last period:

"Section 8A. of this act applies with respect to elections conducted on or after December 1, 1995."

SIGNED Ted Kind
Amendment Sponsor

SIGNED _____
Committee Chair if Senate Committee Amendment

ADOPTED _____ FAILED 7/18/95 TABLED _____

28-72 EV
Denise White

NORTH CAROLINA

EV

HOUSE OF REPRESENTATIVES

ROLL CALL

SEQ. # 1615
LEGISLATIVE DAY 100
S58 HCS
READING 2

7/18/95
4:55 PM
IN CHAIR: SPEAKER

AMEND #1
VOTER REGISTRATION CLEANUP
MOTION #3 Rep. Justus calls for a show of hands

AYES - 67

ALDRIDGE	CULPEPPER	HOWARD	REYNOLDS
ALLRED	CUMMINGS	IVES	ROBINSON, J.
ARNOLD	DAUGHTRY	JUSTUS	ROGERS
BAKER	DAVIS	KISER	RUSSELL
BARBEE	DECKER	LEMMOND	SHARPE
BERRY	DICKSON	LOCKE	SHAW
BROWN, J.	DOCKHAM	MCCOMAS	SHERRILL
BROWN, W.	EDDINS	MCCOMBS	SHUBERT
BUCHANAN	EDWARDS	MINER	TALLENT
CANSLER	ELLIS	MITCHELL	THOMPSON
CAPPS	ESPOSITO	MORGAN	WATSON
CARPENTER	GAMBLE	NEELY	WEATHERLY
CLARY	GRADY	NICHOLS	WILKINS
COCKLEREECE	GRAY	PATE	WILSON, C.
CRAWFORD	HAYES	PRESTON	WILSON, G.
CREECH	HIATT	PULLEY	WOOD
CULP	HOLMES	RAYFIELD	

NOES - 37

ALEXANDER	FOX	LINNEY	OWENS
BARNES	HENSLEY	LUEBKE	RAMSEY
BEALL	HIGHTOWER	MCALLISTER	REDWINE
BLACK	HILL	MCCRARY	RICHARDSON
BOYD-MCINTYRE	HUNT	MCLAUGHLIN	TOLSON
CHURCH	HUNTER, H.	MERCER	WAINWRIGHT
CUNNINGHAM	HUNTER, R.	MILLER, G.	WOMBLE
EARLE	HURLEY	NYE	WRIGHT
EASTERLING	LEE	OLDHAM	YONGUE
FITCH			

EXCUSED ABSENCE - 8

BLUE	BRAWLEY	HACKNEY	SEXTON
BOWEN	GARDNER	ROBINSON, G.	SUTTON

EXCUSED VOTE - 0

NOT VOTING - 8

SPEAKER	BOWIE	MCMAHAN	MILLER, K.
ADAMS	BRASWELL	MICHAUX	WARNER

NORTH CAROLINA

LV

HOUSE OF REPRESENTATIVES

ROLL CALL

SEQ. # 1616
LEGISLATIVE DAY 100
S58 HCS
READING 2

7/18/95
4:56 PM
IN CHAIR: SPEAKER

AMEND #1 - Rep. Gardner
VOTER REGISTRATION CLEANUP

AYES - 67

ALDRIDGE	CREECH	HOLMES	PULLEY
ALEXANDER	CULP	HOWARD	RAYFIELD
ALLRED	CUMMINGS	HURLEY	REYNOLDS
ARNOLD	DAUGHTRY	IVES	ROBINSON, J.
BAKER	DAVIS	JUSTUS	RUSSELL
BARBEE	DECKER	KISER	SHARPE
BERRY	DICKSON	LOCKE	SHERRILL
BOWIE	DOCKHAM	MCCOMAS	SHUBERT
BROWN, J.	EDDINS	MCCOMBS	TALLENT
BUCHANAN	EDWARDS	MERCER	THOMPSON
CANSLER	ELLIS	MINER	WATSON
CAPPS	ESPOSITO	MITCHELL	WEATHERLY
CARPENTER	GRADY	MORGAN	WILKINS
CHURCH	GRAY	NEELY	WILSON, C.
CLARY	HAYES	NICHOLS	WILSON, G.
COCKLEREECE	HIATT	PATE	WOOD
CRAWFORD	HILL	PRESTON	

NOES - 38

BARNES	FOX	LUEBKE	REDWINE
BEALL	GAMBLE	MCALLISTER	RICHARDSON
BLACK	HENSLEY	MCCRARY	ROGERS
BOYD-MCINTYRE	HIGHTOWER	MCLAUGHLIN	SHAW
BROWN, W.	HUNT	MILLER, G.	TOLSON
CULPEPPER	HUNTER, H.	NYE	WAINWRIGHT
CUNNINGHAM	HUNTER, R.	OLDHAM	WOMBLE
EARLE	LEE	OWENS	WRIGHT
EASTERLING	LEMMOND	RAMSEY	YONGUE
FITCH	LINNEY		

EXCUSED ABSENCE - 8

BLUE	BRAWLEY	HACKNEY	SEXTON
BOWEN	GARDNER	ROBINSON, G.	SUTTON

EXCUSED VOTE - 0

NOT VOTING - 7

SPEAKER	BRASWELL	MICHAUX	WARNER
ADAMS	MCMAHAN	MILLER, K.	

NORTH CAROLINA
HOUSE OF REPRESENTATIVES
ROLL CALL

EV

SEQ. # 1617
LEGISLATIVE DAY 100
S58 HCS
READING 2

7/18/95
5:17 PM
IN CHAIR: SPEAKER

AMEND #2 - Rep. Wood
VOTER REGISTRATION CLEANUP

AYES - 28

ALDRIDGE	CREECH	HIATT	MINER
ARNOLD	CULP	HOLMES	MORGAN
BARBEE	DECKER	HOWARD	NICHOLS
BERRY	DOCKHAM	JUSTUS	SHARPE
BROWN, W.	EDDINS	LEE	TALLENT
BUCHANAN	ESPOSITO	LINNEY	WATSON
COCKLEREECE	GAMBLE	MCMAHAN	WOOD

NOES - 72

ALEXANDER	DICKSON	LUEBKE	REYNOLDS
ALLRED	EARLE	MCALLISTER	RICHARDSON
BAKER	EASTERLING	MCCOMAS	ROBINSON, J.
BARNES	ELLIS	MCCOMBS	ROGERS
BEALL	FITCH	MCCRARY	RUSSELL
BLACK	FOX	MCLAUGHLIN	SHAW
BOYD-MCINTYRE	GRADY	MERCER	SHERRILL
CANSLER	HAYES	MILLER, G.	SHUBERT
CAPPS	HENSLEY	MITCHELL	THOMPSON
CARPENTER	HIGHTOWER	NEELY	TOLSON
CHURCH	HILL	NYE	WAINWRIGHT
CLARY	HUNT	OLDHAM	WEATHERLY
CRAWFORD	HUNTER, H.	OWENS	WILKINS
CULPEPPER	HURLEY	PATE	WILSON, C.
CUMMINGS	IVES	PRESTON	WILSON, G.
CUNNINGHAM	KISER	RAMSEY	WOMBLE
DAUGHTRY	LEMMOND	RAYFIELD	WRIGHT
DAVIS	LOCKE	REDWINE	YONGUE

EXCUSED ABSENCE - 9

BLUE	GARDNER	HACKNEY	SEXTON
BOWEN	GRAY	ROBINSON, G.	SUTTON
BRAWLEY			

EXCUSED VOTE - 0

NOT VOTING - 11

SPEAKER	BRASWELL	HUNTER, R.	PULLEY
ADAMS	BROWN, J.	MICHAUX	WARNER
BOWIE	EDWARDS	MILLER, K.	

EV

NORTH CAROLINA
HOUSE OF REPRESENTATIVES
ROLL CALL

SEQ. # 1618
LEGISLATIVE DAY 100
S58 HCS
READING 2

7/18/95
5:18 PM
IN CHAIR: SPEAKER

VOTER REGISTRATION CLEANUP

AYES - 92

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

NOES - 10

BOYD-MCINTYRE	HENSLEY	MILLER, G.	SHAW
CUNNINGHAM	HUNTER, H.	REDWINE	WAINWRIGHT
FITCH	MCCRARY		

EXCUSED ABSENCE - 9

BLUE	GARDNER	HACKNEY	SEXTON
BOWEN	GRAY	ROBINSON, G.	SUTTON
BRAWLEY			

EXCUSED VOTE - 0

NOT VOTING - 9

SPEAKER	BROWN, J.	HUNTER, R.	MILLER, K.
ADAMS	EDWARDS	MICHAUX	WARNER
BRASWELL			

EV

NORTH CAROLINA
HOUSE OF REPRESENTATIVES
ROLL CALL

[redacted]. # 1625
[redacted]ISLATIVE DAY 101
[redacted]58 HCS
READING 3

7/19/95
10:15 AM
IN CHAIR: SPEAKER

VOTER REGISTRATION CLEANUP

AYES - 99

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

NOES - 7

CUNNINGHAM	HUNTER, H.	MICHAUX	WAINWRIGHT
HENSLEY	LUEBKE	REDWINE	

EXCUSED ABSENCE - 7

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

EXCUSED VOTE - 0

NOT VOTING - 7

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

NORTH CAROLINA GENERAL ASSEMBLY
SENATE

RECORDED VOTE

1995 SESSION

SEQ. 1419/25-- 7:19 PM JULY 24, 1995 LEGISLATIVE DAY 10

LT. GOVERNOR WICKER -- Presiding

PLEXICO
VOTER REG. CLEANUP
HOUSE COM SUB/3RD EDITION

SENATE BILL 58

MOTION 8
TO CONCUR

AYE	10	BASNIGHT	EAST	RAND	SMITH
		CLARK	HORTON	SIMPSON	WEBSTER
		COCHRANE	PAGE		
NO	37	ALBERTSON	FORRESTER	LEDBETTER	PERDUE
		BALLANCE	FOXX	LITTLE	PLEXICO
		BALLANTINE	GULLEY	LUCAS	PLYLER
		BLACKMON	HARTSELL	MARTIN R.	SHAW
		CARPENTER	HOBBS	MARTIN W.	SHERRON
		CARRINGTON	HOYLE	MCDANIEL	SOLES
		CONDER	JORDAN	MCKOY	SPEED
		COOPER	KERR	ODOM	WARREN
		DANNELLY	KINCAID	PARNELL	WINNER
		DAVIS			
EXCUSED	0				
NOT CAST	2	ALLRAN	SAWYER		
ABSENT	1	EDWARDS			
PAIRS	0				
AYE					
NO					

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1995

FILED - SENATE

S

S 5 9

JAN 26 1995

SENATE DRS1516-LNZ011(1.24)

PRINCIPAL CLERK

Short Title: Consumer Study Commn. (Public)

Sponsors: Senator Jordan.

Referred to:

A BILL TO BE ENTITLED

AN ACT TO ESTABLISH A PERMANENT, INDEPENDENT CONSUMER PROTECTION STUDY COMMISSION.

Whereas, the General Assembly recognizes that the large majority of business done in this State is conducted in a manner that promotes a healthy economic environment and is in the best interest of its citizens; and

Whereas, the General Assembly also recognizes that some business practices have been contrary to the financial well-being of individual citizens, the business community, and the State as a whole; and

Whereas, reasonable regulation of business has been necessary at times to ensure that citizens and the business community are protected from such potentially harmful practices; and

Whereas, because consumer concerns affect citizens throughout the State with respect to many different types of commercial enterprises, consumers should have a centralized, easily accessible method for bringing their concerns to the attention of State officials to determine what, if any, action is necessary to address the concerns; Now, therefore,

The General Assembly of North Carolina enacts:

Section 1. Chapter 120 of the General Statues is amended by adding the following new Article to read:

"ARTICLE 23.

"Consumer Protection Study Commission.

"§ 120-205. Consumer Protection Study Commission established; purpose; duties.

(a) There is established the Consumer Protection Study Commission.

FILED - SENATE

S 6 0 JAN 2 6 1995

PRINCIPAL CLERK

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1995

S **D**

SENATE DRS2502*-LLZ013(1.1)

Short Title: School Building Study Commission. (Public)

Sponsors: Senators Jordan and Edwards.

Referred to:

A BILL TO BE ENTITLED

AN ACT TO ESTABLISH A STUDY COMMISSION ON THE DISPOSITION OF PUBLIC SCHOOL BUILDINGS.

The General Assembly of North Carolina enacts:

Section 1. There is created the Study Commission on the Disposition of Public School Buildings. The Commission shall consist of 11 members, appointed as follows:

(1) Two members of the House of Representatives appointed by the Speaker of the House of Representatives;

(2) Two members of the Senate appointed by the President Pro Tempore of the Senate;

(3) Two public members appointed by the Governor;

(4) The Superintendent of Public Instruction, or the Superintendent's designee;

(5) The Secretary of Cultural Resources, or the Secretary's designee;

(6) The Executive Director of the Historic Preservation Foundation of North Carolina, Inc., or the Executive Director's designee;

(7) The President of the North Carolina Association of Educators, or the President's designee;

(8) The Executive Director of the North Carolina Chapter of the American Institute of Architects, or the Executive Director's designee.

Sec. 2. The Commission shall study and make recommendations on methods of encouraging local boards of education to renovate old school buildings instead of replacing them, methods of promoting private sector uses for old school

FILED - SENATE

S 6 1 JAN 2 6 1995

PRINCIPAL CLERK

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1995

S D

SENATE DRS5503*-LLZ018(1.1)

Short Title: African-American Heritage Comm. (Public)

Sponsors: Senators Jordan and Edwards.

Referred to:

A BILL TO BE ENTITLED

AN ACT TO ESTABLISH A RESERVE FOR STATE ASSISTANCE TO A CENTER FOR THE PROMOTION OF AFRICAN-AMERICAN HERITAGE AND CULTURE IN NORTH CAROLINA AND TO ESTABLISH AN AFRICAN-AMERICAN HERITAGE AND CULTURE ADVISORY COMMITTEE.

The General Assembly of North Carolina enacts:

Section 1. There is established in the Office of State Budget and Management a reserve of two million five hundred thousand dollars ($2,500,000) for State assistance to a center for promotion of African-American heritage and culture in North Carolina. Any unit of local government or any North Carolina nonprofit corporation may submit a proposal for consideration by the Advisory Committee created in Section 2 of this act for a one-time grant to partially fund the capital costs of such a center.

The funds are to be allocated as set forth below (i) upon approval by the Governor of a specific proposal for the establishment of such a center and (ii) upon the availability of a minimum local match of one dollar for every one State dollar needed for the estimated cost of the project. In-kind contributions of real property shall be considered in meeting the local matching requirement, provided that the real property is appraised pursuant to a procedure approved by the State Property Office.

Upon the Governor's approval of a specific proposal and the meeting of the local matching requirement, the Office of State Budget and Management shall release funds for planning of the project in the amount of ten percent (10%) of the total State funds to be allocated for the project. Upon the successful completion of the planning phase, the Governor shall authorize the release of the remaining funds

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1995

FILED - SENATE

S

S 6 2

JAN 2 6 1995

D

SENATE DRSA505-LNZ012(1-24)

PRINCIPAL CLERK

Short Title: Mfd. Homes/Bill of Rts. (Public)

Sponsors: Senator Jordan.

Referred to:

A BILL TO BE ENTITLED

AN ACT TO ESTABLISH A BILL OF RIGHTS FOR OWNERS OF MANUFACTURED HOMES.

The General Assembly of North Carolina enacts:

Section 1. The General Statutes are amended by adding the following new Chapter to read:

"Chapter 42A.

"Manufactured Home Owners' Bill of Rights.

"§ 42A-1. Definitions; disclosure, terms.

(a) As used in this Chapter, unless the context clearly requires otherwise, the term:

(1) 'Manufactured home' means a manufactured home as defined in G.S. 143-143.9(6).

(2) 'Operator' means the owner or operator of a manufactured home community or other facility that leases space to owners of manufactured homes for the location of those homes.

(3) 'Tenant' means the person who leases from an operator space for the location of the person's manufactured home.

(b) All services included in the rental fee for a manufactured home shall be clearly defined, including water and sewer, garbage removal, lawn maintenance, and use of any clubhouse or pool.

(c) Every operator shall provide tenants with a list of the park rules. These rules may be changed so long as tenants are given at least 60 days' notice of such changes, unless the rule changes are the result of changes in State or local law, in which case no such notice is required.

"§ 42A-2. Sales of manufactured homes.

NORTH CAROLINA GENERAL ASSEMBLY
SENATE

RECORDED VOTE

1995 SESSION

SEQ. 196/3-- 2:12 PM MARCH 28, 1995 LEGISLATIVE DAY 36

LT. GOVERNOR WICKER -- Presiding

JORDAN
MFD. HOMES/BILL OF RIGHTS
COM SUB/2ND EDITION

SENATE BILL 62
READING 2



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

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

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1995

FILED - SENATE

JAN 26 1995

PRINCIPAL CLERK

S D

S 63

SENATE DRS2504*-LLZ010(1.1)

Short Title: Notice of School Replacement. (Public)

Sponsors: Senators Jordan and Edwards.

Referred to:

A BILL TO BE ENTITLED

AN ACT TO REQUIRE LOCAL SCHOOL BOARDS TO PROVIDE THE NORTH CAROLINA HISTORICAL COMMISSION WITH NOTICE OF PLANS TO REPLACE OLD SCHOOL BUILDINGS BY SUBMITTING THE FEASIBILITY AND COST ANALYSES FOR REVIEW BY THE COMMISSION.

The General Assembly of North Carolina enacts:

Section 1. G.S. 115C-521(c) reads as rewritten:

"(c) The building of all new school buildings and the repairing of all old school buildings shall be under the control and direction of, and by contract with, the board of education for which the building and repairing is done. If a board of education is considering building a new school building to replace an existing school building, the board shall not invest any construction money in the new building unless it submits to the State Superintendent and the North Carolina Historical Commission an analysis that compares the costs and feasibility of building the new building and of renovating the existing building and that clearly indicates the desirability of building the new building. Boards of education shall also not invest any money in any new building that is not built in accordance with plans approved by the State Superintendent to structural and functional soundness, safety and sanitation, nor contract for more money than is made available for its erection. However, this subsection shall not be construed so as to prevent boards of education from investing any money in buildings that are being constructed pursuant to a continuing contract of construction as provided for in G.S. 115C-441(c1). All contracts for buildings shall be in writing and all buildings shall be inspected, received, and approved by the local superintendent and the architect before full payment is made therefor: Provided, that

NORTH CAROLINA GENERAL ASSEMBLY
SENATE

RECORDED VOTE

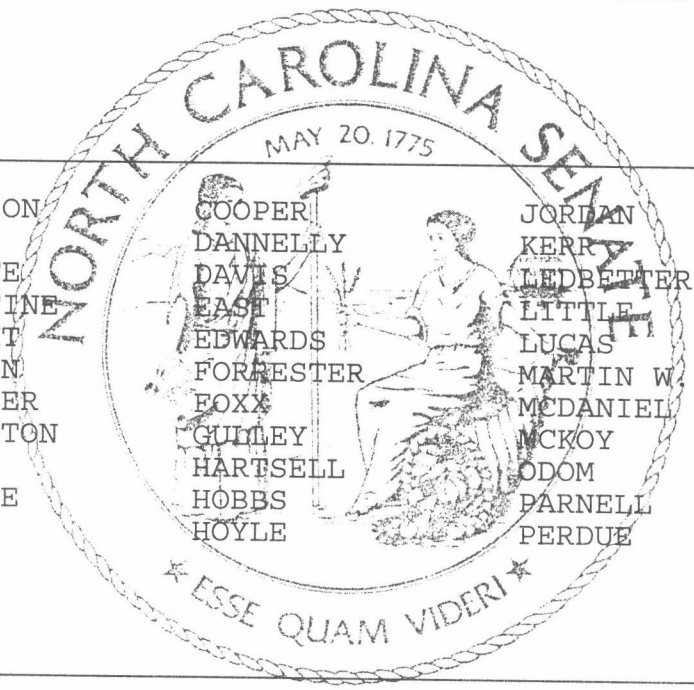
1995 SESSION

SEQ. 66/6-- 2:50 PM | FEBRUARY 16, 1995 | LEGISLATIVE DAY 14

LT. GOVERNOR WICKER -- Presiding

JORDAN
NOTICE OF SCHOOL REPLACEMENT

SENATE BILL 63
READING 2



AYE	43	ALBERTSON	COOPER	JORDAN	PLEXICO
		ALLRAN	DANNELLY	KERR	PLYLER
		BALLANCE	DAVIS	LEDBETTER	RAND
		BALLANTINE	EAST	LITTLE	SAWYER
		BASNIGHT	EDWARDS	LUCAS	SHAW
		BLACKMON	FORRESTER	MARTIN W.	SOLES
		CARPENTER	FOXX	MCDANIEL	SPEED
		CARRINGTON	GUILEY	MCKOY	WARREN
		CLARK	HARTSELL	ODOM	WEBSTER
		COCHRANE	HOBBS	PARNELL	WINNER
		CONDER	HOYLE	PERDUE	
NO	0				
EXCUSED	0				
NOT CAST	4	HORTON	KINCAID	MARTIN R.	SIMPSON
ABSENT	2	SHERRON	SMITH		
PAIRS	0				
AYE					
NO					

Reorder from: MEL DAVIS & ASSOC., P.O. Box 27523, Raleigh, NC 27611, (919) 828-0637

NORTH CAROLINA GENERAL ASSEMBLY AMENDMENT

(Please type or use ballpoint pen)

H. B. No. _____ DATE 3-8-95

S. B. No. 63 Amendment No. 1
(to be filled in by Principal Clerk)

Rep.) Rogers
Sen.)

moves to amend the bill on page 1, line 13,

by _____

Insert between "and the" and "North Carolina" the following: State Superintendent submits to the

SIGNED R E Rogers

ADOPTED 3/8/95 FAILED _____ TABLED _____

103-4 EV DWelch

EV

NORTH CAROLINA
HOUSE OF REPRESENTATIVES
ROLL CALL

SEQ. # 109
LEGISLATIVE DAY 25
READING 2

3/08/95
2:48 PM
IN CHAIR: SPEAKER

AMEND #1
NOTICE OF SCHOOL REPLACEMENT
Rep Rogers Amendment

AYES - 103

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

NOES - 4

EDDINS	MCMAHAN	MILLER, K.	SEXTON

EXCUSED ABSENCE - 2

ALDRIDGE	DECKER

EXCUSED VOTE - 0

NOT VOTING - 11

SPEAKER	HUNTER, H.	NICHOLS	TALLENT
CARPENTER	HUNTER, R.	RICHARDSON	WILSON, C.
GRADY	MCALLISTER	SHAW	

NORTH CAROLINA

HOUSE OF REPRESENTATIVES

ROLL CALL

SEQ. # 110
LEGISLATIVE DAY 25
READING 2

3/08/95
2:48 PM
IN CHAIR: SPEAKER

NOTICE OF SCHOOL REPLACEMENT

AYES - 98

ADAMS	CULP	HUNT	RAYFIELD
ALEXANDER	CULPEPPER	HURLEY	REDWINE
ALLRED	CUMMINGS	JUSTUS	REYNOLDS
ARNOLD	CUNNINGHAM	KISER	RICHARDSON
BAKER	DAUGHTRY	LEMMOND	ROBINSON
BARBEE	DAVIS	LINNEY	ROGERS
BARNES	DICKSON	LOCKE	RUSSELL
BEALL	DOCKHAM	LUEBKE	SEXTON
BLACK	EARLE	MCCOMAS	SHARPE
BLUE	EASTERLING	MCCRARY	SHAW
BOWEN	EDDINS	MCLAUGHLIN	SHERRILL
BOWIE	EDWARDS	MCMAHAN	SHUBERT
BOYD-MCINTYRE	ELLIS	MICHAUX	SNOWDEN
BRASWELL	ESPOSITO	MILLER, G.	SUTTON
BRAWLEY	FITCH	MILLER, K.	THOMPSON
BROWN, J.	FOX	MINER	WAINWRIGHT
BROWN, W.	GAMBLE	MORGAN	WARNER
BUCHANAN	GARDNER	NEELY	WATSON
CANSLER	GRAY	NICHOLS	WEATHERLY
CAPPS	HACKNEY	NYE	WILKINS
CARPENTER	HAYES	OLDHAM	WILSON, G.
CHURCH	HENSLEY	PATE	WOMBLE
CLARY	HIATT	PRESTON	WRIGHT
COCKLEREECE	HIGHTOWER	PULLEY	YONGUE
CRAWFORD	HILL		

NOES - 12

BERRY	IVES	MERCER	RAMSEY
CREECH	LEE	MITCHELL	TOLSON
HOWARD	MCCOMBS	OWENS	WOOD

EXCUSED ABSENCE - 2

ALDRIDGE	DECKER

EXCUSED VOTE - 0

NOT VOTING - 8

SPEAKER	HOLMES	HUNTER, R.	TALLENT
GRADY	HUNTER, H.	MCALLISTER	WILSON, C.

NORTH CAROLINA
HOUSE OF REPRESENTATIVES
ROLL CALL

SEQ. # 111
LEGISLATIVE DAY 25
READING 3

3/08/95
2:49 PM
IN CHAIR: SPEAKER

NOTICE OF SCHOOL REPLACEMENT

AYES - 99

ADAMS	CULP	HUNT	RAYFIELD
ALEXANDER	CULPEPPER	HURLEY	REDWINE
ALLRED	CUMMINGS	IVES	REYNOLDS
ARNOLD	CUNNINGHAM	JUSTUS	RICHARDSON
BAKER	DAUGHTRY	KISER	ROBINSON
BARBEE	DAVIS	LEMMOND	ROGERS
BARNES	DICKSON	LINNEY	RUSSELL
BEALL	DOCKHAM	LOCKE	SEXTON
BLACK	EARLE	LUEBKE	SHARPE
BLUE	EASTERLING	MCCOMAS	SHAW
BOWEN	EDDINS	MCCRARY	SHERRILL
BOWIE	EDWARDS	MCLAUGHLIN	SHUBERT
BOYD-MCINTYRE	ELLIS	MCMAHAN	SNOWDEN
BRASWELL	ESPOSITO	MICHAUX	SUTTON
BRAWLEY	FITCH	MILLER, G.	THOMPSON
BROWN, J.	FOX	MILLER, K.	WAINWRIGHT
BROWN, W.	GAMBLE	MINER	WARNER
BUCHANAN	GRAY	MORGAN	WATSON
CANSLER	HACKNEY	NEELY	WEATHERLY
CAPPS	HAYES	NICHOLS	WILKINS
CARPENTER	HENSLEY	NYE	WILSON, G.
CHURCH	HIATT	OLDHAM	WOMBLE
CLARY	HIGHTOWER	PATE	WRIGHT
COCKLEREECE	HILL	PRESTON	YONGUE
CRAWFORD	HOLMES	PULLEY	

NOES - 11

BERRY	LEE	MITCHELL	TOLSON
CREECH	MCCOMBS	OWENS	WOOD
HOWARD	MERCER	RAMSEY	

EXCUSED ABSENCE - 2

ALDRIDGE	DECKER

EXCUSED VOTE - 0

NOT VOTING - 8

SPEAKER	GRADY	HUNTER, R.	TALLENT
GARDNER	HUNTER, H.	MCALLISTER	WILSON, C.

NORTH CAROLINA GENERAL ASSEMBLY
SENATE

RECORDED VOTE

1995 SESSION

SEQ. 139/2-- 1:44 PM | MARCH 9, 1995 | LEGISLATIVE DAY 26

LT. GOVERNOR WICKER -- Presiding

JORDAN
NOTICE OF SCHOOL REPLACEMENT

SENATE BILL 63

HOUSE AMENDMENT 1

MOTION 8
TO CONCUR

AYE	38	ALLRAN	DANNELLY	JORDAN	PERDUE
		BALLANCE	DAVIS	KINCAID	PLYLER
		BALLANTINE	EAST	LEDBETTER	RAND
		BASNIGHT	EDWARDS	LITTLE	SHAW
		BLACKMON	FORRESTER	LUCAS	SIMPSON
		CARPENTER	FOXX	MARTIN W.	SOLES
		CARRINGTON	GULLEY	MCDANIEL	WARREN
		CLARK	HARTSELL	MCKOY	WEBSTER
		COCHRANE	HOBBS	PARNELL	WINNER
		COOPER	HOYLE		
NO	0				
EXCUSED	0				
NOT CAST	6	ALBERTSON	KERR	SHERRON	SPEED
		HORTON	MARTIN R.		
ABSENT	5	CONDER	PLEXICO	SAWYER	SMITH
		ODOM			
PAIRS	0				
AYE					
NO					

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1995

FILED - SENATE

JAN 26 1995

PRINCIPAL CLERK

S

S 64

D

SENATE DRS1513*-LL027C(1.1)

Short Title: No Frills Prisons. (Public)

Sponsors: Senators Ballantine, Carrington, Cochrane, Hartsell, and McKoy.

Referred to:

A BILL TO BE ENTITLED

AN ACT TO ESTABLISH STATE POLICY REGARDING THE CONSTRUCTION OF PRISONS.

The General Assembly of North Carolina enacts:

Section 1. Chapter 148 of the General Statutes is amended by adding a new section to read:

"**§ 148-1.1. State policy.**

It is the policy of this State to construct and operate 'no frills' prisons that provide appropriate security for the type of inmates being housed. 'No frills' prisons are prisons that do not contain televisions, weightrooms, basketball courts, gamerooms, or other facilities not necessary to ensure the health and safety of inmates.

It is also the policy of this State to attempt to provide inmates with educational opportunities and with opportunities to acquire marketable skills which increase their prospects for suitable employment upon their release from prison."

Sec. 2. This act is effective upon ratification and applies to prison construction projects authorized on or after that date.

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1995

FILED - SENATE
S 6 5
JAN 26 1995
PRINCIPAL CLERK

S D

SENATE DRS3518-LNZX009(1.24)

Short Title: Regulate Check Cashing. (Public)

Sponsors: Senator Jordan.

Referred to:

A BILL TO BE ENTITLED

AN ACT TO REGULATE CHECK CASHING BUSINESSES.

The General Assembly of North Carolina enacts:

Section 1. Effective October 1, 1995, Chapter 53 of the General Statutes is amended by adding the following new Article to read:

"ARTICLE 22.

"Check Cashing Businesses.

"§ 53-275. Definitions.

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

(1) 'Check cashing service' means any person or entity engaged in the business of cashing checks, drafts, or money orders for a fee, service charge, or other consideration.

(2) 'Commission' means the North Carolina Banking Commission.

(3) 'Commissioner' means the Commissioner of Banks.

(4) 'Licensee' means a person or entity licensed to engage in a check cashing business under this Article.

(5) 'Person' means an individual, partnership, association, or corporation.

"§ 53-276. License required.

No person or other entity may engage in the business of cashing checks, drafts, or money orders for consideration without first obtaining a license under this Article.

"§ 53-277. Exemptions.

This Article shall not apply to:

(1) A bank, savings institution, credit union, or farm credit system organized under the laws of the United States or any state; and

NORTH CAROLINA GENERAL ASSEMBLY
AMENDMENT
Senate Bill 65

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

S65-ARB-1

Date April 18, 1995

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

Senator Kerr

moves to amend the bill on page 3, line 37, by deleting the word "three" and substituting the word "seven".

SIGNED _____
Amendment Sponsor

SIGNED _____
Committee Chair if Senate Committee Amendment

ADOPTED 4-19-95 FAILED _____ TABLED _____

(V)

NORTH CAROLINA GENERAL ASSEMBLY
AMENDMENT
Senate Bill 65

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

S65-ARB-1

Page 1 of 1

Date April 18, 1995

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

Senator Kerr

moves to amend the bill on page 3, line 37, by deleting the word "three" and substituting the word "seven".

SIGNED _____
Amendment Sponsor

SIGNED _____
Committee Chair of Senate Committee Amendment

ADOPTED 4-19-95 FAILED _____ TABLED _____

(V)

NORTH CAROLINA GENERAL ASSEMBLY AMENDMENT

(Please type or use ballpoint pen)

H. B. No. _____

S. B. No. 65 (Com Sub)

DATE APRIL 20, 1995

Amendment No. 2 (two)
(to be filled in by Principal Clerk)

Rep.)
) HAMILTON C. HORTON, JR.
Sen.)

moves to amend the bill on page 3, line 4

by deleting the reference to G.S. 53-277

SIGNED _____

ADOPTED 4/20/95 FAILED _____ TABLED _____

(45-2)

S Funk

GA-33-A PRINCIPAL CLERK'S OFFICE (FOR ENGROSSMENT)

NORTH CAROLINA GENERAL ASSEMBLY
SENATE

RECORDED VOTE

1995 SESSION

SEQ. 329/7-- 2:07 PM | APRIL 20, 1995 | LEGISLATIVE DAY 50

LT. GOVERNOR WICKER -- Presiding

JORDAN
REGULATE CHECK-CASHING
COM SUB/3RD EDITION

SENATE BILL 65

AMEND 2

AYE	45	ALBERTSON	DANNELLY	JORDAN	PARNELL
		ALLRAN	DAVIS	KERR	PERDUE
		BALLANCE	EAST	KINCAID	PLYLER
		BALLANTINE	EDWARDS	LEDBETTER	RAND
		BASNIGHT	FORRESTER	LUCAS	SAWYER
		BLACKMON	FOXX	MARTIN R.	SHAW
		CARPENTER	GULLEY	MARTIN W.	SIMPSON
		CARRINGTON	HARTSELL	MCDANIEL	SOLES
		CLARK	HOBBS	MCKOY	SPEED
		COCHRANE	HORTON	ODOM	WARREN
		CONDER	HOYLE	PAGE	WINNER
		COOPER			
NO	2	LITTLE	WEBSTER		

EXCUSED 0

NOT CAST 1 SHERRON

ABSENT 2 PLEXICO SMITH

PAIRS 0
AYE
NO

NORTH CAROLINA GENERAL ASSEMBLY AMENDMENT

(Please type or use ballpoint pen)

EDITION No. _____

H. B. No. _____

S. B. No. 65

COMMITTEE SUBSTITUTE yes

DATE 4-20-95

Amendment No. 3 (three)
(to be filled in by Principal Clerk)

Rep.) Ballantine
)
Sen.)

moves to amend the bill on page 3, line 27

( ) WHICH CHANGES THE TITLE

by

"Twelve percent" change "(12%)" to

"Fifteen percent" (15%)"

P 4 line 14

Change "seven" to

"Fifteen" PJB

SIGNED [signature]

ADOPTED _____ FAILED 4/20/95 7-40 TABLED [signature]

GA-33-A

PRINCIPAL CLERK'S OFFICE (FOR ENGROSSMENT)

NORTH CAROLINA GENERAL ASSEMBLY
SENATE

RECORDED VOTE

1995 SESSION

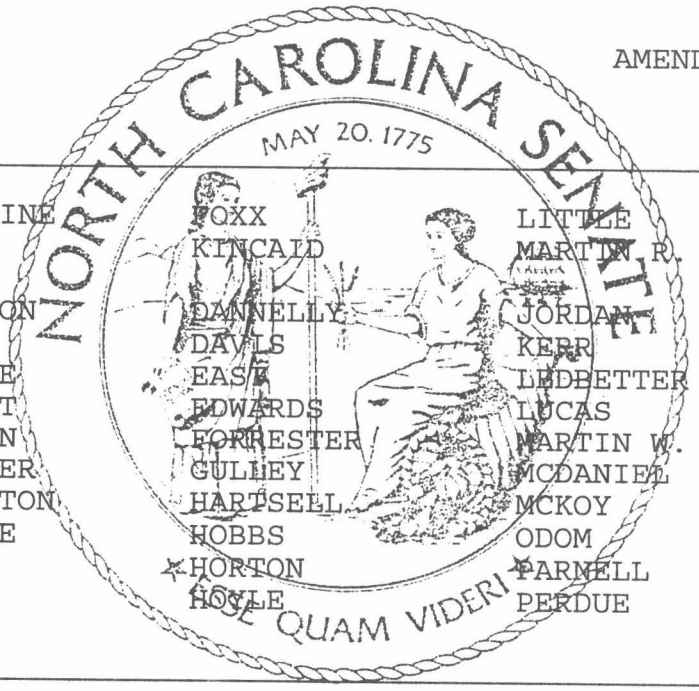
SEQ. 330/8-- 2:20 PM | APRIL 20, 1995 | LEGISLATIVE DAY 50

LT. GOVERNOR WICKER -- Presiding

JORDAN
REGULATE CHECK-CASHING
COM SUB/3RD EDITION

SENATE BILL 65

AMEND 3



AYE	7	BALLANTINE	FOXX	LITTLE	PAGE
		CLARK	KINCAID	MARTIN R.	
NO	40	ALBERTSON	DANNELLY	JORDAN	PLYLER
		ALLRAN	DAVIS	KERR	RAND
		BALLANCE	EAST	LEDBETTER	SAWYER
		BASNIGHT	EDWARDS	LUCAS	SHAW
		BLACKMON	FORRESTER	MARTIN W.	SIMPSON
		CARPENTER	GULLEY	MCDANIEL	SOLES
		CARRINGTON	HARTSELL	MCKOY	SPEED
		COCHRANE	HOBBS	ODOM	WARREN
		CONDER	HORTON	PARNELL	WEBSTER
		COOPER	HOYLE	PERDUE	WINNER
EXCUSED	0				
NOT CAST	1	SHERRON			
ABSENT	2	PLEXICO	SMITH		
PAIRS	0				
AYE					
NO					

NORTH CAROLINA GENERAL ASSEMBLY
SENATE

RECORDED VOTE

1995 SESSION

SEQ. 331/9-- 2:26 PM | APRIL 20, 1995 | LEGISLATIVE DAY 50

LT. GOVERNOR WICKER -- Presiding

JORDAN
REGULATE CHECK-CASHING
COM SUB/3RD EDITION

SENATE BILL 65
READING 2

AYE	39	ALBERTSON	COOPER	JORDAN	PLYLER
		ALLRAN	DANNELLY	KERR	RAND
		BALLANCE	EDWARDS	KINCAID	SAWYER
		BALLANTINE	FORRESTER	LEDBETTER	SHAW
		BASNIGHT	FOXX	LUCAS	SIMPSON
		BLACKMON	GULLEY	MARTIN R.	SOLES
		CARPENTER	HARTSELL	MARTIN W.	SPEED
		CARRINGTON	HOBBS	MCKOY	WARREN
		COCHRANE	HORTON	PARNELL	WINNER
		CONDER	HOYLE	PERDUE	
NO	8	CLARK	EAST	MCDANIEL	PAGE
		DAVIS	LITTLE	ODOM	WEBSTER

EXCUSED	0			
NOT CAST	0			
ABSENT	3	PLEXICO	SHERRON	SMITH
PAIRS	0			
AYE				
NO				

NORTH CAROLINA GENERAL ASSEMBLY
SENATE

RECORDED VOTE

1995 SESSION

SEQ. 351/10-- 8:09 PM APRIL 24, 1995 LEGISLATIVE DAY 51

LT. GOVERNOR WICKER -- Presiding

JORDAN
REGULATE CHECK-CASHING
COM SUB/3RD EDITION

SENATE BILL 65
READING 3



AYE	41	ALBERTSON	DANNELLY	KERR	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	MCKOY	SOLES
		CARRINGTON	HOBBS	ODOM	SPEED
		COCHRANE	HORTON	PARNELL	WARREN
		CONDER	JORDAN	PERDUE	WINNER
		COOPER			
NO	7	CLARK	KINCAID	PAGE	WEBSTER
		HOYLE	MCDANIEL	SAWYER	

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

EDITION No. _____

H. B. No. _____

S. B. No. 65

COMMITTEE SUBSTITUTE YES

DATE Arpil 24, 1995

Amendment No. 4 (FOUR)
(to be filled in by Principal Clerk)

~~Rep.~~)
)
Sen.) MCDANIEL

moves to amend the bill on page 3, line 23

( ) WHICH CHANGES THE TITLE

by deleting the number (1) appearing in line 23 and by deleting lines 27 through 29 in their entirety.

SIGNED _____

With drawn

ADOPTED _____ FAILED _____ TABLED _____

GA-33-A

PRINCIPAL CLERK'S OFFICE (FOR ENGROSSMENT)

FILED - SENATE
JAN 26 1995
PRINCIPAL CLERK

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1995

S 66

S D

SENATE DRS5504*-LHX007E(1.1)

Short Title: Taxpayer Protection Act. (Public)

Sponsors: Senators Blackmon, Ledbetter, Cochrane, Carpenter, Kincaid, McDaniel, Shaw, Simpson, Smith, and Webster.

Referred to:

A BILL TO BE ENTITLED

AN ACT TO PROVIDE GOVERNMENTAL ACCOUNTABILITY AND PROTECTION TO THE TAXPAYERS BY LIMITING INCREASES IN THE GENERAL FUND BUDGET, REFORMING THE BUDGET PROCESS, ESTABLISHING AN EMERGENCY RESERVE TRUST FUND, AND PROHIBITING UNFUNDED STATE MANDATES.

The General Assembly of North Carolina enacts:

Section 1. Article 1 of Chapter 143 of the General Statutes is amended by adding the following new sections:

"**§ 143-2.1. Definitions and determination of the General Fund expenditure limit.**

(a) Definitions. -- The following definitions apply in this section and in G.S. 143-2.3, 143-2.4, and 143-15.3A:

(1) Credit balance. -- That part of the credit balance, as determined on a cash basis, not already reserved to the Emergency Reserve Trust Fund or the Repairs and Renovations Reserve Account, excluding excess revenue that is over the General Fund expenditure limit.

(2) Fiscal growth factor. -- The average of the sum of inflation and population change for each of the preceding three calendar years. If either inflation or the population change for the preceding three calendar years is negative, then that change shall be counted as zero.

(3) Inflation. -- The percentage change in the consumer price index for the United States for each calendar year as published by the Federal Bureau of Labor Statistics.

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1995

FILED - SENATE

S

S 67

JAN 26 1995

D

SENATE DRS4515*-LF046B(1.10)

PRINCIPAL CLERK

Short Title: Food Stamp EBT. (Public)

Sponsors: Senators Allran, Clark, Cochrane, and Foxx.

Referred to:

A BILL TO BE ENTITLED

AN ACT TO DEVELOP STATEWIDE FOOD STAMP ELECTRONIC BENEFITS TRANSFER.

The General Assembly of North Carolina enacts:

Section 1. The Department of Human Resources shall request proposals to provide food stamp electronic benefits transfer services statewide. The Department shall implement such a system in at least one or more counties by October 1, 1995.

Sec. 2. This act is effective upon ratification.

GENERAL ASSEMBLY OF NORTH CAROLINA

FILED - SENATE

SESSION 1995

S 68

JAN 26 1995

S

PRINCIPAL CLERK

D

SENATE DRS2523*-LF045(1.10)

Short Title: Food Stamp Workfare. (Public)

Sponsors: Senators Allran, Clark, Cochrane, and Foxx.

Referred to:

A BILL TO BE ENTITLED

AN ACT TO REQUIRE RECIPIENTS OF FOOD STAMPS TO PARTICIPATE IN WORKFARE.

The General Assembly of North Carolina enacts:

Section 1. Effective October 1, 1995, Part 5 of Article 2 of Chapter 108A of the General Statutes is amended by adding a new section to read:

"**§ 108A-52.1. Food Stamp Workfare.**

(a) The General Assembly finds that all eligible Food Stamp recipients should participate in the work of the community while receiving assistance to:

(1) Introduce recipients to the work environment of their community so that they may gain work experience, which will lead to paid employment in the public or private sector;

(2) Enable recipients to return something of value to the community that is supporting them; and

(3) Act as a deterrent to abuse of the Food Stamp Program by those who could work but choose not to.

(b) Effective October 1, 1995, the Department of Human Resources shall ensure that all eligible Food Stamp recipients are available to participate in the work of their community by being available to work for no compensation at the discretion of and under the supervision of those public and nonprofit agencies in their county of residence that the Department has designated as 'employing agencies', for as long as the recipients receive Food Stamps. The Department shall ensure that all 100 counties participate.

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1995

FILED - SENATE

S 69 D

JAN 25 1995

PRINCIPAL CLERK

SENATE DRS1520*-LC095(1.19)

Short Title: Tax Relief/Competitiveness/AB. (Public)

Sponsors: Senators Hoyle and Parnell.

Referred to:

A BILL TO BE ENTITLED

AN ACT TO PROVIDE TAX RELIEF AND ECONOMIC COMPETITIVENESS FOR NORTH CAROLINA.

The General Assembly of North Carolina enacts:

Section 1. This act shall be known as the Tax Relief and Economic Competitiveness Act of 1995.

The General Assembly finds that:

(1) The economic competitiveness of North Carolina depends upon a competitive tax structure for both business and personal taxes.

(2) A study comparing North Carolina taxes on business and households to those in 21 states that compete for jobs and investment with North Carolina found that while North Carolina has an overall favorable and competitive tax climate, there are several taxes out of line with a competitive tax environment.

(3) The corporate income tax rate and the intangibles tax negatively affect North Carolina's economic competitiveness and can inhibit future job creation and investment.

(4) Working families and families with children in North Carolina facing growing economic pressures; accordingly, tax relief should be targeted to working families to increase the rewards from work and enhance the ability of working families to provide for the basic needs of their families and support and educate their children.

(5) Property taxes can threaten low-income elderly and disabled homeowners with the loss of their homes; relief from property taxes can help these homeowners stay in their homesteads.

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1995

FILED - SENATE
S 7 0
JAN 26 1995
PRINCIPAL CLERK

S D

SENATE DRS3509*-LB073A(1.6)

Short Title: Term Limits. (Public)

Sponsors: Senators Forrester, Horton, McKoy, Kincaid, and Cochrane.

Referred to:

A BILL TO BE ENTITLED

AN ACT TO AMEND THE CONSTITUTION OF NORTH CAROLINA TO LIMIT MEMBERS OF THE LEGISLATURE TO FOUR CONSECUTIVE TERMS IN A HOUSE.

The General Assembly of North Carolina enacts:

Section 1. Article II of the Constitution of North Carolina is amended by adding a new section to read:

"**Sec. 25. Limitation of consecutive terms.**

(1) No person shall be eligible for election to more than four consecutive terms as a member of the House of Representatives, nor be eligible for election to more than four consecutive terms as a member of the Senate. If a person fills a vacancy, it shall be considered as election to a term for the purpose of this section if the person takes office during the first calendar year of the term.

(2) Terms of office beginning before January 1, 1997, shall not be considered for the purpose of this section.

(3) A person disqualified by this section from election to the next succeeding term as a member of the House of Representatives may not fill a vacancy in that body in the succeeding term. A person disqualified by this section from election to the next succeeding term as a member of the Senate may not fill a vacancy in that body in the succeeding term."

Sec. 2. The amendment set out in Section 1 of this act shall be submitted to the qualified voters of the State at the general election in November 1996, which election shall be conducted under the laws then governing elections in the State. Ballots, voting systems, or both may be used in accordance with Chapter 163 of the General Statutes. The question to be used in the voting systems and ballots shall be:

FILED - SENATE
JAN 26 1995
PRINCIPAL CLERK

GENERAL ASSEMBLY OF NORTH CAROLINA

S 71

SESSION 1995

S D

SENATE DRS6505*-LB074A(1.6)

Short Title: Congressional Term Limits. (Public)

Sponsors: Senators Forrester, Horton, McKoy, Kincaid, and Cochrane.

Referred to:

A BILL TO BE ENTITLED

AN ACT TO STATUTORILY LIMIT BALLOT ACCESS TO MEMBERS OF THE UNITED STATES HOUSE OF REPRESENTATIVES WHO HAVE SERVED FOUR TWO-YEAR TERMS, AND UNITED STATES SENATORS WHO HAVE SERVED TWO SIX-YEAR TERMS.

The General Assembly of North Carolina enacts:

Section 1. Article 17 of Chapter 163 of the General Statutes is amended by adding a new section to read:

"**§ 163-203. Ballot access for members of Congress who have served multiple terms of office.**

(a) A person who has been elected as a member of the United States House of Representatives for four consecutive terms of office may not appear on the ballot for member of the United States House of Representatives at the next general election except as a write-in candidate under G.S. 163-123.

(b) A person who has been elected as a member of the United States Senate for two consecutive full terms of office may not appear on the ballot for member of the United States Senate at the next general election except as a write-in candidate under G.S. 163-123.

(c) For the purpose of this section, terms of office commencing before January 1, 1997, shall not be considered."

Sec. 2. Members of the Congress of the United States are urged to support legislation, including a constitutional amendment, if necessary, to limit terms for members of the Congress.

Sec. 3. This act is effective upon ratification.

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1995

FILED - SENATE

S

S 7 2

D

JAN 26 1995

SENATE DRS5509*-LL028A(1.1)

PRINCIPAL

Short Title: No Funds/N.C. Resource Ctr. (Public)

Sponsors: Senators Ballantine, Carrington, Cochrane, Hartsell, and McKoy.

Referred to:

A BILL TO BE ENTITLED

AN ACT TO PROHIBIT THE USE OF STATE FUNDS FOR THE NORTH CAROLINA RESOURCE CENTER.

The General Assembly of North Carolina enacts:

Section 1. Funds appropriated to the Judicial Department for the 1995-97 biennium may not be used to provide funding to the North Carolina Resource Center, which provides representation for defendants and training and reference materials for attorneys representing defendants in postconviction proceedings in capital cases.

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

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1995

FILED - SENATE
JAN 26 1995
PRINCIPAL CLERK

S 73 D

SENATE DRS7505-LE015A(12.16)

Short Title: Use of Teacher/Teacher Ass't. Funds. (Public)

Sponsors: Senator Simpson.

Referred to:

A BILL TO BE ENTITLED

AN ACT TO AUTHORIZE LOCAL BOARDS OF EDUCATION TO USE FUNDS APPROPRIATED FOR TEACHER ASSISTANTS AND FOR PROGRAM ENHANCEMENT TEACHERS FOR OTHER PURPOSES.

The General Assembly of North Carolina enacts:

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

"**§ 115C-417.1. Use of funds allocated for teacher assistants and program enhancement teachers.**

(a) Local boards of education may use funds allocated by the State Board of Education for teacher assistants and positions allocated by the State Board of Education for program enhancement teachers to reduce class size or to purchase instructional materials and instructional supplies. The State Board of Education shall adopt policies for the conversion of positions for program enhancement teachers to funds for the purchase of instructional materials and instructional supplies.

(b) Local boards of education shall not abolish any State-funded teacher assistant position or program enhancement teacher position that is filled on June 1 of a calendar year to implement subsection (a) of this section for the next school year."

Sec. 2. G.S. 115C-238.6(a) reads as rewritten:

"(a) Prior to June 30 each year, the State Superintendent shall review local school improvement plans submitted by the local school administrative units in accordance with policies and performance indicators adopted by the State Board of Education. If the State Superintendent approves the plan for a local school administrative unit, that unit shall participate in the Program for the next fiscal year.

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1995

S D

SENATE DRS9515-RH004.3(1.9)

FILED - SENATE
S 7 4 JAN 26 1995
PRINCIPAL CLERK

Short Title: Appt'd. Sup't. of Pub. Instruction. (Public)

Sponsors: Senators Cochrane, Simpson, Little, Kincaid, Davis, Clark, Hartsell, Smith, and Foxx.

Referred to:

A BILL TO BE ENTITLED

AN ACT TO AMEND THE CONSTITUTION TO MAKE THE SUPERINTENDENT OF PUBLIC INSTRUCTION AN APPOINTEE OF THE STATE BOARD OF EDUCATION, AND TO MAKE CORRESPONDING STATUTORY CHANGES.

The General Assembly of North Carolina enacts:

Section 1. Section 4(2) of Article IX of the Constitution reads as rewritten:

"(2) **Superintendent of Public Instruction.** The Superintendent of Public Instruction shall be the secretary and chief administrative officer of the State Board of Education. The Superintendent shall be appointed by the State Board of Education and shall serve at the pleasure of the State Board of Education."

Sec. 2. Section 7(1) of Article III of the Constitution reads as rewritten:

"(1) **Officers.** A Secretary of State, an Auditor, a Treasurer, ~~a Superintendent of Public Instruction,~~ an Attorney General, a Commissioner of Agriculture, a Commissioner of Labor, and a Commissioner of Insurance shall be elected by the qualified voters of the State in 1972 and every four years thereafter, at the same time and places as members of the General Assembly are elected. Their term of office shall be four years and shall commence on the first day of January next after their election and continue until their successors are elected and qualified."

Sec. 3. G.S. 115C-18 reads as rewritten:

"**§ 115C-18. ~~Election~~ Appointment of Superintendent of Public ~~Instruction.~~ Instruction; salary.**

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1995

S D

SENATE DRSA511-LC084(1.13)

RECEIVED - SENATE
JAN 26 1995
S 7 5
PRINCIPAL CLERK

Short Title: Raeford Sales Tax Refund. (Public)

Sponsors: Senator Parnell.

Referred to:

A BILL TO BE ENTITLED

AN ACT TO ALLOW AN EXTENSION OF TIME FOR THE CITY OF RAEFORD TO FILE AN APPLICATION FOR A SALES TAX REFUND.

The General Assembly of North Carolina enacts:

Section 1. Notwithstanding the provisions of G.S. 105-164.14(c) and (d), an application for a sales tax refund filed by the City of Raeford for taxes paid during the fiscal year ending June 30, 1993, that otherwise complies with the requirements of G.S. 105-164.14(c) shall be considered timely if it is filed on or before December 31, 1994.

Sec. 2. This act is effective upon ratification.

NORTH CAROLINA GENERAL ASSEMBLY
SENATE

RECORDED VOTE

1995 SESSION

SEQ. 45/7--11:12 AM | FEBRUARY 9, 1995 | LEGISLATIVE DAY 10

LT. GOVERNOR WICKER -- Presiding

PARNELL
RAEFORD SALES TAX REFUND

SENATE BILL 75
READING 2

AYE	46	ALBERTSON	DANNELLY	LEDBETTER	PLYLER
		ALLRAN	DAVIS	LITTLE	RAND
		BALLANCE	EAST	LUCAS	SAWYER
		BALLANTINE	EDWARDS	MARTIN,R.	SHAW
		BASNIGHT	FORRESTER	MARTIN,W.	SHERRON
		BLACKMON	FOXX	MCDANIEL	SIMPSON
		CARPENTER	GULLEY	MCKOY	SOLES
		CARRINGTON	HARTSELL	ODOM	SPEED
		CLARK	HOBBS	PARNELL	WARREN
		COCHRANE	HORTON	PERDUE	WEBSTER
		CONDER	HOYLE	PLEXICO	WINNER
		COOPER	JORDAN		
NO	0				
EXCUSED	0				
NOT CAST	2	KERR	KINCAID		
ABSENT	1	SMITH			
PAIRS	0				
AYE					
NO					

(COPY)

EV

NORTH CAROLINA
HOUSE OF REPRESENTATIVES
ROLL CALL

SEQ. # 180
LEGISLATIVE DAY 33
S75
READING 2

3/22/95
3:38 PM
IN CHAIR: SPEAKER

RAEFORD SALES TAX REFUND

AYES - 108

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

NOES - 0

EXCUSED ABSENCE - 6

ALDRIDGE	DICKSON	MERCER	SNOWDEN
BARBEE	ESPOSITO		

EXCUSED VOTE - 0

NOT VOTING - 6

SPEAKER	COCKLEREECE	NEELY	WRIGHT
ARNOLD	ELLIS		

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1995

FILED - SENATE

JAN 26 1995

S D

SENATE DRS1519*-RFZ007(1.24)

Short Title: Funds for Div. of Emergency Mgmt. (Public)

Sponsors: Senator Parnell.

Referred to:

A BILL TO BE ENTITLED

AN ACT TO APPROPRIATE FUNDS FOR ADDITIONAL PERSONNEL FOR THE DIVISION OF EMERGENCY MANAGEMENT AND THE NORTH CAROLINA CENTER FOR MISSING PERSONS.

The General Assembly of North Carolina enacts:

Section 1. There is appropriated from the General Fund to the Department of Crime Control and Public Safety the sum of two hundred sixteen thousand eight hundred seventy-six dollars ($216,876) for fiscal year 1995-96 and two hundred sixteen thousand eight hundred seventy-six dollars ($216,876) for fiscal year 1996-97 to be used to fund additional positions in the Division of Emergency Management as follows:

(1) $40,960 for each year of the biennium to cover salary and operational costs of an Emergency Management Officer;

(2) $94,271 for each year of the biennium to cover the salary and operational costs of an Emergency Management Planner and a secretary for the N.C. Center for Missing Persons; and

(3) $78,645 for each year of the biennium for salary and operational costs of a Search and Rescue Coordinator in the Response Branch of the Division of Emergency Management.

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

FILED SENATE
JAN 26 1995
PRINCIPAL CLERK

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1995

S D

SENATE DRS9505-LK029(1.10)

Short Title: Trucks Using Multilane Highways. (Public)

Sponsors: Senator Dannelly.

Referred to:

A BILL TO BE ENTITLED

AN ACT TO REGULATE TRUCKS USING MULTILANE HIGHWAYS.

The General Assembly of North Carolina enacts:

Section 1. Chapter 20 of the General Statutes is amended by adding a new section to read:

"**§ 20-146.3 Trucks using multilane highways.**

(a) As used in this section, the term 'truck' means any vehicle equipped with six or more wheels.

(b) On roads, streets, or highways with three or more lanes allowing for movement in the same direction, it shall be unlawful for any truck to operate in any lanes other than the two most right-hand lanes, except when the truck is preparing for a left turn.

(c) On roads, streets, or highways with two lanes allowing for movement in the same direction, it shall be unlawful for any truck to operate in the left-hand lane, except when the truck is actually overtaking and passing another vehicle or preparing for a left turn."

Sec. 2. This act becomes effective January 1, 1996.

S 8 JAN 26 1995

PRINCIPAL CLERK

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1995

S D

SENATE DRS4520-LC106(1.23)

Short Title: Index Personal Exemptions. (Public)

Sponsors: Senators Kincaid, Cochrane, McDaniel, and Webster.

Referred to:

A BILL TO BE ENTITLED

AN ACT TO INCREASE THE INCOME TAX PERSONAL EXEMPTION AMOUNT FROM TWO THOUSAND DOLLARS TO TWO THOUSAND FIVE HUNDRED DOLLARS, THE SAME AS THE FEDERAL PERSONAL EXEMPTION AMOUNT, AND TO PROVIDE THAT THE AMOUNT WILL INCREASE AUTOMATICALLY EACH YEAR TO ACCOUNT FOR INFLATION.

