GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1997

H.B. FILED
1001 APR 16 97
HOUSE PRINCIPAL CLERK

H D

HOUSE DRH6208-LR222(4.10)

Short Title: Payroll Dues Check-Off Limit. (Public)

Sponsors: Representative Arnold.

Referred to:

A BILL TO BE ENTITLED

AN ACT TO LIMIT THE AUTHORIZATION FOR PAYROLL DEDUCTIONS FROM EMPLOYEES' SALARIES TO EMPLOYEES' ORGANIZATIONS.

The General Assembly of North Carolina enacts:

Section 1. G.S. 143-3.3(g) reads as rewritten:

"(g) Payroll Deduction for Payments to Certain Employees' Associations Allowed. -- An employee of the State or any of its institutions, departments, bureaus, agencies or commissions, ~~or~~ any of its ~~local boards of education or~~ community colleges, or a noncertified employee of local boards of education, who is a member of a domiciled employees' association that has at least 2,000 members, the majority of whom are employees of the ~~State or public school employees,~~ State, may authorize, in writing, the periodic deduction each payroll period from the employee's salary or wages a designated lump sum to be paid to the employees' association. The authorization shall remain in effect until revoked by the employee. A plan of payroll deductions pursuant to this subsection for employees of the State and other association members shall become void if the employees' association engages in collective bargaining with the State, any political subdivision of the State, or any local school administrative unit. This subsection does not apply to county or municipal governments or any local governmental unit, except for local boards of education."

Section 2. This act becomes effective July 1, 1997.

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1997

H.B. FILED
1002 APR 16 97
HOUSE PRINCIPAL CLERK

H D

HOUSE DRH2267-LN105(3.6)

Short Title: LRC Study/DHR Schools. (Public)

Sponsors: Representative Arnold.

Referred to:

A BILL TO BE ENTITLED

AN ACT TO AUTHORIZE THE LEGISLATIVE RESEARCH COMMISSION TO STUDY ISSUES PERTAINING TO THE QUALITY AND EFFECTIVENESS OF EDUCATION PROVIDED AT SCHOOLS UNDER THE ADMINISTRATION OF THE DEPARTMENT OF HUMAN RESOURCES.

The General Assembly of North Carolina enacts:

Section 1. The Legislative Research Commission may study issues pertaining to the quality and effectiveness of education provided at schools under the administration of the Department of Human Resources. The study may include:

(1) Feasibility and desirability of moving the administration, including funding, buildings, equipment, and other assets, of the DYS Training Schools, the three residential schools for the deaf, and the Governor Morehead School for the Blind from the Department of Human Resources to the Department of Public Instruction;

(2) Quality of education provided at the schools named in subdivision (1) of this section, including teacher pay and curriculum standards;

(3) All other aspects of the education program provided at each of the schools named in subdivision (1) of this section; and

(4) Any other matters or issues the Commission deems relevant.

Section 2. The Legislative Research Commission may make an interim report to the 1997 General Assembly, 1998 Regular Session, and shall make a final report to the 1999 General Assembly.

Section 3. This act is effective when it becomes law.

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1997

H

H.B. FILED
1003 APR 16 97
HOUSE PRINCIPAL CLERK

D

HOUSE DRH7235-LH117D(2.17)

Short Title: Capital Planning & Budgeting Act. (Public)

Sponsors: Representative Russell.

Referred to:

A BILL TO BE ENTITLED

AN ACT TO ESTABLISH A COMPREHENSIVE PROCESS FOR CAPITAL IMPROVEMENT PLANNING AND BUDGETING.

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 1A.

"Capital Improvement Planning and Budgeting Act.

"**§ 143-34.8. Definitions.**

The following definitions apply in this Article:

(1) Capital improvement. -- The term includes land acquisition, new construction, or rehabilitation of existing facilities, and repairs and renovations.

(2) State agency. -- The term includes the Board of Governors of The University of North Carolina.

"**§ 143-34.8A. Legislative intent; purpose.**

(a) The General Assembly recognizes the need to establish a comprehensive process for capital improvement planning that is fully integrated with State financial planning and debt management.

(b) The capital improvement planning and budgeting process shall include the following elements:

(1) An inventory of facilities owned by State agencies.

(2) Explicit criteria used to evaluate capital improvement needs.

(3) A six-year capital improvement needs inventory.

(4) A six-year capital improvement plan.

H.B. FILED
1004 APR 16 97
HOUSE PRINCIPAL CLERK

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1997

H **D**

HOUSE JOINT RESOLUTION DRHJR2261-RH023(4.8)

Sponsors: Representatives Russell and Shubert.

Referred to:

A JOINT RESOLUTION PROVIDING FOR CONFIRMATION OF THREE APPOINTMENTS BY THE GOVERNOR OF NEW MEMBERS TO THE STATE BOARD OF EDUCATION.

Whereas, under the provisions of the Constitution of North Carolina and G.S. 115C-10, appointments by the Governor to membership on the State Board of Education are subject to confirmation by the General Assembly in joint session; and

Whereas, vacancies have occurred on the State Board of Education; and

Whereas, the Governor has transmitted to the presiding officers of the House of Representatives and the Senate, the names of his appointees to fill the terms of membership on the State Board of Education which expire March 31, 2005.

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

Section 1. The appointments of three persons to membership on the State Board of Education for terms to expire March 31, 2005, are confirmed.

Section 2. This resolution is effective upon ratification.

Vote

SENATE of the 1997 NORTH CAROLINA GENERAL ASSEMBLY

DATE 7/16/97

H.J.R. 1004

AYE		NO	AYE		NO
X	ALBERTSON		X	KINCAID	
X	ALLRAN		X	KINNAIRD	
X	BALLANCE		X	LEDBETTER	
X	BALLANTINE		X	LEE	
X	BASNIGHT		X	LUCAS	
X	BLUST		X	MARTIN/Pitt	
X	CARPENTER		X	MARTIN/Guilford	
X	CARRINGTON		X	McDANIEL	
X	CLARK		X	MILLER	
X	COCHRANE		X	ODOM	
X	CONDER		X	PAGE	
X	COOPER		X	PERDUE	
X	DALTON		X	PHILLIPS	
X	DANNELLY		X	PLYLER	
X	EAST		X	RAND	
X	FORRESTER		X	REEVES	
X	FOXX		X	RUCHO	
X	GARWOOD		X	SHAW/Cumberland	
X	GULLEY		X	SHAW/Guilford	
X	HARTSELL		X	SOLES	
X	HORTON		X	WARREN	
X	HOYLE		X	WEBSTER	
X	JENKINS		X	WEINSTEIN	
X	JORDAN		X	WELLONS	
X	KERR		X	WINNER	