The General Assembly of North Carolina enacts:

Section 1. G.S. 105-134.6(c)(4) reads as rewritten:

"(4) The amount by which the taxpayer's standard deduction has been increased for inflation under ~~section 63(c)(4)(A) of the Code and the amount by which the taxpayer's personal exemptions have been increased for inflation under section 151(d)(4)(A)~~ section 63(c)(4) of the Code. ~~For the purpose of this subdivision, if the taxpayer's personal exemptions have been reduced by the applicable percentage under section 151(d)(3) of the Code, the amount by which the personal exemptions have been increased for inflation is also reduced by the applicable percentage.~~"

Sec. 2. This act is effective for taxable years beginning on or after January 1, 1995.

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1995

FILED SENATE

S 79

JAN 26 1995

PRINCIPAL CLERK

S D

Senate DRS2515-LC093(1.18)

Short Title: Lower Corporate Income Tax. (Public)

Sponsors: Senators Kincaid, Cochrane, McDaniel, and Webster.

Referred to:

A BILL TO BE ENTITLED

AN ACT TO LOWER THE CORPORATE INCOME TAX RATE FROM 7.75% TO 7%.

The General Assembly of North Carolina enacts:

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

"**§ 105-130.3. Corporations.**

A tax is imposed on the State net income of every C Corporation doing business in this State at ~~seven and seventy-five one-hundredths percent (7.75%)~~ seven percent (7%) of the corporation's State net income. An S Corporation is not subject to the tax levied in this section."

Sec. 2. This act is effective for taxable years beginning on or after January 1, 1995.

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1995

FILED - SENATE

JAN 26 1995

PRINCIPAL CLERK

S

S 80

D

SENATE DRS9513*-LHZ016A(1.23)

Short Title: Transfer Criminal Calendar. (Public)

Sponsors: Senator Soles.

Referred to:

A BILL TO BE ENTITLED

AN ACT TO TRANSFER THE CALENDARING AUTHORITY FOR CRIMINAL CASES IN SUPERIOR COURT TO THE SENIOR RESIDENT SUPERIOR COURT JUDGE AS RECOMMENDED BY THE LEGISLATIVE RESEARCH COMMISSION COMMITTEE ON CRIMINAL LAW.

The General Assembly of North Carolina enacts:

Section 1. G.S. 7A-49.3 reads as rewritten:

"**§ 7A-49.3. Calendar for criminal trial sessions.**

~~(a) At least one week before the beginning of any session of the superior court for the trial of criminal cases, the district attorney shall file with the clerk of superior court a calendar of the cases he intends to call for trial at that session. The calendar shall fix a day for the trial of each case listed thereon. The district attorney may place on the calendar for the first day of the session all cases which will require consideration by the grand jury without obligation to call such cases for trial on that day. No case on the calendar may be called for trial before the day fixed by the calendar except by consent or by order of the court. Any case docketed after the calendar has been filed with the clerk may be placed on the calendar at the discretion of the district attorney.~~

~~(a1) If he has not done so before the beginning of each session of superior court at which criminal cases are to be heard, the District Attorney, after calling the calendar and disposing of nonjury matters, including guilty pleas, if any such nonjury matters are to be disposed of prior to the calling of cases for trial, shall announce to the court the order in which he intends to call for trial the cases remaining on the calendar. Deviations from the announced order require approval by the presiding judge, if the defendant whose case is called for trial objects; but the defendant may not object if~~

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1995

FILED - SENATE
JAN 26 1995
PRINCIPAL CLERK

S 81 D

SENATE DRS8511-LTZ01(12)

Short Title: UCC Amendments. (Public)

Sponsors: Senator Hartsell.

Referred to:

A BILL TO BE ENTITLED

AN ACT TO ENACT THE REVISED ARTICLE 3 OF THE UNIFORM COMMERCIAL CODE AND CONFORMING AND MISCELLANEOUS AMENDMENTS TO ARTICLES 1 AND 4 OF THE UNIFORM COMMERCIAL CODE, AS RECOMMENDED BY THE GENERAL STATUTES COMMISSION.

The General Assembly of North Carolina enacts:

Section 1. Article 3 of Chapter 25 of the General Statutes is rewritten to read:

"ARTICLE 3.

"Negotiable Instruments.

"PART 1.

"GENERAL PROVISIONS AND DEFINITIONS.

"**§ 25-3-101. Short title.**

This Article may be cited as Uniform Commercial Code -- Negotiable Instruments.

"**§ 25-3-102. Subject matter.**

(a) This Article applies to negotiable instruments. It does not apply to money, to payment orders governed by Article 4A, or to securities governed by Article 8.

(b) If there is conflict between this Article and Article 4 or 9, Articles 4 and 9 govern.

NORTH CAROLINA GENERAL ASSEMBLY
AMENDMENT
Senate Bill 81

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

S81-ARV-001

Date May 2, 1995

Comm. Sub. [ ]
Amends Title [ ]

Senator Hartsell

moves to amend the bill on page 26, line 26,
by
rewriting that line to read:
"(a) Subject to subsections (b), (c), (d), and (e) of this section and to G.S. 25-3-419(d),";

and on page 66, lines 15 and 16,
by
inserting between those lines the following:
"Sec. 5. G.S. 25-2-511 reads as rewritten:
'**§25-2-511. Tender of payment by buyer; payment by check.**
(1) Unless otherwise agreed tender of payment is a condition to the seller's duty to tender and complete any delivery.
(2) Tender of payment is sufficient when made by any means or in any manner current in the ordinary course of business unless the seller demands payment in legal tender and gives any extension of time reasonably necessary to procure it.
(3) Subject to the provisions of this chapter on the effect of an instrument on an obligation ~~(G.S. 25-3-802)~~, (G.S. 25-3-310), payment by check is conditional and is defeated as between the parties by dishonor of the check on due presentment.'";

and by renumbering the remaining sections of the bill accordingly.

SIGNED ~~Hartsell~~
Amendment Sponsor

SIGNED
Committee Chair if Senate Committee Amendment

ADOPTED 5-4-95 (V) FAILED TABLED

NORTH CAROLINA GENERAL ASSEMBLY
AMENDMENT
Senate Bill 81

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

S81-ARV-002

Date May 3 ,1995

Comm. Sub. [ ]
Amends Title [ ]

Senator Horton

moves to amend the bill on page 19, lines 8 and 9,
by
rewriting those lines to read:
"subsection (b) of this section when the claimant, if an organization, proves that (i) within a";

and on page 19, lines 17-22,
by
deleting those lines in their entirety.

SIGNED _____
Amendment Sponsor

SIGNED _____
Committee Chair if Senate Committee Amendment

ADOPTED 5-4-95 FAILED _____ TABLED _____

NORTH CAROLINA GENERAL ASSEMBLY
AMENDMENT
Senate Bill 81

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

S81-ARV-003

Date May 3 ,1995

Comm. Sub. [ ]
Amends Title [ ]

Senator Horton

moves to amend the bill on page 23, lines 33-44, and on page 24, lines 1 and 2, by deleting those lines in their entirety;

and by renumbering the succeeding new sections 25-3-406 through 25-3-419 as 25-3-405 through 25-4-418.

SIGNED Horton
Amendment Sponsor

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

ADOPTED _____ FAILED _____ TABLED _____

NORTH CAROLINA GENERAL ASSEMBLY
AMENDMENT
Senate Bill 81

AMENDMENT NO. 4 (four)
(to be filled in by Principal Clerk)

S81-ARV-004

Date 5-4, 1995

Comm. Sub. [ ]
Amends Title [ ]

Senator Hartsell

moves to amend the bill on page 23, lines 38-44, and on page 24, lines 1-2, by rewriting those lines to read:

"(b) Under subsection (a) of this section, the burden of proving failure to exercise ordinary care is on the person asserting the preclusion.".

SIGNED _____
Amendment Sponsor

SIGNED _____
Committee Chair if Senate Committee Amendment

ADOPTED 5/8/95 FAILED _____ TABLED _____

44-1

Substitute For And No. 3

NORTH CAROLINA GENERAL ASSEMBLY
SENATE

RECORDED VOTE

1995 SESSION

SEQ. 470/2-- 4:28 PM MAY 8, 1995 LEGISLATIVE DAY 59

LT. GOVERNOR WICKER -- Presiding

HARTSELL
UCC AMENDMENTS

SENATE BILL 81

AMEND 4

AYE	44	ALBERTSON	DANNELLY	KERR	PERDUE
		ALLRAN	DAVIS	KINCAID	PLEXICO
		BALLANCE	EAST	LEDBETTER	PLYLER
		BALLANTINE	EDWARDS	LITTLE	RAND
		BASNIGHT	FORRESTER	LUCAS	SHAW
		BLACKMON	FOXX	MARTIN R.	SIMPSON
		CARPENTER	GULLEY	MODANIEL	SOLES
		CARRINGTON	HARTSELL	MCKOY	SPEED
		COCHRANE	HOBBS	ODOM	WARREN
		CONDER	HORTON	PAGE	WEBSTER
		COOPER	JORDAN	PARNELL	WINNER
NO	1	CLARK			

EXCUSED	0			
NOT CAST	3	MARTIN W.	SAWYER	SHERRON
ABSENT	2	HOYLE	SMITH	
PAIRS	0			
AYE				
NO				

NORTH CAROLINA GENERAL ASSEMBLY
SENATE

RECORDED VOTE

1995 SESSION

SEQ. 471/3-- 4:30 PM MAY 8, 1995 LEGISLATIVE DAY 59

LT. GOVERNOR WICKER -- Presiding

HARTSELL
UCC AMENDMENTS

SENATE BILL 81
READING 2

AYE	44	ALBERTSON	DANNELLY	KERR	PERDUE
		ALLRAN	DAVIS	KINCAID	PLEXICO
		BALLANCE	EAST	LEDBETTER	PLYLER
		BALLANTINE	EDWARDS	LITTLE	RAND
		BASNIGHT	FORRESTER	LUCAS	SHAW
		BLACKMON	FOXX	MARTIN R	SIMPSON
		CARPENTER	GULLEY	MCDANIEL	SOLES
		CARRINGTON	HARTSELL	MCKOY	SPEED
		COCHRANE	HOBBS	ODOM	WARREN
		CONDER	HORTON	PAGE	WEBSTER
		COOPER	JORDAN	PARNELL	WINNER
NO	1	CLARK			



EXCUSED	0			
NOT CAST	3	MARTIN W.	SAWYER	SHERRON
ABSENT	2	HOYLE	SMITH	
PAIRS	0			
AYE				
NO				

NORTH CAROLINA GENERAL ASSEMBLY
SENATE

RECORDED VOTE

1995 SESSION

SEQ. 563/41-- 6:29 PM MAY 9, 1995 LEGISLATIVE DAY 60

SENATOR BASNIGHT -- Presiding

HARTSELL
UCC AMENDMENTS

SENATE BILL 81
READING 3



AYE	39	ALBERTSON	DANNELLY	LITTLE	PLYLER
		ALLRAN	DAVIS	LUCAS	RAND
		BALLANCE	EAST	MARTIN W.	SHAW
		BALLANTINE	FORRESTER	MCDANIEL	SHERRON
		BASNIGHT	FOXX	MCKOY	SIMPSON
		BLACKMON	HARTSELL	ODOM	SOLES
		CARPENTER	HORTON	PAGE	WARREN
		CARRINGTON	HOYLE	PARNELL	WEBSTER
		CONDER	KERR	PERDUE	WINNER
		COOPER	LEDBETTER	PLEXICO	
NO	1	CLARK			
EXCUSED	0				
NOT CAST	9	COCHRANE	HOBBS	KINCAID	SAWYER
		EDWARDS	JORDAN	MARTIN R.	SPEED
		GULLEY			
ABSENT	1	SMITH			
PAIRS	0				
AYE					
NO					

(CONTINUED)

NORTH CAROLINA GENERAL ASSEMBLY
SENATE

RECORDED VOTE

1995 SESSION

SEQ. 580/58-- 8:49 PM MAY 9, 1995 LEGISLATIVE DAY 60

SENATOR BASNIGHT -- Presiding

HARTSELL
UCC AMENDMENTS

SENATE BILL 81
READING 3



AYE	39	ALBERTSON	FAIRCLOTH	LITTLE	PLYLER
		ALLRAN	FORRESTER	LUCAS	RAND
		BALLANCE	FOXX	MARTIN W	SHAW
		BALLANTINE	HARTSELL	MCDANIEL	SHERRON
		BASNIGHT	HORTON	MCKOY	SIMPSON
		BLACKMON	HOYLE	ODOM	SOLES
		CARPENTER	KERR	PAGE	WARREN
		CARRINGTON	LEDBETTER	PARNELL	WEBSTER
		CONDER	LEE	PERDUE	WINNER
		COOPER		PLEXICO	
NO	1	CLARK			
EXCUSED	0				
NOT CAST	8	COCHRANE	GULLEY	KINCAID	SAWYER
		EDWARDS	JORDAN	MARTIN R.	SPEED
ABSENT	2	HOBBS	SMITH		
PAIRS	0				
AYE					
NO					

(COPY)

NORTH CAROLINA GENERAL ASSEMBLY
SENATE

RECORDED VOTE

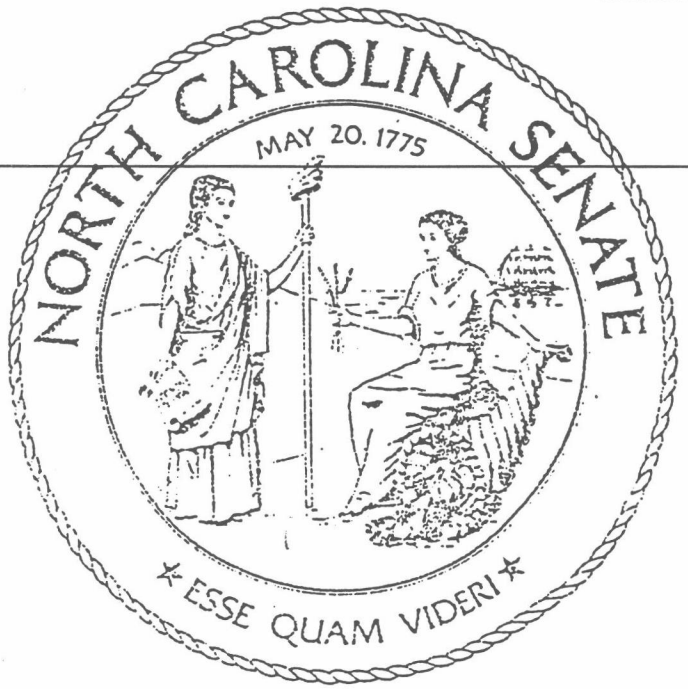
1995 SESSION

SEQ. 580/58-- 8:49 PM MAY 9, 1995 LEGISLATIVE DAY 60

SENATOR BASNIGHT -- Presiding

HARTSELL
UCC AMENDMENTS

SENATE BILL 81
READING 3



RECORDED
ABSENT 1 HOBBS
ADJUSTED TOTAL
AYE 39
NO 1
NOT CAST 8
ABSENT 2

PY)

NORTH CAROLINA
HOUSE OF REPRESENTATIVES
ROLL CALL

EQ. # 983
LEGISLATIVE DAY 75
S81 HCS
READING 2

6/05/95
8:05 PM
IN CHAIR: SPEAKER

UNIFORM COMMERCIAL CODE AMENDMENTS

AYES - 107

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

NOES - 0

EXCUSED ABSENCE - 8

BERRY	FOX	LEE	THOMPSON
DOCKHAM	HUNTER, R.	TALLENT	WRIGHT

EXCUSED VOTE - 0

NOT VOTING - 5

SPEAKER	DECKER	HOLMES	SHAW
CHURCH			

NORTH CAROLINA GENERAL ASSEMBLY
SENATE

RECORDED VOTE

1995 SESSION

SEQ. 948/33-- 6:52 PM | JUNE 12, 1995 | LEGISLATIVE DAY 79

LT. GOVERNOR WICKER -- Presiding

HARTSELL
UCC AMENDMENTS
HOUSE COM SUB/3RD EDITION

SENATE BILL 81

MOTION 2
FOR PREVIOUS QUESTION

AYE	39	ALBERTSON	DANNELLY	KERR	PLYLER
		ALLRAN	DAVIS	LEDBETTER	RAND
		BALLANCE	EAST	LITTLE	SHERRON
		BASNIGHT	FORRESTER	LUCAS	SIMPSON
		CARPENTER	FOXX	MARTIN R.	SMITH
		CARRINGTON	GULLEY	MARTIN W.	SOLES
		CLARK	HARTSELL	MCDANIEL	WARREN
		COCHRANE	HOBBS	ODOM	WEBSTER
		CONDER	HORTON	PARNELL	WINNER
		COOPER	JORDAN	PLEXICO	
NO	8	BALLANTINE	HOYLE	PAGE	SHAW
		BLACKMON	MCKOY	PERDUE	SPEED
EXCUSED	0				
NOT CAST	1	KINCAID			
ABSENT	2	EDWARDS	SAWYER		
PAIRS	0				
AYE					
NO					

NORTH CAROLINA GENERAL ASSEMBLY
SENATE

RECORDED VOTE

1995 SESSION

SEQ. 949/34-- 6:52 PM | JUNE 12, 1995 | LEGISLATIVE DAY 79

LT. GOVERNOR WICKER -- Presiding

HARTSELL
UCC AMENDMENTS
HOUSE COM SUB/3RD EDITION

SENATE BILL 81

MOTION 8
TO CONCUR

AYE	24	ALLRAN	COCHRANE	HARTSELL	PLEXICO
		BALLANCE	CONDER	HOBBS	PLYLER
		BALLANTINE	COOPER	LUCAS	RAND
		BASNIGHT	DAVIS	MARTIN W.	SOLES
		CARPENTER	FORRESTER	MCDANIEL	WARREN
		CARRINGTON	FOXX	PERDUE	WINNER
NO	21	ALBERTSON	HORTON	MARTIN R.	SHAW
		BLACKMON	HOYLE	MCKOY	SHERRON
		CLARK	JORDAN	ODOM	SIMPSON
		DANNELLY	KERR	PAGE	SMITH
		EAST	LEDBETTER	PARNELL	SPEED
		GULLEY			

EXCUSED	0			
NOT CAST	3	KINCAID	LITTLE	WEBSTER
ABSENT	2	EDWARDS	SAWYER	
PAIRS	0			
AYE				
NO				

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1995

S D

SENATE DRS6507-LLZ041(1.6)

FILED - SENATE
S 82 JAN 26 1995
PRINCIPAL CLERK

Short Title: Estate Amount Changes. (Public)

Sponsors: Senator Hartsell.

Referred to:

A BILL TO BE ENTITLED

AN ACT TO INCREASE THE AMOUNT OF PROPERTY COLLECTIBLE BY SMALL ESTATE AFFIDAVIT WHERE THE SOLE HEIR AND/OR DEVISEE IS THE SURVIVING SPOUSE, TO INCREASE THE MINIMUM AMOUNT OF INTESTATE PERSONAL PROPERTY PASSING TO THE SURVIVING SPOUSE, AND TO INCREASE THE AMOUNT OF THE YEAR'S ALLOWANCE FOR A SURVIVING SPOUSE AND CHILDREN, AS RECOMMENDED BY THE GENERAL STATUTES COMMISSION.

The General Assembly of North Carolina enacts:

Section 1. G.S. 28A-25-1(a) reads as rewritten:

"(a) When a decedent dies intestate leaving personal property, less liens and encumbrances thereon, not exceeding ten thousand dollars ($10,000) in value, at any time after 30 days from the date of death, any person indebted to the decedent or having possession of tangible personal property or an instrument evidencing a debt, obligation, stock or chose in action belonging to the decedent shall make payment of the indebtedness or deliver the tangible personal property or an instrument evidencing a debt, obligation, stock or chose in action to a person claiming to be the public administrator appointed pursuant to G.S. 28A-12-1, or an heir or creditor of the decedent, not disqualified under G.S. 28A-4-2, upon being presented a certified copy of an affidavit filed in accordance with subsection (b) and made by or on behalf of the heir or creditor or the public administrator stating:

(1) The name and address of the affiant and the fact that he or she is the public administrator or an heir or creditor of the decedent;
(2) The name of the decedent and his residence at time of death;
(3) The date and place of death of the decedent;

NORTH CAROLINA GENERAL ASSEMBLY AMENDMENT

(Please type or use ballpoint pen)

EDITION No. _____

H. B. No. _____

S. B. No. 82 3rd Ed

COMMITTEE SUBSTITUTE _____

DATE April 19, 1992

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

Rep.)
Sen.) Hartsell

moves to amend the bill on page 5, line 36

( ) WHICH CHANGES THE TITLE

by deleting the word "four" and substituting "three";

and on page 5, line 37, by deleting "($4,000)." and substituting "($3,000).".

SIGNED Hutch R. Hartsell Jr.

Approved by the Committee on Finance
J. R. Allen

ADOPTED 4/20/95 (V) FAILED _____ TABLED _____

S Tab.

GA-33-A

PRINCIPAL CLERK'S OFFICE (FOR ENGROSSMENT)

NORTH CAROLINA GENERAL ASSEMBLY
SENATE

RECORDED VOTE

1995 SESSION

SEQ. 332/10-- 2:30 PM APRIL 20, 1995 LEGISLATIVE DAY 50

LT. GOVERNOR WICKER -- Presiding

HARTSELL
ESTATE AMOUNT CHANGES
COM SUB/3RD EDITION

SENATE BILL 82
READING 2

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

EXCUSED	1	JORDAN		
NOT CAST	0			
ABSENT	3	PLEXICO	SHERRON	SMITH
PAIRS	0			
AYE				
NO				

NORTH CAROLINA GENERAL ASSEMBLY
AMENDMENT
Senate Bill 82

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

S82-ARB-2

Page 1 of

Date April 24 ,1995

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

Senator

moves to amend the bill on page 5, line 41, by deleting the word "four" and substituting the word "three" and by deleting "($4,000)" and substituting "($3,000)".

SIGNED
Amendment Sponsor

SIGNED
Committee Chair if Senate Committee Amendment

ADOPTED 4/24/95 FAILED TABLED

48-0

NORTH CAROLINA GENERAL ASSEMBLY
SENATE

RECORDED VOTE

1995 SESSION

SEQ. 347/6-- 8:04 PM | APRIL 24, 1995 | LEGISLATIVE DAY 51

LT. GOVERNOR WICKER -- Presiding

HARTSELL
ESTATE AMOUNT CHANGES
COM SUB/3RD EDITION

SENATE BILL 82

AMEND 2

AYE	48	ALBERTSON	DANNELLY	KINCAID	PLEXICO
		ALLRAN	DAVIS	LEDBETTER	PLYLER
		BALLANCE	EAST	LITTLE	RAND
		BALLANTINE	FORRESTER	LUCAS	SAWYER
		BASNIGHT	FOXX	MARTIN R	SHAW
		BLACKMON	GULLEY	MARTIN W	SHERRON
		CARPENTER	HARTSELL	MCDANIEL	SIMPSON
		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	SMITH
PAIRS	0		
AYE			
NO			

NORTH CAROLINA GENERAL ASSEMBLY
SENATE

RECORDED VOTE

1995 SESSION

SEQ. 348/7-- 8:05 PM | APRIL 24, 1995 | LEGISLATIVE DAY 51

LT. GOVERNOR WICKER -- Presiding

HARTSELL
ESTATE AMOUNT CHANGES
COM SUB/3RD EDITION

SENATE BILL 82
READING 3



AYE	45	ALBERTSON	DAVIS	KINCAID	PERDUE
		ALLRAN	EAST	LEDBETTER	PLEXICO
		BALLANCE	FORRESTER	LITTLE	PLYLER
		BALLANTINE	FOXX	LUCAS	RAND
		BASNIGHT	GULLEY	MARTIN R	SHAW
		BLACKMON	HARTSELL	MARTIN W	SHERRON
		CARPENTER	HOBBS	MCDANIEL	SIMPSON
		CARRINGTON	HORTON	MCKOY	SOLES
		COCHRANE	HOYLE	ODOM	SPEED
		CONDER	JORDAN	PAGE	WEBSTER
		COOPER	KERR	PARNELL	WINNER
		DANNELLY			
NO	0				

EXCUSED	0			
NOT CAST	3	CLARK	SAWYER	WARREN
ABSENT	2	EDWARDS	SMITH	
PAIRS	0			
AYE				
NO				

NORTH CAROLINA
HOUSE OF REPRESENTATIVES
ROLL CALL

SQ. # 1065
LEGISLATIVE DAY 79
S82 HCS
READING 2

6/12/95
7:53 PM
IN CHAIR: SPEAKER

ESTATE AMOUNT CHANGES

AYES - 106

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

NOES - 0

EXCUSED ABSENCE - 6

BROWN, W.	NICHOLS	THOMPSON	WAINWRIGHT
BUCHANAN	SHARPE		

EXCUSED VOTE - 1

HUNTER, H.

NOT VOTING - 7

SPEAKER	CUNNINGHAM	FITCH	WRIGHT
CHURCH	DAUGHTRY	WILSON, C.	

NORTH CAROLINA GENERAL ASSEMBLY
SENATE

RECORDED VOTE

1995 SESSION

SEQ. 980/14-- 6:33 PM | JUNE 14, 1995 | LEGISLATIVE DAY 81

LT. GOVERNOR WICKER -- Presiding

HARTSELL
ESTATE AMOUNT CHANGES
HOUSE COM SUB/5TH EDITION

SENATE BILL 82

MOTION 8
TO CONCUR

AYE	42	ALBERTSON	DAVIS	LUCAS	PLYLER
		ALLRAN	EDWARDS	MARTIN R.	RAND
		BALLANCE	FORRESTER	MARTIN W.	SHAW
		BALLANTINE	FOXX	MCDANIEL	SIMPSON
		BASNIGHT	GULLEY	MCKOY	SMITH
		CARPENTER	HARTSELL	ODOM	SOLES
		CARRINGTON	HOYLE	PAGE	SPEED
		CLARK	KERR	PARNELL	WARREN
		COCHRANE	KINCAID	PERDUE	WEBSTER
		COOPER	LEDBETTER	PLEXICO	WINNER
		DANNELLY	LITTLE		
NO	0				
EXCUSED	0				
NOT CAST	6	BLACKMON	EAST	JORDAN	SHERRON
		CONDER	HORTON		
ABSENT	2	HOBBS	SAWYER		
PAIRS	0				
AYE					
NO					

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1995

S D

SENATE DRS9504-LLZ040A(1.6)

FILED - SENATE

S 83 JAN 26 1995

PRINCIPAL CLERK

Short Title: Uniform Rule Against Perp. (Public)

Sponsors: Senator Hartsell.

Referred to:

A BILL TO BE ENTITLED

AN ACT TO ENACT THE UNIFORM STATUTORY RULE AGAINST PERPETUITIES, AS RECOMMENDED BY THE GENERAL STATUTES COMMISSION.

The General Assembly of North Carolina enacts:

Section 1. Chapter 41 of the General Statutes is amended by designating the existing provisions as Article 1, "Survivorship Rights and Future Interests", and by adding a new Article to read:

"ARTICLE 2.

"Uniform Statutory Rule Against Perpetuities.

"**§ 41-15. Statutory rule against perpetuities.**

(a) A nonvested property interest is invalid unless:

(1) When the interest is created, it is certain to vest or terminate no later than 21 years after the death of an individual then alive; or

(2) The interest either vests or terminates within 90 years after its creation.

(b) A general power of appointment not presently exercisable because of a condition precedent is invalid unless:

(1) When the power is created, the condition precedent is certain to be satisfied or become impossible to satisfy no later than 21 years after the death of an individual then alive; or

(2) The condition precedent either is satisfied or becomes impossible to satisfy within 90 years after its creation.

(c) A nongeneral power of appointment or a general testamentary power of appointment is invalid unless:

NORTH CAROLINA GENERAL ASSEMBLY
SENATE

RECORDED VOTE

1995 SESSION

SEQ. 201/4-- 3:33 PM | MARCH 29, 1995 | LEGISLATIVE DAY 37

LT. GOVERNOR WICKER -- Presiding

HARTSELL
UNIFORM RULE AGAINST PERPETUITIES

SENATE BILL 83
READING 2

AYE	39	ALBERTSON	COOPER	KERR	PLEXICO
		ALLRAN	DANNELLY	LEDBETTER	PLYLER
		BALLANCE	DAVIS	LITTLE	RAND
		BALLANTINE	EDWARDS	LUCAS	SIMPSON
		BASNIGHT	FORRESTER	MARTIN R.	SOLES
		BLACKMON	GULLEY	MARTIN W.	SPEED
		CARPENTER	HARTSELL	MCKOY	WARREN
		CARRINGTON	HOBBS	ODOM	WEBSTER
		COCHRANE	HORTON	PARNELL	WINNER
		CONDER	HOYLE	PERDUE	
NO	6	CLARK	KINCAID	SHAW	SHERRON
		FOXX	MCDANIEL		

EXCUSED 0

NOT CAST 1 EAST

ABSENT 3 JORDAN SAWYER SMITH

PAIRS 0
AYE
NO

NORTH CAROLINA GENERAL ASSEMBLY
SENATE

RECORDED VOTE

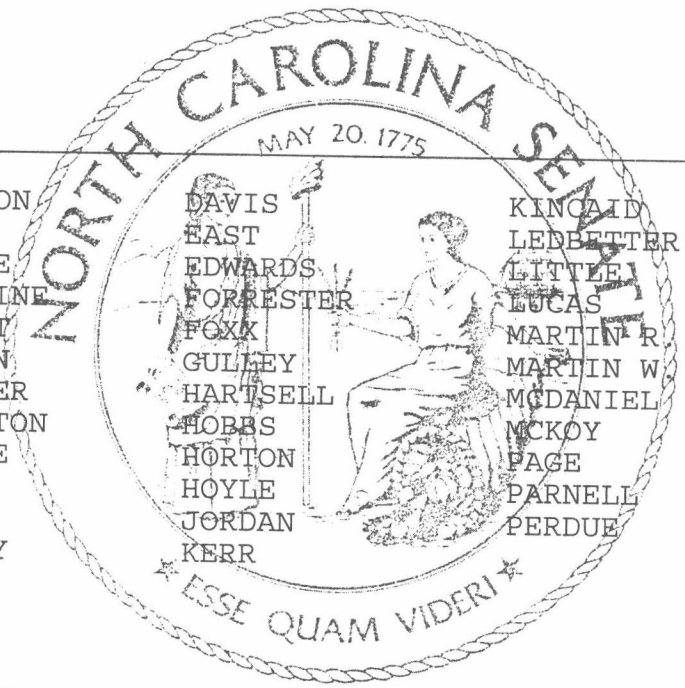
1995 SESSION

SEQ. 226/7-- 3:40 PM APRIL 4, 1995 LEGISLATIVE DAY 40

LT. GOVERNOR WICKER -- Presiding

HARTSELL
UNIFORM RULE AGAINST PERPETUITIES

SENATE BILL 83
READING 3



AYE	46	ALBERTSON	DAVIS	KINCAID	PLEXICO
		ALLRAN	EAST	LEDBETTER	PLYLER
		BALLANCE	EDWARDS	LITTLEJ	RAND
		BALLANTINE	FORRESTER	LUCAS	SHAW
		BASNIGHT	FOXX	MARTIN R.	SHERRON
		BLACKMON	GULLEY	MARTIN W.	SIMPSON
		CARPENTER	HARTSELL	MCDANIEL	SOLES
		CARRINGTON	HOBBS	MCKOY	SPEED
		COCHRANE	HORTON	PAGE	WARREN
		CONDER	HOYLE	PARNELL	WEBSTER
		COOPER	JORDAN	PERDUE	WINNER
		DANNELLY	KERR		
NO	1	CLARK			

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

(CONTINUED)

NORTH CAROLINA GENERAL ASSEMBLY
SENATE

RECORDED VOTE

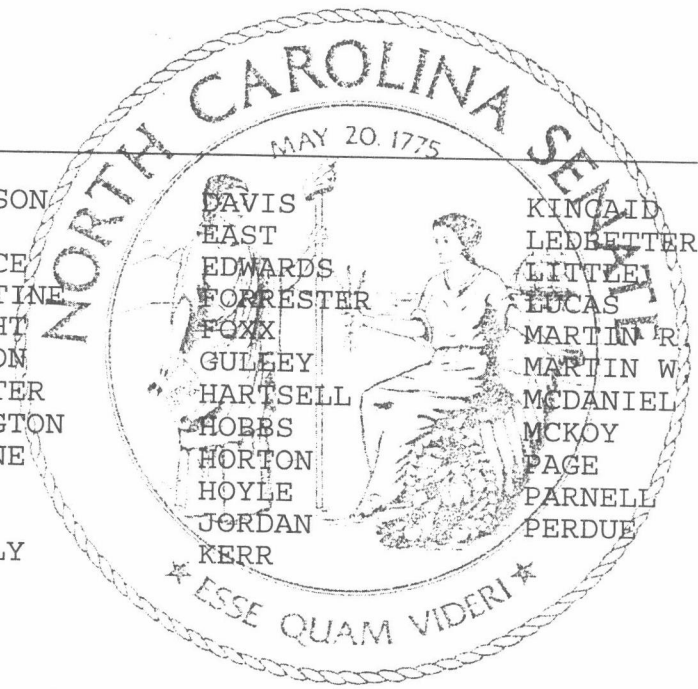
1995 SESSION

SEQ. 265/13-- 4:49 PM | APRIL 11, 1995 | LEGISLATIVE DAY 44

LT. GOVERNOR WICKER -- Presiding

HARTSELL
UNIFORM RULE AGAINST PERPETUITIES

SENATE BILL 83
READING 3



AYE	46	ALBERTSON	DAVIS	KINCAID	PLEXICO
		ALLRAN	EAST	LEDBETTER	PLYLER
		BALLANCE	EDWARDS	LITTLEJ	RAND
		BALLANTINE	FORRESTER	LUCAS	SHAW
		BASNIGHT	FOXX	MARTIN R.	SHERRON
		BLACKMON	GULLEY	MARTIN W.	SIMPSON
		CARPENTER	HARTSELL	MCDANIEL	SOLES
		CARRINGTON	HOBBS	MCKOY	SPEED
		COCHRANE	HORTON	PAGE	WARREN
		CONDER	HOYLE	PARNELL	WEBSTER
		COOPER	JORDAN	PERDUE	WINNER
		DANNELLY	KERR		
NO	1	CLARK			

EXCUSED	0			
NOT CAST	0			
ABSENT	3	ODOM	SAWYER	SMITH
PAIRS	0			
AYE				
NO				

(COPY)

NORTH CAROLINA GENERAL ASSEMBLY
SENATE

RECORDED VOTE

1995 SESSION

SEQ. 265/13-- 4:49 PM APRIL 11, 1995 LEGISLATIVE DAY 44

LT. GOVERNOR WICKER -- Presiding

HARTSELL
UNIFORM RULE AGAINST PERPETUITIES

SENATE BILL 83
READING 3

RECORDED		
ABSENT	1	ODOM
ADJUSTED TOTAL		
AYE	46	
NO	1	
NOT CAST	0	
ABSENT	3	

(...Y)

NORTH CAROLINA
HOUSE OF REPRESENTATIVES
ROLL CALL

SEQ. # 1005
LEGISLATIVE DAY 76
S83
READING 2

6/06/95
3:16 PM
IN CHAIR: SPEAKER

UNIFORM RULE AGAINST PERPETUITIES

AYES - 112

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

NOES - 0

EXCUSED ABSENCE - 3

BLUE	FITCH	THOMPSON

EXCUSED VOTE - 0

NOT VOTING - 5

SPEAKER	BRAWLEY	EDWARDS	LEMMOND
ALDRIDGE			

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1995

S D

SENATE DRS7507-LLZ039A(1.6)

FILED - SENATE
JAN 26 1995
PRINCIPAL CLERK

Short Title: Limit Options in Gross. S 84 (Public)

Sponsors: Senator Hartsell.

Referred to:

A BILL TO BE ENTITLED

AN ACT TO PLACE TIME LIMITS ON OPTIONS IN GROSS AND OTHER INTERESTS IN LAND, AS RECOMMENDED BY THE GENERAL STATUTES COMMISSION.

The General Assembly of North Carolina enacts:

Section 1. Chapter 41 of the General Statutes is amended by designating the existing provisions as Article 1, "Survivorship Rights and Future Interests", and by adding a new Article to read:

"ARTICLE 3.

"Time Limits on Options in Gross and Certain Other Interests in Land.

"**§ 41-28. Definitions.**

As used in this Article:

(1) 'Nonvested easement in gross' means a nonvested easement which is not created to benefit or which does not benefit the possessor of any tract of land in his or her use of it as the possessor.

(2) 'Option in gross with respect to an interest in land' means an option in which the holder of the option does not own any leasehold or other interest in the land which is the subject of the option.

(3) 'Preemptive right in the nature of a right of first refusal in gross with respect to an interest in land' means a preemptive right in which the holder of the preemptive right does not own any leasehold or other interest in the land which is the subject of the preemptive right.

NORTH CAROLINA GENERAL ASSEMBLY
SENATE

RECORDED VOTE

1995 SESSION

SEQ. 202/5-- 3:38 PM | MARCH 29, 1995 | LEGISLATIVE DAY 37

LT. GOVERNOR WICKER -- Presiding

HARTSELL
LIMIT OPTIONS IN GROSS

SENATE BILL 84
READING 2

AYE	41	ALBERTSON	DANNELLY	KERR	PERDUE
		ALLRAN	DAVIS	KINCAID	PLEXICO
		BALLANCE	EAST	LITTLE	PLYLER
		BALLANTINE	EDWARDS	LUCAS	RAND
		BASNIGHT	FORRESTER	MARTIN R.	SHERRON
		BLACKMON	FOXX	MARTIN W.	SIMPSON
		CARPENTER	GULLEY	MCDANIEL	SOLES
		CARRINGTON	HARTSELL	MCKOY	SPEED
		COCHRANE	HOBBS	ODOM	WARREN
		CONDER	HOYLE	PARNELL	WINNER
		COOPER			
NO	5	CLARK	LEDBETTER	SHAW	WEBSTER
		HORTON			
EXCUSED	0				
NOT CAST	0				
ABSENT	3	JORDAN	SAWYER	SMITH	
PAIRS	0				
AYE					
NO					

NORTH CAROLINA GENERAL ASSEMBLY AMENDMENT

(Please type or use ballpoint pen)

H. B. No. _____ DATE 4-13-95

S. B. No. 84 Amendment No. 1 (ONE)

(to be filled in by Principal Clerk)

~~Rep.~~)
Sen.) HORTON

moves to amend the bill on page 2, line 43,

by striking present line 43 and inserting in lieu thereof the following,

"shall become invalid 60 years after its creation, and the preceding fee simple shall become a fee simple absolute, if the"

and to amend the bill on Page 3, lines 2 and 3 by striking them in their entirety and inserting in lieu thereof the following,

"of reverter, right of entry, or executory interest has not by that date vested in possession. This section does not apply to a possibility of reverter, right"

SIGNED Horton

ADOPTED 46-0 4/13/95 FAILED TABLED

RECONSIDERED 4-13-95 Adopted 47-0 AS AMDED AMD NO 2 4-18-95

GA-33-A

NORTH CAROLINA GENERAL ASSEMBLY
SENATE

RECORDED VOTE

1995 SESSION

SEQ. 287/11-- 1:04 PM APRIL 13, 1995 LEGISLATIVE DAY 46

LT. GOVERNOR WICKER -- Presiding

HARTSELL
LIMIT OPTIONS IN GROSS

SENATE BILL 84

AMEND 1

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

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

Reorder from: MEL DAVIS & ASSOC., P.O. Box 27523, Raleigh, NC 27611, (919) 828-0637 685

PENDING - DO NOT REMOVE

NORTH CAROLINA GENERAL ASSEMBLY AMENDMENT

(Please type or use ballpoint pen)

H. B. No. _____ DATE 4-13-95

S. B. No. 84 Amendment No. 2 (Hunt)

(to be filled in by Principal Clerk)

~~Rep.~~)
) HORTON
Sen.)

moves to amend the bill on page 3, line 3,

AS PROPOSED TO BE AMENDED BY AMENDMENT NO. 1

by inserting between the words "a" and "possibility" the words

"possessory interest in land"

SIGNED Horton

ADOPTED 4/18/95 FAILED _____ TABLED _____

NORTH CAROLINA GENERAL ASSEMBLY
SENATE

RECORDED VOTE

1995 SESSION

SEQ. 308/8-- 4:43 PM | APRIL 18, 1995 | LEGISLATIVE DAY 48

LT. GOVERNOR WICKER -- Presiding

HARTSELL
LIMIT OPTIONS IN GROSS

SENATE BILL 84

AMEND 1

AYE	47	ALBERTSON	DANNELLY	KINCAID	PLEXICO
		ALLRAN	DAVIS	LEDBETTER	RAND
		BALLANCE	EAST	LITTLE	SAWYER
		BALLANTINE	FORRESTER	LUCAS	SHAW
		BASNIGHT	FOXX	MARTIN R	SHERRON
		BLACKMON	GULLEY	MARTIN W	SIMPSON
		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	0			
ABSENT	3	EDWARDS	PLYLER	SMITH
PAIRS	0			
AYE				
NO				

NORTH CAROLINA GENERAL ASSEMBLY
SENATE

RECORDED VOTE

1995 SESSION

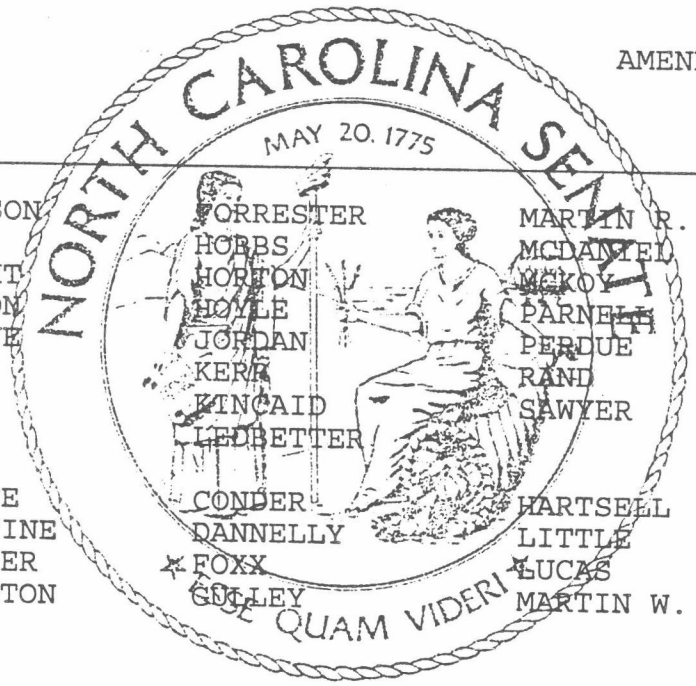
SEQ. 307/7-- 4:43 PM | APRIL 18, 1995 | LEGISLATIVE DAY 48

LT. GOVERNOR WICKER -- Presiding

HARTSELL
LIMIT OPTIONS IN GROSS

SENATE BILL 84

AMEND 2



AYE	30	ALBERTSON	FORRESTER	MARTIN R.	SHAW
		ALLRAN	HOBBS	MCDANIEL	SHERRON
		BASNIGHT	HORTON	MCKOY	SIMPSON
		BLACKMON	HOYLE	PARNELL	SOLES
		COCHRANE	JORDAN	PERDUE	SPEED
		COOPER	KERR	RAND	WARREN
		DAVIS	KINCAID	SAWYER	WEBSTER
		EAST	LEDBETTER		
	17	BALLANCE	CONDER	HARTSELL	ODOM
		BALLANTINE	DANNELLY	LITTLE	PAGE
		CARPENTER	FOXX	LUCAS	PLEXICO
		CARRINGTON	GULLEY	MARTIN W.	WINNER
		CLARK			

EXCUSED	0			
NOT CAST	0			
ABSENT	3	EDWARDS	PLYLER	SMITH
PAIRS	0			
AYE				
NO				

NORTH CAROLINA GENERAL ASSEMBLY
SENATE

RECORDED VOTE

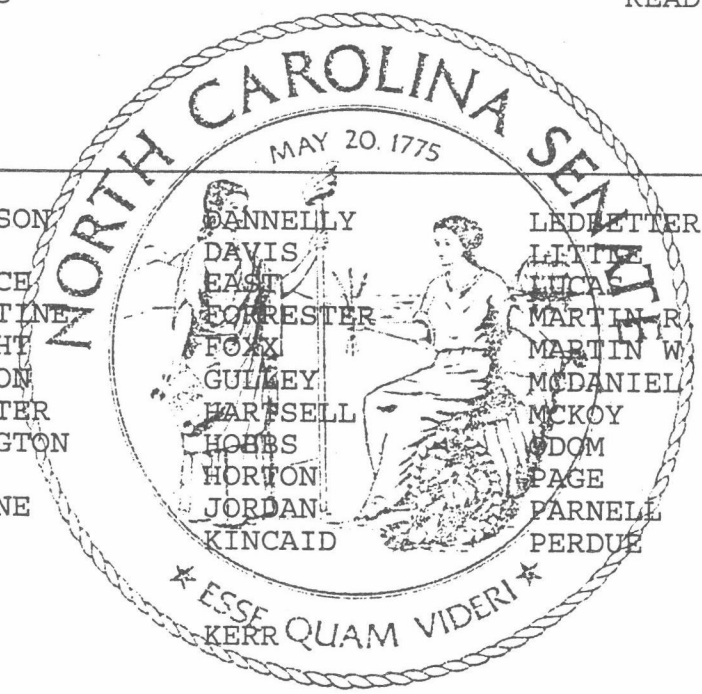
1995 SESSION

SEQ. 309/9-- 4:44 PM APRIL 18, 1995 LEGISLATIVE DAY 48

LT. GOVERNOR WICKER -- Presiding

HARTSELL
LIMIT OPTIONS IN GROSS

SENATE BILL 84
READING 3



AYE	45	ALBERTSON	DANNELLY	LEDBETTER	PLEXICO
		ALLRAN	DAVIS	LITTLE	RAND
		BALLANCE	EAST	LUCAS	SAWYER
		BALLANTINE	FORRESTER	MARTIN R	SHAW
		BASNIGHT	FOXX	MARTIN W	SHERRON
		BLACKMON	GULLEY	MCDANIEL	SIMPSON
		CARPENTER	HARTSELL	MCKOY	SOLES
		CARRINGTON	HOBBS	ODOM	SPEED
		CLARK	HORTON	PAGE	WARREN
		COCHRANE	JORDAN	PARNELL	WEBSTER
		CONDER	KINCAID	PERDUE	WINNER
		COOPER			
NO	2	HOYLE	KERR		

EXCUSED	0			
NOT CAST	0			
ABSENT	3	EDWARDS	PLYLER	SMITH
PAIRS	0			
AYE				
NO				

NORTH CAROLINA
HOUSE OF REPRESENTATIVES
ROLL CALL

SEQ. # 1025
LEGISLATIVE DAY 77
S84 HCS
READING 2

6/07/95
2:09 PM
IN CHAIR: SPEAKER

LIMIT OPTIONS IN GROSS

AYES - 110

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

NOES - 0

EXCUSED ABSENCE - 3

HUNTER, R.	JUSTUS	SHUBERT

EXCUSED VOTE - 0

NOT VOTING - 7

SPEAKER	CREECH	HOLMES	THOMPSON
ALDRIDGE	CULP	HUNTER, H.	

NORTH CAROLINA GENERAL ASSEMBLY
SENATE

RECORDED VOTE

1995 SESSION

SEQ. 950/35-- 6:54 PM JUNE 12, 1995 LEGISLATIVE DAY 79

LT. GOVERNOR WICKER -- Presiding

HARTSELL
LIMIT OPTIONS IN GROSS
HOUSE COM SUB/ 3RD EDITION

SENATE BILL 84

MOTION 8
TO CONCUR

AYE	1	CARRINGTON			
NO	46	ALBERTSON	DAVIS	LITTLE	PLYLER
		ALLRAN	EAST	LUCAS	RAND
		BALLANCE	FORRESTER	MARTIN R.	SHAW
		BALLANTINE	FOXX	MARTIN W.	SHERRON
		BASNIGHT	GULLEY	MCDANIEL	SIMPSON
		BLACKMON	HARTSELL	MCKOY	SMITH
		CARPENTER	HOBBS	ODOM	SOLES
		CLARK	HORTON	PAGE	SPEED
		COCHRANE	HOYLE	PARNELL	WARREN
		CONDER	JORDAN	PERDUE	WEBSTER
		COOPER	KERR	PLEXICO	WINNER
		DANNELLY	LEDBETTER		
EXCUSED	0				
NOT CAST	1	KINCAID			
ABSENT	2	EDWARDS	SAWYER		
PAIRS	0				
AYE					
NO					

NORTH CAROLINA GENERAL ASSEMBLY
CONFERENCE REPORT
Senate Bill 84

S84-CRRV-3

[ ] 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 84, AN ACT TO PLACE TIME LIMITS ON OPTIONS IN GROSS AND OTHER INTERESTS IN LAND, AS RECOMMENDED BY THE GENERAL STATUTES COMMISSION, House Committee Substitute Favorable 6/5/95, submit the following report:

That the Senate concurs in the House Committee Substitute for Senate Bill 84 (Third Edition) with the following amendments:

on page 2, line 19, by rewriting that line to read:
"(a) Except as otherwise provided in this section:";

and on page 2, lines 29 and 30, by rewriting those lines to read:
"within 60 years after its creation.

(b) This section does not apply to a possibility of reverter, right of entry, or executory interest held by a charity, a government or governmental agency or subdivision excluded from the Uniform Statutory Rule Against Perpetuities by G.S. 41-18(5) or to an arrangement relating solely to an interest in oil, gas, or minerals.";

and on page 2, line 34 through page 3, line 9, by deleting those lines in their entirety;

and on page 3, lines 10 through 14, by renumbering the remaining sections of the bill accordingly.

The House agrees to the same.

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

see p 2

NORTH CAROLINA GENERAL ASSEMBLY
CONFERENCE REPORT
Senate Bill 84

S84-CRRV-3

Date conferees approved report: July 28, 1995.

Conferees for the Senate

Senator Fletcher Hartsell

Senator Frank Ballance

Senator Wilbur Gulley

Senator Hamilton Horton

Senator J. Clark Plexico

Conferees for the House of Representatives

Rep. William Culpepper

Rep. Lanier Cansler

Rep. Joe Kiser

Rep. Charles Neely

SENATE Submitted 7-28-95
SENATE ADOPTED 7-28-95 (39, 1)
HOUSE ADOPTED 7-28-95 (,)
Message Received 7-28-95
Ordered Enrolled 7-29-95

Send Message

Release

NORTH CAROLINA GENERAL ASSEMBLY
SENATE

RECORDED VOTE

1995 SESSION

SEQ. 1499/20-- 4:27 PM JULY 28, 1995 LEGISLATIVE DAY 10

LT. GOVERNOR WICKER -- Presiding

HARTSELL
LIMIT OPTIONS IN GROSS
HOUSE COM SUB/3RD EDITION

SENATE BILL 84

CONFERENCE REPORT

MOTION 7
TO ADOPT

AYE	39	ALLRAN	DAVIS	LUCAS	RAND
		BALLANCE	EAST	MARTIN R.	SHAW
		BALLANTINE	FOXX	MARTIN W.	SHERRON
		BLACKMON	GULLEY	MCDANIEL	SIMPSON
		CARPENTER	HARTSELL	MCKOY	SOLES
		CARRINGTON	HOBBS	ODOM	SPEED
		CLARK	HOYLE	PAGE	WARREN
		COCHRANE	JORDAN	PARNELL	WEBSTER
		COOPER	LEDBETTER	PERDUE	WINNER
		DANNELLY	LITTLE	PLYLER	
NO	1	HORTON			
EXCUSED	0				
NOT CAST	6	ALBERTSON	CONDER	KERR	SAWYER
		BASNIGHT	EDWARDS		
ABSENT	4	FORRESTER	KINCAID	PLEXICO	SMITH
PAIRS	0				
AYE					
NO					

EV

NORTH CAROLINA
HOUSE OF REPRESENTATIVES
ROLL CALL

SEQ. # 1778
LEGISLATIVE DAY 107
S84 HCS
CONFERENCE REPORT

7/28/95
7:54 PM
IN CHAIR: SPEAKER

LIMIT OPTIONS IN GROSS

AYES - 99

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

NOES - 1

EASTERLING

EXCUSED ABSENCE - 8

BARNES	BRASWELL	MILLER, K.	WAINWRIGHT
BOWEN	GRAY	OLDHAM	WEATHERLY

EXCUSED VOTE - 0

NOT VOTING - 12

SPEAKER	CAPPS	FITCH	MERCER
BOWIE	CRAWFORD	HIATT	MICHAUX
BUCHANAN	CUNNINGHAM	LEMMOND	RICHARDSON

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1995

S D

SENATE DRS2508-LLZ038(1.6)

FILED - SENATE
JAN 26 1995
S 8 5
PRINCIPAL CLERK

Short Title: Honorary/Pet/Cemetery Trusts. (Public)

Sponsors: Senator Hartsell.

Referred to:

A BILL TO BE ENTITLED

AN ACT TO AUTHORIZE HONORARY TRUSTS, TRUSTS FOR PETS, AND TRUSTS FOR CEMETERY LOTS, AS RECOMMENDED BY THE GENERAL STATUTES COMMISSION.

The General Assembly of North Carolina enacts:

Section 1. Chapter 36A of the General Statutes is amended by adding a new Article to read:

"ARTICLE 14.

"Honorary Trusts; Trusts for Pets;
Trusts for Cemetery Lots.

"**§ 36A-145. Honorary trusts.**

Except as otherwise provided in this Article, a trust (i) for a noncharitable corporation or unincorporated society or (ii) for a lawful noncharitable purpose may be performed by the trustee for 21 years but no longer, whether or not there is a beneficiary who can seek the trust's enforcement or termination and whether or not the terms of the trust contemplate a longer duration.

"**§ 36A-146. Trusts for cemetery lots.**

A trust, contract, or other arrangement to provide for the care of a cemetery lot, grave, crypt, niche, mausoleum, columbarium, grave marker, or monument is valid without regard to remoteness of vesting, duration of the arrangement, or lack of definite beneficiaries to enforce the trust, provided that the trust, contract, or other arrangement meets the requirements of G.S. 28A-19-10, Article 4 of Chapter 65 of the General Statutes, Article 9 of Chapter 65 of the General Statutes, or other applicable law. This section does not revoke, repeal, supersede, or diminish G.S. 36A-49.

NORTH CAROLINA GENERAL ASSEMBLY
SENATE

RECORDED VOTE

1995 SESSION

SEQ. 203/6-- 3:42 PM | MARCH 29, 1995 | LEGISLATIVE DAY 37

LT. GOVERNOR WICKER -- Presiding

HARTSELL
HONORARY/PET/CEMETERY TRUSTS

SENATE BILL 85
READING 2

AYE	41	ALBERTSON	DAVIS	KERR	PLEXICO
		ALLRAN	EAST	KINCAID	PLYLER
		BALLANCE	EDWARDS	LITTLE	RAND
		BASNIGHT	FORRESTER	LUCAS	SHERRON
		BLACKMON	FOXX	MARTIN R	SIMPSON
		CARPENTER	GULLEY	MARTIN W	SOLES
		CARRINGTON	HARTSELL	MCDANIEL	SPEED
		COCHRANE	HOBBS	ODOM	WARREN
		CONDER	HORTON	PARNELL	WEBSTER
		COOPER	HOYLE	PERDUE	WINNER
		DANNELLY			
NO	4	BALLANTINE	CLARK	LEDBETTER	MCKOY
EXCUSED	0				
NOT CAST	1	SHAW			
ABSENT	3	JORDAN	SAWYER	SMITH	
PAIRS	0				
AYE					
NO					

NORTH CAROLINA

HOUSE OF REPRESENTATIVES

ROLL CALL

SEQ. # 1004
LEGISLATIVE DAY 76
S85 HCS
READING 2

6/06/95
3:14 PM
IN CHAIR: SPEAKER

HONORARY/PET/ CEMETERY TRUSTS

AYES - 106

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

NOES - 1

SHAW

EXCUSED ABSENCE - 3

BLUE	FITCH	THOMPSON

EXCUSED VOTE - 0

NOT VOTING - 10

SPEAKER	EDWARDS	LEMMOND	TALLENT
ALDRIDGE	ELLIS	MICHAUX	WOOD
EASTERLING	ESPOSITO		

NORTH CAROLINA GENERAL ASSEMBLY
SENATE

RECORDED VOTE

1995 SESSION

SEQ. 922/7-- 5:20 PM JUNE 12, 1995 LEGISLATIVE DAY 79

LT. GOVERNOR WICKER -- Presiding

HARTSELL
HONORARY/PET/CEMETERY TRUSTS
HOUSE COM SUB/2ND EDITION

SENATE BILL 85

MOTION 8
TO CONCUR

AYE	46	ALBERTSON	DAVIS	LITTLE	PLYLER
		ALLRAN	FORRESTER	LUCAS	RAND
		BALLANCE	FOXX	MARTIN R.	SHAW
		BASNIGHT	GULLEY	MARTIN W.	SHERRON
		BLACKMON	HARTSELL	MCDANIEL	SIMPSON
		CARPENTER	HOBBS	MCKOY	SMITH
		CARRINGTON	HORTON	ODOM	SOLES
		CLARK	HOYLE	PAGE	SPEED
		COCHRANE	JORDAN	PARNELL	WARREN
		CONDER	KERR	PERDUE	WEBSTER
		COOPER	KINCAID	PLEXICO	WINNER
		DANNELLY	LEDBETTER		
NO	1	BALLANTINE			
EXCUSED	0				
NOT CAST	1	EAST			
ABSENT	2	EDWARDS	SAWYER		
PAIRS	0				
AYE					
NO					

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1995

S D

SENATE DRS4507-LLZ042(1.6)

FILED - SENATE

S 8 6 JAN 2 6 1995

Short Title: Estate Accounting Liability. (Public)

Sponsors: Senator Hartsell (by request).

Referred to:

A BILL TO BE ENTITLED

AN ACT TO MAKE IT CLEAR THAT HEIRS OR DEVISEES MAY MOVE TO COMPEL THE FILING OF AN ACCOUNT IN A DECEDENT'S ESTATE AND TO MAKE THE PERSONAL REPRESENTATIVE OR COLLECTOR PERSONALLY LIABLE FOR THE COSTS OF A PROCEEDING TO COMPEL THE FILING OF THE ACCOUNT, AS RECOMMENDED BY THE GENERAL STATUTES COMMISSION.

The General Assembly of North Carolina enacts:

Section 1. G.S. 28A-21-4 reads as rewritten:

"**§ 28A-21-4. Clerk may compel account.**

(a) If any personal representative or collector fails to account as directed in G.S. 28A-9-3, 28A-21-1 or 28A-21-2 or renders an unsatisfactory account, the clerk of superior court shall, upon his own motion or upon the request of one or more ~~creditors~~ creditors, heirs, or devisees of the decedent or other interested party, promptly order such personal representative or collector to render a full satisfactory account within 20 days after service of the order. If, after due service of the order, the personal representative or collector does not on or before the return day of the order file such account, or obtain further time in which to file it, the clerk may remove him from office or may issue an attachment against him for a contempt and commit him until he files said account.

(b) The personal representative or collector shall be personally liable for the costs of any proceeding incident to his failure to file the account required by G.S. 28A-9-3, 28A-21-1, or 28A-21-2. Such costs shall be taxed against him by the clerk of superior court and may be collected by deduction from any commissions which may be found due the personal representative or collector upon final settlement of the estate."

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1995

S D

SENATE DRS9521*-RKZ3.1(1.25)

FILED - SENATE

S 8 7 JAN 26 1995

Short Title: Community-Based Partnership/Grant Program. (Public)

Sponsors: Senators Martin of Guilford, Edwards, Gulley, and Jordan.

Referred to:

A BILL TO BE ENTITLED

AN ACT TO ESTABLISH THE COMMUNITY-BASED PARTNERSHIP AND GRANT PROGRAM AND TO ESTABLISH A GRANTS INFORMATION NETWORK.

The General Assembly of North Carolina enacts:

Section 1. (a) Article 9 of Chapter 143B of the General Statutes is amended by adding a new Part to read:

"Part 29. Community-Based Partnership and Grant Program.

"**§ 143B-426.41. Establishment of program; purpose.**

(a) There is created in the Department of Administration the Community-Based Partnership and Grant Program. The purpose of the program is to award grants to Community-Based Partnerships and Community-Based Organizations that provide education, training, or services designed to enrich and positively influence the lives of at-risk children and their families. The purpose is, further, to make grants accessible to those Community-Based Organizations whose primary focus is upon meeting the needs of children, youth, and families in neighborhoods described in G.S. 143B-426.43(e).

"**§ 143B-426.42. Definitions.**

As used in this Part, except where the context clearly requires otherwise:

(1) 'Community-Based Partnership' or 'Partnership' means any Community-Based Partnership organized subject to G.S. 143B-426.43.

(2) 'Community-Based Organization' means a nonprofit community-based organization that could be, but is not required to be, a

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1995

S D

SENATE DRS2521*-RKZ4(1.25)

S 8 8

Short Title: Study/Release From Juvenile Confinement. (Public)

Sponsors: Senators Martin of Guilford, Edwards, Gulley, and Jordan.

Referred to:

A BILL TO BE ENTITLED

AN ACT TO REQUIRE THE DEPARTMENT OF HUMAN RESOURCES, DIVISION OF YOUTH SERVICES TO STUDY AND DEVELOP PROPOSALS DESIGNED TO ENHANCE THE SUCCESS OF YOUTH RELEASED FROM JUVENILE CONFINEMENT FACILITIES.

The General Assembly of North Carolina enacts:

Section 1. The Division of Youth Services in the Department of Human Resources shall study and develop proposals designed to effectively serve youth who are released from juvenile confinement facilities in a manner that decreases the likelihood of readmission to juvenile confinement facilities or incarceration within the Department of Correction.

Sec. 2. The study required by this act shall be presented to the Minority Males Study Committee, if reauthorized, and the General Assembly by December 31, 1995.

Sec. 3. This act becomes effective upon ratification.

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1995

S D

SENATE DRS7521*-RKZ2(1.25)

FILED - SENATE
JAN 26 1995
S 89

Short Title: Study/Minority Teachers. (Public)

Sponsors: Senators Martin of Guilford, Edwards, Gulley, and Jordan.

Referred to:

A BILL TO BE ENTITLED

AN ACT TO REQUIRE THE BOARD OF GOVERNORS, THE STATE BOARD OF EDUCATION, THE DEPARTMENT OF PUBLIC INSTRUCTION, AND THE TEACHING FELLOWS COMMISSION TO STUDY HOW TO INCREASE THE NUMBER OF MINORITY TEACHERS IN PUBLIC SCHOOLS AND TO STUDY THE USE OF SCHOOL FACILITIES FOR COMMUNITY-BASED ORGANIZATION ACTIVITIES.

The General Assembly of North Carolina enacts:

Section 1. (a) The Board of Governors of The University of North Carolina shall study and develop a comprehensive plan to initiate at each constituent institution outreach programs designed to recruit and retain minority students in teacher education programs.

(b) In developing the comprehensive plan, the Board of Governors shall collaborate and consult with each constituent institution, in particular those institutions that have:

(1) A strong identification and connection with minority students; or

(2) A demonstrated high level of success in graduating minority students in teacher education.

Sec. 2. (a) The State Board of Education and the Department of Public Instruction shall study and develop a comprehensive plan to train secondary guidance counselors in a manner that will positively influence the academic preparation and college-going rate of minority students.

(b) The plan shall include methods to improve counseling practices and attitudes toward interesting minority students in teaching careers.

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1995

FILED - SENATE
JAN 26 1995
PRINCIPAL CLERK

S

S 90

D

SENATE DRS3517-LT030(1.23)

Short Title: Counseling for Delinquent Juveniles. (Public)

Sponsors: Senator McKoy.

Referred to:

A BILL TO BE ENTITLED

AN ACT TO PROVIDE FOR EARLY INTERVENTION AND PREVENTION OF JUVENILE CRIME BY PROVIDING FOR COUNSELING OF JUVENILES WHO HAVE BEEN ADJUDICATED UNDISCIPLINED OR DELINQUENT FOR CERTAIN OFFENSES FOR THE FIRST TIME.

The General Assembly of North Carolina enacts:

Section 1. G.S. 7A-648 reads as rewritten:

"**§ 7A-648. Dispositional alternatives for delinquent or undisciplined juvenile.**

(a) In the case of any juvenile who is delinquent or undisciplined, the judge may:

(1) Continue the case for no more than six months in order to allow the family an opportunity to meet the needs of the juvenile through more adequate home supervision, through placement in a private or specialized school or agency, through placement with a relative, or through some other plan approved by the court;

(2) Place the juvenile under the protective supervision of a court counselor for no more than one year so that the court counselor may assist the juvenile in securing social, medical, and educational services and may work with the family as a unit to insure the juvenile is provided proper supervision and care;

(3) Excuse the juvenile from compliance with the compulsory school attendance law when the judge finds that suitable alternative plans can be arranged by the family through other community resources for one of the following: an education related to the needs or abilities of the juvenile including vocational education or special education; a suitable plan of supervision or placement; or some

GENERAL ASSEMBLY OF NORTH CAROLINA

FILED - SENATE

SESSION 1995

S 9 1 JAN 2 6 1995

S D

PRINCIPAL CLERK

SENATE DRSA506-LF043(1.5)

Short Title: Responsibility/Encouragement Act. (Public)

Sponsors: Senators McKoy and McDaniel.

Referred to:

A BILL TO BE ENTITLED

AN ACT TO REMOVE DISINCENTIVES TO WORK THAT KEEP PUBLIC ASSISTANCE RECIPIENTS FROM MOVING TOWARD PERMANENT SELF-SUFFICIENCY AND TO REQUIRE PERSONAL AND FAMILY RESPONSIBILITY.

The General Assembly of North Carolina enacts:

Section 1. Effective October 1, 1995, Part 1 of Article 2 of Chapter 108A of the General Statutes is amended by adding the following new sections to read:

"**§ 108A-26.1. Removal of work disincentives.**

(a) The General Assembly finds that a reliable vehicle is often a family necessity to fulfill the family's education, training, and work requirements. The current one thousand five hundred dollar ($1,500) public assistance resource limit has been unchanged for a long period of time and is no longer sufficient. Therefore, the Department of Human Resources shall raise the value of an allowed motor vehicle for purposes of AFDC and Food Stamp eligibility to no more than four thousand five hundred dollars ($4,500).

(b) The Department of Human Resources shall raise AFDC and Food Stamp resource eligibility limits to three thousand dollars ($3,000), excluding the value of place of residence and of the allowed motor vehicle.

(c) The Department of Human Resources shall eliminate AFDC-UNEMPLOYED PARENT (AFDC-UP) disincentives by:

(1) Eliminating the '100-hour rule', which currently removes assistance from two-parent 'Unemployed Parent' families in which the principal wage earner works 100 hours or more a month eliminating the 100-hour rule; and

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1995

FILED - SENATE
JAN 26 1995
PRINCIPAL CLERK

S D

SENATE DRS6518-LC068(1.1)

Short Title: Volunteer Fire Vehicles Tax Exempt. (Public)

Sponsors: Senator Hoyle.

Referred to:

A BILL TO BE ENTITLED

AN ACT TO EXEMPT FROM THE HIGHWAY USE TAX FIRE FIGHTING VEHICLES OWNED BY ALL-VOLUNTEER FIRE DEPARTMENTS.

The General Assembly of North Carolina enacts:

Section 1. G.S. 105-187.6(a) reads as rewritten:

"(a) Full Exemptions. -- The tax imposed by this Article does not apply when a certificate of title is issued as the result of a transfer of a motor vehicle:

(1) To the insurer of the motor vehicle under G.S. 20-109.1 because the vehicle is a salvage vehicle.

(2) To either a manufacturer, as defined in G.S. 20-286, or a motor vehicle retailer for the purpose of resale.

(3) To the same owner to reflect a change or correction in the owner's name.

(4) By will or intestacy.

(5) By a gift between a husband and wife, a parent and child, or a stepparent and a stepchild.

(6) By a distribution of marital property as a result of a divorce.

(7) To a handicapped person from the Department of Human Resources after the vehicle has been equipped by the Department for use by the handicapped.

(8) To a local board of education for use in the driver education program of a public school when the motor vehicle is transferred:

a. By a retailer and is to be transferred back to the retailer within 300 days after the transfer to the local board.

b. By a local board of education.

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1995

FILED - SENATE
JAN 30 1995
PRINCIPAL CLERK

S

D

S 9 3

SENATE DRS7513-LT003A(1.18)

Short Title: License Athletic Trainers/AB. (Public)

Sponsors: Senator Shaw.

Referred to:

A BILL TO BE ENTITLED

AN ACT TO LICENSE ATHLETIC TRAINERS.

The General Assembly of North Carolina enacts:

Section 1. Chapter 90 of the General Statutes is amended by adding a new Article to read:

"ARTICLE 31.

"Athletic Trainers.

"§ 90-470. Title; purpose.

(a) This Article may be cited as the 'Athletic Trainers Licensing Act'.

(b) The practice of athletic trainer affects the public health, safety, and welfare. Licensure of the practice of athletic trainer is necessary to ensure minimum standards of competency and to provide the public with safe care. It is the purpose of this Article to provide for the regulation of persons offering athletic trainer services to the public.

"§ 90-471. Definitions.

As used in this Article, unless the context otherwise requires, the following definitions apply:

(1) 'Athletic trainer' means a person who, upon the advice and consent of a licensed physician, carries out the practice of care, prevention, and physical rehabilitation of injuries incurred by athletes and who, in carrying out these functions, may use physical modalities, including heat, light, sound, cold, electricity, or mechanical devices related to rehabilitation and treatment.

(2) 'Board' means the North Carolina Board of Athletic Trainer Examiners as created by G.S. 90-472.

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1995

FILED - SENATE

JAN 30 1995

PRINCIPAL CLERK

S

S 9 4

D

SENATE DRS4526*-LHZ001(1.23)

Short Title: Water Resources Internship Funds. (Public)

Sponsors: Senator Albertson.

Referred to:

A BILL TO BE ENTITLED

AN ACT TO APPROPRIATE FUNDS TO THE BOARD OF GOVERNORS FOR THE UNIVERSITY OF NORTH CAROLINA TO PROVIDE SUMMER INTERNSHIPS AT THE WATER RESOURCES RESEARCH INSTITUTE.

The General Assembly of North Carolina enacts:

Section 1. There is appropriated from the General Fund to the Board of Governors of The University of North Carolina the sum of twenty-five thousand dollars ($25,000) for the 1995-96 fiscal year to provide summer internships at the Water Resources Research Institute.

Sec. 2. Funds appropriated by this act shall be administered by the Water Resources Research Institute and shall be used as grants to students for summer internships at the Water Resources Research Institute. Students receiving the internships shall assist in identifying and mapping the State's water resources and in designing and preparing a display of the State's water resources that may be used for educational purposes.

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

FILED - SENATE
JAN 3 0 1995
PRINCIPAL CLERK

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1995

S D

SENATE JOINT RESOLUTION DRSJR3523-LHZ022(1.23)

Sponsors: Senator Albertson.

Referred to:

A JOINT RESOLUTION AUTHORIZING THE LEGISLATIVE RESEARCH COMMISSION TO STUDY WATER ISSUES.

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

Section 1. The Legislative Research Commission may study issues relating to surface water and groundwater including the following: watershed protection, federal and State testing and monitoring requirements for drinking water supplies, and the possibility of reclaiming wastewater and using that reclaimed water as appropriate for applications that do not require drinking water supplies. The Commission may further study any other issues relevant to the State's water resources.

Sec. 2. The Legislative Research Commission may make its recommendations and submit an interim report to the 1995 General Assembly, Regular Session 1996, and may make a final report to the 1997 General Assembly.

Sec. 3. This resolution is effective upon ratification.

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1995

S

SENATE DRSA513-LN026(11.23)

Short Title: Eastern Convention Ctr/Study. (Public)

Sponsors: Senator Jordan.

Referred to:

A BILL TO BE ENTITLED

AN ACT TO AUTHORIZE THE DEPARTMENT OF COMMERCE TO CONDUCT A FEASIBILITY STUDY ON THE CONSTRUCTION AND OPERATION OF AN EASTERN CONVENTION CENTER.

The General Assembly of North Carolina enacts:

Section 1. The Department of Commerce shall conduct a feasibility study on the construction and operation of a convention center to serve the eastern region of North Carolina. The study shall include recommendations on the following:

(1) The necessity for a convention center to serve the eastern region of the State;

(2) Whether a convention center would significantly contribute to economic development in the region it serves;

(3) The counties in the eastern region that would be best served by a convention center;

(4) The county or municipality in which the convention center should be constructed and the reasons therefor;

(5) The estimated cost to construct and to operate the center annually; and

(6) The likelihood of obtaining non-State funding for construction and operation and the possible sources of such funding.

Sec. 2. The Department of Commerce shall report the progress of the feasibility study to the Joint Legislative Commission on Governmental Operations at its December 1995 meeting, and shall make its final report to the General Assembly on or before May 1, 1996.

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1995

S D

FILED - SENATE
S 97 JAN 30...
PRINCIPAL CLERK

SENATE DRS8524-LC047(1.1)

Short Title: One-Time Tax Rebate. (Public)

Sponsors: Senators Forrester and Hoyle.

Referred to:

A BILL TO BE ENTITLED

AN ACT TO PROVIDE A ONE-TIME TAX REBATE TO EACH INDIVIDUAL TAXPAYER WHO RESIDES IN THIS STATE.

The General Assembly of North Carolina enacts:

Section 1. (a) Taxpayer Rebate. -- The Department of Revenue shall implement a one-time income tax rebate program as provided in this act. For the purpose of this act, the term "income tax" means the individual income tax levied in Division II of Article 4 of Chapter 105 of the General Statutes. Every individual who was a resident of this State for part or all of their taxable year beginning in 1994 and who was liable for and paid income tax for that taxable year before the deadline provided in this act is eligible for an income tax rebate equal to fifty dollars ($50.00). In the case of a married couple filing a joint return, the Department shall treat each spouse as a separate taxpayer for the purpose of this tax rebate. In the case of a taxpayer who has two taxable years beginning in 1994, this act applies only to the first of those taxable years.

(b) Setoff Debt Collection. -- Before paying a rebate pursuant to this act, the Department of Revenue shall, pursuant to G.S. 105A-5, set off any debts owing a State agency against the rebate to the same extent as if the rebate were a refund as defined in G.S. 105A-2. The procedure for setting off debts shall be as provided in Chapter 105A of the General Statutes.

(c) Deadlines. -- To qualify for the rebate provided in this act, the taxpayer must file a final return and pay the entire income tax due for the taxable year within 90 days after the due date, including any approved filing extensions, of the return. The Department of Revenue shall pay the rebate by check mailed within 90 days after the later of (i) September 15, 1995, (ii) the date the return was due,

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1995

FILED - SENATE
JAN 31 1995
PRINCIPAL CLERK

S D

S98

SENATE DRS2522*-LE046B(1.24)

Short Title: Public Instruction Reorg. Plan. (Public)

Sponsors: Senators Simpson, Cochrane, Hartsell, and Little.

Referred to:

A BILL TO BE ENTITLED

AN ACT DIRECTING THE STATE BOARD OF EDUCATION TO DEVELOP A PLAN FOR THE REORGANIZATION OF THE DEPARTMENT OF PUBLIC INSTRUCTION.

The General Assembly of North Carolina enacts:

Section 1. The State Board of Education shall develop a plan for reorganizing, reducing, and/or eliminating the Department of Public Instruction so as to promote economy and efficiency in government in the interest of local control of education, produce cost savings that can be used to provide funds for textbooks, school supplies, and equipment, reduce class size, all with the aim of improving student performance. The State Board of Education shall report to the General Assembly prior to March 31, 1995, on the plan it develops.

The Office of State Budget and Management and the State Auditor shall provide support services requested by the chairman of the State Board of Education as needed to develop the plan set out in this act.

The State Board of Education shall fully inform and consult with the chairs of the Education Committees and the Education Appropriation Subcommittees of the Senate and the House of Representatives on a regular basis as it carries out its duties under this act.

Sec. 2. This act is effective upon ratification.

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1995

FILED - SENATE
JAN 31 1995
PRINCIPAL CLERK

S D

S 99

SENATE DRS5516*-LE025(1.10)

Short Title: School Flexibility/Accountability. (Public)

Sponsors: Senators Simpson, Cochrane, Hartsell, and Little.

Referred to:

A BILL TO BE ENTITLED

AN ACT TO GRANT ADDITIONAL MANAGEMENT FLEXIBILITY TO LOCAL BOARDS OF EDUCATION, TO ENSURE THAT LOCAL BOARDS OF EDUCATION ARE HELD ACCOUNTABLE FOR THE USE OF THAT FLEXIBILITY, AND TO ASSESS THE RELATIONSHIP BETWEEN EXPENDITURES FOR PUBLIC SCHOOLS AND STUDENT PERFORMANCE.

The General Assembly of North Carolina enacts:

-----LOCAL MANAGEMENT FLEXIBILITY

Section 1. (a) Effective July 1 1995, funding categories in the Public School Fund are combined as follows:

Old Funding Allotments	**New Funding Allotments**
(1) Superintendents; School administrators; Finance officers; Maintenance supervisors; Child nutrition - supervision.	Administrative Allotment -- Central Office
(2) Classroom Teachers - regular; Math, Science, and Computer Teachers; Classroom teachers - Program Enhancement.	Classroom Teachers
(3) Exceptional Children - State Aid and Related Services; Preschool	Exceptional Children

NORTH CAROLINA GENERAL ASSEMBLY
SENATE

RECORDED VOTE

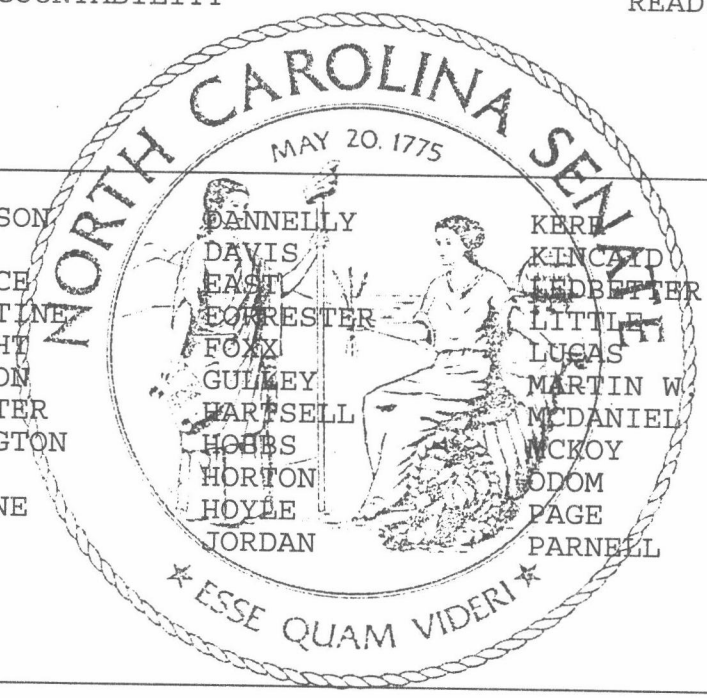
1995 SESSION

SEQ. 319/9-- 2:52 PM | APRIL 19, 1995 | LEGISLATIVE DAY 49

LT. GOVERNOR WICKER -- Presiding

SIMPSON
SCHOOL FLEXIBILITY/ACCOUNTABILITY
COM SUB/2ND EDITION

SENATE BILL 99
READING 2



AYE	44	ALBERTSON	DANNELLY	KERR	PERDUE
		ALLRAN	DAVIS	KINCAID	PLEXICO
		BALLANCE	EAST	LEDBETTER	RAND
		BALLANTINE	FORRESTER	LITTLE	SAWYER
		BASNIGHT	FOXX	LUCAS	SHAW
		BLACKMON	GULLEY	MARTIN W.	SHERRON
		CARPENTER	HARTSELL	MCDANIEL	SIMPSON
		CARRINGTON	HOBBS	MCKOY	SOLES
		CLARK	HORTON	ODOM	SPEED
		COCHRANE	HOYLE	PAGE	WEBSTER
		COOPER	JORDAN	PARNELL	WINNER
NO	0				

EXCUSED	0			
NOT CAST	3	CONDER	MARTIN R.	WARREN
ABSENT	3	EDWARDS	PLYLER	SMITH
PAIRS	0			
AYE				
NO				

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1995

S D

SENATE DRS7516*-RH009.1(1.9) FILED - SENATE

S 1 0 0 JAN 2 1 1995

Short Title: St. Bd. of Educ./Constit. Authority. (Public)

Sponsors: Senators Simpson, Little, and Cochrane.

Referred to:

A BILL TO BE ENTITLED

AN ACT TO RESTORE CONSTITUTIONAL POWERS TO THE STATE BOARD OF EDUCATION AND TO MAKE CONFORMING CHANGES.

The General Assembly of North Carolina enacts:

Section 1. G.S. 115C-12 reads as rewritten:

"**§ 115C-12. Powers and duties of the Board generally.**

~~The general supervision and administration of the free public school system shall be vested in the State Board of Education. The State Board of Education shall establish policy for the system of free public schools, subject to laws enacted by the General Assembly.~~ As provided in Article IX, Sec. 5 of the North Carolina Constitution, the State Board of Education shall supervise and administer the free public school system and the educational funds provided for its support, except the funds mentioned in Article IX, Sec. 7 of the Constitution. The State Board may adopt any rules that are needed to carry out this constitutional mandate, subject to laws enacted by the General Assembly. The powers and duties of the State Board of Education are defined as follows:

(1) Financial Powers. -- The financial powers of the Board are set forth in Article 30 of this Chapter.

(2) Repealed by Session Laws 1985 (Regular Session, 1986), c. 975, s. 24.

(3), (4) Repealed by Session Laws 1987 (Regular Session, 1988), c. 1025, s. 1.

(5) Apportionment of Funds. -- The Board shall have authority to apportion and equalize over the State all State school funds and all federal funds granted to the State for assistance to educational

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1995

S D

FILED - SENATE
JAN - 1995
PRINCIPAL CLERK

SENATE DRS4508-LN031A(1.6) S 1 0 1

Short Title: Gen. Assembly Approves Rules. (Public)

Sponsors: Senator McDaniel.

Referred to:

A BILL TO BE ENTITLED

AN ACT TO PROVIDE THAT RULES ADOPTED BY STATE AGENCIES DO NOT BECOME EFFECTIVE UNLESS APPROVED BY THE GENERAL ASSEMBLY.

The General Assembly of North Carolina enacts:

Section 1. G.S. 150B-1(a) reads as rewritten:

"(a) Purpose. -- This Chapter establishes a uniform system of administrative rule making and adjudicatory procedures for agencies. The procedures ensure that the functions of rule making, investigation, advocacy, and adjudication are not all performed by the same person in the administrative process. The requirement in G.S. 150B-21.3 that a rule adopted by an agency does not become effective unless approved by the General Assembly is intended to ensure that rules affecting the rights and privileges of the citizens of this State are written clearly, are minimally intrusive on those rights and privileges, and include only those provisions necessary to carry out the purposes of the law pursuant to which the rule is adopted."

Sec. 2. G.S. 150B-21.2(a) reads as rewritten:

"(a) Notice. -- Before an agency adopts a permanent rule, it must publish notice of its intent to adopt a permanent rule in the North Carolina Register and as required by any other law. The notice published in the North Carolina Register must include all of the following:

(1) Either the text of the proposed rule or a statement of the subject matter of the proposed rule making.

(2) A short explanation of the reason for the proposed action.

(3) A citation to the law that gives the agency the authority to adopt the proposed rule, if the notice includes the text of the proposed

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1995

S D

FILED - SENATE
JAN 31 1995
PRINCIPAL CLERK

SENATE DRS4501*-RIZ07(1.13) S102

Short Title: Long-Term Care Insurance Study. (Public)

Sponsors: Senator Parnell.

Referred to:

A BILL TO BE ENTITLED

AN ACT TO AUTHORIZE THE LEGISLATIVE RESEARCH COMMISSION TO STUDY LONG-TERM CARE INSURANCE.

The General Assembly of North Carolina enacts:

Section 1. The Legislative Research Commission shall study the availability, coverage, and provision of long-term care insurance in North Carolina and may make recommendations to overcome any barriers to the provision of private long-term care insurance coverage. The Legislative Research Commission may investigate the relationship between Medicaid, Medicare, and long-term care insurance; whether private long-term care coverage can provide some relief to the increasing public burden of Medicaid cost escalation; whether to mandate long-term insurance coverage; impediments to product development; whether the State could promote product purchase; and minimum standards of coverage. The Legislative Research Commission may consult with the Commissioner of Insurance, the insurance industry, the long-term care industry, and senior citizens' groups.

Sec. 2. The Legislative Research Commission may make an interim report to the 1995 General Assembly, 1996 Regular Session, and shall make a final report to the 1997 General Assembly.

Sec. 3. This act is effective upon ratification.

FILED - SENATE
S 1 0 3 JAN 3 1 1995
PRINCIPAL CLERK

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1995

S D

SENATE DRS1524-RBZ01(1.27)

Short Title: No Sales Tax on Donated Items. (Public)

Sponsors: Senators Cochrane, Hoyle, and Kerr.

Referred to:

A BILL TO BE ENTITLED

AN ACT TO EXEMPT FROM SALES AND USE TAX TANGIBLE PERSONAL PROPERTY THAT IS MANUFACTURED OR PURCHASED FOR RESALE BY A WHOLESALE MERCHANT OR A RETAILER AND THEN DONATED TO A NONPROFIT ORGANIZATION TO BE USED FOR A CHARITABLE PURPOSE.

The General Assembly of North Carolina enacts:

Section 1. G.S. 105-164.13 is amended by adding a new subdivision to read:

"(42) Tangible personal property that is purchased by a retailer for resale or is manufactured or purchased by a wholesale merchant for resale and then withdrawn from inventory and donated by the retailer or wholesale merchant to a nonprofit organization to be used for a charitable purpose."

Sec. 2. G.S. 105-164.13 (13a) and (31b) are repealed.

Sec. 3. This act is effective upon ratification.

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1995

S D

SENATE DRS8526-LCXZ001(1.1)

Short Title: Revenue Laws Technical Changes. (Public)

Sponsors: Senators Cochrane, Hoyle, and Kerr.

Referred to:

A BILL TO BE ENTITLED

AN ACT TO MAKE TECHNICAL AND CLARIFYING CHANGES TO THE REVENUE LAWS AND RELATED STATUTES.

The General Assembly of North Carolina enacts:

Section 1. Effective July 1, 1995, G.S. 105-113.82(a) reads as rewritten:

"(a) Amount, Method. -- The Secretary shall distribute annually the following percentages of the net amount of excise taxes collected on the sale of malt beverages and wine during the preceding 12-month period ending March 31, less the amount of the net proceeds credited to the Department of Agriculture under ~~G.S 105-113.81A,~~ G.S. 105-113.81A, to the counties and cities in which the retail sale of these beverages is authorized:

(1) Of the tax on malt beverages levied under G.S. 105-113.80(a), twenty-three and three-fourths percent (23 3/4%);

(2) Of the tax on unfortified wine levied under G.S. 105-113.80(b), sixty-two percent (62%); and

(3) Of the tax on fortified wine levied under G.S. 105-113.80(b), twenty-two percent (22%).

If malt beverages, unfortified wine, or fortified wine may be licensed to be sold at retail in both a county and a city located in the county, both the county and city shall receive a portion of the amount distributed, that portion to be determined on the basis of population. If one of these beverages may be licensed to be sold at retail in a city located in a county in which the sale of the beverage is otherwise prohibited, only the city shall receive a portion of the amount distributed, that portion to be determined on the basis of population. The amounts distributed under subdivisions (1), (2), and (3) shall be computed separately."

NORTH CAROLINA GENERAL ASSEMBLY
SENATE

RECORDED VOTE

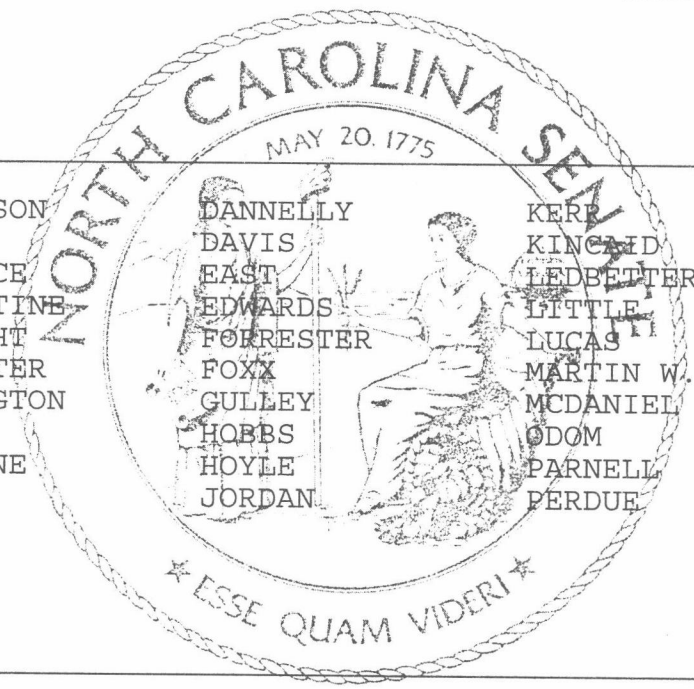
1995 SESSION

SEQ. 69/3-- 7:14 PM | FEBRUARY 20, 1995 | LEGISLATIVE DAY 15

LT. GOVERNOR WICKER -- Presiding

COCHRANE
REVENUE LAWS TECHNICAL CHANGES

SENATE BILL 104
READING 2



AYE	41	ALBERTSON	DANNELLY	KERR	PLEXICO
		ALLRAN	DAVIS	KINCAID	PLYLER
		BALLANCE	EAST	LEDBETTER	RAND
		BALLANTINE	EDWARDS	LITTLE	SHAW
		BASNIGHT	FORRESTER	LUCAS	SHERRON
		CARPENTER	FOXX	MARTIN W.	SIMPSON
		CARRINGTON	GULLEY	MCDANIEL	SPEED
		CLARK	HOBBS	ODOM	WARREN
		COCHRANE	HOYLE	PARNELL	WEBSTER
		CONDER	JORDAN	PERDUE	WINNER
		COOPER			
NO	0				
EXCUSED	0				
NOT CAST	4	BLACKMON	HORTON	MCKOY	SAWYER
ABSENT	4	HARTSELL	MARTIN R.	SMITH	SOLES
PAIRS	0				
AYE					
NO					

NORTH CAROLINA GENERAL ASSEMBLY
SENATE

RECORDED VOTE

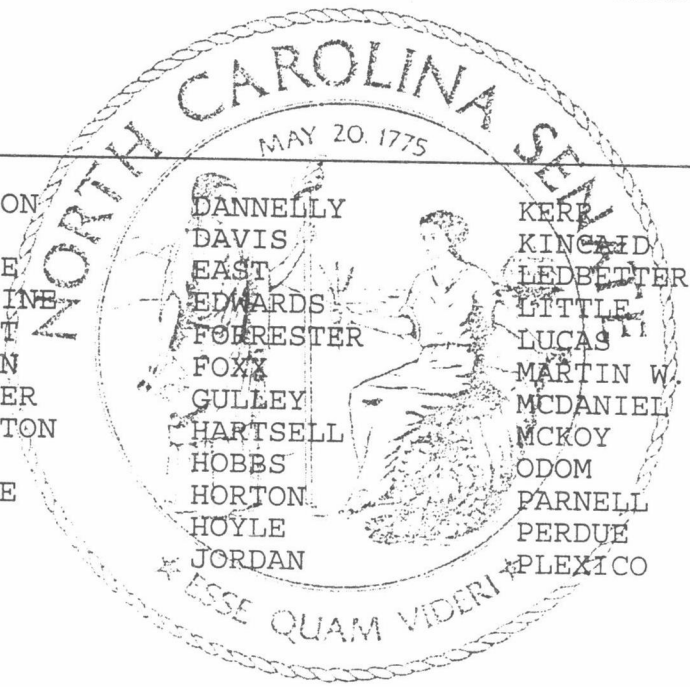
1995 SESSION

SEQ. 77/4-- 2:18 PM | FEBRUARY 21, 1995 | LEGISLATIVE DAY 16

LT. GOVERNOR WICKER -- Presiding

COCHRANE
REVENUE LAWS TECHNICAL CHANGES

SENATE BILL 104
READING 3



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

EXCUSED	0		
NOT CAST	0		
ABSENT	2	MARTIN R.	SMITH
PAIRS	0		
AYE			
NO			

NORTH CAROLINA GENERAL ASSEMBLY
AMENDMENT
Senate Bill 104

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

S104-ALJ-2

Date 3/16, 1995

Comm. Sub. [ ]
Amends Title [ ]

Representative GRAY

moves to amend the bill on page 10, lines 6 and 7, by inserting the following sections between those lines to read:

"Sec. 11.1. Effective January 1, 1995, G.S. 105-266(c) is amended by adding a new subdivision to read:

'(4) Federal Determination. -- When a taxpayer files with the Secretary a return that reflects a federal determination and the return is filed within the required time, the period in which a refund must be demanded or discovered is one year after the return reflecting the federal determination is filed or three years after the original return was filed or due to be filed, whichever is later.'

Sec. 11.2. G.S. 105-266.1(a) reads as rewritten:

'(a) If a taxpayer claims that a tax or an additional tax paid by the taxpayer was excessive or incorrect, the taxpayer may apply to the Secretary for refund of the tax or additional tax at any time within ~~three years after the date set by the statute for the filing of the return or application for a license or within six months after the date of payment of the tax or additional tax, whichever is later.~~ the period set by the statute of limitations in G.S. 105-266.

The Secretary shall grant a hearing on each timely request for a refund. Within 60 days after a timely request for a refund has been filed and at least 10 days before the date set for the hearing, the Secretary shall notify the taxpayer in writing of the time and place at which the hearing will be conducted. The date set for the hearing shall be within 90 days after the timely request for a hearing was filed or at a later date mutually agreed upon by the taxpayer and the Secretary. The date set for the hearing may be postponed once, at the request of the taxpayer or the Secretary, for a period of up to 90 days or for a longer period mutually agreed upon by the taxpayer and the Secretary.

Within 90 days after conducting a hearing under this subsection, the Secretary shall make a decision on the requested refund, notify

NORTH CAROLINA GENERAL ASSEMBLY
AMENDMENT
Senate Bill 104

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

S104-ALJ-2

the taxpayer of the decision, and adjust the computation of the tax in accordance with the decision. The Secretary shall refund to the taxpayer in accordance with G.S. 105-266 the amount of any tax the Secretary finds was paid incorrectly or paid in excess of the tax due~~,-except-that-there-shall-be-no-refund-to-the-taxpayer-of-any-sum set-off-under-the-provisions-of-Chapter-105A,-the-Set-off-Debt Collection-Act.~~ due.'";

and on page 11, lines 2 and 3, by inserting the following section between those lines to read:

"Sec. 13.1. G.S. 105-449.45(a) reads as rewritten:

'(a) Quarterly Report. -- A motor carrier shall report its operations to the Secretary on a quarterly basis unless this subsection exempts the motor carrier from this requirement or permits the motor carrier to report on a different basis. A motor carrier is not required to file a quarterly report if:

(1) All the motor carrier's operations during the quarter were made under a temporary permit issued under G.S. 105-449.49.

(2) ~~All-the~~ The motor ~~carrier's-operations-during-the quarter-were-in-this-State.~~ carrier is an intrastate motor carrier, as indicated on the motor carrier's application for registration with the Secretary.

(3) The motor carrier has been granted permission to file an annual report under subsection (b).

A quarterly report covers a calendar quarter and is due by the last day in April, July, October, and January.'"

SIGNED _____
Amendment Sponsor

SIGNED _____
Committee Chair if Senate Committee Amendment

ADOPTED ✓ 3/16/95 FAILED _____ TABLED _____

101-0
EV DWicker

EV

NORTH CAROLINA

HOUSE OF REPRESENTATIVES

ROLL CALL

SQ. # 144
LEGISLATIVE DAY 30
S104
READING 2

3/16/95
3:15 PM
IN CHAIR: SPEAKER

AMEND #1
REVENUE LAWS TECHNICAL CHANGES
Committee Amendment

AYES - 101

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

NOES - 0

EXCUSED ABSENCE - 10

ALDRIDGE	ESPOSITO	OLDHAM	TALLENT
BRAWLEY	HUNT	SUTTON	THOMPSON
CANSLER	NEELY		

EXCUSED VOTE - 0

NOT VOTING - 9

SPEAKER	HUNTER, H.	LEMMOND	NICHOLS
ADAMS	HUNTER, R.	MICHAUX	WAINWRIGHT
FITCH			

RC

NORTH CAROLINA
HOUSE OF REPRESENTATIVES
ROLL CALL

Q. # 145
GISLATIVE DAY 30
S104
READING 2

3/16/95
3:22 PM
IN CHAIR: SPEAKER

REVENUE LAWS TECHNICAL CHANGES

AYES - 102

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

NOES - 4

EASTERLING	MCLAUGHLIN	RAMSEY	REDWINE

EXCUSED ABSENCE - 10

ALDRIDGE	ESPOSITO	OLDHAM	TALLENT
BRAWLEY	HUNT	SUTTON	THOMPSON
CANSLER	NEELY		

EXCUSED VOTE - 0

NOT VOTING - 4

SPEAKER	BOWEN	BOWIE	FITCH

RC

NORTH CAROLINA
HOUSE OF REPRESENTATIVES
ROLL CALL

SEQ. # 158
LEGISLATIVE DAY 31
S104
READING 3

3/20/95
7:47 PM
IN CHAIR: SPEAKER

REVENUE LAWS TECHNICAL CHANGES

AYES - 102

ADAMS	CUMMINGS	JUSTUS	PRESTON
ALEXANDER	CUNNINGHAM	KISER	PULLEY
ALLRED	DAUGHTRY	LEE	RAMSEY
ARNOLD	DAVIS	LEMMOND	RAYFIELD
BAKER	DECKER	LINNEY	REYNOLDS
BARBEE	DICKSON	LOCKE	ROBINSON
BARNES	DOCKHAM	MCALLISTER	ROGERS
BEALL	EARLE	MCCOMAS	RUSSELL
BLACK	EASTERLING	MCCOMBS	SEXTON
BLUE	EDDINS	MCCRARY	SHARPE
BOWEN	EDWARDS	MCLAUGHLIN	SHAW
BOYD-MCINTYRE	FITCH	MCMAHAN	SHERRILL
BRASWELL	FOX	MERCER	SHUBERT
BRAWLEY	GAMBLE	MICHAUX	SUTTON
BROWN, J.	GARDNER	MILLER, G.	TALLENT
BUCHANAN	GRAY	MILLER, K.	TOLSON
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	OLDHAM	WOMBLE
CREECH	HOWARD	OWENS	WRIGHT
CULP	HURLEY	PATE	YONGUE
CULPEPPER	IVES		

NOES - 2

REDWINE	WOOD

EXCUSED ABSENCE - 10

ALDRIDGE	ESPOSITO	HUNTER, R.	SNOWDEN
BERRY	GRADY	LUEBKE	THOMPSON
BOWIE	HUNT		

EXCUSED VOTE - 0

NOT VOTING - 6

SPEAKER	ELLIS	RICHARDSON	WAINWRIGHT
BROWN, W.	HUNTER, H.		

NORTH CAROLINA GENERAL ASSEMBLY
SENATE

RECORDED VOTE

1995 SESSION

SEQ. 187/4-- 3:51 PM | MARCH 22, 1995 | LEGISLATIVE DAY 33

LT. GOVERNOR WICKER -- Presiding

COCHRANE
REVENUE LAWS TECHNICAL CHANGES

SENATE BILL 104

HOUSE AMENDMENT NO.1

MOTION 8
TO CONCUR

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

EXCUSED	0				
NOT CAST	0				
ABSENT	4	CONDER	SAWYER	SHAW	SMITH
PAIRS	0				
AYE					
NO					

FILED - SENATE
S 105 JAN 3 1 1995
PRINCIPAL CLERK

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1995

S D

SENATE DRS4523*-RKZ1(1.25)

Short Title: Minority Males Study Continuation. (Public)

Sponsors: Senators Martin of Guilford, Edwards, Gulley, and Jordan.

Referred to:

A BILL TO BE ENTITLED

AN ACT TO ESTABLISH THE STATUS OF MINORITY MALES STUDY COMMISSION.

Whereas, quality of life indicators related to racial minority male children and youth suggest that, for whatever reasons, this population is disproportionately represented at the negative end of the scale; and

Whereas, it is in the best interest of North Carolina citizens that serious efforts be undertaken to identify and develop successful approaches for moving racial minority male children and youth toward the positive end of the scale; and

Whereas, it is often asserted that in addressing problems, efforts should not be focused on a specific identified group of persons since whatever problems exist are usually not limited to that identified group; and

Whereas, the tendency to address problems related to an identified group only in the context of that total population often leads to the continuation and escalation of the problem areas; and

Whereas, it is in the best interest of North Carolina citizens that a coordinated strategy be developed for implementing measures designed to yield positive results for racial minority male children and youth; and

Whereas, the Legislative Research Commission in the 1993 General Assembly selected to study minority male children and youth under its authority pursuant to G.S. 120-30.10(b) and (c); and

Whereas, the Committee on Minority Males in its report to the 1993 Legislative Research Commission found that it did not have sufficient time to complete its work and recommended that the study of minority male children and youth be continued by the 1995 General Assembly; Now, therefore,

FILED - SENATE
S 106 JAN 31 1995
PRINCIPAL CLERK

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1995

S D

SENATE DRS2514*-LNZ061(1.12)

Short Title: School-Based Health Funds. (Public)

Sponsors: Senator Martin of Guilford.

Referred to:

A BILL TO BE ENTITLED

AN ACT TO APPROPRIATE FUNDS FOR ADDITIONAL COMPREHENSIVE SCHOOL-BASED ADOLESCENT HEALTH CENTERS.

The General Assembly of North Carolina enacts:

Section 1. There is appropriated from the General Fund to the Department of Environment, Health, and Natural Resources, Division of Maternal and Child Health, the sum of one million one hundred twenty-five thousand dollars ($1,125,000) for the 1995-96 fiscal year and the sum of one million eight hundred seventy-five thousand dollars ($1,875,000) for the 1996-97 fiscal year for 10 additional comprehensive school-based or school-linked adolescent health centers. Funds shall be used to establish one position for technical assistance and clinical support in the Division of Maternal and Child Health, and to provide an evaluation for the program. The evaluation will encompass the 14 centers that currently exist as well as the 10 centers established with funds appropriated under this section. The school-based or school-linked centers will provide primary medical care, mental health services, and health promotion and disease and injury prevention education.

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

FILED - SENATE
S107 JAN 31 1995
PRINCIPAL CLERK

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1995

S D

SENATE DRS6511*-LNZ062(1.12)

Short Title: Home Visit Funds. (Public)

Sponsors: Senator Martin of Guilford.

Referred to:

A BILL TO BE ENTITLED

AN ACT TO APPROPRIATE FUNDS TO PROVIDE HOME VISITING SERVICES FOR CERTAIN FAMILIES, AND TO AUTHORIZE AN INTERAGENCY COMMITTEE TO EVALUATE THE FAMILY OUTREACH PROGRAM.

The General Assembly of North Carolina enacts:

Section 1. There is appropriated from the General Fund to the Department of Environment, Health, and Natural Resources, Division of Maternal and Child Health, the sum of five hundred fifty thousand dollars ($550,000) for the 1995-96 fiscal year and the sum of one million fifty thousand dollars ($1,050,000) for the 1996-97 fiscal year to establish the Family Outreach Program to provide home visiting services for families at risk for child abuse and neglect. The program shall be based on the Baby Love-Maternal Outreach Worker model, and funds shall be used to enhance the Child Services Coordination program and to provide 40 family outreach workers.

Sec. 2. The Department of Environment, Health, and Natural Resources, Division of Maternal and Child Health, shall convene an interagency committee to evaluate the Family Outreach Program established under Section 1 of this act. The evaluation shall include recommendations to the Division for continual program improvement in the following areas:

(1) The identification and referral process,
(2) Maximum case loads,
(3) Service delivery, including length of service to families and intensity of services,
(4) Expected outcomes,

FILED - SENATE
S 1 0 8 JAN 3 1 1995
PRINCIPAL CLERK

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1995

S D

SENATE DRS8515*-LNZ063(1.12)

Short Title: Adoptions to District Ct. (Public)

Sponsors: Senator Martin of Guilford.

Referred to:

A BILL TO BE ENTITLED

AN ACT TO PROVIDE THAT ADOPTIONS SHALL BE IN THE DISTRICT COURT.

The General Assembly of North Carolina enacts:

Section 1. G.S. 1-272 reads as rewritten:

"**§ 1-272. Appeal from clerk to judge.**

Except for appeals from judgments of the clerk of superior court in adoption proceedings, ~~Appeals~~ appeals lie to the judge of the superior court having jurisdiction, either in session or vacation, from judgments of the clerk of the superior court in all matters of law or legal inference. Appeals from judgments of the clerk of superior court in adoption proceedings lie to the judge of the district court having jurisdiction, either in session or vacation. In case of such transfer or appeal neither party need give an undertaking for costs; and the clerk shall transmit, on the transfer or appeal, to the ~~superior~~ court, or to the judge thereof, the pleadings, or other papers, on which the issues of fact or of law arise. An appeal must be taken within 10 days after the entry of the order or judgment of the clerk upon due notice in writing to be served on the appellee and a copy of which shall be filed with the clerk of the superior court. But an appeal can only be taken by a party aggrieved, who appeared and moved for, or opposed, the order or judgment appealed from, or who, being entitled to be heard thereon, had no opportunity of being heard, which fact may be shown by affidavit or other proof."

Sec. 2. G.S. 1-273 reads as rewritten:

"**§ 1-273. Clerk to transfer issues of fact to civil issue docket.**

(a) Except as provided in subsection (b) of this section, ~~If~~ if issues of law and of fact, or of fact only, are raised before the clerk, ~~he~~ the clerk shall transfer the case to

NORTH CAROLINA GENERAL ASSEMBLY
AMENDMENT
Senate Bill 108

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

S108-ARU-001

Date Feb 20, 1995

Comm. Sub. [ ]
Amends Title [ ]

Senator Martin of Guilford

moves to amend the bill on page 3, line 10,
by rewriting the line to read:
"Sec. 7. G.S. 7A-246 reads as rewritten:
'**§7A-246. Special proceedings; exception; exceptions; guardianship and trust administration.**
The superior court division is the proper division, without regard to the amount in controversy, for the hearing and trial of all special proceedings except proceedings under the Protection of the Abused, Neglected or Exploited Disabled Adult Act (Chapter 108A, Article 6, of the General Statutes), except proceedings for involuntary commitment to treatment facilities (Chapter ~~122~~ 122C, Article 5A~~,~~ 5, of the General Statutes) Statutes), adoption proceedings (Chapter 48 of the General Statutes) and of all proceedings involving the appointment of guardians and the administration by legal guardians and trustees of express trusts of the estates of their wards and beneficiaries, according to the practice and procedure provided by law for the particular proceeding.'
Sec. 8. G.S. 7A-251 reads as rewritten:
'**§7A-251. Appeal from clerk to judge.**
(a) In all matters properly cognizable in the superior court division which are heard originally before the clerk of superior court, appeals lie to the judge of superior court having jurisdiction from all orders and judgments of the clerk for review in all matters of law or legal inference, in accordance with the procedure provided in Chapter 1 of the General Statutes.
(b) In all matters properly cognizable in the district court division which are heard originally before the clerk of superior court, appeals lie to the judge of district court having jurisdiction from all orders and judgments of the clerk for review

see p. 2

NORTH CAROLINA GENERAL ASSEMBLY
AMENDMENT
Senate Bill 108

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

S108-ARU-001

in all matters of law or legal inference, in accordance with the procedure provided in Chapter 1 of the General Statutes.'

Sec. 9. This act becomes effective October 1, 1995, and applies to".

SIGNED _____
Amendment Sponsor

SIGNED _____
Committee Chair if Senate Committee Amendment

ADOPTED 2-20-95 FAILED _____ TABLED _____

(42-0)

NORTH CAROLINA GENERAL ASSEMBLY
SENATE

RECORDED VOTE

1995 SESSION

SEQ. 70/4-- 7:18 PM | FEBRUARY 20, 1995 | LEGISLATIVE DAY 15

LT. GOVERNOR WICKER -- Presiding

MARTIN W.
ADOPTIONS TO DISTRICT CT.

SENATE BILL 108

AMEND 1

AYE	43	ALBERTSON	DANNELLY	KERR	PLYLER
		ALLRAN	DAVIS	KINCAID	RAND
		BALLANCE	EAST	LEDBETTER	SAWYER
		BALLANTINE	EDWARDS	LITTLE	SHAW
		BASNIGHT	FORRESTER	LUCAS	SHERRON
		CARPENTER	FOXX	MARTIN W.	SIMPSON
		CARRINGTON	GULLEY	MCDANIEL	SPEED
		CLARK	HOBBS	ODOM	WARREN
		COCHRANE	HORTON	PARNELL	WEBSTER
		CONDER	HOYLE	PERDUE	WINNER
		COOPER	JORDAN	PLEXICO	
NO	0				
EXCUSED	0				
NOT CAST	2	BLACKMON	MCKOY		
ABSENT	4	HARTSELL	MARTIN R.	SMITH	SOLES
PAIRS	0				
AYE					
NO					

NORTH CAROLINA GENERAL ASSEMBLY
SENATE

RECORDED VOTE

1995 SESSION

SEQ. 71/5-- 7:18 PM | FEBRUARY 20, 1995 | LEGISLATIVE DAY 15

LT. GOVERNOR WICKER -- Presiding

MARTIN W.
ADOPTIONS TO DISTRICT CT.

SENATE BILL 108
READING 2

AYE	42	ALBERTSON	DANNELLY	KERR	PLEXICO
		ALLRAN	DAVIS	KINCAID	PLYLER
		BALLANCE	EAST	LEDBETTER	RAND
		BALLANTINE	EDWARDS	LITTLE	SHAW
		BASNIGHT	FORRESTER	LUCAS	SHERRON
		CARPENTER	FOXX	MARTIN W.	SIMPSON
		CARRINGTON	GULLEY	MCDANIEL	SPEED
		CLARK	HOBBS	ODOM	WARREN
		COCHRANE	HORTON	PARNELL	WEBSTER
		CONDER	HOYLE	PERDUE	WINNER
		COOPER	JORDAN		
NO	0				
EXCUSED	0				
NOT CAST	3	BLACKMON	MCKOY	SAWYER	
ABSENT	4	HARTSELL	MARTIN R.	SMITH	SOLES
PAIRS	0				
AYE					
NO					

NORTH CAROLINA GENERAL ASSEMBLY
SENATE

RECORDED VOTE

1995 SESSION

SEQ. 78/5-- 2:19 PM | FEBRUARY 21, 1995 | LEGISLATIVE DAY 16

LT. GOVERNOR WICKER -- Presiding

MARTIN W.
ADOPTIONS TO DISTRICT CT.

SENATE BILL 108
READING 3

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

EXCUSED 0

NOT CAST 1 SAWYER

ABSENT 2 MARTIN R. SMITH

PAIRS 0
AYE
NO

NORTH CAROLINA
HOUSE OF REPRESENTATIVES
ROLL CALL

CV

. # 862
EGISLATIVE DAY 65
S108
READING 2

5/17/95
2:03 PM
IN CHAIR: SPEAKER

ADOPTIONS TO DISTRICT COURT

AYES - 110

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

NOES - 0

EXCUSED ABSENCE - 3

CANSLER	FITCH	LEE

EXCUSED VOTE - 0

NOT VOTING - 7

SPEAKER	GRAY	LEMMOND	WILSON, C.
CRAWFORD	HOLMES	SHAW	

FILED - SENATE

S109 JAN 31 1995

PRINCIPAL CLERK

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1995

S D

SENATE DRSA501*-LC019(1.1)

Short Title: Aquaculture Sales Tax Exemption. (Public)

Sponsors: Senator Albertson.

Referred to:

A BILL TO BE ENTITLED

AN ACT TO PROVIDE THAT SALES TAX PREFERENCES FOR AGRICULTURE APPLY TO AQUACULTURE.

The General Assembly of North Carolina enacts:

Section 1. G.S. 105-164.3 is amended by renumbering subdivision (1) as subdivision (2) and adding the following definitions in the appropriate alphabetical order:

"(1) Aquaculture. -- Defined in G.S. 106-758.

(1.1) Aquaculture facility. -- Defined in G.S. 106-758.

(1.2) Aquatic species. -- Defined in G.S. 106-758."

Sec. 2. G.S. 105-164.4(a)(1d) reads as rewritten:

"(1d) The rate of one percent (1%) applies to the sales price of the following articles. The maximum tax is eighty dollars ($80.00) per article.

a. Sales of machines and machinery, whether animal or motor drawn or operated, and parts and accessories for these machines and machinery, to farmers, dairy operators, poultry farmers, egg producers, livestock farmers, and aquatic species farmers for use by them in the planting, cultivating, harvesting, or curing of farm crops, in the production of dairy products, poultry, eggs, or livestock, or in aquaculture. Items that are exempt from tax under G.S. 105-164.13(4c) are not subject to tax under this section. ~~such machines and machinery to farmers for use by them in the planting, cultivating, harvesting or curing of farm crops, and~~

FILED - SENATE
S 1 1 0 JAN 31 1995
PRINCIPAL CLERK

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1995

S D

SENATE DRS2506*-RD$001(12.1)

Short Title: Fund Shellfish Lease Program. (Public)

Sponsors: Senator Albertson.

Referred to:

A BILL TO BE ENTITLED

AN ACT TO APPROPRIATE FUNDS TO THE DEPARTMENT OF ENVIRONMENT, HEALTH, AND NATURAL RESOURCES TO FUND THE SHELLFISH LEASE PROGRAM.

The General Assembly of North Carolina enacts:

Section 1. There is appropriated from the General Fund to the Department of Environment, Health, and Natural Resources, Division of Marine Fisheries, the sum of two hundred sixty-three thousand seven hundred eighteen dollars ($263,718) for the 1995-96 fiscal year and the sum of one hundred thirty-four thousand eight hundred thirty-eight dollars ($134,838) for the 1996-97 fiscal year for four positions for the Shellfish Lease Program, including administrative expenses, equipment, and other program costs.

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

FILED - SENATE

S 1 1 1 JAN 3 1 1995

PRINCIPAL CLERK

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1995

S D

SENATE DRS3507*-RD$005(12.1)

Short Title: Continue Shellfish Enhancement Funds. (Public)

Sponsors: Senator Albertson.

Referred to:

A BILL TO BE ENTITLED

AN ACT TO APPROPRIATE FUNDS TO THE COOPERATIVE INSTITUTE FOR FISHERIES OCEANOGRAPHY TO CONTINUE THE SHELLFISH ENHANCEMENT PROGRAM.

The General Assembly of North Carolina enacts:

Section 1. There is appropriated from the General Fund to the Board of Governors of The University of North Carolina the sum of three hundred fifty thousand dollars ($350,000) for the 1995-96 fiscal year and the sum of two hundred fifty thousand dollars ($250,000) for the 1996-97 fiscal year for the Cooperative Institute for Fisheries Oceanography to continue to operate a shellfish enhancement program. Funds appropriated under this section may be used for personnel and administrative costs.

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

FILED - SENATE
S 1 1 2 JAN 3 1 1995
PRINCIPAL CLERK

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1995

S D

SENATE DRS3508*-RD$004.1(12.1)

Short Title: Fund Marine Fisheries Patrol. (Public)

Sponsors: Senator Albertson.

Referred to:

A BILL TO BE ENTITLED

AN ACT TO APPROPRIATE FUNDS TO THE DEPARTMENT OF ENVIRONMENT, HEALTH, AND NATURAL RESOURCES TO FUND THE DIVISION OF MARINE FISHERIES TO INCREASE LAW ENFORCEMENT PERSONNEL.

The General Assembly of North Carolina enacts:

Section 1. There is appropriated from the General Fund to the Department of Environment, Health, and Natural Resources, Division of Marine Fisheries, the sum of one million two hundred eighty-one thousand eight hundred ninety-two dollars ($1,281,892) for the 1995-96 fiscal year for seven positions for law enforcement including equipment, administrative expenses, and other operating costs.

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

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1995

S D

FILED - SENATE

SENATE DRS8508*-RD$003(12.1) S 1 18

JAN 3 1995

PRINCIPAL CLERK

Short Title: Fund Official Activities of MFC. (Public)

Sponsors: Senator Albertson.