CTION _____ LT. GOVERNOR _____ 50 AYES/NOES 0

g/97/forms/mroll

Joint Session

7/16/97
J. Pruitt

NORTH CAROLINA

HOUSE OF REPRESENTATIVES

ROLL CALL

SEQ. # 1161
LEGISLATIVE DAY 97

EV
7/16/97
10:16 AM
IN CHAIR: SPEAKER

QUORUM CALL
for Jt. Session (Confirmation of State Board of Education)

AYES - 94

SPEAKER	CULPEPPER	HOLMES	OLDHAM
ADAMS	CUNNINGHAM	HOWARD	OWENS
ALDRIDGE	DECKER	HUNTER, H.	RAYFIELD
ALEXANDER	DEDMON	HUNTER, R.	REDWINE
BADDOUR	DICKSON	HURLEY	REYNOLDS
BAKER	DOCKHAM	INSKO	RUSSELL
BARBEE	EARLE	JEFFUS	SAUNDERS
BERRY	EASTERLING	KISER	SEXTON
BLACK	EDDINS	LUEBKE	SHUBERT
BONNER	ELLIS	MCCOMAS	SMITH
BOWIE	ESPOSITO	MCCOMBS	STARNES
BOYD-MCINTYRE	FOX	MCMAHAN	SUTTON
BRAWLEY	GAMBLE	MERCER	TALLENT
BROWN	GARDNER	MICHAUX	THOMPSON
BUCHANAN	GOODWIN	MILLER	TOLSON
CANSLER	GRADY	MINER	WAINWRIGHT
CAPPS	GRAY	MITCHELL	WARNER
CARPENTER	GULLEY	MORGAN	WARWICK
CHURCH	HALL	MORRIS	WATSON
CLARY	HARDY	MOSLEY	WEATHERLY
COLE	HENSLEY	NESBITT	WOOD
CRAWFORD	HIATT	NICHOLS	WRIGHT
CREECH	HIGHTOWER	NYE	YONGUE
CULP	HILL		

NOES - 5

BLUE	FITCH	NEELY	WILKINS
DAUGHTRY			

EXCUSED ABSENCE - 4

DAVIS	HARDAWAY	MOORE	WOMBLE

EXCUSED VOTE - 0

NOT VOTING - 17

ALLRED	IVES	MCALLISTER	ROGERS
ARNOLD	JARRELL	MCCRARY	SHERRILL
BEALL	JUSTUS	PRESTON	WILSON, C.
BRASWELL	KINNEY	RAMSEY	WILSON, G.
HACKNEY			

HJR 1004

NORTH CAROLINA
HOUSE OF REPRESENTATIVES
ROLL CALL

EV

SEQ. # 1162
LEGISLATIVE DAY 97
HJR1004HCS
READING 2
RUSSELL

7/16/97
10:19 AM
IN CHAIR: SPEAKER

CONFIRM STATE BD. OF EDUCATION MEMBERS

AYES - 114

SPEAKER	DAUGHTRY	HURLEY	PRESTON
ADAMS	DECKER	INSKO	RAMSEY
ALDRIDGE	DEDMON	IVES	RAYFIELD
ALEXANDER	DICKSON	JARRELL	REDWINE
ARNOLD	DOCKHAM	JEFFUS	REYNOLDS
BADDOUR	EARLE	JUSTUS	ROGERS
BAKER	EASTERLING	KINNEY	RUSSELL
BARBEE	EDDINS	KISER	SAUNDERS
BEALL	ELLIS	LUEBKE	SEXTON
BERRY	ESPOSITO	MCALLISTER	SHERRILL
BLACK	FITCH	MCCOMAS	SHUBERT
BLUE	FOX	MCCOMBS	SMITH
BONNER	GAMBLE	MCCRARY	STARNES
BOWIE	GARDNER	MCMAHAN	SUTTON
BOYD-MCINTYRE	GOODWIN	MERCER	TALLENT
BRAWLEY	GRADY	MICHAUX	THOMPSON
BROWN	GRAY	MILLER	TOLSON
BUCHANAN	GULLEY	MINER	WAINWRIGHT
CANSLER	HACKNEY	MITCHELL	WARNER
CAPPS	HALL	MORGAN	WARWICK
CARPENTER	HARDY	MORRIS	WATSON
CHURCH	HENSLEY	MOSLEY	WEATHERLY
CLARY	HIATT	NEELY	WILKINS
COLE	HIGHTOWER	NESBITT	WILSON, C.
CRAWFORD	HILL	NICHOLS	WILSON, G.
CREECH	HOLMES	NYE	WOOD
CULP	HOWARD	OLDHAM	WRIGHT
CULPEPPER	HUNTER, H.	OWENS	YONGUE
CUNNINGHAM	HUNTER, R.		

NOES - 0

EXCUSED ABSENCE - 4

DAVIS	HARDAWAY	MOORE	WOMBLE

EXCUSED VOTE - 0

NOT VOTING - 2

ALLRED	BRASWELL

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1997

H.B. FILED

1005 APR 17 97 D

H

HOUSE PRINCIPAL CLERK

HOUSE DRHA283*-LD119(3.5)

Short Title: Workers' Comp/Physician Selection. (Public)

Sponsors: Representative Davis.

Referred to:

A BILL TO BE ENTITLED

AN ACT TO ALLOW INJURED EMPLOYEES SUBJECT TO THE WORKERS' COMPENSATION ACT TO SELECT OR CHANGE TREATING PHYSICIANS ONE TIME WITHOUT THE NEED TO GET THE APPROVAL OF THE INDUSTRIAL COMMISSION.

The General Assembly of North Carolina enacts:

Section 1. G.S. 97-25 reads as rewritten:

"**§ 97-25. Medical treatment and supplies.**

Medical compensation shall be provided by the employer. In case of a controversy arising between the employer and employee relative to the continuance of medical, surgical, hospital, or other treatment, the Industrial Commission may order such further treatments as may in the discretion of the Commission be necessary.

The Commission may at any time upon the request of an employee order a change of treatment and designate other treatment suggested by the injured employee subject to the approval of the Commission, and in such a case the expense thereof shall be borne by the employer upon the same terms and conditions as hereinbefore provided in this section for medical and surgical treatment and attendance.