Referred to:

A BILL TO BE ENTITLED

AN ACT TO APPROPRIATE FUNDS TO THE DEPARTMENT OF ENVIRONMENT, HEALTH, AND NATURAL RESOURCES TO FUND THE OFFICIAL ACTIVITIES OF THE MARINE FISHERIES COMMISSION.

The General Assembly of North Carolina enacts:

Section 1. There is appropriated from the General Fund to the Department of Environment, Health, and Natural Resources, Division of Marine Fisheries, the sum of eighty thousand dollars ($80,000) for the 1995-96 fiscal year and the sum of eighty thousand dollars ($80,000) for the 1996-97 fiscal year for two positions and other costs of official business of the Marine Fisheries Commission.

Sec. 2. There is appropriated from the General Fund to the Department of Environment, Health, and Natural Resources, Division of Marine Fisheries, the sum of ten thousand dollars ($10,000) for the 1995-96 fiscal year and the sum of ten thousand dollars ($10,000) for the 1996-97 fiscal year for temporary clerical support for official business of the Marine Fisheries Commission.

Sec. 3. The use of funds appropriated in Section 2 of this act shall be authorized by the Marine Fisheries Commission and may be used at sites and for programs deemed necessary by the Commission.

Sec. 4. This act becomes effective July 1, 1995.

FILED - SENATE
S 1 1 4 JAN 3 1 1995
PRINCIPAL CLERK

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1995

S D

SENATE DRS4505*-RD$002(12.1)

Short Title: Fund Shellfish Mapping. (Public)

Sponsors: Senator Albertson.

Referred to:

A BILL TO BE ENTITLED

AN ACT TO APPROPRIATE FUNDS TO THE DEPARTMENT OF ENVIRONMENT, HEALTH, AND NATURAL RESOURCES TO FUND THE SHELLFISH MAPPING PROGRAM.

The General Assembly of North Carolina enacts:

Section 1. There is appropriated from the General Fund to the Department of Environment, Health, and Natural Resources, Division of Marine Fisheries, the sum of one hundred seventy-seven thousand three hundred three dollars ($177,303) for the 1995-96 fiscal year and the sum of one hundred nineteen thousand nine hundred ninety-four dollars ($119,994) for the 1996-97 fiscal year for three positions for the Shellfish Mapping Program including administrative expenses, equipment, and other program costs.

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

FILED - SENATE

S 1 1 5 JAN 3 1 1995

PRINCIPAL CLERK

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1995

S D

SENATE DRS8505*-RUZ(IMMUN)011(1.19)

Short Title: St. Employee Liab. Trust Fund. (Public)

Sponsors: Senator Winner.

Referred to:

A BILL TO BE ENTITLED

AN ACT TO AUTHORIZE THE CREATION OF SELF-INSURANCE TRUST FUNDS TO PROVIDE PROFESSIONAL LIABILITY INSURANCE COVERAGE FOR STATE EMPLOYEES AND TO APPROPRIATE FUNDS TO A RESERVE FUND TO PROVIDE THE INITIAL FUNDING IF THE TRUST IS CREATED.

The General Assembly of North Carolina enacts:

Section 1. G.S. 58-32-15 reads as rewritten:

"**§ 58-32-15. Professional liability insurance for State ~~officials.~~ officials and employees.**

(a) The Commission may ~~acquire~~ provide professional liability insurance covering the officers and employees, or any group thereof, of any State department, institution or agency or any community college or technical ~~college.~~ college, through the purchase of contracts of insurance or the creation of self-insurance trusts, or through a combination of insurance and self-insurance trusts, as coverage in excess of the protection provided for in Article 31 and Article 32 of Chapter 143 of the General Statutes. Subject to the other provisions of this Article, the coverage to be provided through insurance or self-insurance trusts, or both, may include provisions for the payment of litigation expenses, civil judgments, or settlement amounts for claims or actions to which this Article applies. Premiums for ~~such~~ insurance or amounts necessary to fund self-insurance trusts shall be paid by the ~~requesting~~ covered department, institution, agency, or community college or technical college at rates established by the Commission, from funds made available to ~~such~~ that department, institution, agency, or community college or technical college for the ~~purpose.~~ purpose, as provided in G.S. 58-32-17.

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1995

S D

SENATE DRS1503*-RUZ(IMMUN)(1.19)

FILED
S 1 16 JAN 1995
PRINCIPAL CLERK

Short Title: Duty to Defend State Employees. (Public)

Sponsors: Senator Winner.

Referred to:

A BILL TO BE ENTITLED

AN ACT TO AMEND THE LAWS PROVIDING FOR THE DEFENSE OF STATE EMPLOYEES FROM TORT CLAIMS ARISING IN THE SCOPE OR COURSE OF THEIR EMPLOYMENT.

The General Assembly of North Carolina enacts:

Section 1. G.S. 143-300.3 reads as rewritten:

"**§ 143-300.3. Defense of State employees.**

Except as otherwise provided in G.S. 143-300.4, upon request of an employee or former employee, the State ~~may~~ shall provide for the defense of any civil ~~or criminal~~ action or ~~proceeding~~ proceeding, and may provide for the defense of any criminal action or proceeding, brought against ~~him~~ the employee in ~~his~~ the employee's official or individual capacity, or both, on account of an act done or omission made in the scope and course of ~~his~~ the employee's employment as a State employee."

Sec. 2. G.S. 143-300.4 reads as rewritten:

"**§ 143-300.4. Grounds for refusal of defense.**

(a) The State shall refuse to provide for the defense of a civil or criminal action or proceeding brought against an employee or former employee if the State determines that:

(1) The act or omission was not within the scope and course of ~~his~~ the employee's employment as a State employee; or

(2) The employee or former employee acted or failed to act because of ~~actual fraud, corruption, or actual malice on his part; or~~ gross negligence, wanton conduct, or intentional wrongdoing on the employee's part.

NORTH CAROLINA GENERAL ASSEMBLY
SENATE

RECORDED VOTE

1995 SESSION

SEQ. 1129/6-- 2:48 PM JUNE 29, 1995 LEGISLATIVE DAY 90

SENATOR BASNIGHT -- Presiding

WINNER
DUTY TO DEFEND STATE EMPLOYEES

SENATE BILL 116
READING 2

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

EXCUSED	0				
NOT CAST	4	ALBERTSON	HARTSELL	KINCAID	WARREN
ABSENT	1	SMITH			
PAIRS	0				
AYE					
NO					

(CONTINUED)

NORTH CAROLINA GENERAL ASSEMBLY
SENATE

RECORDED VOTE

1995 SESSION

SEQ. 1148/25-- 5:44 PM JUNE 29, 1995 LEGISLATIVE DAY 90

SENATOR BASNIGHT -- Presiding

WINNER
DUTY TO DEFEND STATE EMPLOYEES

SENATE BILL 116
READING 2

AYE	45	ALBERTSON	DAVIS	KINCAID	PERDUE
		ALLRAN	EAST	LEDBETTER	PLEXICO
		BALLANCE	EDWARDS	LITTLE	PLYLER
		BALLANTINE	FORRESTER	LUCAS	RAND
		BASNIGHT	FOXX	MARTIN R.	SAWYER
		BLACKMON	GULLEY	MARTIN W.	SHAW
		CARPENTER	HOBBS	MCDANIEL	SHERRON
		CLARK	HORTON	MCKOY	SIMPSON
		COCHRANE	HOYLE	ODOM	SOLES
		CONDER	JORDAN	PAGE	SPEED
		COOPER	KERR	PARNELL	WINNER
		DANNELLY			
NO	2	CARRINGTON	WEBSTER		
EXCUSED	0				
NOT CAST	2	HARTSELL	WARREN		
ABSENT	1	SMITH			
PAIRS	0				
AYE					
NO					

(COPY)

NORTH CAROLINA GENERAL ASSEMBLY
SENATE

RECORDED VOTE

1995 SESSION

SEQ. 1148/25-- 5:44 PM JUNE 29, 1995 LEGISLATIVE DAY 90

SENATOR BASNIGHT -- Presiding

WINNER
DUTY TO DEFEND STATE EMPLOYEES

SENATE BILL 116
READING 2

RECORDED
AYE 2 ALBERTSON KINCAID

ADJUSTED TOTAL
AYE 45
NO 2
NOT CAST 2
ABSENT 1

(COPY)

FILED - SENATE
S 117 JAN 31 1995
PRINCIPAL CLERK

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1995

S **D**

SENATE DRS9503*-RUZ(IMMUN)010(1.19)

Short Title: Tort Liability/Immunity Study. (Public)

Sponsors: Senator Winner.

Referred to:

A BILL TO BE ENTITLED

AN ACT TO CREATE THE STATE AND LOCAL GOVERNMENT TORT LIABILITY AND IMMUNITY STUDY COMMISSION.

The General Assembly of North Carolina enacts:

Section 1. (a) There is created the State and Local Government Tort Liability and Immunity Study Commission to be composed of 20 members appointed as follows:

(1) The President Pro Tempore of the Senate shall appoint four members from the membership of the Senate and two members from a list of four persons recommended by the President of the North Carolina Association of County Commissioners.

(2) The Speaker of the House of Representatives shall appoint four members from the membership of the House of Representatives and two members from a list of four persons recommended by the President of the North Carolina League of Municipalities.

(3) The Governor shall appoint one member who shall be a representative of the Department of Transportation and one member from a list of two persons recommended by the President of the North Carolina State Employees Association.

(4) The Attorney General shall appoint one member who shall be a representative of the Department of Justice.

(5) The Commissioner of Insurance shall appoint one member from a list of two persons recommended by the Public Officers and Employees Insurance Liability Commission.

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1995

FILED - SENATE
S 1
JAN 24 1995
PRINCIPAL CLERK

S D

SENATE DRS8506*-RUZ(IMMUN)013(1.19)

Short Title: Clarify Vol. EMS Liability. (Public)

Sponsors: Senator Winner.

Referred to:

A BILL TO BE ENTITLED

AN ACT TO CLARIFY THAT UNPAID VOLUNTEER MEDICAL DIRECTORS FOR EMERGENCY MEDICAL SERVICES (EMS) AGENCIES ARE COVERED BY THE GOOD SAMARITAN STATUTE.

The General Assembly of North Carolina enacts:

Section 1. G.S. 90-21.14 reads as rewritten:

"**§ 90-21.14. First aid or emergency treatment; liability limitation.**

(a) Any person, including a volunteer medical or health care provider at a facility of a local health department as defined in G.S. 130A-2 or at a nonprofit community health center or a volunteer member of a rescue squad, who receives no compensation for his services as an emergency medical care provider, who renders first aid or emergency health care treatment to a person who is unconscious, ill or injured,

(1) When the reasonably apparent circumstances require prompt decisions and actions in medical or other health care, and

(2) When the necessity of immediate health care treatment is so reasonably apparent that any delay in the rendering of the treatment would seriously worsen the physical condition or endanger the life of the person,

shall not be liable for damages for injuries alleged to have been sustained by the person or for damages for the death of the person alleged to have occurred by reason of an act or omission in the rendering of the treatment unless it is established that the injuries were or the death was caused by gross negligence, wanton conduct or intentional wrongdoing on the part of the person rendering the treatment.

NORTH CAROLINA GENERAL ASSEMBLY
SENATE

RECORDED VOTE

1995 SESSION

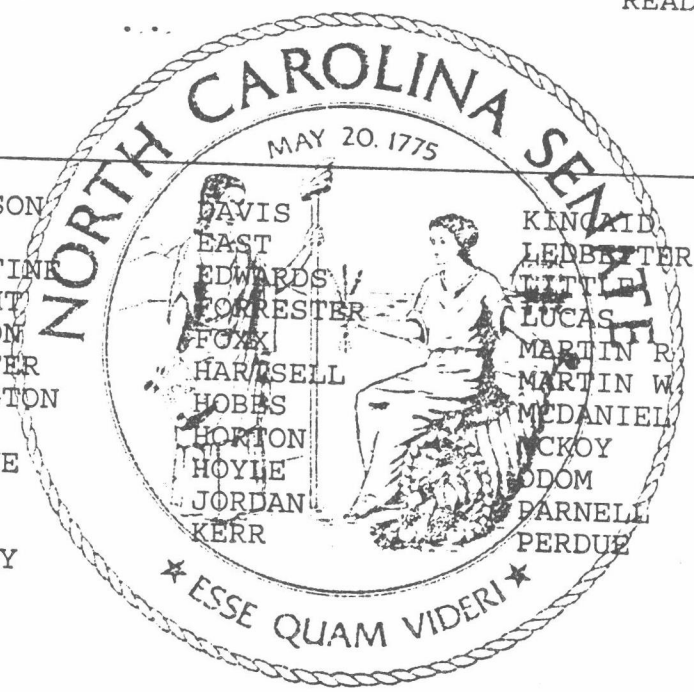
SEQ. 105/3-- 3:10 PM | MARCH 1, 1995 | LEGISLATIVE DAY 21

LT. GOVERNOR WICKER -- Presiding

WINNER
CLARIFY VOL. EMS LIABILITY

SENATE BILL 118
READING 2

...



AYE	45	ALBERTSON	DAVIS	KINCAID	PLEXICO
		ALLRAN	EAST	LEDBETTER	PLYLER
		BALLANTINE	EDWARDS	LITTLE	RAND
		BASNIGHT	FORRESTER	LUCAS	SHAW
		BLACKMON	FOXX	MARTIN R.	SHERRON
		CARPENTER	HARTSELL	MARTIN W.	SIMPSON
		CARRINGTON	HOBBS	McDANIEL	SOLES
		CLARK	HORTON	McKOY	SPEED
		COCHRANE	HOYLE	ODOM	WARREN
		CONDER	JORDAN	PARNELL	WEBSTER
		COOPER	KERR	PERDUE	WINNER
		DANNELLY			
NO	0				

EXCUSED	0			
NOT CAST	1	SAWYER		
ABSENT	3	BALLANCE	GULLEY	SMITH
PAIRS	0			
AYE				
NO				

FILED - SENATE
S 1 1 9 JAN 3 1 1995
PRINCIPAL CLERK

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1995

S D

SENATE DRS3505*-RUZ(IMMUN)012(1.19)

Short Title: Immunity for Vol. Engineers. (Public)

Sponsors: Senator Winner.

Referred to:

A BILL TO BE ENTITLED

AN ACT TO PROVIDE QUALIFIED IMMUNITY TO PROFESSIONAL ENGINEERS WHO VOLUNTARILY PROVIDE ENGINEERING SERVICES DURING AN EMERGENCY WITHOUT COMPENSATION.

The General Assembly of North Carolina enacts:

Section 1. Chapter 89C of the General Statutes is amended by adding a new section to read:

"**§ 89C-19.1. Engineer who volunteers during an emergency; qualified immunity.**

(a) A professional engineer who voluntarily, without compensation, provides structural, electrical, mechanical, or other engineering services at the scene of a declared emergency, whether national, State, or local, arising from a major earthquake, hurricane, tornado, fire, explosion, collapse, or other similar disaster or catastrophic event, at the request of a public official, law enforcement official, public safety official, or building inspection official, acting in an official capacity, shall not be liable for any personal injury, wrongful death, property damage, or other loss caused by the professional engineer's acts or omissions in the performance of the engineering services.

(b) The immunity provided in subsection (a) of this section applies only to an engineering service:

(1) For any structure, building, piping, or other engineered system, either publicly or privately owned.

(2) That occurs within 45 days after the declaration of the emergency, disaster, or catastrophic event, unless the 45-day immunity period is extended by an executive order issued by the Governor under the Governor's emergency executive powers.

NORTH CAROLINA GENERAL ASSEMBLY
SENATE

RECORDED VOTE

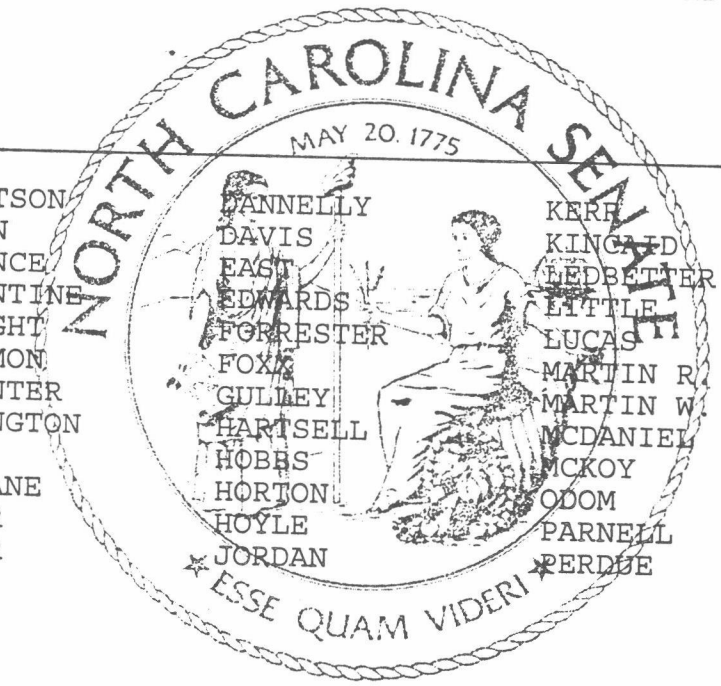
1995 SESSION

SEQ. 121/5-- 2:29 PM MARCH 7, 1995 LEGISLATIVE DAY 24

LT. GOVERNOR WICKER -- Presiding

WINNER
IMMUNITY FOR VOL. ENGINEERS
COM SUB/2ND EDITION

SENATE BILL 119
READING 2



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

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

NORTH CAROLINA
HOUSE OF REPRESENTATIVES
ROLL CALL

[redacted]. # 1207
[redacted]ISLATIVE DAY 84
S119 HCS # 2
READING 2

6/20/95
4:52 PM
IN CHAIR: SPEAKER

IMMUNITY FOR VOLUNT. ENGINEERS/ARCHITECTS

AYES - 102

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

NOES - 4

HACKNEY	HENSLEY	RICHARDSON	SUTTON

EXCUSED ABSENCE - 5

CHURCH	THOMPSON	WAINWRIGHT	YONGUE
HURLEY			

EXCUSED VOTE - 0

NOT VOTING - 9

SPEAKER	COCKLEREECE	GRAY	TALLENT
ALLRED	CREECH	MCLAUGHLIN	WILSON, G.
BRAWLEY			

S119 HCS

NORTH CAROLINA GENERAL ASSEMBLY
CONFERENCE REPORT
Senate Bill 119

S119-CRRU-001

[ ] 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 119, AN ACT TO PROVIDE QUALIFIED IMMUNITY TO PROFESSIONAL ENGINEERS AND ARCHITECTS WHO VOLUNTARILY PROVIDE ENGINEERING SERVICES DURING A DECLARED EMERGENCY OR DISASTER WITHOUT COMPENSATION, House Committee Substitute Favorable 6/12/95, submit the following report:

The Senate and House agree to the following amendments to the House Committee Substitute Favorable 6/12/95, and the Senate concurs in the House Committee Substitute as amended:

on page 1, line 17, page 2, lines 8 and 37, and page 3, line 6 by inserting between the words "injury," and "property" the words "wrongful death,";

and, on page 2, line 10, and page 3, line 8 by deleting the words "with respect to" and substituting the words "arose out of".

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

Date conferees approved report: July 6, 1995.

Conferees for the Senate

Senator Leslie Winner

Senator Fred Hobbs

Senator Patrick J. Ballantine

Conferees for the House of Representatives

Rep. Louis M. Pate, Jr.

Rep. Gregg Thompson

Rep. Bill Culpepper

Submitted 7-7-95
SEN. ADOPTED 7-7-95 (47, 0) Message Received 7-10-95
HOUSE ADOPTED 7-10-95 (1) Ordered Enrolled 7-10-95

SEND MESSAGE / Ref

NORTH CAROLINA GENERAL ASSEMBLY
SENATE

RECORDED VOTE

1995 SESSION

SEQ. 1238/12--12:29 PM JULY 7, 1995 LEGISLATIVE DAY 95

LT. GOVERNOR WICKER -- Presiding

WINNER
IMMUNITY/VOL. ENGINEERS/ARCHITECTS
HOUSE COM SUB/3RD EDITION

SENATE BILL 119

CONFERENCE REPORT

MOTION 7
TO ADOPT

AYE	47	ALBERTSON	DANNELLY	KERR	PLEXICO
		ALLRAN	DAVIS	LEDBETTER	PLYLER
		BALLANCE	EAST	LITTLE	RAND
		BALLANTINE	EDWARDS	LUCAS	SHAW
		BASNIGHT	FORRESTER	MARTIN R.	SHERRON
		BLACKMON	FOXX	MARTIN W.	SIMPSON
		CARPENTER	GULLEY	MCDANIEL	SOLES
		CARRINGTON	HARTSELL	MCKOY	SPEED
		CLARK	HOBBS	ODOM	WARREN
		COCHRANE	HORTON	PAGE	WEBSTER
		CONDER	HOYLE	PARNELL	WINNER
		COOPER	JORDAN	PERDUE	
NO	0				
EXCUSED	0				
NOT CAST	2	KINCAID	SMITH		
ABSENT	1	SAWYER			
PAIRS	0				
AYE					
NO					

EV

NORTH CAROLINA
HOUSE OF REPRESENTATIVES
ROLL CALL

SEQ. # 1513
LEGISLATIVE DAY 95
S119 HCS
CONFERENCE REPORT

7/10/95
4:18 PM
IN CHAIR: SPEAKER

IMMUNITY FOR VOLUNT. ENGINEERS/ARCHITECTS

AYES - 93

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

NOES - 2

FITCH	HACKNEY

EXCUSED ABSENCE - 8

HIGHTOWER	MCCRARY	ROBINSON, G.	WAINWRIGHT
MCCOMAS	MILLER, G.	SUTTON	WILSON, C.

EXCUSED VOTE - 0

NOT VOTING - 17

SPEAKER	BROWN, W.	LOCKE	PRESTON
BARNES	EARLE	MCALLISTER	SHAW
BLACK	HUNTER, H.	MICHAUX	WOOD
BLUE	HUNTER, R.	MILLER, K.	WRIGHT
BOWIE			

FILED - SENATE
S 1 2 0 JAN 3 1 1995
PRINCIPAL CLERK

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1995

S D

SENATE DRS9524-LCXZ008(1.1)

Short Title: Make Bond Taxation Uniform. (Public)

Sponsors: Senators Kerr, Cochrane, and Hoyle.

Referred to:

A BILL TO BE ENTITLED

AN ACT TO PROVIDE UNIFORM TAX TREATMENT OF NORTH CAROLINA OBLIGATIONS AND FEDERAL OBLIGATIONS.

The General Assembly of North Carolina enacts:

Section 1. Article 1 of Chapter 53A of the General Statutes is repealed.

Sec. 2. G.S. 63A-9(l) reads as rewritten:

"(l) Bonds and notes ~~and their transfer, including any profit made on their sale,~~ are exempt from all State, county, and municipal taxation or assessment, direct or indirect, general or special, whether imposed for the purpose of general revenue or otherwise, excluding inheritance and gift ~~taxes.~~ taxes, income taxes on the gain from the transfer of bonds and notes, and franchise taxes. The interest on bonds and notes is not subject to taxation as ~~income, and the bonds and notes are not subject to taxation when constituting a part of the surplus of any bank, trust company, or other corporation.~~ income."

Sec. 3. G.S. 105-134.6 reads as rewritten:

"**§ 105-134.6. Adjustments to taxable income.**

(a) S Corporations. -- The pro rata share of each shareholder in the income attributable to the State of an S Corporation shall be adjusted as provided in G.S. 105-130.5. The pro rata share of each resident shareholder in the income not attributable to the State of an S Corporation shall be subject to the adjustments provided in subsections (b), (c), and (d) of this section.

(b) Deductions. -- The following deductions from taxable income shall be made in calculating North Carolina taxable income, to the extent each item is included in taxable income:

NORTH CAROLINA GENERAL ASSEMBLY
AMENDMENT
Senate Bill 120

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

S120-ARB-1

Page 1 of 1

Date March 7, 1995

Comm. Sub. [ ]
Amends Title [ ]

Senator

moves to amend the bill on page 8, line 25, by rewriting the line to read:
"are exempt from State taxation to the extent provided in the act authorizing their issuance. If the act authorizing the issuance of the instruments does not address exemption from taxation, then they are exempt from taxation by the State or any of its subdivisions, except for";

and on page 8, line 27, by deleting the word "The" and substituting "Unless the act authorizing the issuance of the instruments provides otherwise, the".

SIGNED _____
Amendment Sponsor

SIGNED _____
Committee Chair if Senate Committee Amendment

ADOPTED 3-8-95 (V) FAILED _____ TABLED _____

NORTH CAROLINA GENERAL ASSEMBLY
SENATE

RECORDED VOTE

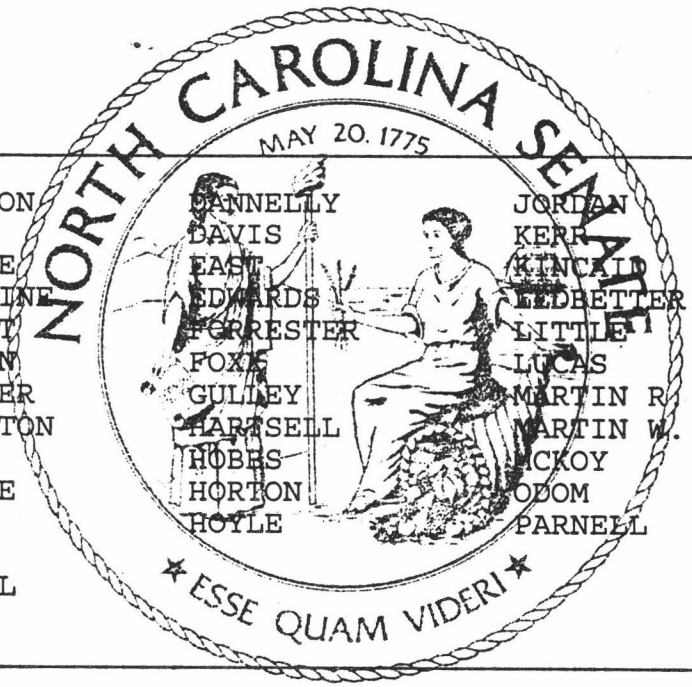
1995 SESSION

SEQ. 128/5-- 2:28 PM MARCH 8, 1995 LEGISLATIVE DAY 25

LT. GOVERNOR WICKER -- Presiding

KERR
MAKE BOND TAXATION UNIFORM

SENATE BILL 120
READING 2



AYE	44	ALBERTSON	DANNELLY	JORDAN	PERDUE
		ALLRAN	DAVIS	KERR	PLEXICO
		BALLANCE	EAST	KINCAID	PLYLER
		BALLANTINE	EDWARDS	LEDBETTER	RAND
		BASNIGHT	FORRESTER	LITTLE	SHAW
		BLACKMON	FOXX	LUCAS	SHERRON
		CARPENTER	GULLEY	MARTIN R.	SOLES
		CARRINGTON	HARTSELL	MARTIN W.	SPEED
		CLARK	HOBBS	MCKOY	WARREN
		COCHRANE	HORTON	ODOM	WEBSTER
		COOPER	HOYLE	PARNELL	WINNER
NO	1	MCDANIEL			

EXCUSED	0			
NOT CAST	1	SIMPSON		
ABSENT	3	CONDER	SAWYER	SMITH
PAIRS	0			
AYE				
NO				

NORTH CAROLINA GENERAL ASSEMBLY
SENATE

RECORDED VOTE

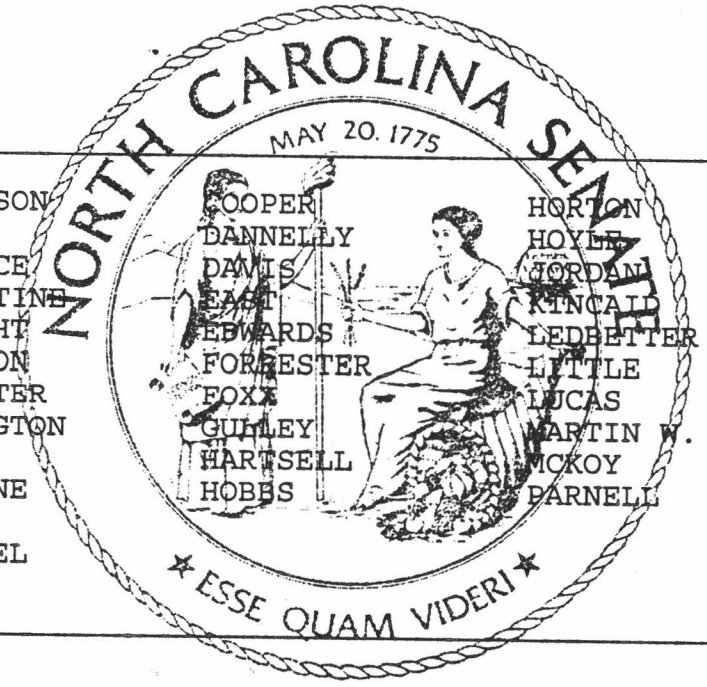
1995 SESSION

SEQ. 144/7-- 1:55 PM | MARCH 9, 1995 | LEGISLATIVE DAY 26

LT. GOVERNOR WICKER -- Presiding

KERR
MAKE BOND TAXATION UNIFORM

SENATE BILL 120
READING 3



AYE	40	ALBERTSON	COOPER	HORTON	PERDUE
		ALLRAN	DANNELLY	HOYLE	PLYLER
		BALLANCE	DAVIS	JORDAN	RAND
		BALLANTINE	EAST	KINCAID	SHAW
		BASNIGHT	EDWARDS	LEDBETTER	SHERRON
		BLACKMON	FORRESTER	LITTLE	SIMPSON
		CARPENTER	FOXX	LUCAS	SOLES
		CARRINGTON	GUNLEY	MARTIN W.	SPEED
		CLARK	HARTSELL	MCKOY	WEBSTER
		COCHRANE	HOBBS	PARNELL	WINNER
NO	1	MCDANIEL			

EXCUSED	0				
NOT CAST	3	KERR	MARTIN R.	WARREN	
ABSENT	5	CONDER ODOM	PLEXICO	SAWYER	SMITH
PAIRS	0				
AYE					
NO					

RC

NORTH CAROLINA
HOUSE OF REPRESENTATIVES
ROLL CALL

SE[redacted] # 323
[redacted]SLATIVE DAY 48
[redacted]0
READING 2

4/18/95
2:20 PM
IN CHAIR: SPEAKER

MAKE BOND TAXATION UNIFORM

AYES - 107

ADAMS	DAVIS	IVES	RAYFIELD
ALDRIDGE	DECKER	JUSTUS	REDWINE
ALEXANDER	DICKSON	KISER	REYNOLDS
ARNOLD	DOCKHAM	LEE	RICHARDSON
BAKER	EARLE	LEMMOND	ROBINSON
BARBEE	EASTERLING	LOCKE	ROGERS
BARNES	EDDINS	LUEBKE	RUSSELL
BEALL	EDWARDS	MCALLISTER	SEXTON
BLUE	ELLIS	MCCOMAS	SHARPE
BOWEN	ESPOSITO	MCCOMBS	SHERRILL
BOWIE	FITCH	MCCRARY	SHUBERT
BOYD-MCINTYRE	FOX	MCLAUGHLIN	SUTTON
BRASWELL	GAMBLE	MCMAHAN	TALLENT
BRAWLEY	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	HOWARD	OLDHAM	WOMBLE
CULP	HUNT	OWENS	WOOD
CULPEPPER	HUNTER, H.	PATE	WRIGHT
CUMMINGS	HUNTER, R.	PRESTON	YONGUE
CUNNINGHAM	HURLEY	RAMSEY	

NOES - 3

ALLRED	BERRY	CREECH

EXCUSED ABSENCE - 2

MERCER	SNOWDEN

EXCUSED VOTE - 0

NOT VOTING - 8

SPEAKER	BROWN, J.	HOLMES	PULLEY
BLACK	DAUGHTRY	LINNEY	SHAW

RC

NORTH CAROLINA

HOUSE OF REPRESENTATIVES

ROLL CALL

329
ISLATIVE DAY 49
S120
READING 3

4/19/95
2:57 PM
IN CHAIR: SPEAKER

MAKE BOND TAXATION UNIFORM

AYES - 102

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

NOES - 3

ALLRED	BERRY	CREECH

EXCUSED ABSENCE - 5

FOX	MICHAUX	SNOWDEN	WILKINS
LOCKE			

EXCUSED VOTE - 0

NOT VOTING - 10

SPEAKER	ESPOSITO	JUSTUS	RICHARDSON
BLUE	HOWARD	LEMMOND	WAINWRIGHT
CRAWFORD	HUNTER, H.		

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1995

FILED - SENATE

S

S 121 D JAN 31 1995

SENATE DRS7525-LJXZ5B(1.2)

PRINCIPAL CLERK

Short Title: Inheritance/Gift Tax Changes. (Public)

Sponsors: Senators Kerr, Cochrane, and Hoyle.

Referred to:

A BILL TO BE ENTITLED

AN ACT TO INCREASE THE CLASS A INHERITANCE TAX CREDIT, TO REDUCE THE INHERITANCE AND GIFT TAX RATES FOR CLASS B AND C BENEFICIARIES, TO CONFORM NORTH CAROLINA INHERITANCE AND GIFT TAX PROVISIONS TO FEDERAL ESTATE AND GIFT TAX PROVISIONS REGARDING QUALIFIED TERMINABLE INTEREST PROPERTY, AND TO MAKE OTHER INHERITANCE TAX CHANGES.

The General Assembly of North Carolina enacts:

Section 1. G.S. 105-4 reads as rewritten:

"**§ 105-4. Rate of tax -- Class A.**

(a) Rate. -- ~~Where the person or persons entitled to any beneficial interest in such property shall be the lineal issue, or lineal ancestor, or stepchild of the person who died possessed of such property aforesaid, or child adopted by the decedent in conformity with the laws of this State or of any of the United States, or of any foreign kingdom or nation, or a son-in-law or a daughter-in-law whose spouse is not entitled to any beneficial interest in such property of the person who died possessed of such property aforesaid, at the following rates of tax (for each one hundred dollars ($100.00) or fraction thereof) of the value of such interest:~~ A Class A beneficiary of a decedent is the decedent's lineal issue, lineal ancestor, adopted child, stepchild, or son-in-law or daughter-in-law whose spouse is not entitled to an interest in the decedent's property. The rate of tax on property transferred to a Class A beneficiary is the percentage set in the following table for each one hundred dollars ($100.00), or fraction thereof, of value of the property:

Value of Property Transferred	Rate
First $10,000	1 ~~percent~~ %

NORTH CAROLINA GENERAL ASSEMBLY
AMENDMENT
Senate Bill 121

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

S121-ALCX-7/5

Page 1 of 1

Date 7-5, 199

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

~~Rep.~~/Sen. Kerr

moves to amend the bill on page 3, lines 38 and 40, by deleting the word "July" on each line and substituting the word "August".

SIGNED J Kerr
Amendment Sponsor

SIGNED _____
Committee Chair if Senate Committee Amendment

ADOPTED 7-5-95 FAILED _____ TABLED _____
46-1

S Fish

Held to be Material

NORTH CAROLINA GENERAL ASSEMBLY
SENATE

RECORDED VOTE

1995 SESSION

SEQ. 1188/9-- 3:24 PM JULY 5, 1995 LEGISLATIVE DAY 93

LT. GOVERNOR WICKER -- Presiding

KERR
INHERITANCE TAX CHANGES
COM SUB/2ND EDITION

SENATE BILL 121

AMEND 1

AYE	46	ALBERTSON	DANNELLY	LEDBETTER	RAND
		ALLRAN	DAVIS	LITTLE	SAWYER
		BALLANCE	EAST	LUCAS	SHAW
		BALLANTINE	EDWARDS	MARTIN R.	SHERRON
		BASNIGHT	FORRESTER	MARTIN W.	SIMPSON
		BLACKMON	FOXX	ODOM	SMITH
		CARPENTER	GULLEY	PAGE	SOLES
		CARRINGTON	HARTSELL	PARNELL	SPEED
		CLARK	HOBBS	PERDUE	WARREN
		COCHRANE	HOYLE	PLEXICO	WEBSTER
		CONDER	JORDAN	PLYLER	WINNER
		COOPER	KERR		
NO	1	KINCAID			
EXCUSED	0				
NOT CAST	3	HORTON	MCDANIEL	MCKOY	
ABSENT	0				
PAIRS	0				
AYE					
NO					

NORTH CAROLINA GENERAL ASSEMBLY
SENATE

RECORDED VOTE

1995 SESSION

SEQ. 1210/16-- 4:35 PM JULY 6, 1995 LEGISLATIVE DAY 9

LT. GOVERNOR WICKER -- Presiding

KERR
INHERITANCE TAX CHANGES
COM SUB/2ND EDITION

SENATE BILL 121
READING 2

AYE	47	ALBERTSON	DAVIS	KINCAID	PLEXICO
		ALLRAN	EAST	LEDBETTER	PLYLER
		BALLANTINE	EDWARDS	LITTLE	RAND
		BASNIGHT	FORRESTER	LUCAS	SHERRON
		BLACKMON	FOXX	MARTIN R.	SIMPSON
		CARPENTER	GULLEY	MARTIN W.	SMITH
		CARRINGTON	HARTSELL	MCDANIEL	SOLES
		CLARK	HOBBS	MCKOY	SPEED
		COCHRANE	HORTON	ODOM	WARREN
		CONDER	HOYLE	PAGE	WEBSTER
		COOPER	JORDAN	PARNELL	WINNER
		DANNELLY	KERR	PERDUE	
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. 1221/27--.5:50 PM JULY 6, 1995 LEGISLATIVE DAY 9

LT. GOVERNOR WICKER -- Presiding

KERR
INHERITANCE TAX CHANGES
COM SUB/2ND EDITION

SENATE BILL 121
READING 2

AYE	47	ALBERTSON	DAVIS	KINCAID	PLEXICO
		ALLRAN	EAST	LEDBETTER	PLYLER
		BALLANTINE	EDWARDS	LITTLE	RAND
		BASNIGHT	FORRESTER	LUCAS	SHERRON
		BLACKMON	FOXX	MARTIN R.	SIMPSON
		CARPENTER	GULLEY	MARTIN W.	SMITH
		CARRINGTON	HARTSELL	MCDANIEL	SOLES
		CLARK	HOBBS	MCKOY	SPEED
		COCHRANE	HORTON	ODOM	WARREN
		CONDER	HOYLE	PAGE	WEBSTER
		COOPER	JORDAN	PARNELL	WINNER
		DANNELLY	KERR	PERDUE	
NO	0				
EXCUSED	0				
NOT CAST	1	SHAW			
ABSENT	2	BALLANCE		SAWYER	
PAIRS	0				
AYE					
NO					

(COPY)

NORTH CAROLINA GENERAL ASSEMBLY
SENATE

RECORDED VOTE

1995 SESSION

SEQ. 1221/27-- 5:50 PM JULY 6, 1995 LEGISLATIVE DAY 94

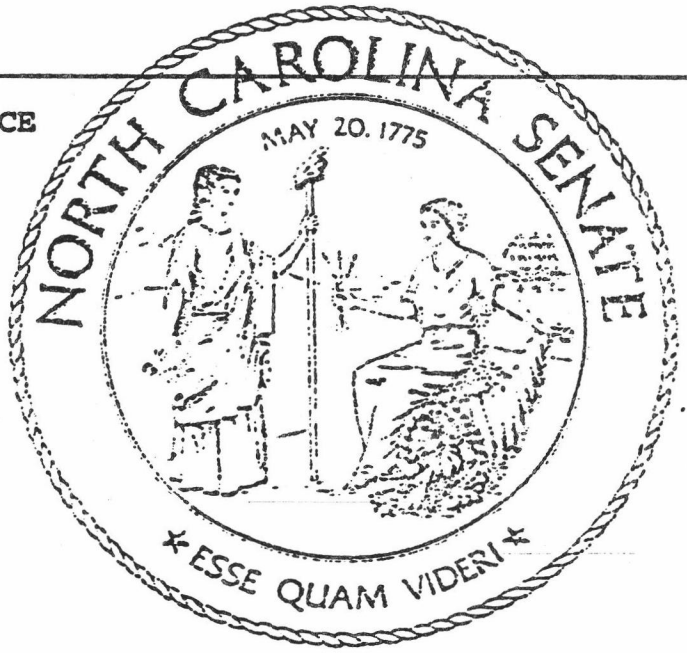
LT. GOVERNOR WICKER -- Presiding

KERR
INHERITANCE TAX CHANGES
COM SUB/2ND EDITION

SENATE BILL 121
READING 2

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. 1253/27-- 1:16 PM JULY 7, 1995 LEGISLATIVE DAY 95

LT. GOVERNOR WICKER -- Presiding

KERR
INHERITANCE TAX CHANGES
COM SUB/2ND EDITION

SENATE BILL 121
READING 3

AYE	46	ALBERTSON	DANNELLY	KERR	PERDUE
		ALLRAN	DAVIS	LEDBETTER	PLEXICO
		BALLANCE	EAST	LITTLE	RAND
		BALLANTINE	EDWARDS	LUCAS	SHAW
		BASNIGHT	FORRESTER	MARTIN R.	SHERRON
		BLACKMON	FOXX	MARTIN W.	SIMPSON
		CARPENTER	GULLEY	MCDANIEL	SOLES
		CARRINGTON	HARTSELL	MCKOY	SPEED
		CLARK	HOBBS	ODOM	WARREN
		COCHRANE	HORTON	PAGE	WEBSTER
		CONDER	HOYLE	PARNELL	WINNER
		COOPER	JORDAN		
NO	0				
EXCUSED	0				
NOT CAST	3	KINCAID	PLYLER	SMITH	
ABSENT	1	SAWYER			
PAIRS	0				
AYE					
NO					

KC

NORTH CAROLINA

HOUSE OF REPRESENTATIVES

ROLL CALL

. # 1623
ISLATIVE DAY 101
S121 SCS
READING 2

7/19/95
10:13 AM
IN CHAIR: SPEAKER

INHERITANCE TAX CHANGES

AYES - 107

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	LINNEY	ROGERS
BARNES	EASTERLING	LOCKE	RUSSELL
BEALL	EDDINS	LUEBKE	SEXTON
BERRY	EDWARDS	MCALLISTER	SHARPE
BLACK	ELLIS	MCCOMAS	SHERRILL
BOWEN	ESPOSITO	MCCOMBS	SHUBERT
BOWIE	FITCH	MCCRARY	TALLENT
BOYD-MCINTYRE	FOX	MCLAUGHLIN	THOMPSON
BROWN, W.	GAMBLE	MCMAHAN	TOLSON
BUCHANAN	GRADY	MERCER	WAINWRIGHT
CANSLER	GRAY	MICHAUX	WARNER
CAPPS	HACKNEY	MITCHELL	WATSON
CARPENTER	HAYES	MORGAN	WEATHERLY
CHURCH	HENSLEY	NEELY	WILKINS
CLARY	HIATT	NICHOLS	WILSON, C.
COCKLEREECE	HIGHTOWER	NYE	WILSON, G.
CRAWFORD	HILL	OLDHAM	WOMBLE
CREECH	HOLMES	OWENS	WOOD
CULP	HOWARD	PATE	WRIGHT
CULPEPPER	HUNT	PRESTON	YONGUE
CUMMINGS	HUNTER, R.	PULLEY	

NOES - 0

EXCUSED ABSENCE - 7

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

EXCUSED VOTE - 0

NOT VOTING - 6

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

RC

NORTH CAROLINA

HOUSE OF REPRESENTATIVES

ROLL CALL

S. # 1640
LEGISLATIVE DAY 102
S121 SCS
READING 3

7/20/95
10:36 AM
IN CHAIR: SPEAKER

INHERITANCE TAX CHANGES

AYES - 110

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

NOES - 1

ALLRED

EXCUSED ABSENCE - 6

BERRY	BRAWLEY	NICHOLS	SUTTON
BLUE	GARDNER		

EXCUSED VOTE - 0

NOT VOTING - 3

SPEAKER	ELLIS	MILLER, K.

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1995

FILED - SENATE
S 122 FEB 1 1995
PRINCIPAL CLERK

S D

SENATE JOINT RESOLUTION DRSJR5517-LC088(1.13)

Sponsors: Senator Webster.

Referred to:

A JOINT RESOLUTION AUTHORIZING THE LEGISLATIVE RESEARCH COMMISSION TO STUDY INTERSTATE TAX COOPERATION TO ELIMINATE MULTIPLE FILING BY INDIVIDUALS WHO OWE INCOME TAX TO MORE THAN ONE STATE.

Whereas, many North Carolina citizens work in border states; and

Whereas, many residents of those border states also work in North Carolina; and

Whereas, in the case of a married couple, one spouse may work in their state of residence while the other works in a border state; and

Whereas, in these cases, the individuals have to file state tax returns with more than one state; and

Whereas, even for lower-income taxpayers, filing in more than one state can be extremely complex; and

Whereas, taxpayers incur extra costs in employing tax preparers to calculate and file these complex, multiple returns and experience frustration in handling burdensome paperwork; and

Whereas, other states, notably Virginia and Maryland, have solved this problem through interstate tax agreements in which the states cooperate in exchanging and processing tax information, eliminating the need for multiple, complex tax filing by individuals; and

Whereas, such interstate cooperation may be beneficial for North Carolina and its residents;

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

Section 1. The Legislative Research Commission is authorized to study interstate tax agreements regarding income taxes of individuals who work across

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1995

S

FILED - SENATE D

SENATE DRS2524-LC094B(1.18) 123 FEB 1 1995

PRINCIPAL CLERK

Short Title: Repeal Intangibles Tax/Mandates. (Public)

Sponsors: Senators Kincaid, Cochrane, McDaniel, and Webster.

Referred to:

A BILL TO BE ENTITLED

AN ACT TO REPEAL THE INTANGIBLES TAX, TO REIMBURSE LOCAL GOVERNMENTS FOR THEIR RESULTING REVENUE LOSS, AND TO PHASE IN STATE FUNDING OF MANDATED LOCAL PROGRAMS AS REIMBURSEMENT IN FUTURE YEARS.

The General Assembly of North Carolina enacts:

Section 1. (a) Effective July 1, 1995, G.S. 105-213.1 is recodified as G.S. 105-275.2, and G.S. 105-213 is repealed.

(b) Effective January 1, 1995, the remainder of Article 7 of Chapter 105 of the General Statutes is repealed. The Secretary of Revenue shall retain from collections under Division II of Article 4 of Chapter 105 of the General Statutes the cost for the 1995-96 fiscal year of collecting, administering, and refunding the taxes levied in Article 7 of Chapter 105 of the General Statutes.

Sec. 2. G.S. 105-275 is amended by adding the following new subdivisions:

"(31a) Accounts receivable.

(31b) Bonds, notes, and other evidences of debt.

(31c) Shares of stock, including shares and units of ownership of mutual funds, investment trusts, and investment funds.

(31d) The beneficial or equitable interest in a trust, trust fund, or trust account, including custodial accounts, held by a foreign fiduciary."

Sec. 3. G.S. 105-213.1, as recodified as G.S. 105-275.2 by Section 1 of this act, reads as rewritten:

"**§ 105-275.2. Reimbursement to counties and municipalities for partial repeal of tax on intangible personal property.**

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1995

FILED - SENATE
S 124 FEB 1 1995
PRINCIPAL CLERK

S D

SENATE JOINT RESOLUTION DRSJR7528*-LG013(1.31)

Sponsors: Senator Parnell.

Referred to:

A JOINT RESOLUTION PROVIDING FOR THE CONFIRMATION OF THE APPOINTMENT OF HAL D. LINGERFELT AS COMMISSIONER OF BANKS.

Whereas, under the provisions of G.S. 53-92, appointment by the Governor of the Commissioner of Banks is subject to confirmation by the General Assembly by joint resolution; and

Whereas, the present Commissioner of Banks has resigned, effective January 9, 1995, or when his successor is confirmed; and

Whereas, the Governor has submitted to the presiding officers of the House of Representatives and the Senate, the name of his appointee to fill the term of Commissioner of Banks;

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

Section 1. The appointment of Hal D. Lingerfelt as Commissioner of Banks for the remainder of the term expiring March 31, 1995, is confirmed.

Sec. 2. The appointment of Hal D. Lingerfelt as Commissioner of Banks for a term to expire March 31, 1999, is confirmed.

Sec. 3. This resolution is effective upon ratification.

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1995

S D

FILED - SENATE
S 125 FEB 1 1995
PRINCIPAL CLERK

SENATE DRS2501*-RIZ(1.13)

Short Title: Remove Sunset on Reverse Mortgages. (Public)

Sponsors: Senator Carpenter.

Referred to:

A BILL TO BE ENTITLED

AN ACT TO REMOVE THE SUNSET ON REVERSE MORTGAGES.

The General Assembly of North Carolina enacts:

Section 1. Section 3 of Chapter 546 of the 1991 Session Laws reads as rewritten:

"Sec. 3. This act becomes effective October 1, 1991. ~~This act expires October 1, 1995. No reverse mortgage loan may be made on or after the date the act expires. The expiration of the act does not affect the validity of a reverse mortgage loan made before the date of expiration.~~"

Sec. 2. This act is effective upon ratification.

NORTH CAROLINA GENERAL ASSEMBLY
SENATE

RECORDED VOTE

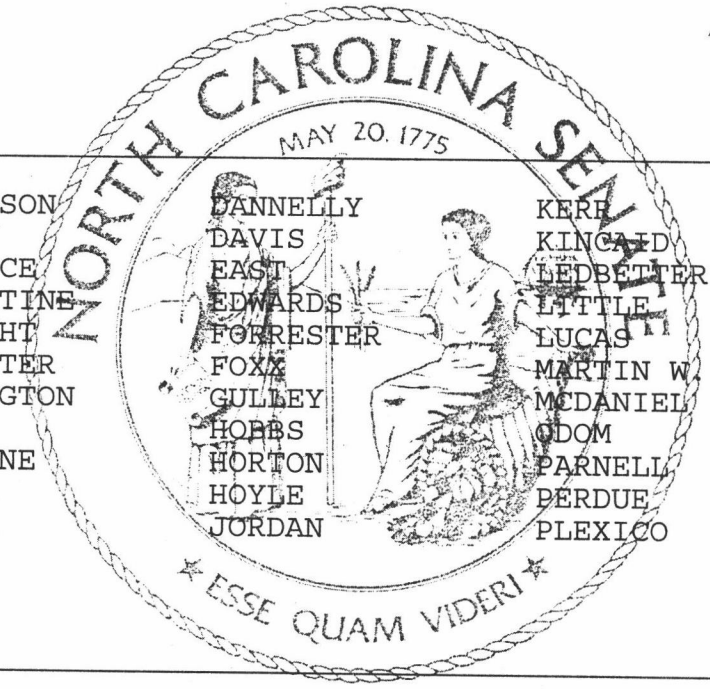
1995 SESSION

SEQ. 72/6-- 7:25 PM | FEBRUARY 20, 1995 | LEGISLATIVE DAY 15

LT. GOVERNOR WICKER -- Presiding

CARPENTER
REMOVE SUNSET ON REVERSE MORTGAGES

SENATE BILL 125
READING 2



AYE	43	ALBERTSON	DANNELLY	KERR	PLYLER
		ALLRAN	DAVIS	KINCAID	RAND
		BALLANCE	EAST	LEDBETTER	SAWYER
		BALLANTINE	EDWARDS	LITTLE	SHAW
		BASNIGHT	FORRESTER	LUCAS	SHERRON
		CARPENTER	FOXX	MARTIN W.	SIMPSON
		CARRINGTON	GULLEY	MCDANIEL	SPEED
		CLARK	HOBBS	ODOM	WARREN
		COCHRANE	HORTON	PARNELL	WEBSTER
		CONDER	HOYLE	PERDUE	WINNER
		COOPER	JORDAN	PLEXICO	
NO	0				
EXCUSED	0				
NOT CAST	2	BLACKMON	MCKOY		
ABSENT	4	HARTSELL	MARTIN R.	SMITH	SOLES
PAIRS	0				
AYE					
NO					

EV

NORTH CAROLINA

HOUSE OF REPRESENTATIVES

ROLL CALL

1948
SLATIVE DAY 127
S125 HCS #2
READING 2

6/11/96
1:39 PM
IN CHAIR: SPEAKER

ALLOW CANCELLATION BY EXHIBITION

AYES - 115

ADAMS	CULPEPPER	IVES	RAYFIELD
ALDRIDGE	CUMMINGS	JUSTUS	REDWINE
ALEXANDER	CUNNINGHAM	KISER	REYNOLDS
ALLRED	DAUGHTRY	LEE	RICHARDSON
ARNOLD	DAVIS	LEMMOND	ROBINSON, G.
BAKER	DECKER	LINNEY	ROBINSON, J.
BARBEE	DICKSON	LOCKE	ROGERS
BARNES	DOCKHAM	LUEBKE	RUSSELL
BEALL	EARLE	MCALLISTER	SEXTON
BERRY	EASTERLING	MCCOMAS	SHARPE
BLACK	EDDINS	MCCOMBS	SHAW
BLUE	EDWARDS	MCCRARY	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	MINER	WAINWRIGHT
BROWN, W.	GRAY	MITCHELL	WARNER
BUCHANAN	HACKNEY	MORGAN	WATSON
CANSLER	HAYES	NEELY	WEATHERLY
CAPPS	HENSLEY	NICHOLS	WILKINS
CARPENTER	HIATT	NYE	WILSON, C.
CHURCH	HIGHTOWER	OLDHAM	WILSON, G.
CLARY	HILL	OWENS	WOMBLE
COCKLEREECE	HOWARD	PATE	WOOD
CRAWFORD	HUNTER, H.	PRESTON	WRIGHT
CREECH	HUNTER, R.	PULLEY	YONGUE
CULP	HURLEY	RAMSEY	

NOES - 0

EXCUSED ABSENCE - 3

FITCH	HOLMES	HUNT

EXCUSED VOTE - 0

NOT VOTING - 2

SPEAKER	MILLER, K.

NORTH CAROLINA GENERAL ASSEMBLY
SENATE

RECORDED VOTE

1995 SESSION
SECOND REGULAR SESSION

SEQ. 1768/10-- 3:16 PM JUNE 20, 1996 LEGISLATIVE DAY 133

SENATOR BASNIGHT -- Presiding

CARPENTER
ALLOW CANCELLATION BY EXHIBITION
HOUSE COM SUB NO. 2/4TH EDITION

SENATE BILL 125

MOTION 8
TO CONCUR

AYE	48	ALBERTSON	COOPER	JORDAN	PARNELL
		ALLRAN	DANNELLY	KERR	PERDUE
		BALLANCE	DAVIS	KINCAID	PLEXICO
		BALLANTINE	EAST	LEDBETTER	PLYLER
		BASNIGHT	EDWARDS	LITTLE	RAND
		BLACKMON	FORRESTER	LUCAS	SHAW
		BLUST	FOXX	MARTIN R.	SIMPSON
		CARPENTER	GULLEY	MARTIN W.	SOLES
		CARRINGTON	HARTSELL	MCDANIEL	SPEED
		CLARK	HOBBS	MCKOY	WARREN
		COCHRANE	HORTON	ODOM	WEBSTER
		CONDER	HOYLE	PAGE	WINNER
NO	0				

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

(COPY)

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1995

S D

FILED - SENATE

SENATE DRS6501*-RIZ02.5(1.13)

S126 FEB 1 1995

PRINCIPAL CLERK

Short Title: Aging Comm. Sub./Long-Term Care Changes. (Public)

Sponsors: Senator Cochrane.

Referred to:

A BILL TO BE ENTITLED

AN ACT TO CREATE THE LONG-TERM CARE SUBCOMMITTEE AND TO PROVIDE FOR THE CREATION OF OTHER SUBCOMMITTEES OF THE NORTH CAROLINA STUDY COMMISSION ON AGING AND TO MAKE CHANGES TO THE LONG-TERM CARE LAW.

The General Assembly of North Carolina enacts:

Section 1. G.S. 120-186.1 reads as rewritten:

"**§ 120-186.1. Commission; ~~Alzheimer's Subcommittee.~~ Alzheimer's Subcommittee, Long-Term Care Subcommittee, and other subcommittees.**

~~The Commission cochairmen shall appoint an Alzheimer's Subcommittee. The cochairmen shall appoint as members of the Subcommittee three Commission members and at least four but no more than six non-Commission members. The Commission shall prescribe the duties of the Alzheimer's Subcommittee which may include conducting studies on the availability and efficacy of currently existing geriatric or memory disorder services and programs, advising the Commission on matters regarding Alzheimer's services and programs, and recommending to the Commission solutions to related problems.~~

(a) The Commission cochairs shall appoint subcommittees as needed to assist with the completion of the work of the Commission. These subcommittees may include an Alzheimer's Subcommittee, a Long-Term Care Subcommittee, or other special subject subcommittees. The cochairs shall appoint as members of any subcommittee not more than four Commission members and at least four but no more than six non-Commission members.

(b) The Commission cochairs shall prescribe the duties of any subcommittee created. Duties of the Alzheimer's Subcommittee may include conducting studies on

NORTH CAROLINA GENERAL ASSEMBLY
SENATE

RECORDED VOTE

1995 SESSION

SEQ. 591/7-- 3:09 PM | MAY 10, 1995 | LEGISLATIVE DAY 61

SENATOR BASNIGHT -- Presiding

COCHRANE
AGING COMMISS./LONG-TERM CARE CHGS.

SENATE BILL 126
READING 2



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

EXCUSED	0		
NOT CAST	1	WARREN	
ABSENT	2	EDWARDS	SMITH
PAIRS	0		
AYE			
NO			

NORTH CAROLINA GENERAL ASSEMBLY
SENATE

RECORDED VOTE

1995 SESSION

SEQ. 592/8-- 3:10 PM | MAY 10, 1995 | LEGISLATIVE DAY 61

SENATOR BASNIGHT -- Presiding

COCHRANE
AGING COMMISS./LONG-TERM CARE CHGS.

SENATE BILL 126
READING 3

AYE	43	ALBERTSON	DAVIS	KINCAID	PLEXICO
		ALLRAN	EAST	LEDBETTER	PLYLER
		BALLANCE	FORRESTER	LITTLE	RAND
		BASNIGHT	FOX	LUCAS	SAWYER
		BLACKMON	GULLEY	MARTIN R	SHAW
		CARPENTER	HARTSELL	MARTIN W	SHERRON
		CLARK	HOBBS	MCDANIEL	SOLES
		COCHRANE	HORTON	MCKOY	SPEED
		CONDER	HOYLE	ODOM	WEBSTER
		COOPER	JORDAN	PAGE	WINNER
		DANNELLY	KERR	PARNELL	
NO	0				
EXCUSED	0				
NOT CAST	5	BALLANTINE CARRINGTON	PERDUE	SIMPSON	WARREN
ABSENT	2	EDWARDS	SMITH		
PAIRS	0				
AYE					
NO					

(CONTINUED)

NORTH CAROLINA GENERAL ASSEMBLY
SENATE

RECORDED VOTE

1995 SESSION

SEQ. 656/72-- 8:38 PM MAY 10, 1995 LEGISLATIVE DAY 61

SENATOR BASNIGHT -- Presiding

COCHRANE
AGING COMMISS./LONG-TERM CARE CHGS.