The refusal of the employee to accept any medical, hospital, surgical or other treatment or rehabilitative procedure when ordered by the Industrial Commission shall bar said employee from further compensation until such refusal ceases, and no compensation shall at any time be paid for the period of suspension unless in the opinion of the Industrial Commission the circumstances justified the refusal, in which case, the Industrial Commission may order a change in the medical or hospital service.

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1997

FILED
1006 APR 17 97
HOUSE PRINCIPAL CLERK

H D

HOUSE DRH7219-LT146(4.10)

Short Title: State Capital Improvement Projects. (Public)

Sponsors: Representatives Davis and Ives.

Referred to:

A BILL TO BE ENTITLED

AN ACT TO INCREASE THE EXEMPTION FOR ANNOUNCING REQUIREMENTS OF CAPITAL IMPROVEMENT PROJECT DESIGNS.

The General Assembly of North Carolina enacts:

Section 1. G.S. 143-64.34 reads as rewritten:

"**§ 143-64.34. Exemption of certain State Capital Improvement Projects.**

State Capital Improvement Projects under the jurisdiction of the State Building Commission where the estimated expenditure of public money is less than ~~fifty thousand dollars ($50,000)~~ one hundred thousand dollars ($100,000) are exempt from the provisions of this Article."

Section 2. This act becomes effective October 1, 1997, and only applies to State Capital Improvement Projects for which designers or consultants are selected for approval on or after that date.

NORTH CAROLINA

HOUSE OF REPRESENTATIVES

ROLL CALL

EV

473
LEGISLATIVE DAY 53
H1006
READING 2
DAVIS

4/30/97
6:06 PM
IN CHAIR: SPEAKER

STATE CAPITAL IMPROVEMENT PROJECTS

AYES - 109

ADAMS	DAUGHTRY	JARRELL	RAYFIELD
ALDRIDGE	DAVIS	JEFFUS	REDWINE
ALEXANDER	DECKER	JUSTUS	REYNOLDS
ALLRED	DEDMON	KINNEY	ROGERS
ARNOLD	DICKSON	KISER	RUSSELL
BAKER	DOCKHAM	LUEBKE	SAUNDERS
BARBEE	EARLE	MCALLISTER	SEXTON
BEALL	EDDINS	MCCOMAS	SHERRILL
BERRY	ESPOSITO	MCCOMBS	SHUBERT
BLACK	FOX	MCCRARY	SMITH
BONNER	GARDNER	MCMAHAN	STARNES
BOWIE	GOODWIN	MICHAUX	SUTTON
BOYD-MCINTYRE	GRADY	MILLER	TALLENT
BRASWELL	GRAY	MINER	THOMPSON
BRAWLEY	GULLEY	MITCHELL	TOLSON
BROWN	HACKNEY	MOORE	WAINWRIGHT
BUCHANAN	HALL	MORGAN	WARNER
CANSLER	HARDAWAY	MORRIS	WARWICK
CAPPS	HARDY	MOSLEY	WATSON
CARPENTER	HIGHTOWER	NEELY	WEATHERLY
CHURCH	HILL	NESBITT	WILKINS
CLARY	HOWARD	NICHOLS	WILSON, C.
COLE	HUNTER, H.	NYE	WILSON, G.
CRAWFORD	HUNTER, R.	OLDHAM	WOMBLE
CREECH	HURLEY	OWENS	WOOD
CULP	INSKO	PRESTON	WRIGHT
CULPEPPER	IVES	RAMSEY	YONGUE
CUNNINGHAM			

NOES - 5

BLUE	ELLIS	FITCH	HENSLEY
EASTERLING			

EXCUSED ABSENCE - 1

MERCER

EXCUSED VOTE - 0

NOT VOTING - 5

SPEAKER	GAMBLE	HIATT	HOLMES
BADDOUR			

NORTH CAROLINA GENERAL ASSEMBLY
SENATE

RECORDED VOTE

1997 SESSION

SEQ. 1109/9--10:58 AM JULY 9, 1997 LEGISLATIVE DAY 93

LT. GOVERNOR WICKER -- Presiding

DAVIS
STATE CAPITAL IMPROVEMENT PROJECTS

HOUSE BILL 1006
READING 2

AYE	48	ALBERTSON	DANNELLY	KINCAID	PLYLER
		ALLRAN	EAST	KINNAIRD	RAND
		BALLANCE	FORRESTER	LEDBETTER	REEVES
		BALLANTINE	FOXX	LEE	RUCHO
		BASNIGHT	GARWOOD	LUCAS	SHAW L.
		BLUST	GULLEY	MARTIN R.	SHAW R.
		CARPENTER	HARTSELL	MCDANIEL	SOLES
		CLARK	HORTON	MILLER	WARREN
		COCHRANE	HOYLE	ODOM	WEBSTER
		CONDER	JENKINS	PAGE	WEINSTEIN
		COOPER	JORDAN	PERDUE	WELLONS
		DALTON	KERR	PHILLIPS	WINNER
NO	0				
EXCUSED	0				
NOT CAST	1	MARTIN W.			
ABSENT	1	CARRINGTON			
PAIRS	0				
AYE					
NO					

GENERAL ASSEMBLY
SENATE

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1997

H.B. FILED
1007 APR 17 97
HOUSE PRINCIPAL CLERK

H D

HOUSE DRH6202-LNX032(4.15)

Short Title: Childhood Lead Exposure Control. (Public)

Sponsors: Representatives Moore and Tallent.

Referred to:

A BILL TO BE ENTITLED

AN ACT PERTAINING TO THE CONTROL OF LEAD EXPOSURE OF CHILDREN.

The General Assembly of North Carolina enacts:

Section 1. Part 4 of Article 5 of Chapter 130A of the General Statutes is amended by adding the following new sections to read:

"**§ 130A-131.7. Definitions.**

As used in this Part, unless the context requires otherwise, the term:

(1) 'Abatement' means the elimination or control of lead poisoning hazards by methods approved by the Department.

(2) 'Confirmed lead poisoning' means a blood lead concentration of 20 micrograms per deciliter or greater determined by the lower of two consecutive blood tests within a six-month period.

(3) 'Day care facility' means a structure or structures used as a school, nursery, child care center, clinic, treatment center, or other facility serving the needs of children under 6 years of age including the grounds, any outbuildings, or other structures appurtenant to the facility.

(4) 'Department' means the Department of Environment, Health, and Natural Resources or its authorized agent.

(5) 'Dwelling', 'Dwelling unit', or 'Residential housing unit' means a structure, all or part of which is designed or used for human habitation, including the common areas, the grounds, any outbuildings, or other structures appurtenant to the dwelling, dwelling unit, or residential housing unit.

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1997

H D

H.B. FILED 1008 APR 17 97 HOUSE PRINCIPAL CLERK

HOUSE DRH7225-LM161(4.9)

Short Title: Chiropractic Licensure Amendments. (Public)

Sponsors: Representative Watson.

Referred to:

A BILL TO BE ENTITLED

AN ACT REGARDING THE EDUCATIONAL REQUIREMENTS FOR CHIROPRACTIC LICENSURE AND TO AUTHORIZE THE BOARD TO LICENSE PERSONS WHO HAVE PASSED THE NATIONAL CHIROPRACTIC EXAMINATION.

The General Assembly of North Carolina enacts:

Section 1. G.S. 90-143 reads as rewritten:

"**§ 90-143. Definitions of chiropractic; examinations; educational requirements.**

(a) 'Chiropractic' is herein defined to be the science of adjusting the cause of disease by realigning the spine, releasing pressure on nerves radiating from the spine to all parts of the body, and allowing the nerves to carry their full quota of health current (nerve energy) from the brain to all parts of the body.

(b) It shall be the duty of the North Carolina State Board of Chiropractic Examiners (hereinafter referred to as 'Board') to examine for ~~license~~ licensure to practice chiropractic in this State ~~every~~ any applicant who ~~complies with the following provisions:~~ is or will become, within 60 days of examination, a graduate of a four-year chiropractic college that is either accredited by the Council on Chiropractic Education or deemed by the Board to be the equivalent of such a college and who furnishes to the Board, in the manner prescribed by the Board, all of the following:

(1) ~~Furnishes proof~~ Satisfactory evidence of good moral ~~character;~~ character.

(2) ~~Satisfies the Board~~ Proof that the applicant has received a baccalaureate degree from a college or university accredited by a

NORTH CAROLINA

HOUSE OF REPRESENTATIVES

ROLL CALL

EV

SEQ. # 505
[redacted]ISLATIVE DAY 54
[redacted]08
READING 2
WATSON

5/01/97
11:33 AM
IN CHAIR: SPEAKER

CHIROPRACTIC LICEN- SURE AMENDMENTS

AYES - 113

SPEAKER	DAVIS	INSKO	PRESTON
ADAMS	DECKER	IVES	RAMSEY
ALDRIDGE	DEDMON	JARRELL	RAYFIELD
ALEXANDER	DICKSON	JEFFUS	REDWINE
ALLRED	DOCKHAM	JUSTUS	REYNOLDS
ARNOLD	EARLE	KINNEY	RUSSELL
BADDOUR	EASTERLING	KISER	SAUNDERS
BAKER	EDDINS	LUEBKE	SEXTON
BARBEE	ESPOSITO	MCALLISTER	SHERRILL
BEALL	FITCH	MCCOMAS	SHUBERT
BLACK	FOX	MCCOMBS	SMITH
BONNER	GAMBLE	MCCRARY	STARNES
BOWIE	GARDNER	MCMAHAN	SUTTON
BOYD-MCINTYRE	GOODWIN	MERCER	TALLENT
BRASWELL	GRADY	MICHAUX	THOMPSON
BRAWLEY	GRAY	MILLER	TOLSON
BUCHANAN	GULLEY	MINER	WAINWRIGHT
CANSLER	HACKNEY	MITCHELL	WARNER
CAPPS	HALL	MOORE	WARWICK
CARPENTER	HARDY	MORGAN	WATSON
CHURCH	HENSLEY	MORRIS	WEATHERLY
CLARY	HIGHTOWER	MOSLEY	WILKINS
COLE	HILL	NEELY	WILSON, C.
CRAWFORD	HOLMES	NESBITT	WILSON, G.
CREECH	HOWARD	NICHOLS	WOMBLE
CULP	HUNTER, H.	NYE	WOOD
CULPEPPER	HUNTER, R.	OLDHAM	WRIGHT
CUNNINGHAM	HURLEY	OWENS	YONGUE
DAUGHTRY			

NOES - 0

EXCUSED ABSENCE - 0

EXCUSED VOTE - 0

NOT VOTING - 7

BERRY	BROWN	HARDAWAY	ROGERS
BLUE	ELLIS	HIATT	

NORTH CAROLINA GENERAL ASSEMBLY
SENATE

RECORDED VOTE

1997 SESSION

SEQ. 826/7--12:59 PM JUNE 5, 1997 LEGISLATIVE DAY 74

SENATOR BASNIGHT -- Presiding

WATSON
CHIROPRACTIC LICENSURE AMENDMENTS
SENATE COM. SUB./2ND EDITION

HOUSE BILL 1008
READING 2

AYE	50	ALBERTSON	DANNELLY	KINNAIRD	PLYLER
		ALLRAN	EAST	LEDBETTER	RAND
		BALLANCE	FORRESTER	LEE	REEVES
		BALLANTINE	FOXX	LUCAS	RUCHO
		BASNIGHT	GARWOOD	MARTIN R.	SHAW L.
		BLUST	GULLEY	MARTIN W.	SHAW R.
		CARPENTER	HARTSELL	MCDANIEL	SOLES
		CARRINGTON	HORTON	MILLER	WARREN
		CLARK	HOYLE	ODOM	WEBSTER
		COCHRANE	JENKINS	PAGE	WEINSTEIN
		CONDER	JORDAN	PERDUE	WELLONS
		COOPER	KERR	PHILLIPS	WINNER
		DALTON	KINCAID		
NO	0				