SENATE BILL 126
READING 3



AYE	44	ALBERTSON	DAVIS	KINCAID	PERDUE
		ALLRAN	EAST	LEDBETTER	PLEXICO
		BALLANCE	FORRESTER	LITTLE	PLYLER
		BASNIGHT	FOXX	LUCAS	RAND
		BLACKMON	GULLEY	MARTIN R	SAWYER
		CARPENTER	HARTSELL	MARTIN W	SHAW
		CLARK	HOBBS	MCDANIEL	SHERRON
		COCHRANE	HORTON	MCKOY	SOLES
		CONDER	HOYLE	ODOM	SPEED
		COOPER	JORDAN	PAGE	WEBSTER
		DANNELLY	KERR	PARNELL	WINNER
NO	0				
EXCUSED	0				
NOT CAST	4	BALLANTINE	CARRINGTON	SIMPSON	WARREN
ABSENT	2	EDWARDS	SMITH		
PAIRS	0				
AYE					
NO					

(COPY)

NORTH CAROLINA GENERAL ASSEMBLY
SENATE

RECORDED VOTE

1995 SESSION

SEQ. 656/72-- 8:38 PM MAY 10, 1995 LEGISLATIVE DAY 61

SENATOR BASNIGHT -- Presiding

COCHRANE
AGING COMMISS./LONG-TERM CARE CHGS.

SENATE BILL 126
READING 3

RECORDED
AYE 1 PERDUE
ADJUSTED TOTAL
AYE 44
NO 0
NOT CAST 4
ABSENT 2

( )

EV

NORTH CAROLINA

HOUSE OF REPRESENTATIVES

ROLL CALL

[redacted] # 1959
[redacted]SLATIVE DAY 128
S126 HCS
READING 2

6/12/96
2:30 PM
IN CHAIR: SPEAKER

AGING COMM. SUBCOMM. /LONG-TERM

AYES - ~~113~~ 114 BHunter

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

R. Hunter BH

NOES - ~~1~~ 0

~~HUNTER, R.~~ BHunter

EXCUSED ABSENCE - 3

BRAWLEY	CULPEPPER	HOLMES

EXCUSED VOTE - 0

NOT VOTING - 3

SPEAKER	GRAY	TALLENT

Rep. R. Hunter request to be recorded as voting "aye". Speaker so orders.

BHunter

S126 HCS

NORTH CAROLINA GENERAL ASSEMBLY
SENATE

RECORDED VOTE

1995 SESSION
SECOND REGULAR SESSION

SEQ. 1747/36-- 4:31 PM JUNE 19, 1996 LEGISLATIVE DAY 132

LT. GOVERNOR WICKER -- Presiding

CLARK
AGING COMMISS./LONG-TERM CARE CHGS.
HOUSE COM SUB/2ND EDIITON

SENATE BILL 126

MOTION 8
TO CONCUR

AYE	47	ALBERTSON	DANNELLY	KERR	PLEXICO
		BALLANCE	DAVIS	KINCAID	PLYLER
		BALLANTINE	EAST	LEDBETTER	RAND
		BASNIGHT	EDWARDS	LUCAS	SHAW
		BLACKMON	FORRESTER	MARTIN R.	SHERRON
		BLUST	FOXX	MARTIN W.	SIMPSON
		CARPENTER	GULLEY	MCDANIEL	SMITH
		CARRINGTON	HARTSELL	MCKOY	SOLES
		CLARK	HOBBS	ODOM	SPEED
		COCHRANE	HORTON	PAGE	WARREN
		CONDER	HOYLE	PARNELL	WEBSTER
		COOPER	JORDAN	PERDUE	
NO	0				

EXCUSED	0		
NOT CAST	2	ALLRAN	WINNER
ABSENT	1	LITTLE	
PAIRS	0		
AYE			
NO			

NORTH CAROLINA GENERAL ASSEMBLY
SENATE

RECORDED VOTE

1995 SESSION

SEQ. 495/27-- 6:26 PM MAY 8, 1995 LEGISLATIVE DAY 59

LT. GOVERNOR WICKER -- Presiding

COCHRANE
DOM. ABUSE/DISABLED/ELDER ADULTS
COM SUB/2ND EDITION

SENATE BILL 127
READING 2

AYE	48	ALBERTSON	DANNELLY	KINCAID	PLEXICO
		ALLRAN	DAVIS	LEDBETTER	PLYLER
		BALLANCE	EAST	LITTLE	RAND
		BALLANTINE	EDWARDS	LUCAS	SAWYER
		BASNIGHT	FORRESTER	MARTIN R	SHAW
		BLACKMON	FOXX	MARTIN W	SHERRON
		CARPENTER	GULLEY	MCDANIEL	SIMPSON
		CARRINGTON	HARTSELL	MCKOY	SOLES
		CLARK	HOBBS	ODOM	SPEED
		COCHRANE	HORTON	PAGE	WARREN
		CONDER	JORDAN	PARNELL	WEBSTER
		COOPER	KERR	PERDUE	WINNER
NO	0				

EXCUSED	0		
NOT CAST	0		
ABSENT	2	HOYLE	SMITH
PAIRS	0		
AYE			
NO			

EV

NORTH CAROLINA

HOUSE OF REPRESENTATIVES

ROLL CALL

[redacted]. # 1046
[redacted]ISLATIVE DAY 78
S127 HCS
READING 2

6/08/95
2:43 PM
IN CHAIR: SPEAKER

DOMESTIC ABUSE/DISA. OR ELDER ADULTS

AYES - 101

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

NOES - 0

EXCUSED ABSENCE - 5

BARNES	HURLEY	JUSTUS	WEATHERLY
DECKER			

EXCUSED VOTE - 0

NOT VOTING - 14

SPEAKER	BLUE	GARDNER	MILLER, G.
ALDRIDGE	BOWEN	HOLMES	SHAW
ALLRED	DAUGHTRY	LEMMOND	TALLENT
BARBEE	ELLIS		

S127 HCS

NORTH CAROLINA GENERAL ASSEMBLY
SENATE

RECORDED VOTE

1995 SESSION

SEQ. 960/9-- 5:42 PM | JUNE 13, 1995 | LEGISLATIVE DAY 80

SENATOR BASNIGHT -- Presiding

COCHRANE
DOM. ABUSE/DISABLED/ELDER ADULTS
HOUSE COM SUB/3RD EDITION

SENATE BILL 127

MOTION 8
TO CONCUR

AYE	46	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
		CARPENTER	GULLEY	MARTIN W.	SOLES
		CARRINGTON	HARTSELL	MCDANIEL	SPEED
		CLARK	HOBBS	MCKOY	WARREN
		COCHRANE	HORTON	PAGE	WEBSTER
		CONDER	HOYLE	PARNELL	WINNER
		COOPER	JORDAN		
NO	0				
EXCUSED	0				
NOT CAST	3	ODOM	SIMPSON	SMITH	
ABSENT	1	SAWYER			
PAIRS	0				
AYE					
NO					

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1995

S D

SENATE DRS9527*-RIZ05.3(1.13)

FILED - SENATE

S128 FEB 1 1995

PRINCIPAL CLERK

Short Title: Increase In-Home Funds. (Public)

Sponsors: Senator Cochrane.

Referred to:

A BILL TO BE ENTITLED

AN ACT TO APPROPRIATE FUNDS TO INCREASE FUNDING FOR IN-HOME AIDE SERVICES AND CAREGIVER SUPPORT SERVICES.

Whereas, the North Carolina Study Commission on Aging finds that an increasing portion of North Carolina's population is living to an older age and requires an increasing amount of services and assistance; and

Whereas, North Carolina is facing an age wave with the 85+ population group growing fastest and placing the greatest demands on our long-term care system; and

Whereas, the number of frail older adults living in the community is increasing and is projected to be 78,000 in 1996 increasing to 104,000 by 2010; and

Whereas, the Commission finds that the elderly desire to maintain as much independence and dignity as possible and prefer to remain in the home and community whenever practicable; and

Whereas, due to insufficient funding there are 9,000+ older adults waiting for services to help them stay at home and avoid institutionalization; and

Whereas, the Commission finds that a broad array of services that support persons who remain in the home and community should be provided; and

Whereas, the Commission finds that health care needs, as well as other needs and desires, sometimes remain unmet because of the elderly's difficulty in getting to providers; and

Whereas, the Commission finds that North Carolina can best be served by increasing and improving the delivery of in-home services to the elderly; Now, therefore,

The General Assembly of North Carolina enacts:

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1995

S

FILED - SENATE

S 129 FEB 1 1995

PRINCIPAL CLERK

SENATE DRS7500*-RIZ06.2(1.13)

Short Title: Transportation Funds. (Public)

Sponsors: Senator Martin of Pitt.

Referred to:

A BILL TO BE ENTITLED

AN ACT TO APPROPRIATE FUNDS TO INCREASE FUNDING TO THE NORTH CAROLINA ELDERLY AND DISABLED TRANSPORTATION ASSISTANCE PROGRAM.

Whereas, the North Carolina Study Commission on Aging finds that an increasing portion of North Carolina's population is living to an older age and requires an increasing amount of services and assistance; and

Whereas, North Carolina is facing an age wave with the 85+ population group growing fastest and placing the greatest demands on our long-term care system; and

Whereas, the number of frail older adults living in the community is increasing and is projected to be 78,000 in 1996 increasing to 104,000 by 2010; and

Whereas, the Commission finds that the elderly desire to maintain as much independence and dignity as possible and prefer to remain in the home and community whenever practicable; and

Whereas, due to insufficient funding there are 9,000+ older adults waiting for services to help them stay at home and avoid institutionalization; and

Whereas, the Commission finds that one of the most frequent problems affecting the elderly has been inadequate or lack of transportation services; and

Whereas, the Commission finds that in urban areas the elderly generally live in residential locations that are poorly serviced by public transit, and in rural areas, the elderly are sometimes so isolated that they cannot access public transit and cannot get to a telephone to request transportation; and

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1995

S D

SENATE DRS1521-ROZ04(1.26)

RECD - SENATE
S 130 FEB 1 1995
PRINCIPAL CLERK

Short Title: Increase Fire/Rescue Squad Benefits. (Public)

Sponsors: Senator Martin of Pitt.

Referred to:

A BILL TO BE ENTITLED

AN ACT TO INCREASE THE MONTHLY BENEFITS FROM THE NORTH CAROLINA FIREMEN'S AND RESCUE SQUAD WORKERS' PENSION FUND AND THE MONTHLY MEMBER CONTRIBUTION AND TO DECLARE THE INTENT OF THE LEGISLATURE TO PROVIDE COST-OF-LIVING INCREASES, AS FUNDS ARE AVAILABLE.

The General Assembly of North Carolina enacts:

Section 1. G.S. 58-86-35 reads as rewritten:

"**§ 58-86-35. Firemen's application for membership in fund; monthly payments by members; payments credited to separate accounts of members.**

Those firemen who are eligible pursuant to G.S. 58-86-25 may make application for membership to the board. Each fireman upon becoming a member of the fund shall pay the director of the fund the sum of ~~five~~ ten dollars ~~($5.00)~~ ($10.00) per month. The monthly payments shall be credited to the separate account of the member and shall be kept by the custodian so it is available for payment on withdrawal from membership or retirement."

Sec. 2. G.S. 58-86-40 reads as rewritten:

"**§ 58-86-40. Rescue squad worker's application for membership in funds; monthly payments by members; payments credited to separate accounts of members.**

Those rescue squad workers eligible pursuant to G.S. 58-86-30 may make application to the board for membership. All persons who subsequently become rescue squad workers may make application for membership. Each eligible rescue squad worker upon becoming a member shall pay the director of the fund the sum of ~~five~~ ten dollars ~~($5.00)~~ ($10.00) per month. A rescue squad worker who, on the date of the establishment of the fund, has service as a rescue squad worker certified by the

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1995

FILED - SENATE
S 1 3 1 FEB 1 D 1995
PRINCIPAL CLERK

S

SENATE DRS4529-LGQ009(1.25)

Short Title: Eastern NC Job Training Funds. (Public)

Sponsors: Senator Jordan.

Referred to:

A BILL TO BE ENTITLED

AN ACT TO APPROPRIATE FUNDS TO THE RURAL ECONOMIC DEVELOPMENT CENTER, INCORPORATED, FOR JOB TRAINING IN EASTERN NORTH CAROLINA.

The General Assembly of North Carolina enacts:

Section 1. There is appropriated from the General Fund to the Rural Economic Development Center, Inc., the sum of one hundred twenty-five thousand dollars ($125,000) for the 1995-96 fiscal year to be allocated as follows:

(1) $25,000 to the Opportunities Industrialization Center of Wilson, Incorporated, for its ongoing job training programs; and

(2) $25,000 to the Opportunities Industrialization Center, Incorporated, in Rocky Mount, for its ongoing job training programs; and

(3) $25,000 to the Opportunities Industrialization Center of Pitt-Greenville, N.C., Inc., for its ongoing job training programs; and

(4) $25,000 to the Kinston-Lenoir Opportunities Industrialization Center, Incorporated, for its ongoing job training programs; and

(5) $25,000 to the Halifax-Northampton Opportunities Industrialization Center, Incorporated, for its ongoing job training programs.

The Rural Economic Development Center, Inc., shall report quarterly to the Joint Legislative Commission on Governmental Operations on the use of funds allocated in this section.

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

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1995

S D

FILED - SENATE
S 1 32 FEB 2 1995
PRINCIPAL CLERK

SENATE DRS9528-LE055(1.26)

Short Title: Caldwell School Pay Date Change. (Local)

Sponsors: Senator Kincaid.

Referred to:

A BILL TO BE ENTITLED

AN ACT TO CHANGE THE PAY DATE FOR THE CALDWELL COUNTY SCHOOLS.

The General Assembly of North Carolina enacts:

Section 1. Section 19.22 of Chapter 769 of the 1993 Session Laws reads as rewritten:

"Sec. 19.22. Notwithstanding the provisions of G.S. 115C-302(a), G.S. 115C-316(a), or any other provision of law, all 10-month employees of the Caldwell County Board of Education who are paid on a monthly basis shall be paid on the ~~fifteenth~~ twelfth day of each month. Nothing in this section shall have the effect of changing the rate of pay for any employee of Caldwell County Board of Education.

This section shall not be construed to authorize prepayment of any employees by the Caldwell County Board of Education."

Sec. 2. This act is effective upon ratification.

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1995

S D

SENATE DRS8527-LR032(1.27)

FILED - SENATE
S 133 FEB 2 1995
PRINCIPAL CLERK

Short Title: Graham Co. Ambulance Services. (Local)

Sponsors: Senator Carpenter.

Referred to:

A BILL TO BE ENTITLED

AN ACT TO ALLOW GRAHAM COUNTY TO EMPLOY ATTACHMENT OR GARNISHMENT AND TO OBTAIN A LIEN FOR AMBULANCE SERVICES AND TO MAKE IT A MISDEMEANOR TO OBTAIN AMBULANCE SERVICES WITHOUT INTENT TO PAY OR TO MAKE AN UNNEEDED AMBULANCE REQUEST IN GRAHAM COUNTY.

The General Assembly of North Carolina enacts:

Section 1. G.S. 44-51.8 reads as rewritten:

"**§ 44-51.8. Counties to which Article applies.**

The provisions of this Article shall apply only to Alamance, Alexander, Alleghany, Anson, Ashe, Beaufort, Bladen, Brunswick, Buncombe, Burke, Cabarrus, Caldwell, Caswell, Catawba, Chatham, Cherokee, Chowan, Cleveland, Columbus, Craven, Cumberland, Dare, Davidson, Davie, Duplin, Durham, Edgecombe, Forsyth, Franklin, Gaston, Graham, Granville, Greene, Guilford, Halifax, Harnett, Haywood, Henderson, Hertford, Hoke, Hyde, Iredell, Johnston, Jones, Lee, Lenoir, Lincoln, McDowell, Madison, Mecklenburg, Mitchell, Montgomery, Moore, Nash, New Hanover, Onslow, Pasquotank, Person, Pitt, Polk, Randolph, Richmond, Robeson, Rockingham, Rowan, Rutherford, Sampson, Scotland, Stanly, Stokes, Surry, Transylvania, Tyrrell, Union, Vance, Wake, Warren, Washington, Watauga, Wilkes, Wilson, Yadkin and Yancey Counties."

Sec. 2. G.S. 14-111.2 reads as rewritten:

"**§ 14-111.2. Obtaining ambulance services without intending to pay therefor -- certain named counties.**

Any person who with intent to defraud shall obtain ambulance services without intending at the time of obtaining such services to pay, if financially able, any

NORTH CAROLINA GENERAL ASSEMBLY
AMENDMENT
Senate Bill 133

AMENDMENT NO. 1 (ALR2)
(to be filled in by
Principal Clerk)

S133-ALR-2

Date 2/15 ,1995

Comm. Sub. [ ]
Amends Title [ ]
First Edition

moves to amend the bill on page 1, line 2,
by rewriting that line to read:
"AN ACT TO ALLOW ~~CERTAIN~~ COUNTIES TO EMPLOY ATTACHMENT OR"; and

Graham County and Macon County

further moves to amend the bill on page 1, line 6,
by rewriting that line to read:
"AMBULANCE REQUEST IN ~~CERTAIN~~ COUNTIES."; and

Graham County and Polk County.

further moves to amend the bill on page 1, line 16,
by inserting after "McDowell," the phrase "Macon,"; and

further moves to amend the bill on page 2, line 13,
by inserting after "Person," the phrase "Polk,"; and

further moves to amend the bill on page 2, line 23,
by inserting at the beginning of that line the phrase "Polk,".

SIGNED _____
Amendment Sponsor

SIGNED _____
Committee Chair if ~~Senate Committee~~ Amendment

ADOPTED 7/16/95 FAILED _____ TABLED _____

(V)

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1995

FILED - SENATE
FEB 2 1995
PRINCIPAL CLERK

S D

S 134

SENATE DRS2511-LE006(12.5)

Short Title: Repairs Reserve Acc't Changes. (Public)

Sponsors: Senator Plyler.

Referred to:

A BILL TO BE ENTITLED

AN ACT TO INCREASE THE AMOUNT THAT IS DEPOSITED IN THE REPAIRS AND RENOVATIONS RESERVE ACCOUNT EACH YEAR AND TO LIMIT THE PURPOSES FOR WHICH FUNDS IN THE RESERVE ACCOUNT MAY BE USED.

The General Assembly of North Carolina enacts:

Section 1. G.S. 143-15.2 reads as rewritten:

"**§ 143-15.2. Use of General Fund credit balance.**

The State Controller shall reserve up to one-fourth of any unreserved credit balance, as determined on a cash basis, remaining in the General Fund at the end of each fiscal year to the Savings Reserve Account as provided in G.S. 143-15.3, unless that would result in the Savings Reserve Account having funds in excess of five percent (5%) of the amount appropriated the preceding year for the General Fund operating budget, including local government tax-sharing funds; in that case, only funds sufficient to reach the five percent (5%) level shall be reserved. The State Controller shall also reserve the lesser of (i) one-fourth of any unreserved credit balance, as determined on a cash basis, remaining in the General Fund and (ii) ~~one and one-half percent (1.5%)~~ three percent (3%) of the replacement value of all State buildings supported from the General Fund, at the end of each fiscal year to the Repairs and Renovations Reserve Account as provided in G.S. 143-15.3A. The General Assembly may appropriate that part of the anticipated General Fund credit balance not expected to be reserved to the Savings Reserve Account or the Repairs and Renovations Reserve Account only for capital improvements or other one-time expenditures. As used in this section, the term 'unreserved credit balance' means the credit balance amount, as determined on a cash basis, before funds are reserved by

FILED - SENATE
S135 FEB 2 1995
PRINCIPAL CLERK

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1995

S **D**

SENATE DRS7526-LN069(1.31)

Short Title: 1995 Budget. (Public)

Sponsors: Senators Plyler, Perdue, and Odom.

Referred to:

A BILL TO BE ENTITLED

AN ACT TO MAKE CONTINUATION AND EXPANSION BUDGET APPROPRIATIONS FOR CURRENT OPERATIONS OF STATE DEPARTMENTS, INSTITUTIONS, AND AGENCIES, AND FOR OTHER PURPOSES.

The General Assembly of North Carolina enacts:

Section 1. This act becomes effective July 1, 1995.

NORTH CAROLINA GENERAL ASSEMBLY
SENATE

RECORDED VOTE

1995 SESSION

SEQ. 1192/13-- 5:21 PM JULY 5, 1995 LEGISLATIVE DAY 93

LT. GOVERNOR WICKER -- Presiding

PLYLER
CERTAIN REVERSIONS
COM SUB NO.2/3RD EDITION

SENATE BILL 135
READING 2

AYE 49

ALBERTSON
ALLRAN
BALLANCE
BALLANTINE
BLACKMON
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
SAWYER
SHAW
SHERRON
SIMPSON
SMITH
SOLES
SPEED
WARREN
WEBSTER
WINNER

NO 0

EXCUSED 0

NOT CAST 1 BASNIGHT

ABSENT 0

PAIRS 0
AYE
NO

NORTH CAROLINA

HOUSE OF REPRESENTATIVES

ROLL CALL

SEQ. # 1528
LEGISLATIVE DAY 95
S135 SCS
READING 2

7/10/95
4:56 PM
IN CHAIR: SPEAKER

AMEND #1
CERTAIN REVERSIONS

AYES - 103

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

NOES - 2

LINNEY	MILLER, K.

EXCUSED ABSENCE - 9

BLUE	MCCOMAS	ROBINSON, G.	WAINWRIGHT
HAYES	MCCRARY	SUTTON	WILSON, C.
HIGHTOWER			

EXCUSED VOTE - 0

NOT VOTING - 6

SPEAKER	EARLE	MICHAUX	NICHOLS
BLACK	GRAY		

EV

NORTH CAROLINA

HOUSE OF REPRESENTATIVES

ROLL CALL

SEQ. # 1529
LEGISLATIVE DAY 95
S135 SCS #2
READING 2

7/10/95
5:08 PM
IN CHAIR: SPEAKER

CERTAIN REVERSIONS

AYES - 104

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

NOES - 3

LINNEY	MILLER, K.	NICHOLS

EXCUSED ABSENCE - 9

BLUE	MCCOMAS	ROBINSON, G.	WAINWRIGHT
HAYES	MCCRARY	SUTTON	WILSON, C.
HIGHTOWER			

EXCUSED VOTE - 0

NOT VOTING - 4

SPEAKER	EARLE	GRAY	MICHAUX

S135 SCS

NORTH CAROLINA GENERAL ASSEMBLY
AMENDMENT
Senate Bill 135

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

S135-ALN-010

Date 7/10, 1995

Comm. Sub. [YES] 3rd ed.
Amends Title []

Representative Holmes.

moves to amend the bill on page 1, line 6,
by deleting the word "The" and inserting the words "To the extent that Section 1.1 of this act does not provide sufficient funds, the"; and

further moves to amend the bill on page 1, line 14,
by deleting the word "The" and inserting the words "To the extent that Section 1.1 of this act does not provide sufficient funds, the"; and

further moves to amend the bill on page 1, lines 20 and 21,
by rewriting the lines to read:

"Sec. 1.1. The Director of the Budget may continue to allocate funds for expenditure for current operations by State departments, institutions, and agencies funded from the Worker Training Trust Fund or from the Special Reserve for Oil Overcharge Funds at the level not to exceed the level at which those operations were authorized by the General Assembly as of June 30, 1995. The Director of the Budget shall not allocate funds for any of the purposes set out in the base budget reductions contained in Chapter 324 of the 1995 Session Laws.

To the extent necessary to implement this authorization, there is appropriated from the Worker Training Trust Fund or from the Special Reserve for Oil Overcharge Funds, as applicable, for the 1995-96 fiscal year, funds necessary to carry out this section.

This appropriation and this authorization to allocate and spend funds shall remain in effect until ratification of House Bill 230, 1995 Regular Session, at which time that act shall become effective and shall govern appropriations and expenditures. Upon ratification of House Bill 230, 1995 Regular Session, the Director of the Budget shall adjust allocations to give effect to that act from July 1, 1995.

NORTH CAROLINA GENERAL ASSEMBLY
AMENDMENT
Senate Bill 135

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

S135-ALN-010

Except as otherwise provided by this act, the limitations and directions for the 1994-95 fiscal year in Chapters 321, 561, 594, and 769 of the 1993 Session Laws that applied to appropriations to particular agencies or for particular purposes apply to the funds appropriated and authorized for expenditure under this section.

Sec. 2. This act becomes effective June 30, 1995, and Section 1 of this act expires upon ratification of House Bill 230 by the 1995 General Assembly, Regular Session 1995."

SIGNED George Holmes
Amendment Sponsor

SIGNED _____
Committee Chair if Senate Committee Amendment

ADOPTED 7/10/95 FAILED _____ TABLED _____

103-2 EV

NORTH CAROLINA
HOUSE OF REPRESENTATIVES
ROLL CALL

SQ. # 1546
LEGISLATIVE DAY 96
S135 SCS #2
READING 3

7/11/95
3:21 PM
IN CHAIR: SPEAKER

CERTAIN REVERSIONS

AYES - 110

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

NOES - 1

MILLER, K.

EXCUSED ABSENCE - 3

HIGHTOWER	MCCRARY	ROBINSON, G.

EXCUSED VOTE - 0

NOT VOTING - 6

SPEAKER	HOWARD	LEMMOND	MCALLISTER
DAUGHTRY	HUNTER, R.		

S135 SCS

~~(COPY)~~

NORTH CAROLINA GENERAL ASSEMBLY
SENATE

RECORDED VOTE

1995 SESSION

SEQ. 1295/9-- 9:54 AM | JULY 12, 1995 | LEGISLATIVE DAY 98

LT. GOVERNOR WICKER -- Presiding

PLYLER
CERTAIN REVERSIONS
COM SUB NO.2/3RD EDITION

SENATE BILL 135

HOUSE AMD. NO. 1

MOTION 8
TO CONCUR

AYE	48	ALBERTSON	DANNELLY	KERR	PLEXICO
		ALLRAN	DAVIS	LEDBETTER	PLYLER
		BALLANCE	EAST	LITTLE	RAND
		BALLANTINE	EDWARDS	LUCAS	SAWYER
		BASNIGHT	FORRESTER	MARTIN R.	SHAW
		BLACKMON	FOXX	MARTIN W.	SHERRON
		CARPENTER	GULLEY	MCDANIEL	SIMPSON
		CARRINGTON	HARTSELL	MCKOY	SMITH
		CLARK	HOBBS	ODOM	SOLES
		COCHRANE	HORTON	PAGE	SPEED
		CONDER	HOYLE	PARNELL	WEBSTER
		COOPER	JORDAN	PERDUE	WINNER
NO	0				

EXCUSED	0	
NOT CAST	1	WARREN
ABSENT	1	KINCAID
PAIRS	0	
AYE		
NO		

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1995

FILED - SENATE
FEB 2 1995
PRINCIPAL CLERK

S 136 D

SENATE DRS4528-LN070(1.31)

Short Title: 1995 Capital Budget. (Public)

Sponsors: Senators Plyler, Perdue, and Odom.

Referred to:

A BILL TO BE ENTITLED

AN ACT TO MAKE APPROPRIATIONS TO PROVIDE CAPITAL IMPROVEMENTS FOR STATE DEPARTMENTS, INSTITUTIONS, AND AGENCIES, AND FOR OTHER PURPOSES.

The General Assembly of North Carolina enacts:

Section 1. This act becomes effective July 1, 1995.

NORTH CAROLINA GENERAL ASSEMBLY
AMENDMENT
SENATE BILL 136

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

S136-ALE-03

Date 7-19, 1995

Comm. Sub. [ ]
Amends Title [YES]

Senator Plyler

moves to amend the bill on page 1, lines 1 through 6, by rewriting the lines to read:

"A BILL TO BE ENTITLED

AN ACT TO AGAIN EXTEND EXPIRING PROVISIONS.

The General Assembly of North Carolina enacts:

SALARIES/GOVERNMENT EMPLOYEES

Section 1. Section 2 of Chapter 358 of the 1995 Session Laws, as amended by Chapter 437 of the 1995 Session Laws, reads as rewritten:

'Sec. 2. (a) The salary schedules and specific salaries established by or under Sections 7.1, 7.2, 7.3, 7.4, 7.5, 7.6, 7.7, 7.9(a), 7.9(b), 7.10, 7.11, 7.12, 7.13, 19.6, or 19.7 of Chapter 769 of the 1993 Session Laws shall remain until ~~July 21,~~ July 28, 1995, at the level set by or under those sections as of June 30, 1995.

(b) No person may receive a salary increase under G.S. 7A-102(c), 126-7 or 20-187.3(a) prior to ~~July 21,~~ July 28, 1995. No State employee or officer may prior to ~~July 21,~~ July 28, 1995, receive a merit increase or annual increment. No employee or officer subject to the teacher salary schedule or the school-based administrator salary schedule shall receive an increment until ~~July 21,~~ July 28, 1995.'

CONTINUE MEDIATED SETTLEMENT PILOT

Sec. 2. (a) G.S. 7A-38(o), as amended by Chapters 358 and 437 of the 1995 Session Laws, reads as rewritten:

'(o) Report on pilot program. The Administrative Office of the Courts shall file a written report with the General Assembly on the evaluation of the pilot program on or before May 1, 1995. The pilot program shall terminate on ~~July 21,~~ July 28, 1995.'

see page 3 (three)

(b) Section 3(b) of Chapter 358 of the 1995 Session Laws, as amended by Chapter 437 of the 1995 Session Laws, reads as rewritten:

'(b) Notwithstanding the provisions of G.S. 7A-38(n), the Administrative Office of the Courts may use funds available to the Judicial Department from July 1, 1995, to ~~July 21,~~ July 28, 1995, for the purpose of operating the pilot program.'

EXTEND PUBLIC HEALTH STUDY COMMISSION

Sec. 3. Section 8.1 of Chapter 771 of the 1993 Session Laws, as amended by Chapters 358 and 437 of the 1995 Session Laws, reads as rewritten:

'Sec. 8.1. This act is effective upon ratification. Part II of this act is repealed on ~~July 21,~~ July 28, 1995.'

EXTEND BEAVER DAMAGE CONTROL

Sec. 4. Subsection (h) of Section 69 of Chapter 1044 of the 1991 Session Laws, as amended by Section 111 of Chapter 561 of the 1993 Session Laws, by Section 27.3 of Chapter 769 of the 1993 Session Laws, and by Chapters 358 and 437 of the 1995 Session Laws, reads as rewritten:

'(h) Subsections (a) through (d) of this section expire ~~July 21,~~ July 28, 1995.'

EXTEND THE SUNSET FOR THE MEDIATION PROGRAM FOR THE INDUSTRIAL COMMISSION

Sec. 5. (a) Section 5 of Chapter 399 of the 1993 Session Laws, as amended by Chapters 358 and 437 of the 1995 Session Laws, reads as rewritten:

'Sec. 5. Section 3 of this act is effective upon ratification. Sections 1, 2, and 4 of this act become effective October 1, 1993, only if the General Assembly appropriates funds to implement the purpose of these sections, expire ~~July 21,~~ July 28, 1995, and apply to claims pending on or filed after the effective date.'

(b) Section 5.4 of Chapter 679 of the 1993 Session Laws, as amended by Chapters 358 and 437 of the 1995 Session Laws, reads as rewritten:

'Sec. 5.4. Subsection (c) of G.S. 97-80 shall expire ~~July 21,~~ July 28, 1995, in accordance with the provisions of Chapter 399 of the 1993 Session Laws, unless the General Assembly amends Chapter 399 of the 1993 Session Laws to provide otherwise.'

Sec. 6. Section 9 of Chapter 358 of the 1995 Session Laws, as amended by Chapter 437 of the 1995 Session Laws, reads as rewritten:

See page 3 (three)

NORTH CAROLINA GENERAL ASSEMBLY
AMENDMENT
SENATE BILL 136

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

S136-ALE-03

'Sec. 9. This act is effective upon ratification, but Sections 2 and 3 and Sections 5 6 through 8 expire ~~July 21,~~ July 28, 1995.'

~~Sec.~~ 7. This act is effective upon ratification."

SIGNED Tyler
Amendment Sponsor

SIGNED _____
Committee Chair if Senate Committee Amendment

ADOPTED 7-19-95 (44-1) FAILED _____ TABLED _____

CHANGES TITLE

NORTH CAROLINA GENERAL ASSEMBLY
SENATE

RECORDED VOTE

1995 SESSION

SEQ. 1358/2-- 2:04 PM JULY 19, 1995 LEGISLATIVE DAY 10?

LT. GOVERNOR WICKER -- Presiding

PLYLER
1995 CAPITAL BUDGET

SENATE BILL 136

AMEND 1

AYE	44	ALBERTSON	COOPER	KINCAID	PLYLER
		ALLRAN	DANNELLY	LEDBETTER	RAND
		BALLANCE	EAST	LITTLE	SHAW
		BALLANTINE	EDWARDS	LUCAS	SHERRON
		BASNIGHT	FORRESTER	MARTIN R.	SIMPSON
		BLACKMON	FOXX	MARTIN W.	SMITH
		CARPENTER	GULLEY	ODOM	SOLES
		CARRINGTON	HARTSELL	PAGE	SPEED
		CLARK	HOBBS	PARNELL	WARREN
		COCHRANE	JORDAN	PERDUE	WEBSTER
		CONDER	KERR	PLEXICO	WINNER
NO	1	MCDANIEL			
EXCUSED	0				
NOT CAST	4	DAVIS	HORTON	MCKOY	SAWYER
ABSENT	1	HOYLE			
PAIRS	0				
AYE					
NO					

NORTH CAROLINA GENERAL ASSEMBLY
SENATE

RECORDED VOTE

1995 SESSION

SEQ. 1359/3-- 2:05 PM JULY 19, 1995 LEGISLATIVE DAY 102

LT. GOVERNOR WICKER -- Presiding

PLYLER
1995 CAPITAL BUDGET

SENATE BILL 136
READING 2

AYE	43	ALBERTSON	DANNELLY	LITTLE	RAND
		BALLANCE	EDWARDS	LUCAS	SAWYER
		BALLANTINE	FORRESTER	MARTIN R.	SHAW
		BASNIGHT	GULLEY	MARTIN W.	SHERRON
		BLACKMON	HARTSELL	MCKOY	SIMPSON
		CARPENTER	HOBBS	ODOM	SMITH
		CARRINGTON	HORTON	PAGE	SOLES
		CLARK	JORDAN	PARNELL	SPEED
		COCHRANE	KERR	PERDUE	WARREN
		CONDER	KINCAID	PLEXICO	WINNER
		COOPER	LEDBETTER	PLYLER	
NO	4	EAST	FOXX	MCDANIEL	WEBSTER

EXCUSED	0		
NOT CAST	2	ALLRAN	DAVIS
ABSENT	1	HOYLE	
PAIRS	0		
AYE			
NO			

EV

NORTH CAROLINA

HOUSE OF REPRESENTATIVES

ROLL CALL

O. # 1645
ISLATIVE DAY 102
S136
READING 2

7/20/95
11:02 AM
IN CHAIR: SPEAKER

EXTEND EXPIRING PROVISIONS

AYES - 111

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
BLACK	EDWARDS	MCALLISTER	SEXTON
BOWEN	ELLIS	MCCOMAS	SHARPE
BOWIE	ESPOSITO	MCCOMBS	SHERRILL
BOYD-MCINTYRE	FITCH	MCCRARY	SHUBERT
BRASWELL	FOX	MCLAUGHLIN	TALLENT
BROWN, J.	GAMBLE	MCMAHAN	THOMPSON
BROWN, W.	GRADY	MERCER	TOLSON
BUCHANAN	GRAY	MICHAUX	WAINWRIGHT
CANSLER	HACKNEY	MILLER, G.	WARNER
CAPPS	HAYES	MINER	WATSON
CARPENTER	HENSLEY	MITCHELL	WEATHERLY
CHURCH	HIATT	MORGAN	WILKINS
CLARY	HIGHTOWER	NEELY	WILSON, C.
COCKLEREECE	HILL	NYE	WILSON, G.
CRAWFORD	HOLMES	OLDHAM	WOMBLE
CREECH	HOWARD	OWENS	WOOD
CULP	HUNT	PATE	WRIGHT
CULPEPPER	HUNTER, H.	PRESTON	YONGUE
CUMMINGS	HUNTER, R.	PULLEY	

NOES - 0

EXCUSED ABSENCE - 6

BERRY	BRAWLEY	NICHOLS	SUTTON
BLUE	GARDNER		

EXCUSED VOTE - 0

NOT VOTING - 3

SPEAKER	MILLER, K.	SHAW

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1995

S D

SENATE DRS4527-LN074(1.31)

FILED - SENATE
S 137 FEB 2 1995
PRINCIPAL CLERK

Short Title: Capital Improvements. (Public)

Sponsors: Senators Odom, Plyler, and Perdue.

Referred to:

A BILL TO BE ENTITLED

AN ACT TO APPROPRIATE FUNDS FOR CAPITAL IMPROVEMENTS FOR STATE DEPARTMENTS, INSTITUTIONS, AND AGENCIES, AND FOR OTHER PURPOSES.

The General Assembly of North Carolina enacts:

Section 1. This act becomes effective July 1, 1995.

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1995

S D

FILED - SENATE
S 138 FEB 2 1995
PRINCIPAL CLERK

SENATE DRS2527-LN073(1.31)

Short Title: '95 Base Budget. (Public)

Sponsors: Senators Odom, Plyler, and Perdue.

Referred to:

A BILL TO BE ENTITLED

AN ACT TO ENACT THE 1995 BASE BUDGET FOR CURRENT OPERATIONS OF STATE DEPARTMENTS, INSTITUTIONS, AND AGENCIES, AND FOR OTHER PURPOSES.

The General Assembly of North Carolina enacts:

Section 1. This act becomes effective July 1, 1995.

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1995

FILED - SENATE

S

S 139

FEB 2 1995

D

SENATE DRS7527-LF042(1.5)

PRINCIPAL CLERK

Short Title: Special Ed. "Labeling" Limited. (Public)

Sponsors: Senator McKoy.

Referred to:

A BILL TO BE ENTITLED

AN ACT TO ELIMINATE THE DETRIMENTAL USE OF LABELING AND TRACKING A CHILD WITH SPECIAL NEEDS.

The General Assembly of North Carolina enacts:

Section 1. (a) The State Board of Education, upon consultation with local school administrative units, shall ensure that, in the school setting, the particular handicapping condition of a child with special needs is not used for labeling or tracking the child throughout its school career. The State Board shall ensure that a child with special needs is classified, when any classification is necessary in the school setting, in terms of its special educational needs. The State Board shall ensure that the child's special handicapping condition is used only for the identification and technical assistance required by federal law and regulations.

(b) The State Board of Education shall report its proposed rules to implement this act, together with any necessary legislative proposals, to the Commission on Children with Special Needs by October 1, 1995.

Sec. 2. This act is effective upon ratification.

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1995

S

FILED - SENATE D

FEB 2 1995

PRINCIPAL CLERK

SENATE DRS1526-RR010A(1.31) S 1 4 0

Short Title: Moment of Silence. (Public)

Sponsors: Senators Carpenter and Albertson.

Referred to:

A BILL TO BE ENTITLED

AN ACT TO REQUIRE THE OBSERVANCE OF A MOMENT OF SILENCE IN ALL SCHOOL UNITS AND TO ENSURE FREEDOM OF RELIGION IN THE PUBLIC SCHOOLS.

The General Assembly of North Carolina enacts:

Section 1. G.S. 115C-47(29) reads as rewritten:

"(29) To ~~Authorize~~ Require the Observance of a Moment of ~~Silence.~~ Silence in All School Units. -- ~~Local boards of education may~~ Every local board of education shall adopt ~~policies~~ a policy to ~~authorize~~ require the observance of a moment of silence at the commencement of the first class of each day in all grades in the public schools. Such a policy shall provide that the teacher in charge of the room in which each class is held ~~may~~ shall announce that a period of silence not to exceed one minute in duration shall be observed and that during that period silence shall be maintained and no one may engage in any other activities. Such period of silence shall be totally and completely unstructured and free of guidance or influence of any kind from any sources."

Sec. 2. G.S. 115C-47 is amended by adding a new subdivision to read:

"(29a) To Ensure Freedom of Religion. -- No local board of education shall have a policy of denying, or that effectively prevents participation in, prayer in public schools by individuals on a voluntary basis. No local board of education shall require any person to participate in prayer or influence the form or content of any prayer in public schools. This subdivision shall not be

NORTH CAROLINA GENERAL ASSEMBLY
SENATE

RECORDED VOTE

1995 SESSION

SEQ. 402/9-- 8:18 PM MAY 1, 1995 LEGISLATIVE DAY 55

SENATOR BASNIGHT -- Presiding

CARPENTER
MOMENT OF SILENCE
COM SUB/2ND EDITION

SENATE BILL 140
READING 2



AYE	48	ALBERTSON	DANNELLY	KERR	PERDUE
		ALLRAN	DAVIS	KINCAID	PLEXICO
		BALLANCE	EAST	LEDBETTER	PLYLER
		BALLANTINE	EDWARDS	LITTLE	RAND
		BASNIGHT	FORRESTER	LUCAS	SAWYER
		BLACKMON	FOXX	MARTIN R	SHAW
		CARPENTER	GULLEY	MARTIN W	SHERRON
		CARRINGTON	HARTSELL	MCDANIEL	SIMPSON
		CLARK	HOBBS	MCKOY	SPEED
		COCHRANE	HORTON	ODOM	WARREN
		CONDER	HOYLE	PAGE	WEBSTER
		COOPER	JORDAN	PARNELL	WINNER
NO	0				

EXCUSED	0		
NOT CAST	0		
ABSENT	2	SMITH	SOLES
PAIRS	0		
AYE			
NO			

NORTH CAROLINA GENERAL ASSEMBLY
SENATE

RECORDED VOTE

1995 SESSION

SEQ. 424/8-- 4:12 PM | MAY 2, 1995 | LEGISLATIVE DAY 56

LT. GOVERNOR WICKER -- Presiding

CARPENTER
MOMENT OF SILENCE
COM SUB/2ND EDITION

SENATE BILL 140
READING 3



AYE	47	ALBERTSON	DANNELLY	KERR	PERDUE
		ALLRAN	DAVIS	KINCAID	PLEXICO
		BALLANCE	EAST	LEDBETTER	PLYLER
		BALLANTINE	EDWARDS	LITTLE	SHAW
		BASNIGHT	FORRESTER	LUCAS	SHERRON
		BLACKMON	FOXX	MARTIN R	SIMPSON
		CARPENTER	GULLEY	MARTIN W	SOLES
		CARRINGTON	HARRELL	MCDANIEL	SPEED
		CLARK	HOBES	MCKOY	WARREN
		COCHRANE	HORTON	ODOM	WEBSTER
		CONDER	HOYLE	PAGE	WINNER
		COOPER	JORDAN	PARNELL	
NO	0				

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

NORTH CAROLINA GENERAL ASSEMBLY
AMENDMENT
Senate Bill 140

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

S140-ALB-1

Date July ,1995

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

Rep. MORGAN

moves to amend the bill on page 2, line 2, by deleting "(29a)", and substituting "(29b)"

further moves to amend the bill on page 2, line 12, by deleting "becomes effective July 1, 1995, and"

SIGNED _____
Amendment Sponsor

SIGNED _____
Committee Chair if Senate Committee Amendment

ADOPTED 7/24/95 FAILED _____ TABLED _____

111-0 EV

NORTH CAROLINA
HOUSE OF REPRESENTATIVES
ROLL CALL

[redacted]. # 1668
[redacted]ISLATIVE DAY 103
[redacted]40 SCS
READING 2

7/24/95
7:52 PM
IN CHAIR: SPEAKER

AMEND #1 - Morgan
MOMENT OF SILENCE

AYES - 111

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

NOES - 0

EXCUSED ABSENCE - 4

EASTERLING	HIGHTOWER	MILLER, K.	ROBINSON, G.

EXCUSED VOTE - 0

NOT VOTING - 5

SPEAKER	CRAWFORD	HUNTER, H.	LOCKE
BOWEN			

EV

NORTH CAROLINA

HOUSE OF REPRESENTATIVES

ROLL CALL

[redacted]. # 1669
[redacted]ISLATIVE DAY 103
[redacted]0 SCS
READING 2

7/24/95
8:04 PM
IN CHAIR: SPEAKER

MOMENT OF SILENCE

AYES - 109

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

NOES - 4

BERRY	CUMMINGS	LINNEY	MCALLISTER

EXCUSED ABSENCE - 4

EASTERLING	HIGHTOWER	MILLER, K.	ROBINSON, G.

EXCUSED VOTE - 0

NOT VOTING - 3

SPEAKER	HUNTER, H.	IVES

NORTH CAROLINA GENERAL ASSEMBLY
SENATE

RECORDED VOTE

1995 SESSION

SEQ. 1437/5-- 3:26 PM JULY 26, 1995 LEGISLATIVE DAY 106

LT. GOVERNOR WICKER -- Presiding

CARPENTER
MOMENT OF SILENCE
COM SUB/2ND EDITION

SENATE BILL 140

HOUSE AMD. NO. 1

MOTION 8
TO CONCUR

AYE	48	ALBERTSON	DAVIS	KINCAID	PLYLER
		ALLRAN	EAST	LEDBETTER	RAND
		BALLANTINE	EDWARDS	LITTLE	SAWYER
		BASNIGHT	FORRESTER	LUCAS	SHAW
		BLACKMON	FOXX	MARTIN R.	SHERRON
		CARPENTER	GULLEY	MARTIN W.	SIMPSON
		CARRINGTON	HARTSELL	MCDANIEL	SMITH
		CLARK	HOBBS	MCKOY	SOLES
		COCHRANE	HORTON	ODOM	SPEED
		CONDER	HOYLE	PAGE	WARREN
		COOPER	JORDAN	PARNELL	WEBSTER
		DANNELLY	KERR	PERDUE	WINNER
NO	0				

EXCUSED	0	
NOT CAST	1	BALLANCE
ABSENT	1	PLEXICO
PAIRS	0	
AYE		
NO		

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1995

FILED - SE

S

S 141

FEB 2 1995

SENATE DRS6520-LN072(1.31)

PRINCIPAL CLERK

Short Title: '95 Capital Expenditures. (Public)

Sponsors: Senators Perdue, Plyler, and Odom.

Referred to:

A BILL TO BE ENTITLED

AN ACT TO APPROPRIATE FUNDS TO PROVIDE CAPITAL IMPROVEMENTS FOR STATE DEPARTMENTS, INSTITUTIONS, AND AGENCIES, AND FOR OTHER PURPOSES.

The General Assembly of North Carolina enacts:

Section 1. This act becomes effective July 1, 1995.

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1995

S D

FILED - SENATE

SENATE DRS1528-LN071(1.31)

S 1 42 FEB 2 1995

PRINCIPAL CLERK

Short Title: '95 Current Operations. (Public)

Sponsors: Senators Perdue, Plyler, and Odom.

Referred to:

A BILL TO BE ENTITLED

AN ACT TO APPROPRIATE FUNDS FOR CURRENT OPERATIONS OF STATE DEPARTMENTS, INSTITUTIONS, AND AGENCIES, AND FOR OTHER PURPOSES.

The General Assembly of North Carolina enacts:

Section 1. This act becomes effective July 1, 1995.

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1995

S

FILED - SENATE D

S 143 FEB 2 1995

PRINCIPAL CLERK

SENATE DRS7531*-LB002(1.1)

Short Title: Repeal South Africa Restrictions. (Public)

Sponsors: Senators Ballance, Dannelly, Edwards, Jordan, Lucas, Martin of Guilford, and McKoy.

Referred to:

A BILL TO BE ENTITLED

AN ACT TO REPEAL THE RESTRICTIONS ON DEALINGS WITH SOUTH AFRICA NOW THAT THE POLICIES OF THAT COUNTRY HAVE CHANGED.

The General Assembly of North Carolina enacts:

Section 1. G.S. 115C-49 is repealed.

Sec. 2. G.S. 147-69.2(c) is repealed.

Sec. 3. G.S. 153A-141 is repealed.

Sec. 4. G.S. 160A-197 is repealed.

Sec. 5. Chapters 446 and 1070 of the Session Laws of 1987 are repealed.

Sec. 6. This act is effective upon ratification.

NORTH CAROLINA GENERAL ASSEMBLY
SENATE

RECORDED VOTE

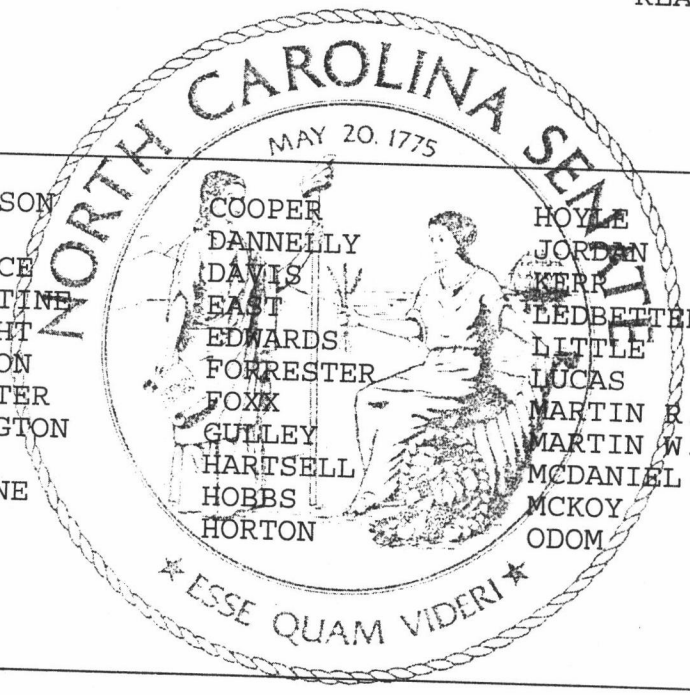
1995 SESSION

SEQ. 59/6-- 2:51 PM | FEBRUARY 15, 1995 | LEGISLATIVE DAY 13

LT. GOVERNOR WICKER -- Presiding

BALLANCE
REPEAL SOUTH AFRICA RESTRICTIONS

SENATE BILL 143
READING 2



AYE	44	ALBERTSON	COOPER	HOYLE	PERDUE
		ALLRAN	DANNELLY	JORDAN	PLEXICO
		BALLANCE	DAVIS	KERR	PLYLER
		BALLANTINE	EAST	LEDBETTER	RAND
		BASNIGHT	EDWARDS	LITTLE	SAWYER
		BLACKMON	FORRESTER	LUCAS	SHAW
		CARPENTER	FOXX	MARTIN R.	SIMPSON
		CARRINGTON	GULLEY	MARTIN W.	SOLES
		CLARK	HARTSELL	MCDANIEL	SPEED
		COCHRANE	HOBBS	MCKOY	WARREN
		CONDER	HORTON	ODOM	WINNER
NO	0				

EXCUSED	0			
NOT CAST	2	KINCAID	WEBSTER	
ABSENT	3	PARNELL	SHERRON	SMITH
PAIRS	0			
AYE				
NO				

NORTH CAROLINA

HOUSE OF REPRESENTATIVES

ROLL CALL

EV

[redacted]. # 1738
[redacted]ISLATIVE DAY 106
S143
READING 2

7/27/95
6:16 PM
IN CHAIR: SPEAKER

REPEAL SOUTH AFRICA RESTRICTIONS

AYES - 103

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

NOES - 0

EXCUSED ABSENCE - 9

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

EXCUSED VOTE - 0

NOT VOTING - 8

SPEAKER	BERRY	DAUGHTRY	NICHOLS
ARNOLD	COCKLEREECE	HOWARD	TALLENT

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1995

S

FILED - SENATE D

SENATE DRS1522-LC083A(1.12) S 1 44 FEB 3 1995

PRINCIPAL CLERK

Short Title: Raise Intangibles Tax Filing Threshold. (Public)

Sponsors: Senator Shaw.

Referred to:

A BILL TO BE ENTITLED

AN ACT TO INCREASE THE INTANGIBLES TAX MINIMUM FILING THRESHOLD TO FIVE HUNDRED DOLLARS.

The General Assembly of North Carolina enacts:

Section 1. G.S. 105-214 reads as rewritten:

"**§ 105-214. Minimum tax for filing return.**

A taxpayer whose tax liability under this Article for a taxable year does not exceed ~~the sum of fifteen dollars ($15.00)~~ five hundred dollars ($500.00) is not required to file a return for that year."

Sec. 2. This act is effective for taxable years beginning on or after January 1, 1995.

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1995

S D

FILED - SENATE
S 1 4 5 FEB 6 1995
PRINCIPAL CLERK

SENATE DRSA514-LK033(1.11)

Short Title: State Employee Incentive Program. (Public)

Sponsors: Senator McDaniel.

Referred to:

A BILL TO BE ENTITLED

AN ACT TO ESTABLISH A STATE EMPLOYEE INCENTIVE PROGRAM.

The General Assembly of North Carolina enacts:

Section 1. Chapter 143 of the General Statutes is amended by adding a new Article to read:

"ARTICLE 3F.

"State Employee Incentive Program.

"**§ 143-64.60. Short title.**

This Article shall be known as the 'State Employee Incentive Program'.

"**§ 143-64.61. Legislative intent.**

(a) The General Assembly recognizes that while the safeguards provided by other provisions of this Chapter are needed to insure the integrity of the purchasing and contracting process for all State agencies and other public organizations, significant savings can be realized by allowing the end users of various supplies and equipment to determine their specific needs and to purchase the supplies and equipment to meet those specific needs from local suppliers and other sources that may or may not have been determined through competitive bidding procedures and contracts. To the extent that the program created pursuant to this Article conflicts with other statutes, this Article shall prevail.

(b) The General Assembly recognizes that to motivate State employees to realize these savings in purchasing supplies and equipment, a program should be established under which the employees would share in a percentage of the monetary savings realized over purchases made employing procedures found in other Parts of this Chapter.

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1995

S 1

SENATE BILL 146*

Short Title: Seed Law Amendments. (Public)

Sponsors: Senators Albertson; and Carpenter.

Referred to: Agriculture/Environment/Natural Resources.

February 7, 1995

A BILL TO BE ENTITLED

AN ACT TO AMEND THE SEED LAW.

The General Assembly of North Carolina enacts:

Section 1. G.S. 106-277.5 reads as rewritten:

"**§ 106-277.5. Labels for agricultural seeds.**

Agricultural seeds sold, offered or exposed for sale, transported for sale, or otherwise distributed within this State shall be labeled to show the following information:

(1) The commonly accepted name of the kind and the variety, or kind and the phrase 'variety not stated' for each agricultural seed component, in excess of five percent (5%) of the whole, and the percentage by weight of each in order of its predominance. The Board of Agriculture may, pursuant to G.S. 106-277.15, require the variety to be stated on the labeling for certain kinds of agricultural seed, and the phrase 'variety not stated' shall not be used on the labeling of such seed. When more than one component is required to be named, the word 'mixture' or the word 'mixed' shall be shown conspicuously on the label. Second generation from hybrid seeds, if sold, shall be labeled 'second generation (of the parent), variety not stated.' 'F' designations on labels, unless used as a part of a variety name, will refer only to size and shape of corn seeds.

(2) Lot number or other lot identification.

(3) Net weight.

(4) Origin, if known. If the origin is unknown, the fact shall be stated.

NORTH CAROLINA GENERAL ASSEMBLY
SENATE

RECORDED VOTE

1995 SESSION

SEQ. 111/5-- 2:35 PM | MARCH 2, 1995 | LEGISLATIVE DAY 22

LT. GOVERNOR WICKER -- Presiding

ALBERTSON
SEED LAW AMENDMENTS
COM SUB/2ND EDITION

SENATE BILL 146
READING 2

AYE	44	ALBERTSON	COOPER	JORDAN	PERDUE
		ALLRAN	DANNELLY	KERR	PLEXICO
		BALLANCE	DAVIS	KINCAID	RAND
		BALLANTINE	EAST	LEDBETTER	SAWYER
		BASNIGHT	EDWARDS	LITTLE	SHAW
		BLACKMON	FORRESTER	LUCAS	SHERRON
		CARPENTER	GULLEY	MARTIN R.	SIMPSON
		CARRINGTON	HARTSELL	MARTIN W.	SOLES
		CLARK	HOBBS	MCKOY	SPEED
		COCHRANE	HORTON	ODOM	WARREN
		CONDER	HOYLE	PARNELL	WINNER
NO	1	MCDANIEL			

EXCUSED	0			
NOT CAST	3	FOXX	PLYLER	WEBSTER
ABSENT	1	SMITH		
PAIRS	0			
AYE				
NO				

EV

NORTH CAROLINA

HOUSE OF REPRESENTATIVES

ROLL CALL

. # 341
ISLATIVE DAY 49
S146 HCS
READING 2

4/19/95
5:21 PM
IN CHAIR: SPEAKER

SEED LAW AMENDMENTS

AYES - 113

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

NOES - 0

EXCUSED ABSENCE - 2

MICHAUX	SNOWDEN

EXCUSED VOTE - 0

NOT VOTING - 5

SPEAKER	BROWN, W.	FITCH	HIGHTOWER
BLUE			

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1995

FILED - SENATE
FEB 6 1995
S 1 47
PRINCIPAL CLERK

S D

SENATE DRS5522-LD030(1.24)

Short Title: Monitor Effects of Pesticide Use. (Public)

Sponsors: Senator Jordan.

Referred to:

A BILL TO BE ENTITLED

AN ACT TO REQUIRE THE DEPARTMENT OF ENVIRONMENT, HEALTH, AND NATURAL RESOURCES TO DEVELOP A PROGRAM TO MONITOR THE ENVIRONMENTAL AND BIOLOGICAL EFFECTS OF PESTICIDE USE AND PREPARE AN ANNUAL REPORT OF PESTICIDE-RELATED ILLNESSES, INJURIES, AND DEATHS, AND TO MAKE CERTAIN TECHNICAL CORRECTIONS.