EXCUSED	0
NOT CAST	0
ABSENT	0
PAIRS	0
AYE	
NO	

GENERAL ASSEMBLY
SENATE

NORTH CAROLINA
HOUSE OF REPRESENTATIVES
ROLL CALL

EV

. # 909
GISLATIVE DAY 78
H1008SCS

6/12/97
12:26 PM
IN CHAIR: SPEAKER

WATSON

CHIROPRACTIC LICENSURE AMENDS.
MOTION #11 - TO CONCUR IN SCS

AYES - 111

SPEAKER	DAUGHTRY	HURLEY	RAMSEY
ADAMS	DAVIS	INSKO	RAYFIELD
ALDRIDGE	DECKER	IVES	REDWINE
ALEXANDER	DEDMON	JARRELL	REYNOLDS
ALLRED	DICKSON	JEFFUS	ROGERS
ARNOLD	DOCKHAM	JUSTUS	RUSSELL
BADDOUR	EARLE	KISER	SAUNDERS
BAKER	EASTERLING	LUEBKE	SEXTON
BEALL	EDDINS	MCALLISTER	SHERRILL
BLACK	ESPOSITO	MCCOMAS	SHUBERT
BLUE	FITCH	MCCOMBS	SMITH
BONNER	GARDNER	MCCRARY	STARNES
BOWIE	GOODWIN	MCMAHAN	SUTTON
BOYD-MCINTYRE	GRADY	MERCER	TALLENT
BRASWELL	GRAY	MICHAUX	THOMPSON
BRAWLEY	GULLEY	MILLER	TOLSON
BROWN	HACKNEY	MINER	WAINWRIGHT
BUCHANAN	HALL	MITCHELL	WARNER
CANSLER	HARDAWAY	MOORE	WARWICK
CAPPS	HARDY	MORGAN	WATSON
CARPENTER	HENSLEY	MORRIS	WEATHERLY
CHURCH	HIATT	MOSLEY	WILSON, C.
COLE	HIGHTOWER	NEELY	WILSON, G.
CRAWFORD	HILL	NESBITT	WOMBLE
CREECH	HOLMES	NYE	WOOD
CULP	HOWARD	OLDHAM	WRIGHT
CULPEPPER	HUNTER, H.	OWENS	YONGUE
CUNNINGHAM	HUNTER, R.	PRESTON	

NOES - 0

EXCUSED ABSENCE - 5

BARBEE	ELLIS	FOX	NICHOLS
BERRY			

EXCUSED VOTE - 0

NOT VOTING - 4

CLARY	GAMBLE	KINNEY	WILKINS

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1997

H.B. FILED
1009 APR 17 97
HOUSE PRINCIPAL CLERK

H D

HOUSE DRH2259*-LD173(4.3)

Short Title: Notice of Hazardous Discharge. (Public)

Sponsors: Representative Morris.

Referred to:

A BILL TO BE ENTITLED

AN ACT TO AMEND THE DUTY OF PERSONS WHO DISCHARGE OIL OR ANY HAZARDOUS SUBSTANCE TO REPORT THE DISCHARGE TO THE DEPARTMENT OF ENVIRONMENT, HEALTH, AND NATURAL RESOURCES.

The General Assembly of North Carolina enacts:

Section 1. G.S. 143-215.85 reads as rewritten:

"**§ 143-215.85. Required notice.**

(a) Every person owning or having control over ~~oil or other substances discharged in any circumstances~~

(1) Any amount of oil discharged into the waters of the State;

(2) Discharged oil in the amount of five gallons or more that is reasonably likely to reach the waters of the State; or

(3) Any hazardous substance discharged in an amount greater than the reportable quantity, as defined in 33 U.S.C. § 1321(b)(2)(A);

other than pursuant to a rule adopted by the Commission, a regulation of the U. S. Environmental Protection Agency, or a permit required by G.S. 143-215.1 or the Federal Water Pollution Control Act, upon notice that such discharge has occurred, shall immediately notify the Department, or any of its agents or employees, of the nature, location and time of the discharge and of the measures which are being taken or are proposed to be taken to contain and remove the discharge. The agent or employee of the Department receiving the notification shall immediately notify the Secretary or such member or members of the permanent staff of the Department as the Secretary may designate. If the discharged substance of which the Department is notified is a pesticide regulated by the North Carolina Pesticide Board, the

NORTH CAROLINA
HOUSE OF REPRESENTATIVES
ROLL CALL

EV

. # 556
ISLATIVE DAY 54
009HCS
READING 2
MORRIS

5/01/97
6:41 PM
IN CHAIR: SPEAKER

NOTICE OF HAZARDOUS DISCHARGE

AYES - 115

SPEAKER	CULPEPPER	HUNTER, R.	PRESTON
ADAMS	CUNNINGHAM	HURLEY	RAMSEY
ALDRIDGE	DAVIS	INSKO	RAYFIELD
ALEXANDER	DECKER	IVES	REDWINE
ALLRED	DEDMON	JARRELL	REYNOLDS
ARNOLD	DICKSON	JEFFUS	ROGERS
BADDOUR	DOCKHAM	JUSTUS	RUSSELL
BAKER	EARLE	KINNEY	SAUNDERS
BARBEE	EASTERLING	KISER	SEXTON
BEALL	EDDINS	LUEBKE	SHERRILL
BERRY	ESPOSITO	MCALLISTER	SMITH
BLACK	FITCH	MCCOMAS	STARNES
BLUE	FOX	MCCOMBS	SUTTON
BONNER	GARDNER	MCCRARY	TALLENT
BOWIE	GOODWIN	MCMAHAN	THOMPSON
BOYD-MCINTYRE	GRADY	MERCER	TOLSON
BRASWELL	GRAY	MICHAUX	WAINWRIGHT
BRAWLEY	GULLEY	MILLER	WARNER
BROWN	HACKNEY	MINER	WARWICK
BUCHANAN	HALL	MITCHELL	WATSON
CANSLER	HARDAWAY	MOORE	WEATHERLY
CAPPS	HARDY	MORGAN	WILKINS
CARPENTER	HENSLEY	MORRIS	WILSON, C.
CHURCH	HIATT	MOSLEY	WILSON, G.
CLARY	HIGHTOWER	NEELY	WOMBLE
COLE	HILL	NESBITT	WOOD
CRAWFORD	HOLMES	NICHOLS	WRIGHT
CREECH	HOWARD	NYE	YONGUE
CULP	HUNTER, H.	OWENS	

NOES - 0

EXCUSED ABSENCE - 2

OLDHAM	SHUBERT

EXCUSED VOTE - 0

NOT VOTING - 3

DAUGHTRY	ELLIS	GAMBLE

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1997

H

H.B. FILED

1010 APR 17 97

HOUSE PRINCIPAL CLERK

HOUSE DRH7234*-LH009(1.8)

Short Title: Govt. Use/Seized Gun Parts. (Public)

Sponsors: Representative Warner.

Referred to:

A BILL TO BE ENTITLED

AN ACT TO PROVIDE THAT PARTS MAY BE REMOVED FROM CONFISCATED WEAPONS PRIOR TO THE DESTRUCTION OF THE WEAPONS TO REPAIR EXISTING LAW ENFORCEMENT WEAPONS.

The General Assembly of North Carolina enacts:

Section 1. G.S. 14-269.1 reads as rewritten:

"**§ 14-269.1. Confiscation and disposition of deadly weapons.**

Upon conviction of any person for violation of G.S. 14-2.2, 14-269, 14-269.7, or any other offense involving the use of a deadly weapon of a type referred to in G.S. 14-269, the deadly weapon with reference to which the defendant shall have been convicted shall be ordered confiscated and disposed of by the presiding judge at the trial in one of the following ways in the discretion of the presiding judge.

(1) By ordering the weapon returned to its rightful owner, but only when such owner is a person other than the defendant and has filed a petition for the recovery of such weapon with the presiding judge at the time of the defendant's conviction, and upon a finding by the presiding judge that petitioner is entitled to possession of same and that he was unlawfully deprived of the same without his consent.

(2), (3) Repealed by Session Laws 1994, Ex. Sess., c. 16, s. 2.

(4) By ordering such weapon turned over to the sheriff of the county in which the trial is held or his duly authorized agent to be destroyed. Prior to the destruction of the weapon, the sheriff may remove any parts from the weapon for the repair of local law enforcement weapons that are property of the local government.

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1997

H.B. FILED
1011 APR 17 97
HOUSE PRINCIPAL CLERK

H D

HOUSE DRH1275-LH159A(4.7)

Short Title: Low Pressure Pipe Emerg. Funds. (Public)

Sponsors: Representative Capps.

Referred to:

A BILL TO BE ENTITLED

AN ACT TO CREATE THE LOW PRESSURE PIPE NETWORK REPLACEMENT EMERGENCY FUND.

The General Assembly of North Carolina enacts:

Section 1. Chapter 162A of the General Statutes is amended by adding a new Article to read:

"ARTICLE 8.

"Low Pressure Pipe Network

Replacement Emergency Fund.

"**§ 162A-110. Definitions.**

(1) Fund. -- Low Pressure Pipe Network Replacement Emergency Fund created pursuant to this Article.

(2) Pump and haul. -- Pumping of the liquid waste (effluent) from the common collection tank by a carrier into their equipment for transportation to a municipal sewer connection point where it is discharged.

(3) Infrastructure. -- All effluent transport and delivery piping, pumps and storage/treatment tanks from the private/public right-of-way interface at the street for each homesite or from the schoolsite to and including the common collection area utility lot.

"**§ 162A-111. Fund: established; earnings.**

(a) Fund Established. -- There is established the Low Pressure Pipe Network Replacement Emergency Fund in the State Treasurer's Office. The fund shall be administered by the Department of Commerce.

NORTH CAROLINA
HOUSE OF REPRESENTATIVES
ROLL CALL

EV

. # 1204
ISLATIVE DAY 99
H1011HCS
READING 2
CAPPS

7/21/97
7:17 PM
IN CHAIR: SPEAKER

LOW PRESSURE PIPE SYSTEMS REPORT

AYES - 104

SPEAKER	DAUGHTRY	INSKO	PRESTON
ADAMS	DAVIS	IVES	RAMSEY
ALDRIDGE	DECKER	JARRELL	RAYFIELD
ALEXANDER	DEDMON	JEFFUS	REYNOLDS
ALLRED	DICKSON	JUSTUS	ROGERS
ARNOLD	DOCKHAM	KINNEY	RUSSELL
BADDOUR	EARLE	KISER	SAUNDERS
BAKER	EASTERLING	LUEBKE	SEXTON
BARBEE	EDDINS	MCALLISTER	SHERRILL
BEALL	ELLIS	MCCOMAS	SHUBERT
BLACK	ESPOSITO	MCCOMBS	SMITH
BLUE	GARDNER	MCCRARY	STARNES
BONNER	GRADY	MERCER	SUTTON
BOWIE	GRAY	MILLER	THOMPSON
BOYD-MCINTYRE	GULLEY	MINER	TOLSON
BRASWELL	HACKNEY	MITCHELL	WAINWRIGHT
BRAWLEY	HALL	MOORE	WARNER
BROWN	HARDAWAY	MORGAN	WARWICK
BUCHANAN	HARDY	MORRIS	WATSON
CANSLER	HENSLEY	MOSLEY	WEATHERLY
CAPPS	HIGHTOWER	NEELY	WILKINS
CARPENTER	HILL	NESBITT	WILSON, C.
CLARY	HOLMES	NICHOLS	WILSON, G.
CREECH	HOWARD	NYE	WOOD
CULP	HUNTER, R.	OLDHAM	WRIGHT
CULPEPPER	HURLEY	OWENS	YONGUE

NOES - 0

EXCUSED ABSENCE - ~~9~~ 10 SW

BERRY	GAMBLE	HIATT	TALLENT
CHURCH	GOODWIN	MCMAHAN	WOMBLE .
CUNNINGHAM			Redwine SWelch

EXCUSED VOTE - 0

NOT VOTING - ~~7~~ 6 SW

COLE	FITCH	HUNTER, H.	~~REDWINE~~ SWelch
CRAWFORD	FOX	MICHAUX	

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1997

FILED
1012 APR 17 97
HOUSE PRINCIPAL CLERK

H D

HOUSE DRH1267-LH179(4.9)

Short Title: Shooting Range Protection. (Public)

Sponsors: Representative Sexton.

Referred to:

A BILL TO BE ENTITLED

AN ACT TO PROTECT SPORT SHOOTING RANGES AND THEIR OWNERS, OPERATORS, AND USERS FROM PUNITIVE RESTRICTIONS.

The General Assembly of North Carolina enacts:

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

"ARTICLE 53C.

"Sport Shooting Range Protection Act of 1997.

"**§ 14-409.45. Definitions.**

The following definitions apply in this Article:

(1) Person. -- An individual, proprietorship, partnership, corporation, club, or other legal entity.

(2) Sport shooting range or range. -- An area designed and operated for the use of rifles, shotguns, pistols, silhouettes, skeet, trap, black powder, or any other similar sport shooting.

"**§ 14-409.46. Sport shooting range protection.**

(a) Notwithstanding any other provision of law, a person who owns, operates, or uses a sport shooting range in this State shall not be subject to civil liability or criminal prosecution in any matter relating to noise or noise pollution resulting from the operation or use of the range if the range is in compliance with any noise control laws or ordinances that applied to the range and its operation at the time of construction or initial operation of the range.