The General Assembly of North Carolina enacts:

Section 1. G.S. 143-437 reads as rewritten:

"**§ 143-437. Pesticide Board; functions.**

The Pesticide Board shall be the governing board for the programs of pesticide management and control set forth in this Article. The Pesticide Board ~~shall have the following powers and duties under this Article~~ shall:

(1) ~~To adopt~~ Adopt rules and regulations and make policies for the programs set forth in this Article.

~~(2) To carry out a program of planning, environmental and biological monitoring, and of investigation into long range needs and problems concerning pesticides.~~

(3) To ~~collect,~~ Collect, analyze and disseminate information necessary for the effective operation of the programs set forth in this Article.

(4) ~~To provide~~ Provide professional advice to public and private agencies and citizens of the State on matters relating to pesticides, in cooperation with other State agencies, with professional groups, and with North Carolina State University and other educational institutions.

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1995

FILED - SENATE
FEB 6 1995
PRINCIPAL CLERK

S

S 148

D

SENATE DRS1532-LD032(1.24)

Short Title: Private Pesticide Applicators. (Public)

Sponsors: Senator Jordan.

Referred to:

A BILL TO BE ENTITLED

AN ACT TO REQUIRE PRIVATE APPLICATORS OF RESTRICTED USE PESTICIDES TO REPORT THEIR PESTICIDE USE AND, IN ORDER TO BE ELIGIBLE FOR RECERTIFICATION, TO COMPLETE ADDITIONAL TRAINING.

The General Assembly of North Carolina enacts:

Section 1. G.S. 143-440 reads as rewritten:

"**§ 143-440. Restricted use pesticides regulated.**

(a) The Board may, by regulation after a public hearing, adopt and from time to time revise a list of restricted use pesticides for the State or for designated areas within the State. The Board may designate any pesticide or device as a 'restricted use pesticide' upon the grounds that, in the judgment of the Board (either because of its persistence, its toxicity, or otherwise) it is so hazardous or injurious to persons, pollinating insects, animals, crops, wildlife, lands, or the environment, other than the pests it is intended to prevent, destroy, control, or mitigate that additional restriction on its sale, purpose, use or possession are required.

(b) The Board may include in any such restricted use regulation the time and conditions of sale, distribution, or use of such restricted use pesticides, may prohibit the use of any restricted use pesticide for designated purposes or at designated times; may require the purchaser or user to certify that restricted use pesticides will be used only as labeled or as further restricted by regulation; may require the certification and recertification of private applicators and, charge a fee of up to ten dollars ($10.00), with the fee set at a level to make the certification/recertification program self-supporting, and, after opportunity for a hearing, may suspend, revoke or modify the certification for violation of any provision of this Article, or any rule or

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1995

FILED - SENATE
S 149 FEB 6 1995
PRINCIPAL CLERK

S D

SENATE DRS1531-LD029(1.24)

Short Title: Pesticide Board/At-Large Members. (Public)

Sponsors: Senator Jordan.

Referred to:

A BILL TO BE ENTITLED

AN ACT TO REQUIRE AN ENVIRONMENTALIST AND A FARMWORKER ADVOCATE TO BE APPOINTED TO THE NORTH CAROLINA PESTICIDE BOARD.

The General Assembly of North Carolina enacts:

Section 1. G.S. 143-436(b) reads as rewritten:

"(b) The Pesticide Board shall consist of seven members, to be appointed by the Governor, as follows:

(1) One member each representing the North Carolina Department of Agriculture and two members representing the North Carolina Department of Environment, Health, and Natural Resources, one of whom shall be the State Health Director or his designee and one of whom shall represent an environmental protection agency. The persons so selected may be either members of a policy board or departmental officials or employees.

(2) A representative of the agricultural chemical industry.

(3) A person directly engaged in agricultural production.

(4) Two at-large members, from fields of endeavor other than those enumerated in subdivisions (2) and (3) of this subsection, one of whom ~~shall be a nongovernmental conservationist.~~ represents nonprofit, public interest environmental organizations and is recognized as an environmentalist by the environmental community, and one of whom represents nonprofit, public interest farmworker advocacy organizations and is recognized as a farmworker advocate by the farmworker advocacy community."

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1995

FILED - SENATE
FEB 6 1995
PRINCIPAL CLERK

S

S 150

D

SENATE DRS3530-LD031(1.24)

Short Title: Members/Pesticide Advisory Committee. (Public)

Sponsors: Senator Jordan.

Referred to:

A BILL TO BE ENTITLED

AN ACT TO REQUIRE AN ORGANIC FARMER, AN ENVIRONMENTALIST, AND A FARMWORKER ADVOCATE TO BE APPOINTED TO THE PESTICIDE ADVISORY COMMITTEE.

The General Assembly of North Carolina enacts:

Section 1. G.S. 143-439(b) reads as rewritten:

"(b) The Pesticide Advisory Committee shall consist of: three practicing ~~farmers;~~ farmers: one of whom is an organic farmer using alternatives to chemical pest control; one of whom represents nonprofit, public interest environmental organizations and is recognized as an environmentalist by the environmental community; one of whom represents nonprofit, public interest farmworker advocacy organizations and is recognized as a farmworker advocate by the farmworker advocacy community; one conservationist (at large); one ecologist (at large); one representative of the pesticide industry; one representative of agribusiness (at large); one local health director; three members of the North Carolina State University School of Agriculture and Life Sciences, at least one of which shall be from the area of wildlife or biology; one member representing the North Carolina Department of Agriculture; one member representing the Department of Environment, Health, and Natural Resources; the State Health Director or his designee; one representative of a public utility or railroad company which uses pesticides; one representative of the Board of Transportation; one member of the North Carolina Agricultural Aviation Association; one member of the general public (at large); one member actively engaged in forest pest management; and one member representing the Division of Solid Waste Management of the Department of Environment, Health, and Natural Resources. Each State agency represented [representative] on the Committee shall be

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1995

FILED - SENATE

S D

SENATE DRS8529-LDX034(1.24) S 151 FEB 6 1995

PRINCIPAL CLERK

Short Title: Motor Oil Tax/Used Oil Prog. (Public)

Sponsors: Senator Jordan.

Referred to:

A BILL TO BE ENTITLED

AN ACT TO IMPOSE A TAX UPON MOTOR OIL AT THE POINT OF FIRST SALE AND TO ESTABLISH THE USED OIL COLLECTION PROGRAM TO ENCOURAGE THE PROPER MANAGEMENT OF USED OIL GENERATED BY PRIVATE CITIZENS WHO CHANGE THEIR OWN OIL.

The General Assembly of North Carolina enacts:

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

"ARTICLE 2E.

"Schedule B-E.

"Motor Oil Tax.

"**§ 105-113.120. Definitions.**

The following definitions apply to this Article:

(1) Distributor. -- A person who does any of the following:

a. Manufactures or produces motor oil.

b. Acquires motor oil for sale to a wholesale dealer or a retail dealer.

c. Imports motor oil into this State for use by that person.

(2) Motor oil. -- Any oil or similar lubricant classified for use in an internal combustion engine, crankcase, transmission, gearbox, or differential.

(3) Retail dealer. -- A person who sells motor oil to the ultimate consumer of the motor oil.

(4) Sale. -- A transfer, a trade, an exchange, or a barter, in any manner or by any means, with or without consideration.

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1995

S

FILED - SENATE D

SENATE DRS4533-LK065(1.31) 152 FEB 6 1995

PRINCIPAL CLERK

Short Title: Sanitary Dist. Util. Relocations. (Public)

Sponsors: Senator Kerr.

Referred to:

A BILL TO BE ENTITLED

AN ACT TO PROVIDE THAT THE DEPARTMENT OF TRANSPORTATION SHALL PAY FOR THE NONBETTERMENT RELOCATION OF SANITARY DISTRICT UTILITIES.

The General Assembly of North Carolina enacts:

Section 1. G.S. 136-27.1 reads as rewritten:

"**§ 136-27.1. Relocation of water and sewer lines of municipalities and nonprofit water or sewer corporations or associations.**

The Department of Transportation shall pay the nonbetterment cost for the relocation of water and sewer lines, located within the existing State highway right-of-way, that are necessary to be relocated for a State highway improvement project and that are owned by: (i) a municipality with a population of 5,500 or less according to the latest decennial census; (ii) a nonprofit water or sewer association or corporation; (iii) any water or sewer system organized pursuant to Chapter 162A of the General Statutes; ~~or~~ (iv) a rural water system operated by county as an enterprise ~~system.~~ system; or (v) any sanitary district organized pursuant to Part 2 of Article 2 of Chapter 130A of the General Statutes."

Sec. 2. This act is effective upon ratification.

NORTH CAROLINA GENERAL ASSEMBLY
SENATE

RECORDED VOTE

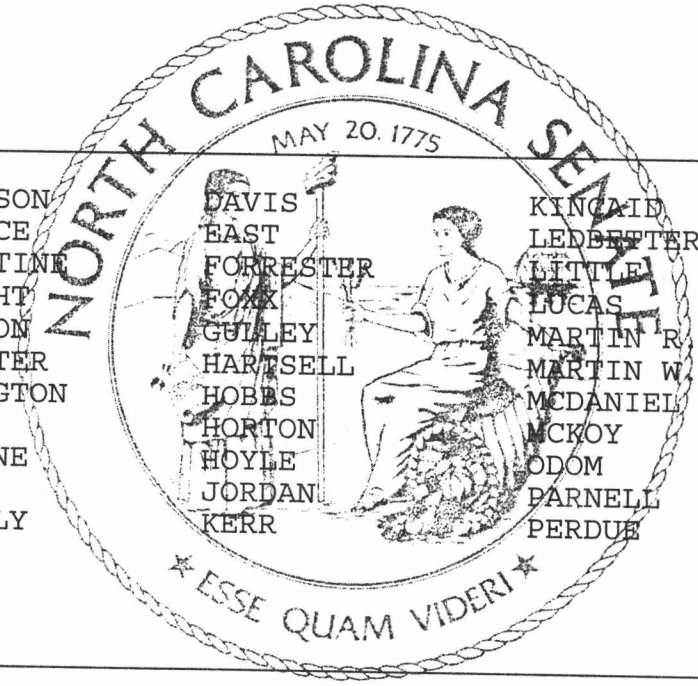
1995 SESSION

SEQ. 82/4--12:22 PM | FEBRUARY 22, 1995 | LEGISLATIVE DAY 17

LT. GOVERNOR WICKER -- Presiding

KERR
SANITARY DIST. UTIL. RELOCATIONS

SENATE BILL 152
READING 2



AYE	43	ALBERTSON	DAVIS	KINCAID	PLEXICO
		BALLANCE	EAST	LEDBETTER	PLYLER
		BALLANTINE	FORRESTER	LITTLE	RAND
		BASNIGHT	FOXX	LUCAS	SHERRON
		BLACKMON	GULLEY	MARTIN R.	SIMPSON
		CARPENTER	HARTSELL	MARTIN W.	SOLES
		CARRINGTON	HOBBS	MCDANIEL	SPEED
		CLARK	HORTON	MCKOY	WARREN
		COCHRANE	HOYLE	ODOM	WEBSTER
		COOPER	JORDAN	PARNELL	WINNER
		DANNELLY	KERR	PERDUE	
NO	0				

EXCUSED	0			
NOT CAST	3	ALLRAN	CONDER	SAWYER
ABSENT	3	EDWARDS	SHAW	SMITH
PAIRS	0			
AYE				
NO				

EV

NORTH CAROLINA

HOUSE OF REPRESENTATIVES

ROLL CALL

EQ. # 293
LEGISLATIVE DAY 45
S152
READING 2

4/12/95
3:29 PM
IN CHAIR: SPEAKER

SANITARY DISTRICT UTILITIES RELOCATION

AYES - 111

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

NOES - 0

EXCUSED ABSENCE - 5

BOWEN	ESPOSITO	RICHARDSON	SNOWDEN
BROWN, W.			

EXCUSED VOTE - 0

NOT VOTING - 4

SPEAKER	CREECH	GAMBLE	LOCKE

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1995

FILED - SENATE

S

S 153 FEB 7 1995

SENATE DRS3529-LK059(1.26) PRINCIPAL CLERK

Short Title: Granite Falls ABC Audit. (Local)

Sponsors: Senator Kincaid.

Referred to:

A BILL TO BE ENTITLED

AN ACT TO REMOVE THE REQUIREMENTS THAT GRANITE FALLS ABC STORES BE AUDITED QUARTERLY.

The General Assembly of North Carolina enacts:

Section 1. Section 5 of Chapter 546 of the 1963 Session Laws, as amended by Chapter 1054 of the 1973 Session Laws, Chapter 32 of the 1977 Session Laws, Chapter 32 of the 1979 Session Laws, and Chapter 728 of the 1993 Session Laws, is further amended by deleting "to be determined by quarterly audit,".

Sec. 2. This act is effective upon ratification.

NORTH CAROLINA GENERAL ASSEMBLY
AMENDMENT
Senate Bill 153

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

S153-ARF-001

Page 1 of 1

Date 2/22, 1995

Comm. Sub. [ ]
Amends Title [ ]

moves to amend the bill on page 1, line 8,
by deleting the word "audit" and substituting the word "audits".

SIGNED _____
Amendment Sponsor

SIGNED _____
Committee Chair if Senate Committee Amendment

ADOPTED 2-23-95 FAILED _____ TABLED _____

(V)

NORTH CAROLINA GENERAL ASSEMBLY
SENATE

RECORDED VOTE

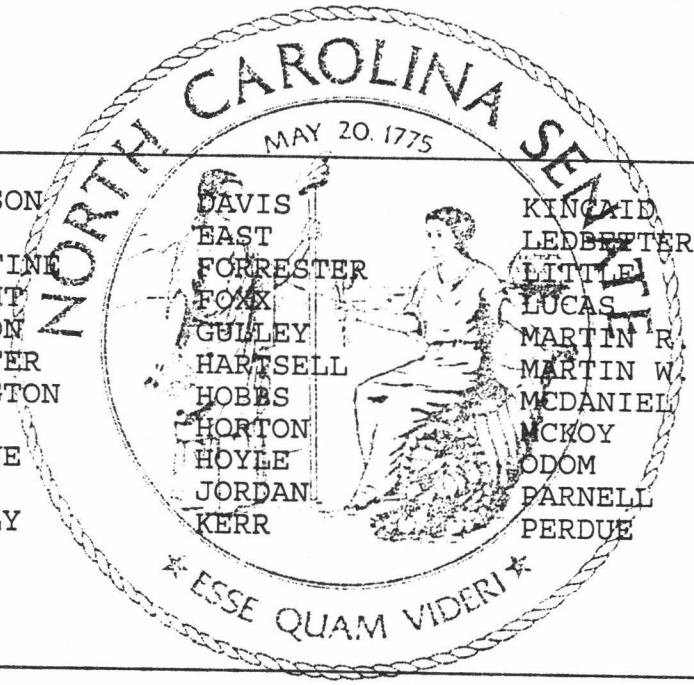
1995 SESSION

SEQ. 86/3-- 1:22 PM | FEBRUARY 23, 1995 | LEGISLATIVE DAY 18

LT. GOVERNOR WICKER -- Presiding

KINCAID
GRANITE FALLS ABC AUDIT

SENATE BILL 153
READING 2



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

EXCUSED	0				
NOT CAST	0				
ABSENT	5	BALLANCE CONDER	EDWARDS	SHAW	SMITH
PAIRS	0				
AYE					
NO					

GENERAL ASSEMBLY OF NORTH CAROLINA

FILED - SENATE

SESSION 1995

S

S 154 FEB 7 1995 D

SENATE DRS8530-LJZ9(1.4) PRINCIPAL CLERK

Short Title: Raise Reportable Accident Amount. (Public)

Sponsors: Senator Simpson.

Referred to:

A BILL TO BE ENTITLED

AN ACT TO INCREASE THE MINIMUM PROPERTY DAMAGE AMOUNT FOR A REPORTABLE MOTOR VEHICLE ACCIDENT AND TO RESOLVE INCONSISTENCIES IN THE LAW CONCERNING ACCIDENT REPORTS.

The General Assembly of North Carolina enacts:

Section 1. G.S. 20-4.01 is amended by adding a new subdivision to read:

"(33b) Reportable Accident. -- An accident involving a motor vehicle that results in either of the following:

a. Death or injury of a human being.

b. Total property damage of one thousand dollars ($1,000) or more."

Sec. 2. G.S. 20-166.1 reads as rewritten:

"**§ 20-166.1. Reports and investigations required in event of ~~collision.~~ accident.**

(a) Notice of Accident. -- The driver of a vehicle involved in a ~~collision resulting in injury to or death of any person or total property damage to an apparent extent of five hundred dollars ($500.00) or more shall~~ reportable accident must immediately, by the quickest means of communication, ~~give notice of~~ notify the ~~collision to the local police department if the collision occurs within a municipality, or to the office of the sheriff or other qualified rural police of the county wherein the collision occurred.~~ appropriate law enforcement agency of the accident. If the accident occurred in a city or town, the appropriate agency is the police department of the city or town. If the accident occurred outside a city or town, the appropriate agency is the State Highway Patrol or the sheriff's office or other qualified rural police of the county where the accident occurred.

NORTH CAROLINA GENERAL ASSEMBLY
SENATE

RECORDED VOTE

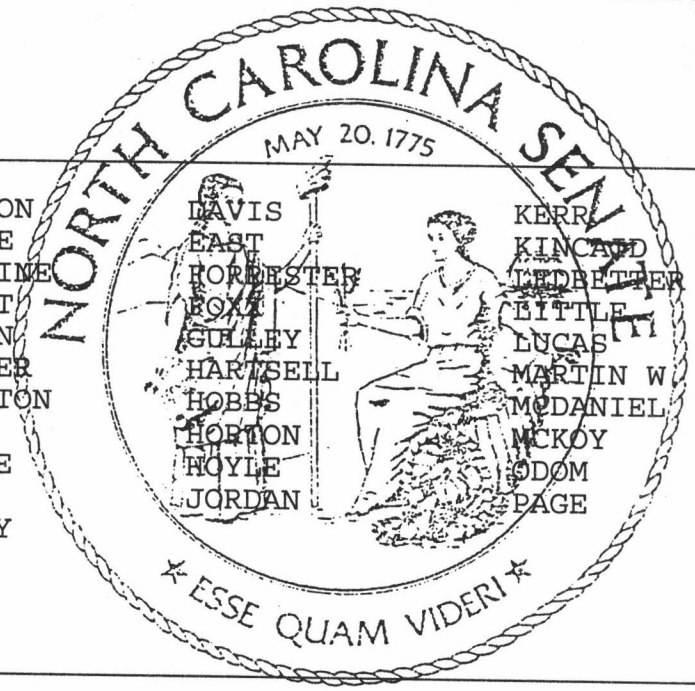
1995 SESSION

SEQ. 459/15-- 5:20 PM MAY 4, 1995 LEGISLATIVE DAY 58

SENATOR BASNIGHT -- Presiding

SIMPSON
RAISE REPORTABLE ACCIDENT AMOUNT
COM SUB/2ND EDITION

SENATE BILL 154
READING 2



AYE	41	ALBERTSON	DAVIS	KERR	PLEXICO
		BALLANCE	EAST	KINCAID	PLYLER
		BALLANTINE	FORRESTER	LEDBETTER	RAND
		BASNIGHT	FOXX	LITTLE	SHAW
		BLACKMON	GULLEY	LUCAS	SHERRON
		CARPENTER	HARTSELL	MARTIN W	SIMPSON
		CARRINGTON	HOBBS	MCDANIEL	SPEED
		CLARK	HORTON	MCKOY	WARREN
		COCHRANE	HOYLE	ODOM	WEBSTER
		COOPER	JORDAN	PAGE	WINNER
		DANNELLY			
NO	0				
EXCUSED	0				
NOT CAST	4	ALLRAN	CONDER	MARTIN R.	PARNELL
ABSENT	5	EDWARDS	SAWYER	SMITH	SOLES
		PERDUE			
PAIRS	0				
AYE					
NO					

NORTH CAROLINA GENERAL ASSEMBLY
SENATE

RECORDED VOTE

1995 SESSION

SEQ. 460/16-- 5:21 PM MAY 4, 1995 LEGISLATIVE DAY 58

SENATOR BASNIGHT -- Presiding

SIMPSON
RAISE REPORTABLE ACCIDENT AMOUNT
COM SUB/2ND EDITION

SENATE BILL 154
READING 3

AYE	42	ALBERTSON	DAVIS	KINCAID	PLEXICO
		BALLANCE	EAST	LEDBETTER	PLYLER
		BALLANTINE	FORRESTER	LITTLE	RAND
		BASNIGHT	FOXX	LUCAS	SHAW
		BLACKMON	GULLEY	MARTIN W	SHERRON
		CARPENTER	HARTSELL	MCDANIEL	SIMPSON
		CARRINGTON	HOBBS	MCKOY	SPEED
		CLARK	HORTON	ODOM	WARREN
		COCHRANE	HOYLE	PAGE	WEBSTER
		COOPER	JORDAN	PARNELL	WINNER
		DANNELLY	KERR		
NO	0				
EXCUSED	0				
NOT CAST	3	ALLRAN	CONDER	MARTIN R.	
ABSENT	5	EDWARDS PERDUE	SAWYER	SMITH	SOLES
PAIRS	0				
AYE					
NO					

RC

NORTH CAROLINA

HOUSE OF REPRESENTATIVES

ROLL CALL

. # 939
ISLATIVE DAY 73
S154 SCS
READING 2

5/31/95
2:23 PM
IN CHAIR: SPEAKER

RAISE REPORTABLE ACCIDENT AMOUNT

AYES - 116

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

NOES - 0

EXCUSED ABSENCE - 2

FITCH MERCER

EXCUSED VOTE - 0

NOT VOTING - 2

SPEAKER TALLENT

NORTH CAROLINA GENERAL ASSEMBLY
AMENDMENT
Senate Bill 154

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

S154-ALK-1

Date 6-1 ,1995

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

Representative Hackney

moves to amend the bill on page 6, line 33,
by deleting "November 1, 1995," and substituting "January 1, 1

SIGNED _____
Amendment Sponsor

SIGNED _____
Committee Chair if Senate Committee Amendment

ADOPTED 6-1-95 FAILED _____ TABLED _

108-1 EV

NORTH CAROLINA

HOUSE OF REPRESENTATIVES

ROLL CALL

EQ. # 959
LEGISLATIVE DAY 74
S154 SCS
READING 3

6/01/95
2:08 PM
IN CHAIR: SPEAKER

AMEND #1 Hackney
RAISE REPORTABLE ACCIDENT AMOUNT

AYES - 108

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

NOES - 1

RUSSELL

EXCUSED ABSENCE - 5

BOWIE	DICKSON	FITCH	HIATT
BOYD-MCINTYRE			

EXCUSED VOTE - 0

NOT VOTING - 6

SPEAKER	BLUE	HOLMES	TALLENT
BAKER	CREECH		

NORTH CAROLINA
HOUSE OF REPRESENTATIVES
ROLL CALL

SEQ. # 960
LEGISLATIVE DAY 74
S154 SCS
READING 3

6/01/95
2:09 PM
IN CHAIR: SPEAKER

RAISE REPORTABLE ACCIDENT AMOUNT

AYES - 105

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

NOES - 2

BERRY	LINNEY

EXCUSED ABSENCE - 5

BOWIE	DICKSON	FITCH	HIATT
BOYD-MCINTYRE			

EXCUSED VOTE - 0

NOT VOTING - 8

SPEAKER	BLUE	CUNNINGHAM	HOLMES
BAKER	CREECH	DECKER	TALLENT

NORTH CAROLINA GENERAL ASSEMBLY
SENATE

RECORDED VOTE

1995 SESSION

SEQ. 856/10-- 4:24 PM JUNE 6, 1995 LEGISLATIVE DAY 76

LT. GOVERNOR WICKER -- Presiding

SIMPSON
RAISE REPORTABLE ACCIDENT AMOUNT
COM SUB/2ND EDITION

SENATE BILL 154

HOUSE AMD. NO.1

MOTION 8
TO CONCUR

AYE	47	ALBERTSON	DANNELLY	LEDBETTER	PLYLER
		ALLRAN	DAVIS	LITTLE	RAND
		BALLANCE	EAST	LUCAS	SHAW
		BALLANTINE	FORRESTER	MARTIN R.	SHERRON
		BASNIGHT	FOXX	MARTIN W.	SIMPSON
		BLACKMON	GULLEY	MCDANIEL	SMITH
		CARPENTER	HARTSELL	MCKOY	SOLES
		CARRINGTON	HOBBS	ODOM	SPEED
		CLARK	HORTON	PAGE	WARREN
		COCHRANE	HOYLE	PARNELL	WEBSTER
		CONDER	KERR	PERDUE	WINNER
		COOPER	KINCAID	PLEXICO	
NO	0				
EXCUSED	0				
NOT CAST	0				
ABSENT	3	EDWARDS	JORDAN	SAWYER	
PAIRS	0				
AYE					
NO					

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1995

S D

FILED - SENATE

S 155

FEB 7 1995

PRINCIPAL CLERK

SENATE DRS1536-LJXZ8(2.6)

Short Title: Allow Temporary Plate for 60 Days. (Public)

Sponsors: Senator Simpson.

Referred to:

A BILL TO BE ENTITLED

AN ACT TO AUTHORIZE THE DIVISION OF MOTOR VEHICLES TO ISSUE A TEMPORARY LICENSE PLATE THAT IS VALID FOR UP TO SIXTY DAYS.

The General Assembly of North Carolina enacts:

Section 1. G.S. 20-50(b) reads as rewritten:

"(b) The Division may ~~upon receipt of proper application upon a form supplied by the Division and an accompanying fee of three dollars ($3.00) grant a 10-day~~ issue a temporary ~~registration marker~~ license plate for a vehicle. A temporary license plate is valid for the period set by the Division. The period may not be less than 10 days nor more than 60 days.

A person may obtain a temporary license plate for a vehicle by filing an application with the Division and paying the required fee. An application must be filed on a form provided by the Division.

The fee for a temporary license plate that is valid for 10 days is three dollars ($3.00). The fee for a temporary license plate that is valid for more than 10 days is the amount that would be required with an application for a license plate for the vehicle. If a person obtains for a vehicle a temporary license plate that is valid for more than 10 days and files an application for a license plate for that vehicle before the temporary license plate expires, the person is not required to pay the fee that would otherwise be required for the license plate.

A temporary license plate is subject to the following limitations and conditions:

(1) ~~Temporary 10-day registration markers shall~~ It may be issued only upon proper proof that the applicant has met the applicable financial responsibility requirements.

NORTH CAROLINA GENERAL ASSEMBLY
AMENDMENT
Senate Bill 155

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

S155-ARB-1

Page 1 of 1

Date March 7, 1995

Comm. Sub. [ ]
Amends Title [ ]

Senator

moves to amend the bill on page 2, line 10, by deleting the phrase "If it is" and substituting the phrase "If it is".

SIGNED _____
Amendment Sponsor

SIGNED _____
Committee Chair if Senate Committee Amendment

ADOPTED 3-8-95 FAILED _____ TABLED _____

(V)

NORTH CAROLINA GENERAL ASSEMBLY
SENATE

RECORDED VOTE

1995 SESSION

SEQ. 131/8-- 2:44 PM MARCH 8, 1995 LEGISLATIVE DAY 25

LT. GOVERNOR WICKER -- Presiding

SIMPSON
ALLOW TEMPORARY PLATE FOR 60 DAYS

SENATE BILL 155
READING 2



AYE	45	ALBERTSON	DAVIS	KERR	PERDUE
		ALLRAN	EAST	KINCAID	PLEXICO
		BALLANCE	EDWARDS	LEDBETTER	PLYLER
		BALLANTINE	FORRESTER	LITTLE	RAND
		BASNIGHT	FOXX	LUCAS	SHAW
		BLACKMON	GULLEY	MARTIN R	SHERRON
		CARPENTER	HARTSELL	MARTIN W	SIMPSON
		CARRINGTON	HOBBS	MCDANIEL	SOLES
		CLARK	HORTON	MCKOY	WARREN
		COCHRANE	HOYLE	ODOM	WEBSTER
		COOPER	JORDAN	PARNELL	WINNER
		DANNELLY			
NO	0				

EXCUSED	0			
NOT CAST	1	SPEED		
ABSENT	3	CONDER	SAWYER	SMITH
PAIRS	0			
AYE				
NO				

RC

NORTH CAROLINA
HOUSE OF REPRESENTATIVES
ROLL CALL

S. # 1447
SLATIVE DAY 93
READING 2

7/05/95
5:30 PM
IN CHAIR: SPEAKER

ALLOW TEMPORARY PLATE FOR 60 DAYS

AYES - 108

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

NOES - 1

SUTTON

EXCUSED ABSENCE - 6

BRASWELL	MINER	REDWINE	WOOD
GRAY	PULLEY		

EXCUSED VOTE - 0

NOT VOTING - 5

SPEAKER	LINNEY	OLDHAM	RAMSEY
DAUGHTRY			

KC

NORTH CAROLINA
HOUSE OF REPRESENTATIVES
ROLL CALL

SEQ. # 1502
LEGISLATIVE DAY 94
S155
READING 3

7/06/95
6:34 PM
IN CHAIR: SPEAKER

ALLOW TEMPORARY PLATE FOR 60 DAYS

AYES - 100

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

NOES - 1

LINNEY

EXCUSED ABSENCE - 8

BARNES	CANSLER	PULLEY	WARNER
BRASWELL	IVES	REDWINE	WRIGHT

EXCUSED VOTE - 0

NOT VOTING - 11

SPEAKER	GAMBLE	HURLEY	SHAW
ALDRIDGE	GARDNER	LEE	WILKINS
BOWEN	HUNTER, R.	PRESTON	

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1995

S

FILED - SENATE D

FEB 7 1995

PRINCIPAL CLERK

SENATE DRS4534-LH090(2.6) S156

Short Title: Weapon Exempt./Firefighters/EMS. (Public)

Sponsors: Senator Perdue.

Referred to:

A BILL TO BE ENTITLED

AN ACT TO PROVIDE THAT FIREFIGHTERS AND EMERGENCY MEDICAL SERVICE PERSONNEL MAY POSSESS OR CARRY WEAPONS ON SCHOOL GROUNDS WHEN DISCHARGING THEIR OFFICIAL DUTIES.

The General Assembly of North Carolina enacts:

Section 1. G.S. 14-269.2 (g) reads as rewritten:

"(g) This section shall not apply to:

(1) A weapon used solely for educational or school-sanctioned ceremonial purposes, or used in a school-approved program conducted under the supervision of an adult whose supervision has been approved by the school authority;

(2) Armed forces personnel, officers and soldiers of the militia and national guard, law-enforcement personnel, ~~and~~ firefighters, emergency medical personnel, and any private police employed by an educational institution, when acting in the discharge of their official duties; or

(3) Home schools as defined in G.S. 115C-563(a)."

Sec. 2. This act becomes effective December 1, 1995.

NORTH CAROLINA GENERAL ASSEMBLY
AMENDMENT
Senate Bill 156

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

S156-ARV-1

Date 4-6, 1995

Comm. Sub. []
Amends Title [YES]

Senator Kerr

moves to amend the bill on page 1, lines 2 and 3,
by rewriting those lines to read: "AN ACT TO PROVIDE THAT
FIREFIGHTERS, EMERGENCY MEDICAL SERVICE PERSONNEL AND NORTH CAROLINA
FOREST SERVICE PERSONNEL MAY POSSESS OR CARRY WEAPONS ON SCHOOL";

and on page 1, line 14,
by rewriting that line to read:
"emergency medical personnel, North Carolina Forest Service
personnel, and any private police employed by".

SIGNED J Kerr
Amendment Sponsor

SIGNED
Committee Chair if Senate Committee Amendment

ADOPTED _____ FAILED _____ TABLED _____

SIGNED _____
Amendment Sponsor

SIGNED _____
Committee Chair if Senate Committee Amendment

ADOPTED 4-11-95 (V) FAILED _____ TABLED _____

CHANGES TITLE

NORTH CAROLINA GENERAL ASSEMBLY
SENATE

RECORDED VOTE

1995 SESSION

SEQ. 256/4-- 3:22 PM | APRIL 11, 1995 | LEGISLATIVE DAY 44

LT. GOVERNOR WICKER -- Presiding

PERDUE
WEAPON EXEMPT./FIREFIGHTERS/EMS

SENATE BILL 156
READING 2

AYE	49	ALBERTSON	DAVIS	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	SOLES
		CLARK	HORTON	ODOM	SPEED
		COCHRANE	HOYLE	PAGE	WARREN
		CONDER	JORDAN	PARNELL	WEBSTER
		COOPER	KERR	PERDUE	WINNER
		DANNELLY			
NO	0				

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

(COPY)

GENERAL ASSEMBLY OF NORTH CAROLINA

FILED - SENATE

SESSION 1995

S 157 FEB 7 1995

S

PRINCIPAL CLERK

SENATE DRS6521*-LF111(1.30)

Short Title: UNC-W Marine Sciences Funds. (Public)

Sponsors: Senators Jordan and Soles.

Referred to:

A BILL TO BE ENTITLED

AN ACT TO APPROPRIATE FUNDS FOR A MARINE SCIENCES RESEARCH AND EDUCATION CENTER AT THE UNIVERSITY OF NORTH CAROLINA AT WILMINGTON.

The General Assembly of North Carolina enacts:

Section 1. There is appropriated from the General Fund to the Board of Governors of The University of North Carolina the sum of twenty-three million dollars ($23,000,000) for the 1995-96 fiscal year and the sum of twenty-three million dollars ($23,000,000) for the 1996-97 fiscal year for construction of a Marine Sciences Research and Education Center at the University of North Carolina at Wilmington.

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

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1995

FILED - SENATE

S 158 FEB D 7 1995

PRINCIPAL CLERK

S

SENATE DRS1527-LE029(1.12)

Short Title: School Safety Funds. (Public)

Sponsors: Senators Albertson and Warren.

Referred to:

A BILL TO BE ENTITLED

AN ACT TO PROVIDE FUNDS FOR LAW ENFORCEMENT OFFICERS TO ENSURE SCHOOL SAFETY.

The General Assembly of North Carolina enacts:

Section 1. There is appropriated from the General Fund to State Aid to Local School Administrative Units, the sum of ten million dollars ($10,000,000) for the 1995-96 fiscal year and the sum of ten million dollars ($10,000,000) for the 1996-97 fiscal year to provide funds for local school administrative units to hire law enforcement officers to ensure the safety of children and school personnel. These funds shall be allocated by the State Board of Education on a competitive grant basis.

A local board of education that needs the presence of police officers on school grounds to ensure the safety of children and school personnel may apply for a grant. The grant application shall specify the nature and extent of the problem and the cost of providing the law enforcement officers when and where they are needed.

In awarding grants, the State Board shall consider the information provided in the grant application and the report on acts of school violence submitted by the local board of education submitted to the State Board of Education.

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

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1995

FILED - SENATE

S 159 FEB 7 1995

PRINCIPAL CLERK

S D

SENATE DRS2526-RUZ(GENSTAT)1(1.25)

Short Title: Adoptions Rewrite. (Public)

Sponsors: Senators Hartsell and Winner.

Referred to:

A BILL TO BE ENTITLED

AN ACT TO REWRITE CHAPTER 48 OF THE GENERAL STATUTES RELATING TO ADOPTION AS RECOMMENDED BY THE GENERAL STATUTES COMMISSION.

The General Assembly of North Carolina enacts:

Section 1. Chapter 48 of the General Statutes is repealed.

Sec. 2. A new Chapter is added to the General Statutes to read:

"Chapter 48.

"Adoptions.

"ARTICLE 1.

"General Provisions.

"§ 48-1-100. Legislative findings and intent; construction of Chapter.

(a) The General Assembly finds that it is in the public interest to establish a clear judicial process for adoptions, to promote the integrity and finality of adoptions, to encourage prompt, conclusive disposition of adoption proceedings, and to structure services to adopted children, biological parents, and adoptive parents that will provide for the needs and protect the interests of all parties to an adoption, particularly adopted minors.

(b) With special regard for the adoption of minors, the General Assembly declares as a matter of legislative policy that:

(1) The primary purpose of this Chapter is to advance the welfare of minors by (i) protecting minors from unnecessary separation from their original parents, (ii) facilitating the adoption of minors in need of adoptive placement by persons who can give them love, care, security, and support, (iii) protecting minors from placement

NORTH CAROLINA GENERAL ASSEMBLY
SENATE

RECORDED VOTE

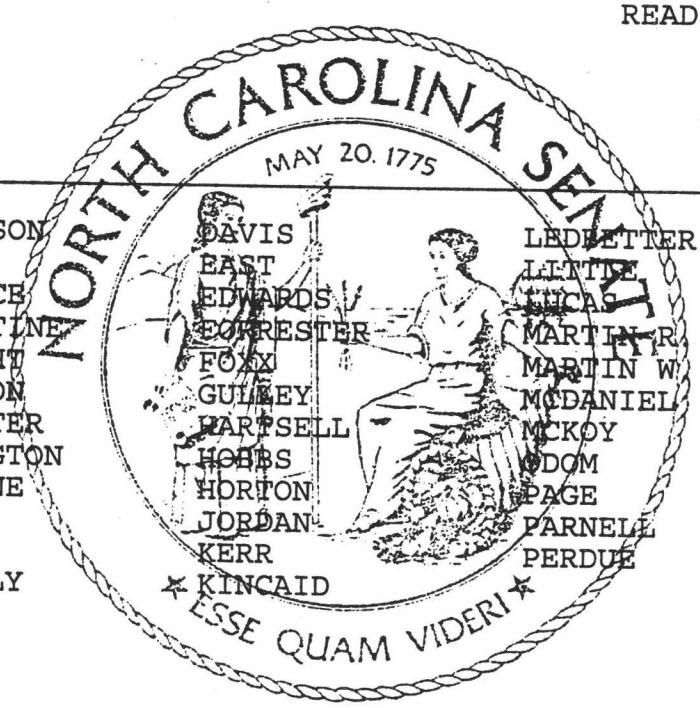
1995 SESSION

SEQ. 496/28-- 6:30 PM MAY 8, 1995 LEGISLATIVE DAY 59

LT. GOVERNOR WICKER -- Presiding

HARTSELL
ADOPTIONS REWRITE
COM SUB/2ND EDITION

SENATE BILL 159
READING 2



AYE	46	ALBERTSON	DAVIS	LEDBETTER	PLEXICO
		ALLRAN	EAST	LITTLE	PLYLER
		BALLANCE	EDWARDS	LUCAS	RAND
		BALLANTINE	FORRESTER	MARTIN R.	SAWYER
		BASNIGHT	FOXX	MARTIN W.	SHAW
		BLACKMON	GULLEY	MCDANIEL	SHERRON
		CARPENTER	HARTSELL	MCKOY	SOLES
		CARRINGTON	HOBBS	ODOM	SPEED
		COCHRANE	HORTON	PAGE	WARREN
		CONDER	JORDAN	PARNELL	WEBSTER
		COOPER	KERR	PERDUE	WINNER
		DANNELLY	KINCAID		
NO	1	CLARK			

EXCUSED	0		
NOT CAST	1	SIMPSON	
ABSENT	2	HOYLE	SMITH
PAIRS	0		
AYE			
NO			

KC

NORTH CAROLINA
HOUSE OF REPRESENTATIVES
ROLL CALL

SQ. # 1557
LEGISLATIVE DAY 96
S159 HCS
READING 2

7/11/95
4:20 PM
IN CHAIR: SPEAKER

ADOPTION REWRITE

AYES - 114

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

NOES - 0

EXCUSED ABSENCE - 3

HIGHTOWER	MCCRARY	ROBINSON, G.

EXCUSED VOTE - 0

NOT VOTING - 3

SPEAKER	MINER	NICHOLS

KC

NORTH CAROLINA

HOUSE OF REPRESENTATIVES

ROLL CALL

. # 1568
ISLATIVE DAY 97
S159 HCS #2
READING 3

7/12/95
3:50 PM
IN CHAIR: SPEAKER

ADOPTION REWRITE

AYES - 109

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

NOES - 0

EXCUSED ABSENCE - 4

BRASWELL	HIGHTOWER	MCCRARY	ROGERS

EXCUSED VOTE - 0

NOT VOTING - 7

SPEAKER	BROWN, W.	LEMMOND	SHAW
BOWEN	HIATT	REDWINE	

S159 HCS

NORTH CAROLINA GENERAL ASSEMBLY
SENATE

RECORDED VOTE

1995 SESSION

SEQ. 1337/16-- 5:08 PM JULY 17, 1995 LEGISLATIVE DAY 10(

LT. GOVERNOR WICKER -- Presiding

HARTSELL
ADOPTION REWRITE
HOUSE COM SUB NO.2/4TH EDITION

SENATE BILL 159
READING 2

MOTION 8
TO CONCUR

AYE	47	ALBERTSON	DAVIS	LEDBETTER	PLYLER
		ALLRAN	EAST	LITTLE	RAND
		BALLANTINE	EDWARDS	LUCAS	SAWYER
		BASNIGHT	FORRESTER	MARTIN R.	SHAW
		BLACKMON	FOXX	MARTIN W.	SHERRON
		CARPENTER	GULLEY	MCDANIEL	SMITH
		CARRINGTON	HARTSELL	MCKOY	SOLES
		CLARK	HOBBS	ODOM	SPEED
		COCHRANE	HORTON	PAGE	WARREN
		CONDER	HOYLE	PARNELL	WEBSTER
		COOPER	KERR	PERDUE	WINNER
		DANNELLY	KINCAID	PLEXICO	
NO	0				
EXCUSED	0				
NOT CAST	2	JORDAN	SIMPSON		
ABSENT	1	BALLANCE			
PAIRS	0				
AYE					
NO					

NORTH CAROLINA GENERAL ASSEMBLY
SENATE

RECORDED VOTE

1995 SESSION

SEQ. 1355/10-- 3:53 PM JULY 18, 1995 LEGISLATIVE DAY 101

LT. GOVERNOR WICKER -- Presiding

HARTSELL
ADOPTION REWRITE
HOUSE COM SUB NO.2/4TH EDITION

SENATE BILL 159
READING 3

MOTION 8
TO CONCUR

AYE	49	ALBERTSON	DAVIS	KINCAID	PLEXICO
		ALLRAN	EAST	LEDBETTER	PLYLER
		BALLANCE	EDWARDS	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
		DANNELLY			
NO	1	SAWYER			

EXCUSED 0

NOT CAST 0

ABSENT 0

PAIRS 0
AYE
NO

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1995

S D

SENATE DRSA515*-RUZ(IMMUN)006(1.19)

FILED - SENATE
S 160 FEB 7 1995
PRINCIPAL CLERK

Short Title: Defense of Social Workers. (Public)

Sponsors: Senator Winner.

Referred to:

A BILL TO BE ENTITLED

AN ACT TO REQUIRE THE STATE TO DEFEND COUNTY CHILD PROTECTIVE SERVICES SOCIAL WORKERS, ADULT PROTECTIVE SERVICES SOCIAL WORKERS, AND FOSTER CARE SOCIAL WORKERS FROM LIABILITY ARISING FROM THE PERFORMANCE OF THEIR OFFICIAL DUTIES.

The General Assembly of North Carolina enacts:

Section 1. Article 31A of Chapter 143 of the General Statutes is amended by adding a new section to read:

"**§ 143-300.11. Defense of county protective services social workers and county foster care social workers.**

Any county social worker currently or formerly employed by a county department of social services performing the official duties of the social worker's position as either a juvenile protective services social worker pursuant to Article 44 of Chapter 7A of the General Statutes, an adult protective services social worker pursuant to Article 6 of Chapter 108A of the General Statutes, or a foster care social worker performing duties assigned or delegated by the county director of social services pursuant to G.S. 108A-14(12) of the General Statutes shall be defended by the State subject to the provisions of G.S. 143-300.4 and G.S. 143-300.4A of the General Statutes and shall be indemnified from liability in accordance with the provisions of this Article in any civil or criminal action or proceeding brought against the social worker in the social worker's official or individual capacity, or both, on account of an act done or omission made in the scope and course of carrying out the provisions of Article 44 of Chapter 7A of the General Statutes, Article 6 of Chapter 108A of the General Statutes, or G.S. 108A-14(12). The social worker shall be considered an

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1995

S

FILED - SENATE D
S 1 6 1 FEB 7 1995
PRINCIPAL CLERK

SENATE DRS7533*-LE058(2.1)

Short Title: Eastern N.C. Agric. Center Funds. (Public)

Sponsors: Senator Martin of Pitt.

Referred to:

A BILL TO BE ENTITLED

AN ACT TO APPROPRIATE FUNDS FOR THE EASTERN NORTH CAROLINA AGRICULTURAL CENTER.

The General Assembly of North Carolina enacts:

Section 1. There is appropriated from the General Fund to the Department of Agriculture the sum of six million dollars ($6,000,000) for the 1995-96 fiscal year to construct the Eastern North Carolina Agricultural Center.

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

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1995

S

FILED - SENATE D
S 162 FEB 7 199
PRINCIPAL CLERK

SENATE DRSA516-LJ18(2.7)

Short Title: Delay Window Tinting Changes. (Public)

Sponsors: Senator Hoyle.

Referred to:

A BILL TO BE ENTITLED

AN ACT TO DELAY THE EFFECTIVE DATE OF THE CHANGES MADE IN 1994 TO THE LAWS CONCERNING THE TINTING OF WINDOWS ON MOTOR VEHICLES.

The General Assembly of North Carolina enacts:

Section 1. Section 2 of Chapter 683 of the 1993 Session Laws (Reg. Sess., 1994) reads as rewritten:

"Sec. 2. This act becomes effective ~~March~~ July 1, 1995."

Sec. 2. This act is effective upon ratification.

NORTH CAROLINA GENERAL ASSEMBLY
SENATE

RECORDED VOTE

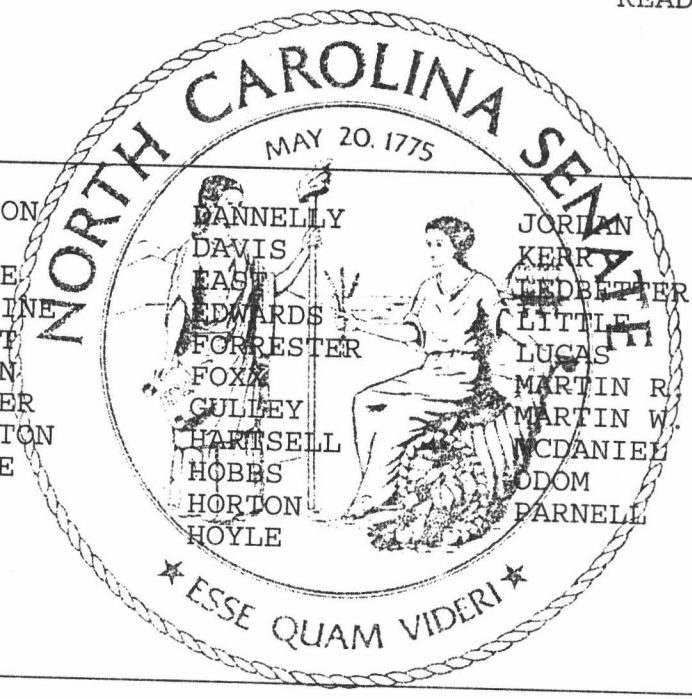
1995 SESSION

SEQ. 91/4-- 7:24 PM | FEBRUARY 27, 1995 | LEGISLATIVE DAY 19

LT. GOVERNOR WICKER -- Presiding

HOYLE
DELAY WINDOW TINTING CHANGES

SENATE BILL 162
READING 2



AYE	42	ALBERTSON	DANNELLY	JORDAN	PERDUE
		ALLRAN	DAVIS	KERR	PLEXICO
		BALLANCE	EAST	LEDBETTER	PLYLER
		BALLANTINE	EDWARDS	LITTLE	RAND
		BASNIGHT	FORRESTER	LUCAS	SHERRON
		BLACKMON	FOXX	MARTIN R	SIMPSON
		CARPENTER	GULLEY	MARTIN W.	SOLES
		CARRINGTON	HARTSELL	MCDANIEL	SPEED
		COCHRANE	HOBBS	ODOM	WARREN
		CONDER	HORTON	PARNELL	WEBSTER
		COOPER	HOYLE		
NO	1	CLARK			
EXCUSED	0				
NOT CAST	1	SHAW			
ABSENT	5	KINCAID	SAWYER	SMITH	WINNER
		MCKOY			
PAIRS	0				
AYE					
NO					

NORTH CAROLINA GENERAL ASSEMBLY
SENATE

RECORDED VOTE

1995 SESSION

SEQ. 155/2-- 3:15 PM | MARCH 14, 1995 | LEGISLATIVE DAY 28

LT. GOVERNOR WICKER -- Presiding

HOYLE
DELAY WINDOW TINTING CHANGES

SENATE BILL 162

HOUSE AMENDMENT NO. 1

MOTION 8
TO CONCUR

AYE	43	ALBERTSON	DANNELLY	JORDAN	PERDUE
		ALLRAN	DAVIS	KERR	PLYLER
		BALLANCE	EAST	LEDBETTER	RAND
		BALLANTINE	EDWARDS	LITTLE	SHAW
		BASNIGHT	FORRESTER	LUCAS	SIMPSON
		BLACKMON	FOXX	MARTIN R.	SOLES
		CARPENTER	GULLEY	MARTIN W.	SPEED
		CARRINGTON	HARTSELL	MCDANIEL	WARREN
		CLARK	HOBBS	MCKOY	WEBSTER
		COCHRANE	HORTON	ODOM	WINNER
		COOPER	HOYLE	PARNELL	
NO	0				
EXCUSED	0				
NOT CAST	1	KINCAID			
ABSENT	5	CONDER	SAWYER	SHERRON	SMITH
		PLEXICO			
PAIRS	0				
AYE					
NO					

EV

NORTH CAROLINA
HOUSE OF REPRESENTATIVES
ROLL CALL

SEQ. # 121
LEGISLATIVE DAY 27
S162
READING 2

3/13/95
7:26 PM
IN CHAIR: SPEAKER

DELAY WINDOW TINTING CHANGES

AYES - 105

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

NOES - 3

ALLRED	MILLER, K.	SHERRILL

EXCUSED ABSENCE - 5

ALDRIDGE	HIGHTOWER	WAINWRIGHT	WOOD
CULPEPPER			

EXCUSED VOTE - 0

NOT VOTING - 7

SPEAKER	FITCH	REDWINE	WRIGHT
BRASWELL	HUNTER, H.	ROBINSON	

NORTH CAROLINA GENERAL ASSEMBLY
AMENDMENT
Senate Bill 162

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

S162-ARS-001

Date 3/8 3/13, 1995

Comm. Sub. [ ]
Amends Title [ ]

Representative Ellis

moves to amend the bill on page 1, line 8, by deleting the word "July" and substituting the word "November".

SIGNED _____
Amendment Sponsor

SIGNED _____
Committee Chair if Senate Committee Amendment

ADOPTED 3/13/95 (vv) FAILED _____ TABLED _____

Wallace Computer Services, Inc.

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1995

S D

FILED - SENATE

S 163 FEB 8 1995

PRINCIPAL CLERK

SENATE DRS6522*-LB128(2.7)

Short Title: Whiteville School Board. (Local)

Sponsors: Senator Soles.

Referred to:

A BILL TO BE ENTITLED

AN ACT TO APPOINT MEMBERS OF THE WHITEVILLE CITY BOARD OF EDUCATION.

The General Assembly of North Carolina enacts:

Section 1. Pursuant to Chapter 172, Session Laws of 1977, the following persons are appointed to the Board of Education for the Whiteville City School Administrative Unit, and they shall serve for a term of two years beginning on the second Tuesday in February of 1995: David Flowers, L. Calvin Duncan, LaDeen Powell, and Flossie N. Inman.

Sec. 2. This act is effective upon ratification.

FILED - SENATE

S 164 FEB 8 1995

PRINCIPAL CLERK

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1995

S D

SENATE DRS7529-LF077(1.18)

Short Title: Foster Parent Records/AB. (Public)

Sponsors: Senator Odom.

Referred to:

A BILL TO BE ENTITLED

AN ACT TO MANDATE CRIMINAL HISTORY CHECKS OF ALL FOSTER PARENTS IN LICENSED FAMILY FOSTER HOMES AND TO APPROPRIATE FUNDS.

The General Assembly of North Carolina enacts:

Section 1. Effective January 1, 1996, G.S. 131D-10.2 reads as rewritten:

"**§ 131D-10.2. Definitions.**

For purposes of this Article, unless the context clearly implies otherwise:

(1) 'Adoption' means the act of creating a legal relationship between parent and child where it did not exist genetically.

(2) 'Adoptive Home' means a family home approved by a child placing agency to accept a child for adoption.

(3) 'Child' means an individual less than 18 years of age, who has not been emancipated under the provisions of Article 56 of Chapter 7A of the General Statutes.

(4) 'Child Placing Agency' means a person authorized by statute or license under this Article to receive children for purposes of placement in residential group care, family foster homes or adoptive homes.

(5) 'Children's Camp' means a residential child-care facility which provides foster care at either a permanent camp site or in a wilderness setting.

(6) 'Commission' means the ~~Commission for Social Services.~~ Social Services Commission.

FILED - SENATE

S 165 FEB 8 1995

PRINCIPAL CLERK

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1995

S D

SENATE DRS5523-LF083A(1.18)

Short Title: Day Care Provider Records/AB. (Public)

Sponsors: Senator Odom.

Referred to:

A BILL TO BE ENTITLED

AN ACT TO MANDATE CRIMINAL HISTORY CHECKS OF CHILD DAY CARE PROVIDERS, TO STUDY THE USE OF THE CENTRAL REGISTRY ON CHILD ABUSE AND NEGLECT, AND TO APPROPRIATE FUNDS.

The General Assembly of North Carolina enacts:

Section 1. Article 7 of Chapter 110 of the General Statutes is amended by adding a new section to read:

"**§ 110-90.2. Mandatory day care providers' criminal history checks.**

(a) For purposes of this section:

(1) 'Child day care', notwithstanding the definition in G.S. 110-86, means any child day care provided in child day care facilities and child day care homes, including child day care facilities and child day care homes required to be licensed or registered under this Article and nonregistered child day care homes approved to receive or receiving State or federal funds for providing child day care.

(2) 'Child day care provider' means a person who:

a. Is employed by or seeks to be employed by a child day care facility or child day care home providing child day care as defined in subdivision (1) of this subsection and by G.S. 110-86; or

b. Owns or operates or seeks to own or operate a child day care facility or child day care home providing child day care as defined in subdivision (1) of this subsection and by G.S. 110-86.

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1995

FILED - SENATE

S

S 166 FEB 8 1995

SENATE DRS5520-LTX021(1.1) PRINCIPAL CLERK

Short Title: Regulation of Attorneys-At-Law/AB. (Public)

Sponsors: Senators Kerr, Ballance, and Hartsell.

Referred to:

A BILL TO BE ENTITLED

AN ACT TO AMEND CERTAIN PROVISIONS OF LAW THAT REGULATE ATTORNEYS-AT-LAW.

The General Assembly of North Carolina enacts:

Section 1. G.S. 84-1 reads as rewritten:

"**§ 84-1. Oaths taken in open court.**

Attorneys before they shall be admitted to practice law shall, in open court before a justice or judge of the General Court of Justice, personally appear and take the oath prescribed for ~~attorneys,~~ attorneys by G.S. 11-11, and also the oaths of allegiance to the State, and to support the Constitution of the United States, prescribed for all public ~~officers,~~ officers by Article VI, Sec. 7 of the North Carolina Constitution and G.S. 11-7, and the same shall be entered on the records of the court; and, upon such qualification had, and oath taken may act as attorneys during their good behavior."

Sec. 2. G.S. 84-2 reads as rewritten:

"**§ 84-2. Persons disqualified.**

No justice, judge, full-time district attorney, full-time assistant district attorney, public defender, assistant public defender, clerk, deputy or assistant clerk of the General Court of Justice, ~~nor~~ register of deeds, assistant or deputy register of deeds, ~~nor sheriff,~~ sheriff or deputy sheriff shall engage in the private practice of law. Persons violating this provision shall be guilty of a Class 3 misdemeanor and only fined not less than two hundred dollars ($200.00)."

Sec. 3. G.S. 84-2.1 reads as rewritten:

"**§ 84-2.1. 'Practice law' defined.**

The phrase 'practice law' as used in this Chapter is defined to be performing any legal service for any other person, firm or corporation, with or without compensation,

NORTH CAROLINA GENERAL ASSEMBLY AMENDMENT

(Please type or use ballpoint pen)

~~H. B. No.~~ _____ DATE May 2, 1995

S. B. No. 166 (2nd Edition) (1st Sub.) Amendment No. 1 (one)
(to be filled in by Principal Clerk)

Rep.)
Sen.) Nolan

moves to amend the bill on page 1, line 18,

by deleting "assistant or deputy" and substiting "deputy or assistant".