(b) A person who owns, operates, or uses a sport shooting range is not subject to an action for nuisance, and a State court shall not enjoin the use or operation of a range on the basis of noise or noise pollution, if the range is in compliance with any

NORTH CAROLINA
HOUSE OF REPRESENTATIVES
ROLL CALL

EV

477
LEGISLATIVE DAY 53
H1012
READING 2
SEXTON

4/30/97
6:27 PM
IN CHAIR: SPEAKER

SHOOTING RANGE PROTECTION

AYES - 80

SPEAKER	CREECH	HILL	RAYFIELD
ALDRIDGE	CULP	HOLMES	REDWINE
ALLRED	DAUGHTRY	HOWARD	REYNOLDS
ARNOLD	DAVIS	IVES	RUSSELL
BADDOUR	DECKER	JUSTUS	SEXTON
BAKER	DEDMON	KISER	SHERRILL
BARBEE	DICKSON	MCCOMAS	SHUBERT
BEALL	DOCKHAM	MCCOMBS	SMITH
BERRY	EASTERLING	MCCRARY	STARNES
BLACK	EDDINS	MCMAHAN	TALLENT
BOWIE	ELLIS	MINER	THOMPSON
BRAWLEY	ESPOSITO	MITCHELL	WAINWRIGHT
BROWN	FOX	MOORE	WARNER
BUCHANAN	GARDNER	MORGAN	WARWICK
CANSLER	GRADY	MORRIS	WATSON
CAPPS	GRAY	NEELY	WEATHERLY
CARPENTER	GULLEY	NESBITT	WILSON, C.
CLARY	HALL	NICHOLS	WILSON, G.
COLE	HARDY	OWENS	WOOD
CRAWFORD	HIGHTOWER	PRESTON	YONGUE

NOES - 38

ADAMS	FITCH	JARRELL	OLDHAM
ALEXANDER	GAMBLE	JEFFUS	RAMSEY
BLUE	GOODWIN	KINNEY	ROGERS
BONNER	HACKNEY	LUEBKE	SAUNDERS
BOYD-MCINTYRE	HARDAWAY	MCALLISTER	SUTTON
BRASWELL	HENSLEY	MICHAUX	TOLSON
CHURCH	HUNTER, H.	MILLER	WILKINS
CULPEPPER	HUNTER, R.	MOSLEY	WOMBLE
CUNNINGHAM	HURLEY	NYE	WRIGHT
EARLE	INSKO		

EXCUSED ABSENCE - 1

MERCER

EXCUSED VOTE - 0

NOT VOTING - 1

HIATT

NORTH CAROLINA
HOUSE OF REPRESENTATIVES
ROLL CALL

EV

478
LEGISLATIVE DAY 53
H1012
READING 2
SEXTON

4/30/97
6:28 PM
IN CHAIR: SPEAKER

SHOOTING RANGE PROTECTION
MOTION #12 - REP MORGAN'S REQUEST TO SUSPEND THE RULE'S FOR 3rd Rdg.

AYES - 69

SPEAKER	CREECH	HARDY	OWENS
ALDRIDGE	CULP	HILL	PRESTON
ALLRED	CULPEPPER	HOLMES	RAYFIELD
ARNOLD	DAUGHTRY	HOWARD	REYNOLDS
BAKER	DAVIS	IVES	RUSSELL
BARBEE	DECKER	JUSTUS	SEXTON
BEALL	DEDMON	KISER	SHERRILL
BERRY	DICKSON	MCALLISTER	SHUBERT
BOWIE	DOCKHAM	MCCOMAS	STARNES
BRAWLEY	EDDINS	MCCOMBS	TALLENT
BROWN	ELLIS	MCMAHAN	THOMPSON
BUCHANAN	ESPOSITO	MINER	WARWICK
CANSLER	GARDNER	MITCHELL	WATSON
CAPPS	GRADY	MOORE	WEATHERLY
CARPENTER	GRAY	MORGAN	WILSON, C.
CHURCH	GULLEY	MORRIS	WILSON, G.
CLARY	HALL	NEELY	WOOD
CRAWFORD			

NOES - 45

ADAMS	FITCH	JARRELL	REDWINE
ALEXANDER	FOX	JEFFUS	ROGERS
BADDOUR	GAMBLE	KINNEY	SAUNDERS
BLACK	GOODWIN	LUEBKE	SMITH
BLUE	HACKNEY	MCCRARY	SUTTON
BONNER	HARDAWAY	MICHAUX	WAINWRIGHT
BOYD-MCINTYRE	HENSLEY	MILLER	WARNER
BRASWELL	HUNTER, H.	MOSLEY	WILKINS
COLE	HUNTER, R.	NESBITT	WOMBLE
CUNNINGHAM	HURLEY	NYE	WRIGHT
EARLE	INSKO	RAMSEY	YONGUE
EASTERLING			

EXCUSED ABSENCE - 1

MERCER

EXCUSED VOTE - 0

NOT VOTING - 5

HIATT	NICHOLS	OLDHAM	TOLSON
HIGHTOWER			

NORTH CAROLINA

HOUSE OF REPRESENTATIVES

ROLL CALL

EV

5/01/97
3:14 PM
IN CHAIR: SPEAKER

[redacted]. # 531
[redacted]ISLATIVE DAY 54
[redacted]012
READING 3
SEXTON

SHOOTING RANGE PROTECTION

AYES - 88

SPEAKER	CULPEPPER	HUNTER, R.	RAMSEY
ALDRIDGE	DAUGHTRY	HURLEY	RAYFIELD
ALLRED	DAVIS	IVES	REDWINE
ARNOLD	DECKER	JUSTUS	REYNOLDS
BADDOUR	DEDMON	KINNEY	RUSSELL
BAKER	DICKSON	KISER	SEXTON
BARBEE	DOCKHAM	MCCOMAS	SHERRILL
BEALL	EDDINS	MCCOMBS	SHUBERT
BERRY	ELLIS	MCCRARY	SMITH
BLACK	ESPOSITO	MCMAHAN	STARNES
BOWIE	FOX	MERCER	TALLENT
BROWN	GARDNER	MINER	THOMPSON
BUCHANAN	GRADY	MITCHELL	TOLSON
CANSLER	GRAY	MOORE	WAINWRIGHT
CAPPS	GULLEY	MORGAN	WARNER
CARPENTER	HALL	MORRIS	WARWICK
CHURCH	HARDY	MOSLEY	WATSON
CLARY	HIATT	NEELY	WEATHERLY
COLE	HIGHTOWER	NICHOLS	WILSON, C.
CRAWFORD	HILL	NYE	WILSON, G.
CREECH	HOLMES	OWENS	WOOD
CULP	HOWARD	PRESTON	YONGUE

NOES - 26

ADAMS	EASTERLING	INSKO	ROGERS
ALEXANDER	FITCH	JARRELL	SAUNDERS
BLUE	GOODWIN	JEFFUS	SUTTON
BONNER	HACKNEY	LUEBKE	WILKINS
BOYD-MCINTYRE	HARDAWAY	MICHAUX	WOMBLE
BRASWELL	HENSLEY	MILLER	WRIGHT
EARLE	HUNTER, H.		