SIGNED _____

Adopted by the Committee on Finance

ADOPTED 5-3-95 (V) FAILED _____ TABLED _____

GA-33-A

PRINCIPAL CLERK'S OFFICE (FOR ENGROSSMENT)

NORTH CAROLINA GENERAL ASSEMBLY
SENATE

RECORDED VOTE

1995 SESSION

SEQ. 428/4-- 2:59 PM | MAY 3, 1995 | LEGISLATIVE DAY 57

LT. GOVERNOR WICKER -- Presiding

KERR
REGULATION OF ATTORNEYS-AT-LAW/AB
COM SUB/2ND EDITION

SENATE BILL 166
READING 2

AYE	39	ALBERTSON	DANNELLY	KERR	PERDUE
		ALLRAN	DAVIS	LEDBETTER	PLEXICO
		BALLANCE	EDWARDS	LITTLE	PLYLER
		BALLANTINE	FOXX	LUCAS	RAND
		BASNIGHT	GULLEY	MARTIN W.	SAWYER
		BLACKMON	HARTSELL	MCDANIEL	SHAW
		CARRINGTON	HOBBS	MCKOY	SIMPSON
		COCHRANE	HORTON	ODOM	SPEED
		CONDER	HOYLE	PAGE	WINNER
		COOPER	JORDAN	PARNELL	
NO	5	CLARK	KINCAID	SHERRON	WEBSTER
		EAST			
EXCUSED	0				
NOT CAST	3	CARPENTER	MARTIN R.	WARREN	
ABSENT	3	FORRESTER	SMITH	SOLES	
PAIRS	0				
AYE					
NO					

(CONTINUED)

NORTH CAROLINA GENERAL ASSEMBLY
SENATE

RECORDED VOTE

1995 SESSION

SEQ. 441/17-- 3:47 PM MAY 3, 1995 LEGISLATIVE DAY 57

LT. GOVERNOR WICKER -- Presiding

KERR
REGULATION OF ATTORNEYS-AT-LAW/AB
COM SUB/2ND EDITION

SENATE BILL 166
READING 2

RECORDED
AYE 1 CARPENTER
ADJUSTED TOTAL
AYE 40
NO 5
NOT CAST 2
ABSENT 3

PY)

NORTH CAROLINA GENERAL ASSEMBLY
SENATE

RECORDED VOTE

1995 SESSION

SEQ. 441/17-- 3:47 PM MAY 3, 1995 LEGISLATIVE DAY 57

LT. GOVERNOR WICKER -- Presiding

KERR
REGULATION OF ATTORNEYS-AT-LAW/AB
COM SUB/2ND EDITION

SENATE BILL 166
READING 2

AYE	40	ALBERTSON	COOPER	JORDAN	PARNELL
		ALLRAN	DANNELLY	KERR	PERDUE
		BALLANCE	DAVIS	LEDBETTER	PLEXICO
		BALLANTINE	EDWARDS	LETTLE	PLYLER
		BASNIGHT	FOXX	LUCAS	RAND
		BLACKMON	GULLEY	MARTIN W.	SAWYER
		CARPENTER	HARTSELL	MCDANIEL	SHAW
		CARRINGTON	HOBBS	MCKOY	SIMPSON
		COCHRANE	HORTON	ODOM	SPEED
		CONDER	HOYLE	PAGE	WINNER
NO	5	CLARK	KINCAID	SHERRON	WEBSTER
		EAST			

EXCUSED	0			
NOT CAST	2	MARTIN R.	WARREN	
ABSENT	3	FORRESTER	SMITH	SOLES
PAIRS	0			
AYE				
NO				

(COPY)

NORTH CAROLINA GENERAL ASSEMBLY
AMENDMENT
Senate Bill 166

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

S166-ARB-3

Page 1 of 1

Date 5-8 ,1995

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

Senator Kerr

moves to amend the bill on page 2, line 17, by rewriting the line to read:

"~~It~~ Except as otherwise permitted by law, it shall be unlawful for any person or association of persons, except active";

and on page 2, lines 20 and 21, by rewriting the lines to read: "proceeding ~~in any court in this State or~~ before any judicial ~~body~~ or body, including the North Carolina Industrial";

and on page 2, lines 32 and 33, by deleting "~~document.~~ document except as otherwise permitted by law." and substituting "document.".

SIGNED J. Kerr
Amendment Sponsor

SIGNED
Committee Chair if Senate Committee Amendment

ADOPTED 5/8/95 FAILED TABLED
43-2

S Tart

NORTH CAROLINA GENERAL ASSEMBLY
SENATE

RECORDED VOTE

1995 SESSION

SEQ. 481/13-- 5:22 PM MAY 8, 1995 LEGISLATIVE DAY 59

LT. GOVERNOR WICKER -- Presiding

KERR
REGULATION OF ATTORNEYS-AT-LAW/AB
COM SUB/2ND EDITION

SENATE BILL 166

AMEND 2

AYE	43	ALBERTSON	EAST	LEDBETTER	PLYLER
		ALLRAN	EDWARDS	LITTLE	RAND
		BALLANCE	FORRESTER	LUCAS	SAWYER
		BALLANTINE	FOXX	MARTIN R	SHAW
		BASNIGHT	GULLEY	MARTIN W	SIMPSON
		BLACKMON	HARTSELL	MCDANIEL	SOLES
		CARPENTER	HOBBS	MCKOY	SPEED
		CARRINGTON	HORTON	ODOM	WARREN
		COCHRANE	JORDAN	PAGE	WEBSTER
		COOPER	KERR	PERDUE	WINNER
		DANNELLY	KINCAID	PLEXICO	
NO	2	CLARK	SHERRON		
EXCUSED	0				
NOT CAST	3	CONDER	DAVIS	PARNELL	
ABSENT	2	HOYLE	SMITH		
PAIRS	0				
AYE					
NO					

NORTH CAROLINA SENATE
MAY 20. 1775
ESSE QUAM VIDERI

NORTH CAROLINA GENERAL ASSEMBLY
SENATE

RECORDED VOTE

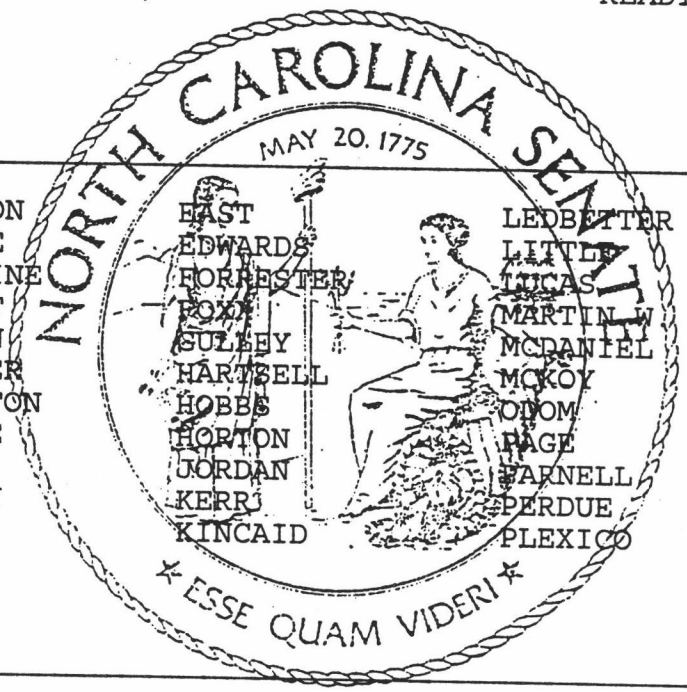
1995 SESSION

SEQ. 482/14-- 5:25 PM MAY 8, 1995 LEGISLATIVE DAY 59

LT. GOVERNOR WICKER -- Presiding

KERR
REGULATION OF ATTORNEYS-AT-LAW/AB
COM SUB/2ND EDITION

SENATE BILL 166
READING 3



AYE	44	ALBERTSON	EAST	LEDBETTER	PLYLER
		BALLANCE	EDWARDS	LITTLE	RAND
		BALLANTINE	FORRESTER	LUCAS	SAWYER
		BASNIGHT	FOXX	MARTIN W	SHAW
		BLACKMON	GULLEY	MCDANIEL	SHERRON
		CARPENTER	HARTSELL	MCKOY	SIMPSON
		CARRINGTON	HOBBS	ODOM	SOLES
		COCHRANE	HORTON	PAGE	SPEED
		COOPER	JORDAN	PARNELL	WARREN
		DANNELLY	KERR	PERDUE	WEBSTER
		DAVIS	KINCAID	PLEXICO	WINNER
NO	1	CLARK			

EXCUSED	0			
NOT CAST	3	ALLRAN	CONDER	MARTIN R.
ABSENT	2	HOYLE	SMITH	
PAIRS	0			
AYE				
NO				

NORTH CAROLINA GENERAL ASSEMBLY AMENDMENT

(Please type or use ballpoint pen)

H. B. No. _____ DATE June 15, 1995

S. B. No. 166 (4th ed) Amendment No. 1

(to be filled in by Principal Clerk)

Rep.) HACKNEY

Sen.)

moves to amend the bill on page 18, line 3

by deleting "seventy-five dollars ($75.00)"

and substituting "thirty dollars ($30.00)".

SIGNED _____

ADOPTED ✓ 6/20/95 FAILED _____ TABLED _____

100-9EV

GA-33-A PRINCIPAL CLERK'S OFFICE (FOR ENGROSSMENT)

EV

NORTH CAROLINA
HOUSE OF REPRESENTATIVES
ROLL CALL

. # 1208
ISLATIVE DAY 84
S166 HCS
READING 2

6/20/95
4:54 PM
IN CHAIR: SPEAKER

AMEND #1 Committee
REGULATION OF ATTORNEYS-AT-LAW/AB

AYES - 100

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

NOES - 9

ALDRIDGE	BERRY	DAVIS	MILLER, K.
ALLRED	CREECH	IVES	RICHARDSON
ARNOLD			

EXCUSED ABSENCE - 5

CHURCH	THOMPSON	WAINWRIGHT	YONGUE
HURLEY			

EXCUSED VOTE - 0

NOT VOTING - 6

SPEAKER	GRAY	TALLENT	WILSON, G.
BLACK	NICHOLS		

NORTH CAROLINA GENERAL ASSEMBLY
AMENDMENT
Senate Bill 166

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

S166-ALT-013

Date June 21, 1995

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

Representative Linney

moves to amend the bill on page 3, line 43,
by deleting the phrase "any agency, including".

SIGNED L. R. Linney
Amendment Sponsor

SIGNED _____
Committee Chair if Senate Committee Amendment

ADOPTED _____ FAILED 6/21/95 TABLED _____

28-79 ev

EV

NORTH CAROLINA

HOUSE OF REPRESENTATIVES

ROLL CALL

SEQ. # 1210
LEGISLATIVE DAY 85
S[redacted] HCS
READING 2

6/21/95
2:03 PM
IN CHAIR: SPEAKER

AMEND #2 Linney
REGULATION OF ATTORNEYS-AT-LAW/AB

AYES - 28

ADAMS	EARLE	LUEBKE	SHERRILL
ALEXANDER	FITCH	MICHAUX	SHUBERT
BOYD-MCINTYRE	GRADY	MILLER, K.	WAINWRIGHT
BRASWELL	GRAY	OLDHAM	WILSON, C.
CANSLER	HUNTER, H.	PRESTON	WILSON, G.
CUMMINGS	LINNEY	ROBINSON, J.	WOMBLE
CUNNINGHAM	LOCKE	SHAW	WRIGHT

NOES - 79

ALDRIDGE	CULP	HURLEY	RAMSEY
ALLRED	CULPEPPER	IVES	RAYFIELD
ARNOLD	DAUGHTRY	JUSTUS	REDWINE
BAKER	DAVIS	LEE	REYNOLDS
BARBEE	DECKER	MCCOMAS	RICHARDSON
BEALL	DICKSON	MCCOMBS	ROGERS
BERRY	EASTERLING	MCCRARY	RUSSELL
BLACK	EDDINS	MCLAUGHLIN	SEXTON
BOWEN	EDWARDS	MCMAHAN	SHARPE
BOWIE	ESPOSITO	MERCER	SUTTON
BRAWLEY	GARDNER	MILLER, G.	TALLENT
BROWN, J.	HACKNEY	MINER	THOMPSON
BROWN, W.	HAYES	MITCHELL	TOLSON
BUCHANAN	HENSLEY	MORGAN	WARNER
CAPPS	HIATT	NEELY	WATSON
CARPENTER	HIGHTOWER	NICHOLS	WEATHERLY
CHURCH	HILL	NYE	WILKINS
CLARY	HOLMES	OWENS	WOOD
COCKLEREECE	HOWARD	PATE	YONGUE
CRAWFORD	HUNTER, R.	PULLEY	

EXCUSED ABSENCE - 4

BARNES	DOCKHAM	FOX	HUNT

EXCUSED VOTE - 0

NOT VOTING - 9

SPEAKER	ELLIS	KISER	MCALLISTER
BLUE	GAMBLE	LEMMOND	ROBINSON, G.
CREECH			

NORTH CAROLINA GENERAL ASSEMBLY
AMENDMENT
Senate Bill 166

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

S166-ALT-011

Date June 21, 1995

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

Representative Linney

moves to amend the bill on page 17, lines 14 through 37, by deleting the lines; and

by renumbering the remaining sections accordingly; and

on page 19, line 32, by deleting "25" and substituting "24".

SIGNED _____
Amendment Sponsor

SIGNED _____
Committee Chair if Senate Committee Amendment

ADOPTED _____ FAILED 6/21/95 TABLED _____

20-90 EV

NORTH CAROLINA

HOUSE OF REPRESENTATIVES

ROLL CALL

SEQ. # 1211
LEGISLATIVE DAY 85
S[redacted] HCS
READING 2

6/21/95
2:15 PM
IN CHAIR: SPEAKER

AMEND #3 Linney
REGULATION OF ATTORNEYS-AT-LAW/AB

AYES - 20

ADAMS	DECKER	LINNEY	SHAW
BOWEN	EARLE	MICHAUX	SHERRILL
CLARY	FITCH	MILLER, K.	WAINWRIGHT
CUMMINGS	HOWARD	REYNOLDS	WOMBLE
CUNNINGHAM	HUNTER, H.	ROBINSON, J.	WRIGHT

NOES - 90

ALDRIDGE	CULPEPPER	LEE	RAMSEY
ALEXANDER	DAUGHTRY	LEMMOND	RAYFIELD
ALLRED	DAVIS	LOCKE	REDWINE
ARNOLD	EASTERLING	LUEBKE	RICHARDSON
BAKER	EDDINS	MCCOMAS	ROBINSON, G.
BARBEE	EDWARDS	MCCOMBS	ROGERS
BEALL	ELLIS	MCCRARY	RUSSELL
BERRY	ESPOSITO	MCLAUGHLIN	SEXTON
BOWIE	GARDNER	MCMAHAN	SHARPE
BOYD-MCINTYRE	GRADY	MERCER	SHUBERT
BRASWELL	GRAY	MILLER, G.	SUTTON
BRAWLEY	HACKNEY	MINER	TALLENT
BROWN, J.	HAYES	MITCHELL	THOMPSON
BROWN, W.	HENSLEY	MORGAN	TOLSON
BUCHANAN	HIATT	NEELY	WARNER
CANSLER	HIGHTOWER	NICHOLS	WATSON
CAPPS	HILL	NYE	WEATHERLY
CARPENTER	HOLMES	OLDHAM	WILKINS
CHURCH	HUNTER, R.	OWENS	WILSON, C.
COCKLEREECE	HURLEY	PATE	WILSON, G.
CRAWFORD	IVES	PRESTON	WOOD
CREECH	JUSTUS	PULLEY	YONGUE
CULP	KISER		

EXCUSED ABSENCE - 4

BARNES	DOCKHAM	FOX	HUNT

EXCUSED VOTE - 0

NOT VOTING - 6

SPEAKER	BLUE	GAMBLE	MCALLISTER
BLACK	DICKSON		

NORTH CAROLINA GENERAL ASSEMBLY
AMENDMENT
Senate Bill 166

AMENDMENT NO. 4
(to be filled in by
Principal Clerk)

S166-ALT-010

Date June 21, 1995

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

Representative Linney

moves to amend the bill on page 12, line 42, by rewriting the line to read:

"Hearing Commission or the Council may seek reinstatement".

SIGNED _____
Amendment Sponsor

SIGNED _____
Committee Chair if **Senate** Committee Amendment

ADOPTED _____ FAILED 6/21/95 TABLED _____
22-83 EV

L V

NORTH CAROLINA
HOUSE OF REPRESENTATIVES
ROLL CALL

SEQ. # 1212
LEGISLATIVE DAY 85
S166 HCS
READING 2

6/21/95
2:30 PM
IN CHAIR: SPEAKER

AMEND #4 - Linney
REGULATION OF ATTORNEYS-AT-LAW/AB

AYES - 22

ADAMS	CUMMINGS	HUNTER, H.	SHAW
ALLRED	CUNNINGHAM	JUSTUS	SHERRILL
BOYD-MCINTYRE	DECKER	LINNEY	WAINWRIGHT
BRASWELL	EARLE	MILLER, K.	WOMBLE
BROWN, W.	ELLIS	ROBINSON, J.	WRIGHT
CLARY	FITCH		

NOES - 83

ALDRIDGE	EDDINS	MCCOMAS	REYNOLDS
ALEXANDER	EDWARDS	MCCOMBS	RICHARDSON
ARNOLD	ESPOSITO	MCCRARY	ROBINSON, G.
BAKER	GAMBLE	MCLAUGHLIN	ROGERS
BARBEE	GARDNER	MCMAHAN	RUSSELL
BEALL	GRADY	MERCER	SEXTON
BERRY	GRAY	MILLER, G.	SHARPE
BOWEN	HACKNEY	MINER	SHUBERT
BOWIE	HAYES	MITCHELL	SUTTON
BROWN, J.	HENSLEY	MORGAN	TALLENT
BUCHANAN	HIATT	NEELY	THOMPSON
CAPPS	HIGHTOWER	NICHOLS	TOLSON
CARPENTER	HILL	NYE	WARNER
CHURCH	HOLMES	OLDHAM	WATSON
COCKLEREECE	HOWARD	OWENS	WEATHERLY
CREECH	HUNTER, R.	PATE	WILKINS
CULP	IVES	PRESTON	WILSON, C.
CULPEPPER	KISER	PULLEY	WILSON, G.
DAUGHTRY	LEE	RAMSEY	WOOD
DAVIS	LOCKE	RAYFIELD	YONGUE
EASTERLING	LUEBKE	REDWINE	

EXCUSED ABSENCE - 5

BARNES	FOX	HUNT	HURLEY
DOCKHAM			

EXCUSED VOTE - 0

NOT VOTING - 10

SPEAKER	BRAWLEY	DICKSON	MCALLISTER
BLACK	CANSLER	LEMMOND	MICHAUX
BLUE	CRAWFORD		

NORTH CAROLINA GENERAL ASSEMBLY
AMENDMENT
Senate Bill 166

AMENDMENT NO. 5
(to be filled in by
Principal Clerk)

S166-ALT-012

Date June 21, 1995

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

Representative Linney

moves to amend the bill on page 17, line 4, by inserting quotation marks after the period; and

on page 17, lines 5 through 13, by deleting the lines.

SIGNED _____
Amendment Sponsor

SIGNED _____
Committee Chair if Senate Committee Amendment

ADOPTED _____ FAILED 6/21/95 TABLED _____
18-87
EV

NORTH CAROLINA
HOUSE OF REPRESENTATIVES
ROLL CALL

SEQ. # 1213
LEGISLATIVE DAY 85
S166 HCS
READING 2

6/21/95
2:32 PM
IN CHAIR: SPEAKER

AMEND #5 - Lucas
REGULATION OF ATTORNEYS-AT-LAW/AB

AYES - 18

ADAMS	CUMMINGS	LINNEY	SHAW
ALLRED	EARLE	MICHAUX	SHERRILL
BOYD-MCINTYRE	FITCH	MILLER, K.	WOMBLE
BRASWELL	GRADY	ROBINSON, J.	WRIGHT
CLARY	HUNTER, H.		

NOES - 87

ALDRIDGE	DAVIS	LUEBKE	REYNOLDS
ALEXANDER	DECKER	MCCOMAS	RICHARDSON
ARNOLD	EASTERLING	MCCOMBS	ROBINSON, G.
BAKER	EDDINS	MCCRARY	ROGERS
BARBEE	EDWARDS	MCLAUGHLIN	RUSSELL
BEALL	ELLIS	MCMAHAN	SEXTON
BERRY	ESPOSITO	MERCER	SHARPE
BOWEN	GARDNER	MILLER, G.	SHUBERT
BOWIE	GRAY	MINER	SUTTON
BRAWLEY	HACKNEY	MITCHELL	TALLENT
BROWN, J.	HAYES	MORGAN	THOMPSON
BROWN, W.	HENSLEY	NEELY	TOLSON
BUCHANAN	HIATT	NICHOLS	WAINWRIGHT
CAPPS	HIGHTOWER	NYE	WARNER
CARPENTER	HILL	OLDHAM	WATSON
CHURCH	HOLMES	OWENS	WEATHERLY
COCKLEREECE	HOWARD	PATE	WILKINS
CREECH	IVES	PRESTON	WILSON, C.
CULP	JUSTUS	PULLEY	WILSON, G.
CULPEPPER	KISER	RAMSEY	WOOD
CUNNINGHAM	LEE	RAYFIELD	YONGUE
DAUGHTRY	LOCKE	REDWINE	

EXCUSED ABSENCE - 5

BARNES	FOX	HUNT	HURLEY
DOCKHAM			

EXCUSED VOTE - 0

NOT VOTING - 10

SPEAKER	CANSLER	GAMBLE	LEMMOND
BLACK	CRAWFORD	HUNTER, R.	MCALLISTER
BLUE	DICKSON		

NORTH CAROLINA GENERAL ASSEMBLY AMENDMENT

(Please type or use ballpoint pen)

EDITION No. _____

H. B. No. _____ DATE 6/21/95

S. B. No. 166 Amendment No. 6
(to be filled in by Principal Clerk)

COMMITTEE SUBSTITUTE _____

Rep.) LINNEY
Sen.)

moves to amend the bill on page 12-1, line 42

( ) WHICH CHANGES THE TITLE

by adding the words "of the State" after the word court

SIGNED Lynn R. Linney

ADOPTED _____ FAILED 6/21/95 21-87 EV TABLED _____

GA-33-A

PRINCIPAL CLERK'S OFFICE (FOR ENGROSSMENT)

LV

NORTH CAROLINA
HOUSE OF REPRESENTATIVES
ROLL CALL

SEQ. # 1214
LEGISLATIVE DAY 85
S[redacted] HCS
READING 2

6/21/95
2:36 PM
IN CHAIR: SPEAKER

AMEND #6 - Linney
REGULATION OF ATTORNEYS-AT-LAW/AB

AYES - 21

ADAMS	CRAWFORD	HIATT	ROBINSON, J.
ALLRED	CUMMINGS	HUNTER, H.	SHAW
BOYD-MCINTYRE	DECKER	LINNEY	SHERRILL
BRASWELL	EARLE	MICHAUX	WOMBLE
CANSLER	FITCH	MILLER, K.	WRIGHT
CLARY			

NOES - 87

ALDRIDGE	DAVIS	LOCKE	REDWINE
ALEXANDER	EASTERLING	LUEBKE	REYNOLDS
ARNOLD	EDDINS	MCCOMAS	RICHARDSON
BAKER	EDWARDS	MCCOMBS	ROBINSON, G.
BARBEE	ELLIS	MCCRARY	ROGERS
BEALL	ESPOSITO	MCLAUGHLIN	RUSSELL
BERRY	GAMBLE	MCMAHAN	SEXTON
BLACK	GARDNER	MERCER	SHARPE
BOWEN	GRADY	MILLER, G.	SHUBERT
BRAWLEY	GRAY	MINER	SUTTON
BROWN, J.	HACKNEY	MITCHELL	TALLENT
BROWN, W.	HAYES	MORGAN	THOMPSON
BUCHANAN	HIGHTOWER	NEELY	TOLSON
CAPPS	HILL	NICHOLS	WARNER
CARPENTER	HOLMES	NYE	WATSON
CHURCH	HOWARD	OLDHAM	WEATHERLY
COCKLEREECE	HUNTER, R.	OWENS	WILKINS
CREECH	IVES	PATE	WILSON, C.
CULP	JUSTUS	PRESTON	WILSON, G.
CULPEPPER	KISER	PULLEY	WOOD
CUNNINGHAM	LEE	RAMSEY	YONGUE
DAUGHTRY	LEMMOND	RAYFIELD	

EXCUSED ABSENCE - 5

BARNES	FOX	HUNT	HURLEY
DOCKHAM			

EXCUSED VOTE - 0

NOT VOTING - 7

SPEAKER	BOWIE	HENSLEY	WAINWRIGHT
BLUE	DICKSON	MCALLISTER	

S166 HCS

NORTH CAROLINA
HOUSE OF REPRESENTATIVES
ROLL CALL

EV

SEQ. # 1215
LEGISLATIVE DAY 85
S[illegible] HCS
READING 2

6/21/95
2:36 PM
IN CHAIR: SPEAKER

REGULATION OF ATTORNEYS-AT-LAW/AB

AYES - 109

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

NOES - 2

LINNEY	MILLER, K.

EXCUSED ABSENCE - 5

BARNES	FOX	HUNT	HURLEY
DOCKHAM			

EXCUSED VOTE - 0

NOT VOTING - 4

SPEAKER	BLUE	DICKSON	MCALLISTER

S166 HCS

NORTH CAROLINA GENERAL ASSEMBLY AMENDMENT

(Please type or use ballpoint pen)

EDITION No. _____

H. B. No. _____ DATE 6/29/95

S. B. No. 166-ALT-013 Amendment No. 7

(to be filled in by Principal Clerk)

COMMITTEE SUBSTITUTE _____

(Rep.) LINNEY

Sen.)

1 moves to amend the bill on page 12, line 42

2 ~~( ) WHICH CHANGES THE TITLE~~

3 by Adding the phrase " of this State"

4

5 after the word court

6

7

8

9

10

11

12

13

14

15

16

17

18

19

SIGNED Roy R. King

ADOPTED 6/29/95 FAILED _____ TABLED _____

94-17 EV DW

GA-33-A

PRINCIPAL CLERK'S OFFICE (FOR ENGROSSMENT)

EV

NORTH CAROLINA

HOUSE OF REPRESENTATIVES

ROLL CALL

SEQ. # 1327
LEGISLATIVE DAY 90
S166 HCS
READING 3

6/29/95
4:53 PM
IN CHAIR: SPEAKER

AMEND #7 - Linney
REGULATION OF ATTORNEYS-AT-LAW/AB

AYES - 94

ADAMS	CUMMINGS	JUSTUS	PULLEY
ALDRIDGE	CUNNINGHAM	LEE	RAMSEY
ALEXANDER	DAUGHTRY	LEMMOND	RAYFIELD
ALLRED	DAVIS	LINNEY	REDWINE
ARNOLD	DECKER	LOCKE	REYNOLDS
BAKER	DICKSON	LUEBKE	ROBINSON, J.
BARBEE	DOCKHAM	MCALLISTER	ROGERS
BEALL	EASTERLING	MCCOMBS	RUSSELL
BERRY	EDDINS	MCLAUGHLIN	SHARPE
BLACK	EDWARDS	MCMAHAN	SHERRILL
BLUE	ESPOSITO	MERCER	SHUBERT
BOWEN	FITCH	MICHAUX	TALLENT
BOWIE	FOX	MILLER, G.	THOMPSON
BOYD-MCINTYRE	GARDNER	MILLER, K.	TOLSON
BRAWLEY	GRADY	MINER	WAINWRIGHT
BROWN, J.	GRAY	MITCHELL	WARNER
BUCHANAN	HAYES	MORGAN	WATSON
CANSLER	HIATT	NEELY	WILKINS
CAPPS	HILL	NICHOLS	WILSON, C.
CLARY	HOWARD	OLDHAM	WILSON, G.
CRAWFORD	HUNT	OWENS	WOMBLE
CREECH	HUNTER, H.	PATE	WOOD
CULP	HUNTER, R.	PRESTON	WRIGHT
CULPEPPER	IVES		

NOES - 17

BARNES	HACKNEY	KISER	SEXTON
BROWN, W.	HENSLEY	MCCOMAS	SUTTON
CARPENTER	HIGHTOWER	NYE	WEATHERLY
COCKLEREECE	HURLEY	RICHARDSON	YONGUE
GAMBLE			

EXCUSED ABSENCE - 1

BRASWELL

EXCUSED VOTE - 0

NOT VOTING - 8

SPEAKER	EARLE	HOLMES	ROBINSON, G.
CHURCH	ELLIS	MCCRARY	SHAW

EV

NORTH CAROLINA
HOUSE OF REPRESENTATIVES
ROLL CALL

SEQ. # 1328
LEGISLATIVE DAY 90
S166 HCS
READING 3

6/29/95
4:53 PM
IN CHAIR: SPEAKER

REGULATION OF ATTORNEYS-AT-LAW/AB

AYES - 111

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

NOES - 2

LINNEY	MILLER, K.

EXCUSED ABSENCE - 1

BRASWELL

EXCUSED VOTE - 0

NOT VOTING - 6

SPEAKER	EARLE	MCCRARY	PRESTON
CRAWFORD	HOLMES		

NORTH CAROLINA GENERAL ASSEMBLY
SENATE

RECORDED VOTE

1995 SESSION

SEQ. 1294/8-- 9:48 AM JULY 12, 1995 LEGISLATIVE DAY 98

LT. GOVERNOR WICKER -- Presiding

KERR
REGULATION OF ATTORNEYS-AT-LAW/AB
HOUSE COM SUB/5TH EDITION

SENATE BILL 166

MOTION 8
TO CONCUR

AYE	49	ALBERTSON	DAVIS	KINCAID	PLEXICO
		ALLRAN	EAST	LEDBETTER	PLYLER
		BALLANCE	EDWARDS	LITTLE	RAND
		BALLANTINE	FORRESTER	LUCAS	SAWYER
		BASNIGHT	FOXX	MARTIN R.	SHAW
		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
		DANNELLY			
NO	1	SHERRON			

EXCUSED	0
NOT CAST	0
ABSENT	0
PAIRS	0
AYE	
NO	

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1995

FILED - SENATE

S

S 167 FEB D8 1995

SENATE DRSA519-LC108B(1.31)

PRINCIPAL CLERK

Short Title: Minimal Property Tax Bills. (Public)

Sponsors: Senator Kerr.

Referred to:

A BILL TO BE ENTITLED

AN ACT TO ALLOW COUNTIES NOT TO BILL FOR CERTAIN PROPERTY TAXES WHEN THE AMOUNT DUE ON THE TAX BILL IS LESS THAN THE COST OF PREPARING AND SENDING THE BILL.

The General Assembly of North Carolina enacts:

Section 1. G.S. 105-330.5 is amended by adding a new subsection to read:

"(b1) Notwithstanding the provisions of G.S. 105-380, the board of county commissioners may, by resolution, direct the tax collector to treat as fully paid minimal taxes billed on a tax notice required by subsection (a) of this section. The taxes billed on a tax notice are minimal under this subsection when the total county, municipal, and special district taxes billed on the notice do not exceed an amount, up to five dollars ($5.00), set by the board of county commissioners in the resolution. The amount set by the board should be the estimated cost to the county of billing a taxpayer for the taxes on a notice. The tax collector shall not bill the taxpayer for these minimal taxes but shall keep a record of the taxes by taxpayer and amount and shall report the taxes to the board of county commissioners as part of the settlement for the year. A resolution adopted pursuant to this subsection shall become effective no earlier than 30 days after its adoption and shall apply to registration lists received under subsection (a) of this section on or after the date the resolution becomes effective. The resolution remains in effect until amended or repealed by resolution of the board of county commissioners. Upon adoption of a resolution pursuant to this subsection, minimal taxes to which the resolution applies are considered fully paid."

Sec. 2. This act is effective upon ratification.

NORTH CAROLINA GENERAL ASSEMBLY
SENATE

RECORDED VOTE

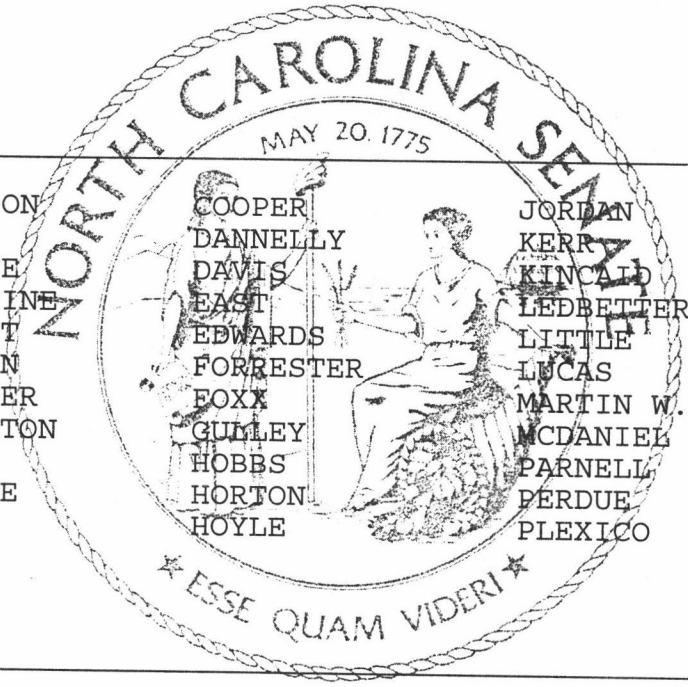
1995 SESSION

SEQ. 73/7-- 7:31 PM | FEBRUARY 20, 1995 | LEGISLATIVE DAY 15

LT. GOVERNOR WICKER -- Presiding

KERR
MINIMAL PROPERTY TAX BILLS

SENATE BILL 167
READING 2



AYE	43	ALBERTSON	COOPER	JORDAN	PLYLER
		ALLRAN	DANNELLY	KERR	RAND
		BALLANCE	DAVIS	KINCAID	SAWYER
		BALLANTINE	EAST	LEDBETTER	SHAW
		BASNIGHT	EDWARDS	LITTLE	SHERRON
		BLACKMON	FORRESTER	LUCAS	SIMPSON
		CARPENTER	FOXX	MARTIN W.	SPEED
		CARRINGTON	GUMLEY	MCDANIEL	WARREN
		CLARK	HOBBS	PARNELL	WEBSTER
		COCHRANE	HORTON	PERDUE	WINNER
		CONDER	HOYLE	PLEXICO	
NO	1	ODOM			

EXCUSED	0				
NOT CAST	1	MCKOY			
ABSENT	4	HARTSELL	MARTIN R.	SMITH	SOLES
PAIRS	0				
AYE					
NO					

EV

NORTH CAROLINA
HOUSE OF REPRESENTATIVES
ROLL CALL

SEQ. # 230
LEGISLATIVE DAY 39
S167 HCS
READING 2

4/03/95
7:32 PM
IN CHAIR: SPEAKER

MINIMAL PROPERTY TAX BILLS

AYES - 110

ADAMS	CUMMINGS	IVES	RAMSEY
ALDRIDGE	CUNNINGHAM	JUSTUS	RAYFIELD
ALEXANDER	DAUGHTRY	LEE	REDWINE
ALLRED	DAVIS	LEMMOND	REYNOLDS
ARNOLD	DECKER	LINNEY	ROBINSON
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	FITCH	MCMAHAN	SUTTON
BOWIE	FOX	MICHAUX	TALLENT
BRASWELL	GARDNER	MILLER, G.	THOMPSON
BRAWLEY	GRADY	MILLER, K.	TOLSON
BROWN, J.	GRAY	MINER	WAINWRIGHT
BROWN, W.	HACKNEY	MITCHELL	WARNER
BUCHANAN	HAYES	MORGAN	WATSON
CANSLER	HENSLEY	NEELY	WEATHERLY
CAPPS	HIATT	NICHOLS	WILKINS
CARPENTER	HIGHTOWER	NYE	WILSON, C.
CHURCH	HILL	OLDHAM	WILSON, G.
CLARY	HOLMES	OWENS	WOMBLE
COCKLEREECE	HOWARD	PATE	WOOD
CREECH	HUNT	PRESTON	WRIGHT
CULP	HUNTER, H.	PULLEY	YONGUE
CULPEPPER	HURLEY		

NOES - 0

EXCUSED ABSENCE - 6

BOYD-MCINTYRE	KISER	RICHARDSON	SNOWDEN
ESPOSITO	MERCER		

EXCUSED VOTE - 0

NOT VOTING - 4

SPEAKER	CRAWFORD	GAMBLE	HUNTER, R.

NORTH CAROLINA GENERAL ASSEMBLY
SENATE

RECORDED VOTE

1995 SESSION

SEQ. 236/8-- 4:25 PM | APRIL 5, 1995 | LEGISLATIVE DAY 41

LT. GOVERNOR WICKER -- Presiding

KERR
MINIMAL PROPERTY TAX BILLS
HOUSE COM SUB/2ND EDITION

SENATE BILL 167

MOTION 8
TO CONCUR

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

EXCUSED	0				
NOT CAST	2	BASNIGHT	WARREN		
ABSENT	4	COOPER	ODOM	SAWYER	SMITH
PAIRS	0				
AYE					
NO					

FILED - SENATE
FEB 8 1995
PRINCIPAL CLERK

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1995

S 168

S

SENATE DRS4535-LK064(1.31)

Short Title: Outdoor Advert./Just Compensation. (Public)

Sponsors: Senators Ballance and Kincaid.

Referred to:

A BILL TO BE ENTITLED

AN ACT REQUIRING JUST COMPENSATION FOR TAKING OF OUTDOOR ADVERTISING.

The General Assembly of North Carolina enacts:

Section 1. Article 4 of Chapter 40A of the General Statutes is amended by adding a new section to read:

"**§ 40A-69.1. Rights of property owners.**

(a) No municipality, county government, or other political subdivision of the State shall alter, remove, or cause to be altered or removed, any lawfully established outdoor advertising, as defined in G.S. 136-128(3), without the payment of just compensation.

Just compensation shall be cash or other legal tender, but shall not include allowing the continuation of outdoor advertising over a specified period of time.

The use of amortization for whatever period by a city, county, or other political subdivision of the State shall not constitute just compensation.

(b) This section shall not apply to a municipality, city, or other political subdivision of the State where any of the following has occurred:

(1) The continuation or amortization period or any variance period has expired.

(2) The continuation or amortization period would have expired had it not been tolled by litigation.

(3) The continuation or amortization period would have expired had it not been extended by a consent judgment between the parties in a court of law."

Sec. 2. This act is effective upon ratification.

FILED - SENATE

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1995

S 169 FEB 8 1995

PRINCIPAL CLERK

S D

SENATE DRSA512-LD018(1.5)

Short Title: Inspect/Monitor Oil Terminals. (Public)

Sponsors: Senator Odom.

Referred to:

A BILL TO BE ENTITLED

AN ACT TO REQUIRE THE DEPARTMENT OF ENVIRONMENT, HEALTH, AND NATURAL RESOURCES TO INSPECT OIL TERMINAL FACILITIES IN THE STATE AND MONITOR THESE FACILITIES TO DETERMINE WHETHER OIL IS LEAKING FROM ABOVEGROUND STORAGE TANKS AT THE FACILITIES TO THE LAND, WATERS, OR AIR OF THE STATE AND TO APPROPRIATE FUNDS TO THE DEPARTMENT TO IMPLEMENT THIS ACT.

The General Assembly of North Carolina enacts:

Section 1. Part 3 of Article 21A of Chapter 143 of the General Statutes is amended by adding a new section to read:

"**§ 143-215.99. Oil terminal facility inspection and monitoring program.**

(a) The Department shall inspect each oil terminal facility in the State and shall monitor each facility to determine whether oil or any other hazardous substance is leaking or being discharged from the aboveground storage tanks at the facility to the land, waters, or air of this State.

(b) As used in this section, 'aboveground storage tank' means any combination of tanks, including piping connected to the tanks, used to contain an accumulation of petroleum products, the volume of which, including the volume of the piping connected to the tanks, is ten percent (10%) or more above the surface of the ground."

Sec. 2. There is appropriated from the General Fund to the Department of Environment, Health, and Natural Resources the sum of five hundred thousand dollars ($500,000) for the 1995-96 fiscal year to implement the inspection and monitoring program enacted in Section 1 of this act.

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1995

S

FILED - SENATE D

SENATE DRS5524-LC123(2.2)

S 170 FEB 81995

PRINCIPAL CLERK

Short Title: Eliminate Double Vehicle Tax. (Public)

Sponsors: Senator Odom.

Referred to:

A BILL TO BE ENTITLED

AN ACT TO ELIMINATE DOUBLE TAXATION OF A MOTOR VEHICLE WHEN THE OWNER MOVES AWAY AND THEN RETURNS TO THE STATE WITHIN ONE YEAR.

The General Assembly of North Carolina enacts:

Section 1. G.S. 105-187.7 reads as rewritten:

"**§ 105-187.7.** ~~**Credit for tax paid in another state.**~~ **Credits.**

(a) Tax Paid in Another State. -- A person who, within 90 days before applying for a certificate of title for a motor vehicle on which the tax imposed by this Article is due, has paid a sales tax, an excise tax, or a tax substantially equivalent to the tax imposed by this Article on the vehicle to a taxing jurisdiction outside this State is ~~entitled to~~ allowed a credit against the tax due under this Article for the amount of tax paid to the other jurisdiction. The credit may not reduce the person's liability under this Article below the minimum forty-dollar ($40.00) tax.

(b) Tax Paid Within One Year. -- A person who applies for a certificate of title for a motor vehicle that is titled in another state but was formerly titled in this State is allowed a credit against the tax due under this Article for the amount of tax paid under this Article on the same vehicle within one year before the application for a certificate of title."

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

NORTH CAROLINA GENERAL ASSEMBLY
AMENDMENT
Senate Bill 170

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

S170-ARB-2

Page 1 of 1

Date June 1 ,1995

Comm. Sub. [ ]
Amends Title [ ]

Senator Kerr

moves to amend the bill on page 1, line 18, by inserting after the word "Article" the phrase "by that person".

SIGNED _____
Amendment Sponsor

SIGNED _____
Committee Chair if Senate Committee Amendment

ADOPTED 6-8-95 FAILED _____ TABLED _____

(V)

NORTH CAROLINA GENERAL ASSEMBLY
SENATE

RECORDED VOTE

1995 SESSION

SEQ. 890/12-- 2:08 PM JUNE 8, 1995 LEGISLATIVE DAY 78

LT. GOVERNOR WICKER -- Presiding

ODOM
ELIMINATE DOUBLE VEHICLE TAX

SENATE BILL 170
READING 2

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

EXCUSED	0		
NOT CAST	2	CONDER	PARNELL
ABSENT	2	HOBBS	SAWYER
PAIRS	0		
AYE			
NO			

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1995

S

FILED - SENATE

SENATE DRS6525*-LL029(1.1) SB 71 FEB 8 1995

PRINCIPAL CLERK

Short Title: Landowner Protection Act. (Public)

Sponsors: Senator Foxx.

Referred to:

A BILL TO BE ENTITLED

AN ACT TO LIMIT THE LIABILITY OF LANDOWNERS TO MEMBERS OF THE PUBLIC ENTERING THE LAND FOR EDUCATIONAL AND RECREATIONAL PURPOSES.

The General Assembly of North Carolina enacts:

Section 1. The General Statutes are amended by adding a new Chapter to read:

"Chapter 38A.

"Landowner Liability.

"**§ 38A-1. Purpose.**

The purpose of this Chapter is to encourage owners of land to make land and water areas available to the public for educational and recreational purposes by:

(1) Limiting the liability of the owner to persons entering the land for those purposes; and

(2) Ensuring that through making one's land available for educational and recreational purposes, an owner need not be subjected to waste or a financial burden.

"**§ 38A-2. Definitions.**

The following definitions shall apply throughout this Chapter, unless otherwise specified:

(1) 'Charge' means a price or fee asked for services, entertainment, recreation performed, or products offered for sale on land or in return for an invitation or permission to enter upon land, except as otherwise excluded in this Chapter.

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1995

FILED - SENATE
S172 FEB D 8 1995
PRINCIPAL CLERK

S

SENATE DRS6526*-LF111(1.30)

Short Title: UNC-W Marine Sciences Funds. (Public)

Sponsors: Senators Jordan and Soles.

Referred to:

A BILL TO BE ENTITLED

AN ACT TO APPROPRIATE FUNDS FOR A MARINE SCIENCES RESEARCH AND EDUCATION CENTER AT THE UNIVERSITY OF NORTH CAROLINA AT WILMINGTON.

The General Assembly of North Carolina enacts:

Section 1. There is appropriated from the General Fund to the Board of Governors of The University of North Carolina the sum of twenty-three million dollars ($23,000,000) for the 1995-96 fiscal year for construction of a Marine Sciences Research and Education Center at the University of North Carolina at Wilmington.

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

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1995

FILED - SENATE

S D

S173

SENATE DRS8534-LD027(1.24)

PRINCIPAL

Short Title: Advance Notice of Rule Making. (Public)

Sponsors: Senator Jordan.

Referred to:

A BILL TO BE ENTITLED

AN ACT TO REQUIRE THAT, FOR A PERMANENT RULE, AGENCIES GIVE NOTICE OF PROPOSED RULE-MAKING PROCEEDINGS, FOLLOWED BY PUBLISHING THE PROPOSED TEXT OF THE PERMANENT RULE OR PUBLISHING A SUBJECT MATTER NOTICE OF THE RULE AND TO PROVIDE FOR OPTIONAL PUBLISHING OF AGENDAS THAT DESCRIBE THE SUBSTANTIVE AREAS WITH RESPECT TO A PROPOSED RULE.

The General Assembly of North Carolina enacts:

Section 1. G.S. 150B-21.1(a) reads as rewritten:

"(a) Adoption. -- An agency may adopt a temporary rule without prior notice or hearing or upon any abbreviated notice or hearing the agency finds practical when it finds that adherence to the notice and hearing requirements of this Part would be contrary to the public interest and that the immediate adoption of the rule is required by one or more of the following:

(1) A serious and unforeseen threat to the public health, safety, or welfare.

(2) The effective date of a recent act of the General Assembly or the United States Congress.

(3) A recent change in federal or State budgetary policy.

(4) A federal regulation.

(5) A court order.

(6) The need for the rule to become effective the same date as the State Medical Facilities Plan approved by the Governor, if the rule addresses a matter included in the State Medical Facilities Plan.

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1995

S D

FILED - SENATE
S 174
FEB 8
PRINCIPAL CLERK

SENATE DRS1538-LD033(1.24)

Short Title: Aerial Application of Pesticides. (Public)

Sponsors: Senator Jordan.

Referred to:

A BILL TO BE ENTITLED

AN ACT TO PROHIBIT THE AERIAL APPLICATION OF PESTICIDES WITHIN THREE HUNDRED FEET OF A RESIDENCE AND TO PROHIBIT THE AERIAL APPLICATION OF PESTICIDES WITHOUT NOTIFYING OCCUPANTS OF NEARBY BUILDINGS TWENTY-FOUR HOURS BEFORE THE APPLICATION.

The General Assembly of North Carolina enacts:

Section 1. G.S. 143-443(b) reads as rewritten:

"(b) It shall be unlawful:

(1) For any person to detach, alter, deface, or destroy, in whole or in part, any label or labeling provided for in this Part or regulations promulgated hereunder, or to add any substance to, or take any substance from a pesticide in a manner that may defeat the purpose of this Part;

(2) For any person to use for his own advantage or to reveal, other than to the Board or proper officials or employees of the State or federal government or to the courts of this State in response to a subpoena, or to physicians, or in emergencies to pharmacists and other qualified persons, for use in the preparation of antidotes, any information relative to formulas of products acquired by authority of G.S. 143-442.

(2a) Repealed by Session Laws 1981, c. 592, s. 3.

(3) For any person to use any pesticide in a manner inconsistent with its labeling.

NORTH CAROLINA GENERAL ASSEMBLY
SENATE

RECORDED VOTE

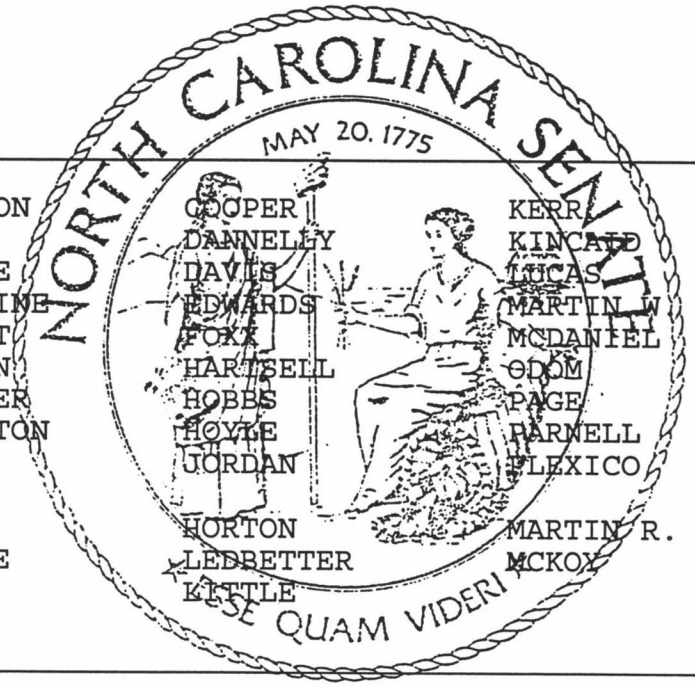
1995 SESSION

SEQ. 767/4-- 1:56 PM | MAY 25, 1995 | LEGISLATIVE DAY 70

LT. GOVERNOR WICKER -- Presiding

JORDAN
NOTIFY/AERIAL APPLICATION/PESTICIDE
COM SUB/2ND EDITION

SENATE BILL 174
READING 2



AYE	35	ALBERTSON	COOPER	KERR	PLYLER
		ALLRAN	DANNELLY	KINCAID	RAND
		BALLANCE	DAVIS	LUCAS	SHAW
		BALLANTINE	EDWARDS	MARTIN,W	SHERRON
		BASNIGHT	FOXX	MCDANIEL	SOLES
		BLACKMON	HARTSELL	ODOM	SPEED
		CARPENTER	HOBBS	PAGE	WARREN
		CARRINGTON	HOYLE	PARNELL	WEBSTER
		CONDER	JORDAN	PLEXICO	
NO	10	CLARK	HORTON	MARTIN,R.	PERDUE
		COCHRANE	LEDBETTER	MCKOY	WINNER
		GULLEY	KITTLE		

EXCUSED	0			
NOT CAST	2	SAWYER	SMITH	
ABSENT	3	EAST	FORRESTER	SIMPSON
PAIRS	0			
AYE				
NO				

NORTH CAROLINA GENERAL ASSEMBLY
SENATE

RECORDED VOTE

1995 SESSION

SEQ. 787/13-- 8:10 PM | MAY 29, 1995 | LEGISLATIVE DAY 71

LT. GOVERNOR WICKER -- Presiding

JORDAN
NOTIFY/AERIAL APPLICATION/PESTICIDE
COM SUB/2ND EDITION

SENATE BILL 174
READING 3

AYE	40	ALBERTSON	DANNELLY	LEDBETTER	PLYLER
		ALLRAN	EAST	LUCAS	RAND
		BALLANCE	EDWARDS	MARTIN W	SHAW
		BALLANTINE	FOXX	MCDANIEL	SHERRON
		BASNIGHT	HARTSELL	MCKOY	SIMPSON
		BLACKMON	HOBBS	ODOM	SMITH
		CARPENTER	HOYLE	PAGE	SOLES
		CARRINGTON	JORDAN	PARNELL	SPEED
		CONDER	KERR	PERDUE	WARREN
		COOPER	KINCAID	PLEXICO	WEBSTER
NO	7	CLARK	DAVIS	HORTON	WINNER
		COCHRANE	GULLEY	LITTLE	

EXCUSED	0		
NOT CAST	2	MARTIN R.	SAWYER
ABSENT	1	FORRESTER	
PAIRS	0		
AYE			
NO			

NORTH CAROLINA GENERAL ASSEMBLY AMENDMENT

(Please type or use ballpoint pen)

H. B. No. _____ DATE 5/29/95

CS S. B. No. 174 Amendment No. 1 (one)

(to be filled in by Principal Clerk)

~~Rep.~~ Sen. GURLEY

moves to amend the bill on page 2, line 10

by DELETING THE WORDS

"TEN DOLLARS ($10.00)"

AND INSERTING THE WORDS

"FIVE DOLLARS ($5.00)"

IN THEIR PLACE.

SIGNED Wm. D.

ADOPTED _____ FAILED 5-23-95 (17-31) TABLED _____

S Kirk

GA-33-A PRINCIPAL CLERK'S OFFICE (FOR ENGROSSMENT)

NORTH CAROLINA GENERAL ASSEMBLY
SENATE

RECORDED VOTE

1995 SESSION

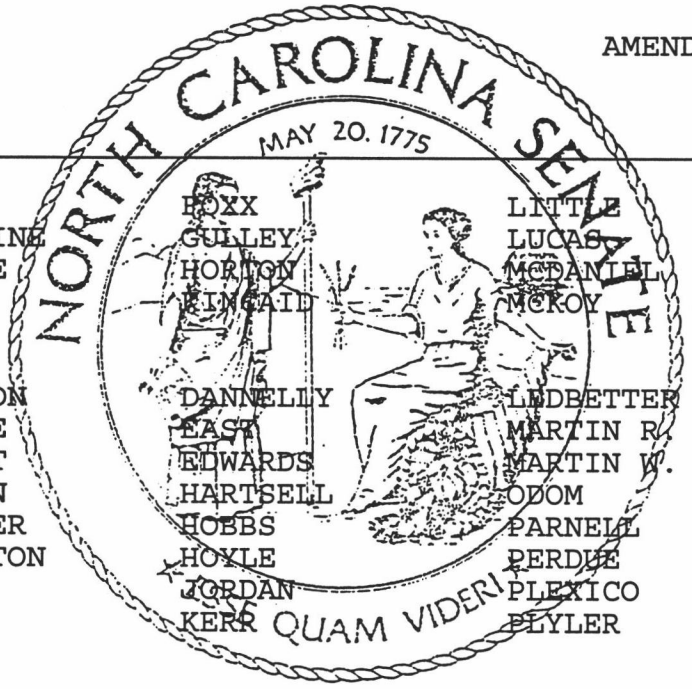
SEQ. 786/12-- 8:09 PM MAY 29, 1995 LEGISLATIVE DAY 71

LT. GOVERNOR WICKER -- Presiding

JORDAN
NOTIFY/AERIAL APPLICATION/PESTICIDE
COM SUB/2ND EDITION

SENATE BILL 174

AMEND 1



AYE	17	ALLRAN	FOXX	LITTLE	PAGE
		BALLANTINE	GULLEY	LUCAS	SHAW
		COCHRANE	HORTON	MCDANIEL	WEBSTER
		COOPER	KINCAID	MCKOY	WINNER
		DAVIS			
	31	ALBERTSON	DANNELLY	LEDBETTER	RAND
		BALLANCE	EAST	MARTIN R.	SHERRON
		BASNIGHT	EDWARDS	MARTIN W.	SIMPSON
		BLACKMON	HARTSELL	ODOM	SMITH
		CARPENTER	HOBBS	PARNELL	SOLES
		CARRINGTON	HOYLE	PERDUE	SPEED
		CLARK	JORDAN	PLEXICO	WARREN
		CONDER	KERR	PLYLER	

EXCUSED 0

NOT CAST 1 SAWYER

ABSENT 1 FORRESTER

PAIRS 0
AYE
NO

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1995

FILED - SENATE
S175 FEB 8 1995
PRINCIPAL CLERK

S D

SENATE DRSA518-LD035(1.24)

Short Title: Mining on Federal Land. (Public)

Sponsors: Senator Jordan.

Referred to:

A BILL TO BE ENTITLED

AN ACT TO REMOVE THE EXEMPTION THAT PREVENTED THE STATE FROM REGULATING MINING ON FEDERAL LAND.

The General Assembly of North Carolina enacts:

Section 1. G.S. 74-67 reads as rewritten:

"**§ 74-67. Exemptions.**

The provisions of this Article shall not apply to those activities of the Department of Transportation, nor of any person, firm, or corporation acting under contract with said Department of Transportation, on highway rights-of-way or borrow pits maintained solely in connection with the construction, repair, and maintenance of the public road systems of North Carolina; provided, that this exemption shall not become effective until the Department of Transportation shall have adopted reclamation standards applying to such activities and such standards have been approved by the Mining Commission. ~~The provisions of this Article shall not apply to mining on federal lands under a valid permit from the U.S. Forest Service or the U.S. Bureau of Land Management.~~"

Sec. 2. This act is effective upon ratification.

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1995

FILED - SENATE
FEB 8 1995
PRINCIPAL CLERK

S

S176

D

SENATE RESOLUTION DRSR7537-RH010.1(2.8)

Sponsors: Senators Plexico and Winner.

Referred to:

A SENATE RESOLUTION TO ESTABLISH THE PROCEDURE FOR NOMINATING AND ELECTING MEMBERS OF THE BOARD OF GOVERNORS OF THE UNIVERSITY OF NORTH CAROLINA.

Be it resolved by the Senate:

Section 1. The following procedures for nominating and electing members of the Board of Governors of The University of North Carolina are adopted:

I. COMMITTEE RESPONSIBILITIES.

1. It is the duty of the Senate Committee on Education/Higher Education (hereinafter referred to as the "Senate Committee") to choose nominees for each opening in each category of seats on the Board of Governors of The University of North Carolina to which the Senate is to elect members.

2. The Senate Committee shall receive suggestions of proposed candidates for nomination for election to the University Board of Governors through February 21, 1995. A Senator may propose as a candidate for nomination as many persons in a category as there are positions to fill in a category. In 1995 the total number of positions is eight. In order for a person to have standing to be considered as a candidate for nomination by the Senate Committee, that person must be formally proposed as a candidate for nomination by a member of the Senate. Only a written nomination on a form provided by the cochairs of the Senate Committee for that purpose and received in the office of one of the cochairs of the Senate Committee by 5:00 p.m. on February 21, 1995, shall constitute formal proposal of a candidate. An individual cannot be a candidate for nomination or be nominated in more than one category.

NORTH CAROLINA GENERAL ASSEMBLY
SENATE

RECORDED VOTE

1995 SESSION

SEQ. 90/3-- 7:23 PM | FEBRUARY 27, 1995 | LEGISLATIVE DAY 19

LT. GOVERNOR WICKER -- Presiding

PLEXICO
UNC BD OF GOV ELECTION PROCEDURES
COM SUB/DRAFT

SENATE RES. 176

MOTION 7
TO ADOPT

AYE	42	ALBERTSON	COOPER	HOYLE	PARNELL
		ALLRAN	DANNELLY	JORDAN	PERDUE
		BALLANCE	DAVIS	KERR	PLEXICO
		BALLANTINE	EAST	LEDBETTER	PLYLER
		BASNIGHT	EDWARDS	LITTLE	RAND
		BLACKMON	FORRESTER	LUCAS	SHERRON
		CARPENTER	FOXX	MARTIN R.	SOLES
		CARRINGTON	GUDLEY	MARTIN W.	SPEED
		CLARK	HARTSELL	MCDANIEL	WARREN
		COCHRANE	HOBBS	ODOM	WEBSTER
		CONDER	HORTON		
NO	2	SHAW	SIMPSON		
EXCUSED	0				
NOT CAST	0				
ABSENT	5	KINCAID	SAWYER	SMITH	WINNER
		MCKOY			
PAIRS	0				
AYE					
NO					

NORTH CAROLINA SENATE
MAY 20. 1775
ESSE QUAM VIDERI

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1995

S D

FILED - SENATE

SENATE DRS8532-LK072(2.7) S177 FEB 9 1995

PRINCIPAL CLERK

Short Title: Car Seized--Driving on Revoked D.L. (Public)

Sponsors: Senator Carpenter.

Referred to:

A BILL TO BE ENTITLED

AN ACT TO PROVIDE FOR THE SEIZURE OF A MOTOR VEHICLE USED BY A PERSON DRIVING WITH A PERMANENTLY REVOKED DRIVERS LICENSE.

The General Assembly of North Carolina enacts:

Section 1. Chapter 20 of the General Statutes is amended by adding a new section to read:

"**§ 20-28.3. Forfeiture of motor vehicle for driving while license permanently revoked.**

(a) If at a sentencing hearing for any moving violation the judge determines that the defendant's drivers license was permanently revoked pursuant to G.S. 20-28(b), the motor vehicle that was driven by the defendant at the time he committed the offense is property subject to forfeiture.

(b) Duty of Prosecutor to Notify Possible Innocent Parties. -- In any case in which a prosecutor determines that a motor vehicle driven by a defendant may be subject to forfeiture under this section, the prosecutor shall determine the identity of the vehicle owner as shown on the certificate of title for the vehicle; and he shall also determine if there are any security interests noted on the vehicle's certificate of title. The State shall notify the holder of each security interest that the vehicle may be subject to forfeiture and that he may intervene to protect his interest. If the defendant is not the owner, a similar notice shall be served on the owner. The notice may be served by any means reasonably likely to provide actual notice, and shall be served at least 14 days before the forfeiture hearing.

(c) Duty of Judge. -- The judge at sentencing shall hold a hearing to determine if the vehicle should be forfeited. At the hearing the judge may order the forfeiture if he finds that:

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1995

FILED - SENATE

S

S 178 FEB 9D95

SENATE DRSA520-LE056(1.27) PRINCIPAL CLERK

Short Title: Alleghany School Pay Date. (Local)

Sponsors: Senator Foxx.

Referred to:

A BILL TO BE ENTITLED

AN ACT TO CHANGE THE PAY DATE FOR THE ALLEGHANY SCHOOL ADMINISTRATIVE UNIT.

The General Assembly of North Carolina enacts:

Section 1. Notwithstanding the provisions of G.S. 115C-302(a), G.S. 115C-316(a), or any other provision of law, all 10-month employees of the Alleghany County Board of Education shall be paid on the tenth day of each month. Nothing in this section shall have the effect of changing the rate of pay for any employee of the Alleghany County Board of Education.

This section shall not be construed to authorize prepayment of any employees by the Alleghany County Board of Education.

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

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1995

FILED - SENATE
S179 FEB 9 1995
PRINCIPAL CLERK

S D

SENATE DRS1539*-LC066(1.1)

Short Title: Rockingham TDA Membership. (Local)

Sponsors: Senators Foxx and East.

Referred to:

A BILL TO BE ENTITLED

AN ACT TO MODIFY THE MEMBERSHIP OF THE ROCKINGHAM TOURISM DEVELOPMENT AUTHORITY.

The General Assembly of North Carolina enacts:

Section 1. Section 2(a) of Chapter 322 of the 1991 Session Laws reads as rewritten:

"(a) Appointment and Membership. When the board of commissioners adopts a resolution levying a room occupancy tax under this act, it shall also adopt a resolution creating a county Tourism Development Authority, which shall be a public authority under the Local Government Budget and Fiscal Control Act and shall be composed of the following ~~eleven~~ 12 members:

(1) The Executive Director of the Rockingham County Economic Development Commission, who shall serve as an ex officio, nonvoting member.

(2) A county commissioner appointed by the Rockingham County Board of Commissioners, who shall serve as an ex officio, nonvoting member.

(3) ~~Four~~ Two owners or operators of hotels, motels, or other taxable ~~accommodations,~~ accommodations and two individuals involved in tourist businesses who have demonstrated an interest in tourism development, appointed as follows: one by the Rockingham County Board of Commissioners and one by each chamber of commerce in Rockingham County. ~~Two of these four appointees shall own or operate hotels, motels, or other accommodations with~~

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1995

FILED - SENATE

S

S180 FEB 9 1995 D

SENATE DRS4531-LN077(2.1) PRINCIPAL CLERK

Short Title: ESC/Qtrly. Reports. (Public)

Sponsors: Senator Shaw.

Referred to:

A BILL TO BE ENTITLED

AN ACT TO AUTHORIZE CERTAIN BUSINESSES TO FILE QUARTERLY REPORTS WITH THE EMPLOYMENT SECURITY COMMISSION BY TELEPHONE, OR TO BE EXEMPT FROM FILING QUARTERLY REPORTS, UNDER CERTAIN CIRCUMSTANCES.

The General Assembly of North Carolina enacts:

Section 1. Effective September 30, 1995, G.S. 96-9(a)(6) reads as rewritten:

"(6) If the amount of the contributions shown to be due after all credits is less than ~~one dollar ($1.00),~~ five dollars ($5.00), no payment need be made. If an employer has paid contributions, penalties, and/or interest in excess of the amount due, this shall be considered an overpayment and refunded provided no other debts are owed to the Commission by the employer. Overpayments of less than ~~one dollar ($1.00)~~ five dollars ($5.00) shall be refunded only upon receipt by the Chairman of a written demand for such refund from the employer. Nothing herein shall be construed to change or extend the limitation set forth in G.S. 96-10(e), (f), and (i)."

Sec. 2. Effective September 30, 1995, G.S. 96-9(a) is amended by adding the following new subdivision to read:

"(8) Employers may be given permission to file reports at other than quarterly intervals or by telephone by making a showing of good cause to the Chair of the Commission when to the benefit of the Commission and the employer. In no case may reports be filed at

NORTH CAROLINA GENERAL ASSEMBLY
SENATE

RECORDED VOTE

1995 SESSION

SEQ. 429/5-- 3:03 PM MAY 3, 1995 LEGISLATIVE DAY 57

LT. GOVERNOR WICKER -- Presiding

SHAW
ESC/ANNUAL REPORTS
COM SUB/2ND EDITION

SENATE BILL 180
READING 2



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

EXCUSED	0				
NOT CAST	1	KERR			
ABSENT	4	FORRESTER	PERDUE	SMITH	SOLES
PAIRS	0				
AYE					
NO					

NTINUED)

NORTH CAROLINA GENERAL ASSEMBLY
SENATE

RECORDED VOTE

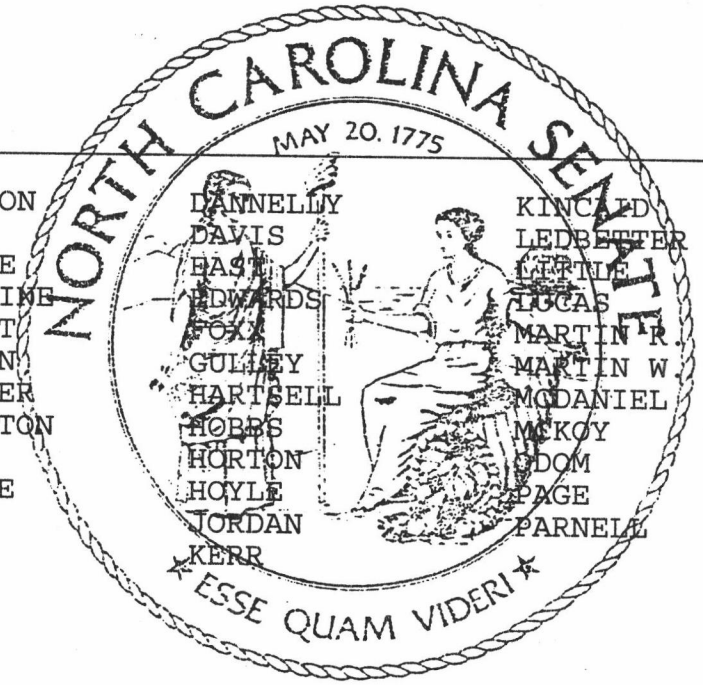
1995 SESSION

SEQ. 442/18-- 3:52 PM MAY 3, 1995 LEGISLATIVE DAY 57

LT. GOVERNOR WICKER -- Presiding

SHAW
ESC/ANNUAL REPORTS
COM SUB/2ND EDITION

SENATE BILL 180
READING 2



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

EXCUSED	0				
NOT CAST	0				
ABSENT	4	FORRESTER	PERDUE	SMITH	SOLES
PAIRS	0				
AYE					
NO					

(COPY)

NORTH CAROLINA GENERAL ASSEMBLY
SENATE

RECORDED VOTE

1995 SESSION

SEQ. 442/18-- 3:52 PM MAY 3, 1995 LEGISLATIVE DAY 57

LT. GOVERNOR WICKER -- Presiding

SHAW
ESC/ANNUAL REPORTS
COM SUB/2ND EDITION

SENATE BILL 180
READING 2

RECORDED
AYE 1 KERR
ADJUSTED TOTAL
AYE 46
NO 0
NOT CAST 0
ABSENT 4

PY)



EV

NORTH CAROLINA

HOUSE OF REPRESENTATIVES

ROLL CALL

NO. # 945
LEGISLATIVE DAY 73
S180 HCS
READING 2

5/31/95
2:53 PM
IN CHAIR: SPEAKER

UNEMPLOYMENT TAX CHANGES

AYES - 108

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

NOES - 1

LUEBKE

EXCUSED ABSENCE - 3

ARNOLD	FITCH	MERCER

EXCUSED VOTE - 0

NOT VOTING - 8

SPEAKER	DICKSON	LINNEY	WEATHERLY
BARNES	HACKNEY	TALLENT	WRIGHT

NORTH CAROLINA GENERAL ASSEMBLY
AMENDMENT
Senate Bill 180

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

S180-ARB-1

Date 5/31, 1995

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

Representative C. Wilson

moves to amend the bill on page 2, line 7, by deleting the word "will" and substituting the word "may";

and on page 2, line 8, by deleting the word "automatically";

and on page 2, lines 10 and 11, by rewriting these lines to read: "this subsection.".

SIGNED Connie Wilson
Amendment Sponsor

SIGNED _____
Committee Chair if Senate Committee Amendment

ADOPTED 5/31/95 FAILED _____ TABLED _____

113-0 CK Wilson

Wallace Computer Services, Inc.

EV

NORTH CAROLINA

HOUSE OF REPRESENTATIVES

ROLL CALL

[redacted]. # 946
[redacted]ISLATIVE DAY 73
S180 HCS
READING 3

5/31/95
2:56 PM
IN CHAIR: SPEAKER

AMEND #1 - C Wilson
UNEMPLOYMENT TAX CHANGES

AYES - 113

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

NOES - 0

EXCUSED ABSENCE - 3

ARNOLD	FITCH	MERCER

EXCUSED VOTE - 0

NOT VOTING - 4

SPEAKER	BOWEN	RICHARDSON	TALLENT

NORTH CAROLINA GENERAL ASSEMBLY
SENATE

RECORDED VOTE

1995 SESSION

SEQ. 1375/19-- 4:23 PM JULY 19, 1995 LEGISLATIVE DAY 10

LT. GOVERNOR WICKER -- Presiding

SHAW
UNEMPLOYMENT TAX CHANGES
HOUSE COM SUB/4TH EDITION

SENATE BILL 180

MOTION 8
TO CONCUR

AYE	50	ALBERTSON	DAVIS	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

S 181

FEB D 9 1995

SENATE DRS4536*-LR023A(1.5)

PRINCIPAL CLERK

Short Title: Columbus Trust Exemption. (Local)

Sponsors: Senator Soles.

Referred to:

A BILL TO BE ENTITLED

AN ACT EXEMPTING COLUMBUS COUNTY HOSPITAL, INC., FROM CERTAIN RULES AND REGULATIONS OF THE LOCAL GOVERNMENT COMMISSION.

The General Assembly of North Carolina enacts:

Section 1. Notwithstanding any rules and regulations of the Local Government Commission governing procedures for the receipt, deposit, investment, transfer, and disbursement of money and other assets by public hospitals, as provided by Article 3, Part 4, of Chapter 159 of the General Statutes, Columbus County Hospital, Inc., the Board of Trustees of Columbus County Hospital, Inc., and the Advisory Committee of the Lamar and Janie Walters' Trust may retain up to twenty percent (20%) of the annual income revenue of the Lamar and Janie Walters' Trust for the purpose of reinvesting the income in equity assets in order to provide for the long-term growth of the Trust.

Sec. 2. This act is effective upon ratification.

NORTH CAROLINA GENERAL ASSEMBLY
SENATE

RECORDED VOTE

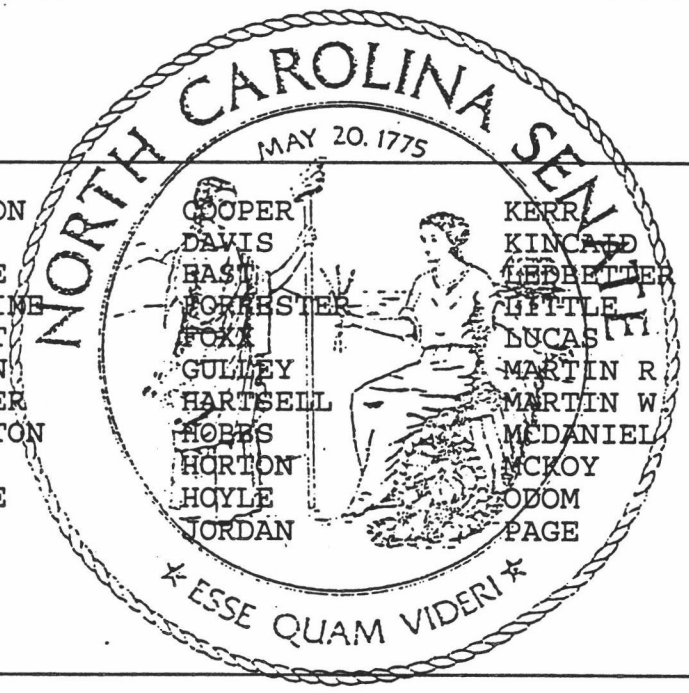
1995 SESSION

SEQ. 593/9-- 3:11 PM | MAY 10, 1995 | LEGISLATIVE DAY 61

SENATOR BASNIGHT -- Presiding

SOLES
PUB. HOSP. TRUST INC. EXEMPT
COM SUB/2ND EDITION

SENATE BILL 181
READING 2



AYE	44	ALBERTSON	COOPER	KERR	PARNELL
		ALLRAN	DAVIS	KINCAID	PLEXICO
		BALLANCE	EAST	LEDBETTER	PLYLER
		BALLANTINE	FORRESTER	LITTLE	RAND
		BASNIGHT	FOXX	LUCAS	SAWYER
		BLACKMON	GULLEY	MARTIN R	SHAW
		CARPENTER	HARTSELL	MARTIN W	SHERRON
		CARRINGTON	HOBBS	MCDANIEL	SOLES
		CLARK	HORTON	MCKOY	SPEED
		COCHRANE	HOYLE	ODOM	WEBSTER
		CONDER	JORDAN	PAGE	WINNER
NO	0				
EXCUSED	0				
NOT CAST	4	DANNELLY	PERDUE	SIMPSON	WARREN
ABSENT	2	EDWARDS	SMITH		
PAIRS	0				
AYE					
NO					

(CONTINUED)

NORTH CAROLINA GENERAL ASSEMBLY
SENATE

RECORDED VOTE

1995 SESSION

SEQ. 657/73-- 8:41 PM MAY 10, 1995 LEGISLATIVE DAY

SENATOR BASNIGHT -- Presiding

SOLES
PUB. HOSP. TRUST INC. EXEMPT
COM SUB/2ND EDITION

SENATE BILL 181
READING 2



AYE	45	ALBERTSON	DAVIS	KINCAID	PERDUE
		ALLRAN	EAST	LEDBETTER	PLEXICO
		BALLANCE	FORRESTER	LITTLE	PLYLER
		BALLANTINE	FOXX	LUCAS	RAND
		BASNIGHT	GULLEY	MARTIN R	SAWYER
		BLACKMON	HARTSELL	MARTIN W	SHAW
		CARPENTER	HOBBS	MODANIEL	SHERRON
		CARRINGTON	HORTON	MCKOY	SOLES
		CLARK	HOYLE	ODOM	SPEED
		COCHRANE	JORDAN	PAGE	WEBSTER
		CONDER	KERR	PARNELL	WINNER
		COOPER			
NO	0				
EXCUSED	0				
NOT CAST	3	DANNELLY	SIMPSON	WARREN	
ABSENT	2	EDWARDS	SMITH		
PAIRS	0				
AYE					
NO					

(COPY)

NORTH CAROLINA GENERAL ASSEMBLY
SENATE

RECORDED VOTE

1995 SESSION

SEQ. 657/73-- 8:41 PM MAY 10, 1995 LEGISLATIVE DAY 61

SENATOR BASNIGHT -- Presiding

SOLES
PUB. HOSP. TRUST INC. EXEMPT
COM SUB/2ND EDITION

SENATE BILL 181
READING 2



RECORDED
AYE 1 PERDUE
ADJUSTED TOTAL
AYE 45
NO 0
NOT CAST 3
ABSENT 2

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1995

FILED - SENATE

S

S 182 FEB 9 1995 D

SENATE DRS6519-LB086(1.F8)

PRINCIPAL CLERK

Short Title: Refund Filing Fee/Candidate Death. (Public)

Sponsors: Senator Gulley.

Referred to:

A BILL TO BE ENTITLED

AN ACT TO PROVIDE THAT IF A CANDIDATE DIED BEFORE THE PRIMARY ELECTION IN 1994, A REFUND OF THE FILING FEE SHALL BE PAID TO THE ESTATE OF THE CANDIDATE.

The General Assembly of North Carolina enacts:

Section 1. G.S. 163-107(b) reads as rewritten:

"(b) Refund of Fees. -- If any person who has filed a notice of candidacy and paid the filing fee prescribed in subsection (a) of this section, withdraws his notice of candidacy within the period prescribed in G.S. 163-106(e), he shall be entitled to have the fee he paid refunded. If the fee was paid to the State Board of Elections, the chairman of that board shall cause a warrant to be drawn on the Treasurer of the State for the refund payment. If any person who filed a notice of candidacy in 1994 with the State Board of Elections and paid the filing fee prescribed in subsection (a) of this section died prior to the date of the primary election in 1994 provided by G.S. 163-1, the personal representative of the estate shall be entitled to have the fee refunded if application is made to the State Board of Elections no later than one year after the date of death, and refund shall be made in the same manner as in withdrawal of notice of candidacy. If the fee was paid to a county board of elections, the chairman of the Board shall certify to the county accountant that the refund should be made, and the county accountant shall make the refund in accordance with the provisions of the County Fiscal Control Act.

If any person files a notice of candidacy and pays a filing fee to a board of elections other than that with which he is required to file under the provisions of G.S. 163-106(e), he shall be entitled to have the fee refunded in the manner

NORTH CAROLINA GENERAL ASSEMBLY
SENATE

RECORDED VOTE

1995 SESSION

SEQ. 300/12-- 7:58 PM | APRIL 17, 1995 | LEGISLATIVE DAY 47

LT. GOVERNOR WICKER -- Presiding

GULLEY
REFUND FILING FEE/CANDIDATE DEATH
COM SUB/2ND EDITION

SENATE BILL 182
READING 3



AYE	40	ALBERTSON	DAVIS	LEDBETTER	PLYLER
		ALLRAN	EAST	LUCAS	RAND
		BALLANCE	FOXX	MARTIN R	SAWYER
		BALLANTINE	GULLEY	MARTIN W.	SHAW
		BASNIGHT	HARTSELL	MCKOY	SHERRON
		BLACKMON	HOBBS	ODOM	SIMPSON
		CARPENTER	HORTON	PAGE	SOLES
		CARRINGTON	JORDAN	PARNELL	SPEED
		COOPER	KERR	PERDUE	WARREN
		DANNELLY	KINCAID	PLEXICO	WINNER
NO	5	CLARK	FORRESTER	LITTLE	MCDANIEL
		COCHRANE			

EXCUSED	0				
NOT CAST	1	CONDER			
ABSENT	4	EDWARDS	HOYLE	SMITH	WEBSTER
PAIRS	0				
AYE					
NO					

NORTH CAROLINA GENERAL ASSEMBLY
AMENDMENT
Senate Bill 182

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

S182-ALJ-1

Page 1 of 1

Date ~~June 21~~ July 19, 1995

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

Representative Gray

moves to amend the bill on page 1, line 14, by rewriting that line to read:

"refund should be made, and the county ~~accountant~~ finance officer shall make the refund in".

SIGNED _____
Amendment Sponsor

SIGNED _____
Committee Chair if Senate Committee Amendment

ADOPTED ✓ 7/19/95 FAILED _____ TABLED _____

106-0 EV

EV

NORTH CAROLINA

HOUSE OF REPRESENTATIVES

ROLL CALL

SQ. # 1626
LEGISLATIVE DAY 101
S182 SCS
READING 2

7/19/95
10:16 AM
IN CHAIR: SPEAKER

AMEND #1 - Comm Hee
REFUND FILING FEE/CANDIDATE DEATH

AYES - 106

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	LINNEY	ROGERS
BARNES	EASTERLING	LOCKE	RUSSELL
BEALL	EDDINS	LUEBKE	SEXTON
BERRY	EDWARDS	MCALLISTER	SHARPE
BLACK	ELLIS	MCCOMAS	SHERRILL
BOWEN	ESPOSITO	MCCOMBS	SHUBERT
BOWIE	FITCH	MCCRARY	TALLENT
BOYD-MCINTYRE	FOX	MCLAUGHLIN	THOMPSON
BROWN, W.	GRADY	MCMAHAN	TOLSON
BUCHANAN	GRAY	MERCER	WAINWRIGHT
CANSLER	HACKNEY	MITCHELL	WARNER
CAPPS	HAYES	MORGAN	WATSON
CARPENTER	HENSLEY	NEELY	WEATHERLY
CHURCH	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.		

NOES - 0

EXCUSED ABSENCE - 7

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

EXCUSED VOTE - 0

NOT VOTING - 7

SPEAKER	BROWN, J.	MICHAUX	SHAW
BRASWELL	GAMBLE	MILLER, K.	

EV

NORTH CAROLINA

HOUSE OF REPRESENTATIVES

ROLL CALL

Q. # 1627
GISLATIVE DAY 101
S182 SCS
READING 2

7/19/95
10:16 AM
IN CHAIR: SPEAKER

REFUND FILING FEE/CANDIDATE DEATH

AYES - 107

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

NOES - 0

EXCUSED ABSENCE - 7

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

EXCUSED VOTE - 0

NOT VOTING - 6

SPEAKER	BROWN, J.	MILLER, K.	SHAW
BRASWELL	CHURCH		

NORTH CAROLINA GENERAL ASSEMBLY
SENATE

RECORDED VOTE

1995 SESSION

SEQ. 1376/20-- 4:24 PM JULY 19, 1995 LEGISLATIVE DAY 10

LT. GOVERNOR WICKER -- Presiding

GULLEY
REFUND FILING FEE/CANDIDATE DEATH
COM SUB/2ND EDITION

SENATE BILL 182

HOUSE AMD. NO. 1

MOTION 8
TO CONCUR

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

EXCUSED 0

NOT CAST 0

ABSENT 0

PAIRS 0
AYE
NO

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1995

FILED - SENATE
S 183 FEB 10 1995
PRINCIPAL CLERK

S D

SENATE DRS6528-LHZ047(1.20)

Short Title: Increase Penalties/Drug Sales. (Public)

Sponsors: Senators Parnell and Hartsell.

Referred to:

A BILL TO BE ENTITLED

AN ACT TO INCREASE THE PENALTIES FOR DRUG SALES.

The General Assembly of North Carolina enacts:

Section 1. G.S. 90-95(b) reads as rewritten:

"(b) Except as provided in subsections (h) and (i) of this section, any person who violates G.S. 90-95(a)(1) with respect to:

(1) A controlled substance classified in Schedule I or II shall be punished as a Class H ~~felon;~~ felon, except that the sale of a controlled substance classified in Schedule I or II shall be punished as a Class G felon;

(2) A controlled substance classified in Schedule III, IV, V, or VI shall be punished as a Class I felon, except that the sale of a controlled substance classified in Schedule III, IV, V, or VI shall be punished as a Class H felon. ~~but the~~ The transfer of less than 5 grams of marijuana for no remuneration shall not constitute a delivery in violation of G.S. 90-95(a)(1)."

Sec. 2. This act becomes effective December 1, 1995, and applies to offenses committed on or after that date.

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1995

FILED - SENATE
FEB 10 1995
PRINCIPAL CLERK

S

SENATE DRS7539-LHZ052(1.20)

Short Title: Relabel Misdemeanor Levels. (Public)

Sponsors: Senators Parnell and Hartsell.

Referred to:

A BILL TO BE ENTITLED

AN ACT TO RELABEL MISDEMEANOR PRIOR CONVICTION LEVELS.

The General Assembly of North Carolina enacts:

Section 1. G.S. 15A-1340.21(b) reads as rewritten:

"(b) Prior Conviction Levels for Misdemeanor Sentencing. -- The prior conviction levels for misdemeanor sentencing are:

(1) Level ~~I~~ A -- 0 prior convictions.

(2) Level ~~II~~ B -- At least 1, but not more than 4 prior convictions.

(3) Level ~~III~~ C -- At least 5 prior convictions."

Sec. 2. G.S. 15A-1340.23(c) reads as rewritten:

"(c) Punishment for Each Class of Offense and Prior Conviction Level; Punishment Chart Described. -- Unless otherwise provided for a specific offense, the authorized punishment for each class of offense and prior conviction level is as specified in the chart below. Prior conviction levels are indicated by the ~~Roman numerals~~ letters placed horizontally on the top of the chart. Classes of offenses are indicated by the Arabic numbers placed vertically on the left side of the chart. Each grid on the chart contains the following components:

(1) A sentence disposition or dispositions: 'C' indicates that a community punishment is authorized; 'I' indicates that an intermediate punishment is authorized; and 'A' indicates that an active punishment is authorized; and

(2) A range of durations for the sentence of imprisonment: any sentence within the duration specified is permitted.

PRIOR CONVICTION LEVELS

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1995

FILED - SENATE

S 185 FEB 10 1995

PRINCIPAL CLERK

S D

SENATE DRS3533-LHZ051(1.20)

Short Title: Up Penalty for Misdemeanor Assault. (Public)

Sponsors: Senators Parnell and Hartsell.

Referred to:

A BILL TO BE ENTITLED

AN ACT TO CREATE A NEW OFFENSE CLASS AND PUNISHMENT ROW FOR MISDEMEANOR ASSAULTS.

The General Assembly of North Carolina enacts:

Section 1. G.S. 14-33 reads as rewritten:

"**§ 14-33. Misdemeanor assaults, batteries, and affrays, simple and aggravated; punishments.**

(a) Any person who commits a simple assault or a simple assault and battery or participates in a simple affray is guilty of a Class ~~1~~ 2 misdemeanor.

(b) Unless his conduct is covered under some other provision of law providing greater punishment, any person who commits any assault, assault and battery, or affray is guilty of a Class 1 misdemeanor if, in the course of the assault, assault and battery, or affray, he:

~~(1) Inflicts, or attempts to inflict, serious injury upon another person or uses a deadly weapon;~~

~~(2) Assaults a female, he being a male person at least 18 years of age;~~

~~(3) Assaults a child under the age of 12 years;~~

(4) through (7) Repealed by Session Laws 1991, c. 525, s. 1;

~~(8) Assaults an officer or employee of the State or of any political subdivision of the State, a company police officer certified pursuant to the provisions of Chapter 74E of the General Statutes, or a campus police officer certified pursuant to the provisions of Chapter 17C or Chapter 116 of the General Statutes, when the officer or employee is discharging or attempting to discharge his official duties; or~~

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1995

S D

FILED - SENATE
S 186 FEB 10 1995
PRINCIPAL CLERK

SENATE DRS1541-LHZ054(1.20)

Short Title: Extend Sentencing Commission. (Public)

Sponsors: Senators Parnell and Hartsell.

Referred to:

A BILL TO BE ENTITLED

AN ACT TO EXTEND THE SENTENCING COMMISSION.

The General Assembly of North Carolina enacts:

Section 1. Section 8 of Chapter 1076 of the 1989 Session Laws, as amended by Chapters 812 and 816 of the 1991 Session Laws and Chapters 253, 321, and 591 of the 1993 Session Laws, reads as rewritten:

"Sec. 8. This act is effective upon ratification, and shall expire July 1, ~~1995.~~ 1997."

Sec. 2. G.S. 164-38 reads as rewritten:

"**§ 164-38. Terms of members; compensation; expenses.**

The terms of existing members shall expire on June 30, 1995, unless they resign or are removed. New members shall be appointed or the existing members reappointed by the appointing authorities to serve until July 1, 1997, unless they resign or are removed. Members serving by virtue of elective or appointive office or as designees of such officeholders may serve only so long as the officeholders hold those respective offices. Members appointed by the Speaker of the House and the President Pro Tempore of the Senate may be removed by the appointing authority without cause. Vacancies occurring before the expiration of a term shall be filled in the manner provided for the members first appointed. A member of the Commission may be removed only for disability, neglect of duty, incompetence, or malfeasance in office. Before removal, the member is entitled to a hearing. Effective with respect to members designated on or after July 1, 1992, a person making a designation pursuant to G.S. 164-37 may not make another designation, except that the person's successor in elective or appointive office may make a new designation.

NORTH CAROLINA GENERAL ASSEMBLY
SENATE

RECORDED VOTE

1995 SESSION

SEQ. 293/5-- 7:36 PM | APRIL 17, 1995 | LEGISLATIVE DAY 47

LT. GOVERNOR WICKER -- Presiding

PARNELL
EXTEND SENTENCING COMMISSION

SENATE BILL 186
READING 2



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

EXCUSED	0				
NOT CAST	0				
ABSENT	4	EDWARDS	HOYLE	SMITH	WEBSTER
PAIRS	0				
AYE					
NO					

NORTH CAROLINA

HOUSE OF REPRESENTATIVES

ROLL CALL

SQ. # 1064
LEGISLATIVE DAY 79
S186
READING 2

6/12/95
7:50 PM
IN CHAIR: SPEAKER

EXTEND SENTENCING COMMISSION

AYES - 106

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

NOES - 1

ARNOLD

EXCUSED ABSENCE - 6

BROWN, W.	NICHOLS	THOMPSON	WAINWRIGHT
BUCHANAN	SHARPE		

EXCUSED VOTE - 0

NOT VOTING - 7

SPEAKER	CRAWFORD	FITCH	WRIGHT
BERRY	CUNNINGHAM	GAMBLE	

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1995

S

FILED - SENATE D
S 187 FEB 10 1995
PRINCIPAL CLERK

SENATE DRS6529-LHZ050(1.20)

Short Title: Impaired Driving/Prior Records. (Public)

Sponsors: Senators Parnell and Hartsell.

Referred to:

A BILL TO BE ENTITLED

AN ACT TO INCLUDE IMPAIRED DRIVING CONVICTIONS IN FELONY PRIOR RECORD LEVEL CALCULATION.

The General Assembly of North Carolina enacts:

Section 1. G.S. 15A-1340.14(b) reads as rewritten:

"(b) Points. -- Points are assigned as follows:

(1) For each prior felony Class A conviction, 10 points.

(1a) For each prior felony Class B1 conviction, 9 points.

(2) For each prior felony Class B2, C, or D conviction, 6 points.

(3) For each prior felony Class E, F, or G conviction, 4 points.

(4) For each prior felony Class H or I conviction, 2 points.

(5) For each prior Class 1 misdemeanor ~~conviction,~~ conviction or prior impaired driving conviction under G.S. 20-138.1, 1 point, except that convictions for Class 1 misdemeanor offenses under Chapter 20 of the General Statutes, other than conviction for misdemeanor death by vehicle ~~(G.S. 20-141.4(a2)),~~ (G.S. 20-141.4(a2)) and conviction for impaired driving in a commercial vehicle (G.S. 20-138.2), shall not be assigned any points for purposes of determining a person's prior record for felony sentencing.

(6) If all the elements of the present offense are included in the prior offense, 1 point.

(7) If the offense was committed while the offender was on probation or parole, or while the offender was serving a sentence of imprisonment, or while the offender was on escape from a

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1995

FILED - SENATE
FEB 13 1995
PRINCIPAL CLERK

S

S 188

D

SENATE DRS4539-LN079(2.2)

Short Title: No Support/No License. (Public)

Sponsors: Senators Rand, Perdue, and Cochrane.

Referred to:

A BILL TO BE ENTITLED

AN ACT TO REQUIRE REVOCATION OF THE LICENSING PRIVILEGES OF A PERSON WHO IS DELINQUENT IN CHILD SUPPORT PAYMENTS.

The General Assembly of North Carolina enacts:

Section 1. Chapter 50 of the General Statutes is amended by adding the following new section to read:

"**§ 50-13.12. Forfeiture of licensing privileges for failure to pay child support.**

(a) As used in this section the term:

(1) 'Licensing agency' means a department, division, agency, officer, board, or other unit of State or local government that issues licenses for licensing privileges.

(2) 'Licensing privilege' means the privilege of an individual to be authorized to engage in an activity as evidenced by the following licenses: regular and commercial drivers licenses, occupational licenses, hunting and trapping licenses and permits, and fishing licenses and permits.

(3) 'Mistake of fact' means that the obligor:

a. Is not delinquent in an amount equal to or greater than 90 days of support payments; or

b. Is not the person subject to the court order of support for the child named in the advance notice of revocation; or

c. Does not owe the amount of delinquent support specified in the advance notice of revocation.

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1995

FILED - SENATE
S/1 89
FEB 15 1995

S D

SENATE DRS3536-LC117A(2.1)

Short Title: Fee Law Changes - 1. (Public)

Sponsors: Senator Sherron.

Referred to:

A BILL TO BE ENTITLED

AN ACT RELATING TO FEES.

The General Assembly of North Carolina enacts:

Section 1. The laws relating to fees are amended.

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

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1995

FILED - SENATE
S 1 9 0 FEB 13 1995
PRINCIPAL CLERK

S D

SENATE DRS2530-LC117B(2.1)

Short Title: Fee Law Changes - 2. (Public)

Sponsors: Senator Sherron.

Referred to:

A BILL TO BE ENTITLED

AN ACT RELATING TO FEES.

The General Assembly of North Carolina enacts:

Section 1. The laws relating to fees are amended.

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

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1995

FILED - SENATE
S 191 FEB 13 1995
PRINCIPAL CLERK

S D

SENATE DRS4542-LC117C(2.1)

Short Title: Fee Law Changes - 3. (Public)

Sponsors: Senator Sherron.

Referred to:

A BILL TO BE ENTITLED

AN ACT RELATING TO FEES.

The General Assembly of North Carolina enacts:

Section 1. The laws relating to fees are amended.

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

FILED - SENATE
S 1 92
FEB 1 3 1995
PRINCIPAL CLERK

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1995

S **D**

SENATE DRS3535-LC115A(2.1)

Short Title: Amend Tax Law - 1. (Public)

Sponsors: Senator Sherron.

Referred to:

A BILL TO BE ENTITLED

AN ACT TO AMEND THE TAX LAW.

The General Assembly of North Carolina enacts:

Section 1. The tax laws are amended.

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

NORTH CAROLINA GENERAL ASSEMBLY
SENATE

RECORDED VOTE

1995 SESSION
SECOND REGULAR SESSION

SEQ. 1803/16-- 2:51 PM JUNE 21, 1996 LEGISLATIVE DAY 1

SENATOR BASNIGHT -- Presiding

SHERRON
VITAMINS DISPENSED BY CHIROPRACTOR
COM SUB/2ND EDITION

SENATE BILL 192
READING 2

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.	SOLES
		CARPENTER	HARTSELL	MCDANIEL	SPEED
		CARRINGTON	HOBBS	MCKOY	WARREN
		CLARK	HORTON	ODOM	WEBSTER
		COCHRANE	HOYLE	PAGE	WINNER
		COOPER	JORDAN		
NO	0				
EXCUSED	0				
NOT CAST	3	CONDER	SHAW	SIMPSON	
ABSENT	1	SMITH			
PAIRS	0				
AYE					
NO					

(COPY)

GENERAL ASSEMBLY OF NORTH CAROLINA

FILED - SENATE

SESSION 1995

SB 93

FEB 13 1995

PRINCIPAL CLERK

S D

SENATE DRS2531-LC115B(2.1)

Short Title: Amend Tax Law - 2. (Public)

Sponsors: Senator Sherron.

Referred to:

A BILL TO BE ENTITLED

AN ACT TO AMEND THE TAX LAW.

The General Assembly of North Carolina enacts:

Section 1. The tax laws are amended.

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

FILED - SENATE
S 194 FEB 13 1995
PRINCIPAL CLERK

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1995

S D

SENATE DRS4543-LC115C(2.1)

Short Title: Amend Tax Law - 3. (Public)

Sponsors: Senator Sherron.

Referred to:

A BILL TO BE ENTITLED

AN ACT TO AMEND THE TAX LAW.

The General Assembly of North Carolina enacts:

Section 1. The tax laws are amended.

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

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1995

FILED - SENATE

S 195 FEB 13 1995 D

PRINCIPAL CLERK

S

SENATE DRSA522-LCX116A(2.1)

Short Title: Issuance of Bonds - 1. (Public)

Sponsors: Senator Sherron.

Referred to:

A BILL TO BE ENTITLED

AN ACT RELATING TO THE ISSUANCE OF BONDS.

The General Assembly of North Carolina enacts:

Section 1. The bond laws are amended.

Sec. 2. This act is effective upon ratification.

FILED - SENATE
S 196 FEB 13 1995
PRINCIPAL CLERK

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1995

S **D**

SENATE DRS4541-LCX116B(2.1)

Short Title: Issuance of Bonds - 2. (Public)

Sponsors: Senator Sherron.

Referred to:

A BILL TO BE ENTITLED

AN ACT RELATING TO THE ISSUANCE OF BONDS.

The General Assembly of North Carolina enacts:

Section 1. The bond laws are amended.

Sec. 2. This act is effective upon ratification.

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1995

FILED - SENATE
S197 FEB 13 1995
PRINCIPAL CLERK

S D

SENATE DRSA523-LCX116C(2.1)

Short Title: Issuance of Bonds - 3. (Public)

Sponsors: Senator Sherron.

Referred to:

A BILL TO BE ENTITLED

AN ACT RELATING TO THE ISSUANCE OF BONDS.

The General Assembly of North Carolina enacts:

Section 1. The bond laws are amended.

Sec. 2. This act is effective upon ratification.

FILED - SENATE
S 198 FEB 13 1995
PRINCIPAL CLERK

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1995

S **D**

SENATE DRS4540-LG(2.10)

Short Title: Low-Wealth School Supp. Funds. (Public)

Sponsors: Senator Rand.

Referred to:

A BILL TO BE ENTITLED

AN ACT TO APPROPRIATE FUNDS FOR LOW-WEALTH SCHOOL SYSTEMS' SUPPLEMENTAL FUNDING.

The General Assembly of North Carolina enacts:

Section 1. There is appropriated from the General Fund to State Aid to Local School Administrative Units the sum of sixty-five million dollars ($65,000,000) for the 1995-96 fiscal year and the sum of sixty-five million dollars ($65,000,000) for the 1996-97 fiscal year for low-wealth school systems' supplemental funding.

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

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1995

S

FILED - SENATE D
FEB 14 1995
PRINCIPAL CLERK

SENATE DRS1518*-RFZ003(1.24) S 199

Short Title: Pesticide Law Amendments. (Public)

Sponsors: Senator Albertson.

Referred to:

A BILL TO BE ENTITLED

AN ACT TO PROHIBIT FARMERS FROM CONTRACTING FOR THE AERIAL APPLICATION OF PESTICIDES IN RESTRICTED AREAS AND TO LIMIT THE AMOUNT OF THE CIVIL PENALTY TO BE LEVIED BY THE PESTICIDE BOARD IN CASES WHERE THERE IS ONLY VEGETATIVE DAMAGE IN THE NONTARGET AREA.

The General Assembly of North Carolina enacts:

Section 1. G.S. 143-443(b) reads as rewritten:

"(b) It shall be unlawful:

(1) For any person to detach, alter, deface, or destroy, in whole or in part, any label or labeling provided for in this Part or regulations promulgated hereunder, or to add any substance to, or take any substance from a pesticide in a manner that may defeat the purpose of this Part;

(2) For any person to use for his own advantage or to reveal, other than to the Board or proper officials or employees of the State or federal government or to the courts of this State in response to a subpoena, or to physicians, or in emergencies to pharmacists and other qualified persons, for use in the preparation of antidotes, any information relative to formulas of products acquired by authority of G.S. 143-442.

(2a) Repealed by Session Laws 1981, c. 592, s. 3.

(3) For any person to use any pesticide in a manner inconsistent with its labeling.

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1995

S D

SENATE DRS7517*-RFZ004(1.24)

FILED - SENATE

S 2 0 0 FEB 1 4 1995

PRINCIPAL CLERK

Short Title: Penalties/Viol. of Ag. Laws. (Public)

Sponsors: Senator Albertson.

Referred to:

A BILL TO BE ENTITLED

AN ACT TO PROVIDE FOR CIVIL PENALTIES FOR VIOLATIONS OF THE GASOLINE AND OIL INSPECTION LAW, THE MEAT INSPECTION LAW, AND THE ANIMAL WELFARE AND ANIMAL HEALTH LAWS.

The General Assembly of North Carolina enacts:

PART I. GASOLINE AND OIL INSPECTION ACT.

Section 1. Article 3 of Chapter 119 of the General Statutes is amended by adding the following new section:

"**§ 119-39.1. Civil Penalties.**

The Commissioner of Agriculture may assess a civil penalty of not more than five thousand dollars ($5,000) against any person who violates a provision of this Article or any rule promulgated thereunder. In determining the amount of the penalty, the Commissioner shall consider the degree and extent of harm caused by the violation."

PART II. MEAT INSPECTION LAWS.

Sec. 2. G.S. 106-549.35 is amended by adding the following new subsection:

"(c) The Director of the Meat and Poultry Inspection Service may assess a civil penalty of not more than five thousand dollars ($5,000) against any person who violates a provision of this Article or Article 49B, or any rule promulgated thereunder. In determining the amount of the penalty, the Director shall consider the degree and extent of harm caused by the violation."

PART III. ANIMAL WELFARE ACT.

Sec. 3. Article 3 of Chapter 19A of the General Statutes, Animal Welfare Act, is amended by adding the following new section:

"**§ 19A-40. Civil Penalties.**

NORTH CAROLINA GENERAL ASSEMBLY
SENATE

RECORDED VOTE

1995 SESSION

SEQ. 87/4-- 1:28 PM | FEBRUARY 23, 1995 | LEGISLATIVE DAY 18

LT. GOVERNOR WICKER -- Presiding

ALBERTSON
PENALTIES/VIOLATIONS OF AG. LAWS
COM SUB/2ND EDITION

SENATE BILL 200
READING 2

AYE	42	ALBERTSON	DAVIS	LEDBETTER	PLYLER
		ALLRAN	EAST	LITTLE	RAND
		BALLANTINE	FORRESTER	LUCAS	SAWYER
		BASNIGHT	FOXX	MARTIN R	SHERRON
		BLACKMON	GULLEY	MARTIN W	SIMPSON
		CARPENTER	HARTSELL	MCKOY	SOLES
		CARRINGTON	HOBBS	ODOM	SPEED
		CLARK	HORTON	PARNELL	WARREN
		COCHRANE	HOYLE	PERDUE	WEBSTER
		COOPER	JORDAN	PLEXICO	WINNER
		DANNELLY	KERR		
NO	1	MCDANIEL			

EXCUSED	0				
NOT CAST	1	KINCAID			
ABSENT	5	BALLANCE	EDWARDS	SHAW	SMITH
		CONDER			
PAIRS	0				
AYE					
NO					

EV

NORTH CAROLINA

HOUSE OF REPRESENTATIVES

ROLL CALL

SEQ. # 1397
LEGISLATIVE DAY 91
S200 HCS
READING 2

6/30/95
3:53 PM
IN CHAIR: SPEAKER

AMEND REPROCESSED OIL REGULATION

AYES - 100

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

NOES - 0

EXCUSED ABSENCE - 4

BRASWELL	DECKER	REDWINE	WAINWRIGHT

EXCUSED VOTE - 0

NOT VOTING - 16

SPEAKER	BOWEN	CUMMINGS	NICHOLS
ALLRED	BRAWLEY	GAMBLE	PRESTON
BARNES	BROWN, J.	HIGHTOWER	ROBINSON, J.
BLACK	CREECH	MCCOMAS	WRIGHT

NORTH CAROLINA GENERAL ASSEMBLY
SENATE

RECORDED VOTE

1995 SESSION

SEQ. 1235/9--12:21 PM JULY 7, 1995 LEGISLATIVE DAY 95

LT. GOVERNOR WICKER -- Presiding

ALBERTSON
AMEND REPROCESSED OIL REGULATION
HOUSE COM SUB/3RD EDITION

SENATE BILL 200

MOTION 8
TO CONCUR

AYE	7	BALLANTINE	HORTON	MCKOY	WEBSTER
		FOXX	MCDANIEL	PAGE	
NO	39	ALBERTSON	DAVIS	LEDBETTER	RAND
		ALLRAN	EAST	LITTLE	SHAW
		BALLANCE	EDWARDS	LUCAS	SHERRON
		BLACKMON	FORRESTER	MARTIN R.	SIMPSON
		CARPENTER	GULLEY	MARTIN W.	SMITH
		CARRINGTON	HARTSELL	ODOM	SOLES
		CLARK	HOBBS	PARNELL	SPEED
		COCHRANE	HOYLE	PERDUE	WARREN
		COOPER	JORDAN	PLEXICO	WINNER
		DANNELLY	KERR	PLYLER	
EXCUSED	0				
NOT CAST	3	BASNIGHT	CONDER	KINCAID	
ABSENT	1	SAWYER			
PAIRS	0				
AYE					
NO					

NORTH CAROLINA GENERAL ASSEMBLY
CONFERENCE REPORT
Senate Bill 200

S200-CRRA-003

[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 200, A BILL TO BE ENTITLED AN ACT TO AMEND ARTICLE 2 OF CHAPTER 119 OF THE GENERAL STATUTES REGARDING THE REGULATION OF REREFINED OR REPROCESSED OIL, Third Edition, House Committee Substitute Favorable 6/27/95, submit the following report:

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

The House and Senate agree to the following amendments to the House Committee Substitute Favorable 6/27/95, and the Senate concurs in the House Committee Substitute as amended:

On page 1, line 2, by deleting "ARTICLE 2" and substituting "ARTICLE 2A"; and

On page 1, line 4 by rewriting that line to read: "REPROCESSED OIL, AND TO PROVIDE FOR CIVIL PENALTIES FOR VIOLATIONS OF THE GASOLINE AND OIL INSPECTION LAW, THE MEAT INSPECTION LAW, AND THE ANIMAL WELFARE AND ANIMAL HEALTH LAWS."; and

On page 1, after line 5 and before line 6, by inserting the following:"**PART I. REGULATION OF REREFINED OR REPROCESSED OIL LAWS**"; and

On page 2, line 38 by deleting the present section 4 and substituting the following:

"**PART II. GASOLINE AND OIL INSPECTION ACT.**

Sec. 4. Article 3 of Chapter 119 of the General Statutes is amended by adding the following new section:

"§ 119-39.1. Civil Penalties.

The Commissioner of Agriculture may assess a civil penalty of not more than five thousand dollars ($5,000) against any person who violates a provision of this Article or any rule promulgated thereunder. In determining the amount of the penalty, the

provision of this Article or any rule promulgated thereunder. In determining the amount of the penalty, the Commissioner shall consider the degree and extent of harm caused by the violation."

Sec. 9. Article 35 of Chapter 106 of the General Statutes, Public Livestock Markets, is amended by adding the following new section:

"§ 106-417.1. Civil Penalties.

The Commissioner may assess a civil penalty of not more than five thousand dollars ($5,000) against any person who violates a provision of this Article or any rule promulgated thereunder. In determining the amount of the penalty, the Commissioner shall consider the degree and extent of harm caused by the violation."

Sec. 10. Article 35A of Chapter 106 of the General Statutes, Livestock Prompt Pay Law, is amended by adding the following new section:

"§ 106-418.7A. Civil Penalties.

The Commissioner may assess a civil penalty of not more than five thousand dollars ($5,000) against any person who violates a provision of this Article or any rule promulgated thereunder. In determining the amount of the penalty, the Commissioner shall consider the degree and extent of harm caused by the violation."

Sec. 11. Article 35B of Chapter 106 of the General Statutes, Livestock Dealer Licensing Act, is amended by adding the following new section:

"§ 106-418.16. Civil Penalties.

The Commissioner may assess a civil penalty of not more than five thousand dollars ($5,000) against any person who violates a provision of this Article or any rule promulgated thereunder. In determining the amount of the penalty, the Commissioner shall consider the degree and extent of harm caused by the violation."

Sec. 12. Article 49 of Chapter 106 of the General Statutes, Poultry, Hatcheries and Chick Dealers, is amended by adding the following new section:

"§ 106-549.1. Civil Penalties.

The Department of Agriculture may assess a civil penalty of not more than five thousand dollars ($5,000) against any person who

NORTH CAROLINA GENERAL ASSEMBLY
CONFERENCE REPORT
Senate Bill 200

S200-CRRA-003

Sec. 17. This act becomes effective October 1, 1995, and shall apply to violations occurring on or after that date."

Date conferees approved report: July 27, 1995.

Conferees for the Senate

Sen. Charles W. Albertson

Sen. John G. Blackmon

Sen. John H. Carrington

Sen. Fred M. Hobbs

Conferees for the House of Representatives

Rep. Richard T. Morgan

Rep. John W. Brown

Rep. Jerry C. Dockham

Rep. Lyons Gray

Submitted 7/27/95 placed on calendar 7/28/95
ADOPTED _____ ( ) Message Received _____
ADOPTED House 7/28/95 (103/1/EV) Ordered Enrolled _____

Senate notified by Spec. Message

- Changes title -

D Weeks

NORTH CAROLINA

EV

SQ. # 1754
LEGISLATIVE DAY 107
S200 HCS
CONFERENCE REPORT

HOUSE OF REPRESENTATIVES

7/28/95
2:17 PM
IN CHAIR: SPEAKER

ROLL CALL

AMEND REPROCESSED OIL REGULATION

AYES - 103

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

NOES - 1

BAKER

EXCUSED ABSENCE - 9

BARNES	CULP	MILLER, K.	WAINWRIGHT
BOWEN	GRAY	OLDHAM	WEATHERLY
BRASWELL			

EXCUSED VOTE - 0

NOT VOTING - 7

SPEAKER	CARPENTER	HOLMES	LEMMOND
BLUE	CRAWFORD	HURLEY	

NORTH CAROLINA GENERAL ASSEMBLY
CONFERENCE REPORT
Senate Bill 200

S200-CRRA-003

[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 200, A BILL TO BE ENTITLED AN ACT TO AMEND ARTICLE 2 OF CHAPTER 119 OF THE GENERAL STATUTES REGARDING THE REGULATION OF REREFINED OR REPROCESSED OIL, Third Edition, House Committee Substitute Favorable 6/27/95, submit the following report:

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On page 1, after line 5 and before line 6, by inserting the following:"PART I. REGULATION OF REREFINED OR REPROCESSED OIL LAWS"; and

On page 2, line 38 by deleting the present section 4 and substituting the following:

"PART II. GASOLINE AND OIL INSPECTION ACT.

Sec. 4. Article 3 of Chapter 119 of the General Statutes is amended by adding the following new section:

"§ 119-39.1. Civil Penalties.

The Commissioner of Agriculture may assess a civil penalty of not more than five thousand dollars ($5,000) against any person who violates a provision of this Article or any rule promulgated thereunder. In determining the amount of the penalty, the

see page 5

Commissioner shall consider the degree and extent of harm caused by the violation."

PART III. MEAT INSPECTION LAWS.

Sec. 5. G.S. 106-549.35 is amended by adding the following new subsection:

"(c) The Commissioner may assess a civil penalty of not more than five thousand dollars ($5,000) against any person who violates a provision of this Article or Article 49B, or any rule promulgated thereunder. In determining the amount of the penalty, the Commissioner shall consider the degree and extent of harm caused by the violation."

PART IV. ANIMAL WELFARE ACT.

Sec. 6. Article 3 of Chapter 19A of the General Statutes, Animal Welfare Act, is amended by adding the following new section:

"§ 19A-40. Civil Penalties.

The Director may assess a civil penalty of not more than five thousand dollars ($5,000) against any person who violates a provision of this Article or any rule promulgated thereunder. In determining the amount of the penalty, the Director shall consider the degree and extent of harm caused by the violation."

PART V. ANIMAL HEALTH LAWS.

Sec. 7. Article 14A of Chapter 106 of the General Statutes, Licensing and Regulation of Rendering Plants and Rendering Operations, is amended by adding the following new section:

"§ 106-168.16. Civil Penalties.

The Commissioner may assess a civil penalty of not more than five thousand dollars ($5,000) against any person who violates a provision of this Article or any rule promulgated thereunder. In determining the amount of the penalty, the Commissioner shall consider the degree and extent of harm caused by the violation."

Sec. 8. Article 34 of Chapter 106 of the General Statutes, Animal Diseases, is amended by adding the following:

"Part 12. Penalties.

"§ 106-405.20. Civil Penalties.

The Commissioner may assess a civil penalty of not more than five thousand dollars ($5,000) against any person who violates a

see page 5

provision of this Article or any rule promulgated thereunder. In determining the amount of the penalty, the Commissioner shall consider the degree and extent of harm caused by the violation."

Sec. 9. Article 35 of Chapter 106 of the General Statutes, Public Livestock Markets, is amended by adding the following new section:

"§ 106-417.1. Civil Penalties.

The Commissioner may assess a civil penalty of not more than five thousand dollars ($5,000) against any person who violates a provision of this Article or any rule promulgated thereunder. In determining the amount of the penalty, the Commissioner shall consider the degree and extent of harm caused by the violation."

Sec. 10. Article 35A of Chapter 106 of the General Statutes, Livestock Prompt Pay Law, is amended by adding the following new section:

"§ 106-418.7A. Civil Penalties.

The Commissioner may assess a civil penalty of not more than five thousand dollars ($5,000) against any person who violates a provision of this Article or any rule promulgated thereunder. In determining the amount of the penalty, the Commissioner shall consider the degree and extent of harm caused by the violation."

Sec. 11. Article 35B of Chapter 106 of the General Statutes, Livestock Dealer Licensing Act, is amended by adding the following new section:

"§ 106-418.16. Civil Penalties.

The Commissioner may assess a civil penalty of not more than five thousand dollars ($5,000) against any person who violates a provision of this Article or any rule promulgated thereunder. In determining the amount of the penalty, the Commissioner shall consider the degree and extent of harm caused by the violation."

Sec. 12. Article 49 of Chapter 106 of the General Statutes, Poultry, Hatcheries and Chick Dealers, is amended by adding the following new section:

"§ 106-549.1. Civil Penalties.

The Department of Agriculture may assess a civil penalty of not more than five thousand dollars ($5,000) against any person who

see PAGE 5

violates a provision of this Article or any rule promulgated thereunder. In determining the amount of the penalty, the Department shall consider the degree and extent of harm caused by the violation."

Sec. 13. Article 49E of Chapter 106 of the General Statutes, Disposal of Dead Diseased Poultry, is amended by adding the following new section:

"§ 106-549.72. Civil Penalties.

The Commissioner may assess a civil penalty of not more than five thousand dollars ($5,000) against any person who violates a provision of this Article or any rule promulgated thereunder. In determining the amount of the penalty, the Commissioner shall consider the degree and extent of harm caused by the violation."

Sec. 14. Article 49F of Chapter 106 of the General Statutes, Biological Residues, is amended by adding the following new section:

"§ 106-549.89. Civil Penalties.

The Commissioner may assess a civil penalty of not more than five thousand dollars ($5,000) against any person who violates a provision of this Article or any rule promulgated thereunder. In determining the amount of the penalty, the Commissioner shall consider the degree and extent of harm caused by the violation."

Sec. 15. Article 58 of Chapter 106 of the General Statutes, Biologics Laws, is amended by adding the following new section:

"§ 106-715. Civil Penalties.

The Commissioner may assess a civil penalty of not more than five thousand dollars ($5,000) against any person who violates a provision of this Article or any rule promulgated thereunder. In determining the amount of the penalty, the Commissioner shall consider the degree and extent of harm caused by the violation."

Sec. 16. The organizational headings to the parts of this act, set forth in bolded uppercase, are a convenience to the reader and are for reference only. The headings do not expand, limit, or define the text of this act.

see page 5

NORTH CAROLINA GENERAL ASSEMBLY
CONFERENCE REPORT
Senate Bill 200

S200-CRRA-003

Sec. 17. This act becomes effective October 1, 1995, and shall apply to violations occurring on or after that date."

Date conferees approved report: July 27, 1995.

Conferees for the Senate

Sen. Charles W. Albertson

Sen. John G. Blackmon

Sen. John H. Carrington

Sen. Fred M. Hobbs

Conferees for the House of Representatives

Rep. Richard T. Morgan

Rep. John W. Brown

Rep. Jerry C. Dockham

Rep. Lyons Gray

Submitted 7-27-95 PLACED ON CALENDER OF 7-28

DATE ADOPTED 7-28-95 (45/0) Message Received 7-28-95

USE ADOPTED 7-28-95 (→) Ordered Enrolled 7/28-95

Changes Title

Held Not To Be Material

Send Message

Release S Final

NORTH CAROLINA GENERAL ASSEMBLY
SENATE

RECORDED VOTE

1995 SESSION

SEQ. 1489/10-- 2:42 PM JULY 28, 1995 LEGISLATIVE DAY 108

LT. GOVERNOR WICKER -- Presiding

ALBERTSON
AMEND REPROCESSED OIL REGULATION
HOUSE COM SUB/3RD EDITION

SENATE BILL 200

CONFERENCE REPORT

MOTION 7
TO ADOPT

AYE	45	ALBERTSON	DANNELLY	KERR	PARNELL
		ALLRAN	DAVIS	KINCAID	PERDUE
		BALLANCE	EAST	LEDBETTER	PLYLER
		BALLANTINE	EDWARDS	LITTLE	SAWYER
		BASNIGHT	FOXX	LUCAS	SHAW
		BLACKMON	GULLEY	MARTIN R.	SIMPSON
		CARPENTER	HARTSELL	MARTIN W.	SOLES
		CARRINGTON	HOBBS	MCDANIEL	SPEED
		CLARK	HORTON	MCKOY	WARREN
		COCHRANE	HOYLE	ODOM	WEBSTER
		CONDER	JORDAN	PAGE	WINNER
		COOPER			
NO	0				
EXCUSED	0				
NOT CAST	2	RAND	SHERRON		
ABSENT	3	FORRESTER	PLEXICO	SMITH	
PAIRS	0				
AYE					
NO					

(COPY)