EXCUSED ABSENCE - 1

OLDHAM

EXCUSED VOTE - 0

NOT VOTING - 5

BRAWLEY	GAMBLE	MCALLISTER	NESBITT
CUNNINGHAM			

NORTH CAROLINA GENERAL ASSEMBLY
SENATE

RECORDED VOTE

1997 SESSION

SEQ. 1368/11--11:54 AM AUGUST 14, 1997 LEGISLATIVE DAY 114

SENATOR BASNIGHT -- Presiding

SEXTON
SHOOTING RANGE PROTECTION
SENATE COM SUB/2ND EDITION

HOUSE BILL 1012
READING 2

AYE	45	ALBERTSON	FORRESTER	LEE	PURCELL
		ALLRAN	FOXX	LUCAS	RAND
		BALLANTINE	GARWOOD	MARTIN R.	REEVES
		BASNIGHT	HARTSELL	MARTIN W.	RUCHO
		BLUST	HORTON	MCDANIEL	SHAW L.
		CARPENTER	HOYLE	MOORE	SHAW R.
		CARRINGTON	JENKINS	ODOM	SOLES
		COCHRANE	JORDAN	PAGE	WARREN
		COOPER	KERR	PERDUE	WEBSTER
		DALTON	KINNAIRD	PHILLIPS	WEINSTEIN
		DANNELLY	LEDBETTER	PLYLER	WELLONS
		EAST			
NO	2	BALLANCE	MILLER		
EXCUSED	0				
NOT CAST	0				
ABSENT	3	CLARK	GULLEY		
PAIRS	0				
AYE					
NO					

WINNER

GENERAL ASSEMBLY
SENATE

NORTH CAROLINA
HOUSE OF REPRESENTATIVES
ROLL CALL

EV

SEQ. # 1439 — 8/20/97
LEGISLATIVE DAY 117 — 10:31 AM
H1012SCS — IN CHAIR: SPEAKER

SEXTON

SHOOTING RANGE PROTECTION
MOTION #11 - TO CONCUR IN SCS

AYES - 100

ALDRIDGE	CUNNINGHAM	HUNTER, H.	PRESTON
ALLRED	DAUGHTRY	HURLEY	RAMSEY
ARNOLD	DAVIS	IVES	RAYFIELD
BADDOUR	DECKER	JARRELL	REDWINE
BAKER	DEDMON	JEFFUS	REYNOLDS
BARBEE	DICKSON	JUSTUS	ROGERS
BEALL	DOCKHAM	KINNEY	RUSSELL
BERRY	EARLE	KISER	SEXTON
BLACK	EASTERLING	MCALLISTER	SHERRILL
BOWIE	EDDINS	MCCOMAS	SHUBERT
BOYD-MCINTYRE	ESPOSITO	MCCOMBS	SMITH
BRASWELL	FOX	MCCRARY	STARNES
BRAWLEY	GAMBLE	MERCER	SUTTON
BROWN	GARDNER	MINER	TALLENT
BUCHANAN	GOODWIN	MITCHELL	THOMPSON
CANSLER	GRADY	MOORE	TOLSON
CAPPS	GRAY	MORGAN	WAINWRIGHT
CARPENTER	GULLEY	MORRIS	WARNER
CHURCH	HALL	MOSLEY	WARWICK
CLARY	HARDAWAY	NEELY	WATSON
COLE	HARDY	NESBITT	WILKINS
CRAWFORD	HIATT	NICHOLS	WILSON, C.
CREECH	HIGHTOWER	NYE	WILSON, G.
CULP	HILL	OLDHAM	WRIGHT
CULPEPPER	HOWARD	OWENS	YONGUE

NOES - 10

ADAMS	FITCH	INSKO	SAUNDERS
ALEXANDER	HACKNEY	MICHAUX	WOMBLE
BONNER	HENSLEY		

EXCUSED ABSENCE - 6

BLUE	MCMAHAN	WEATHERLY	WOOD
LUEBKE	MILLER		

EXCUSED VOTE - 0

NOT VOTING - 4

SPEAKER	ELLIS	HOLMES	HUNTER, R.

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1997

1013 APR 17 97
HOUSE PRINCIPAL CLERK

H D

HOUSE DRH4097-LCX205(2.1)

Short Title: Modify Food Tax/Merchant's Discount. (Public)

Sponsors: Representative Cansler.

Referred to:

A BILL TO BE ENTITLED

AN ACT TO REDUCE THE SALES TAX ON FOOD, REVISE THE DEFINITION OF FOOD FOR SALES TAX PURPOSES, AND ALLOW A PERCENTAGE DISCOUNT TO MERCHANTS FOR COLLECTING STATE SALES AND USE TAXES.

The General Assembly of North Carolina enacts:

Section 1. G.S. 105-164.4(5) reads as rewritten:

"(5) The rate of three percent (3%) applies to the sales price of food that meets the following conditions:

a. It is sold at a retail food business qualified under subsection (d) of this section.

b. It is not otherwise exempt pursuant to G.S. 105-164.13 but would be exempt pursuant to G.S. 105-164.13 if it were purchased with coupons issued under the Food Stamp Program, 7 U.S.C. § 51."

Section 2. G.S. 105-164.4 is amended by adding a new subsection to read:

"(d) For the purpose of this Article, a retailer is a qualified retail food business if either (i) it sells all of the staple food items listed in this subsection or (ii) more than eighty percent (80%) of its gross sales are sales of one or more staple food items listed in this subsection. The following are staple food items for the purpose of this subsection:

(1) Raw meat.

(2) Raw poultry.

(3) Raw fish.

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1997

H.B. FILED
1014 APR 17 97
HOUSE PRINCIPAL CLERK

H D

HOUSE DRH6187-RR030C(2.6)

Short Title: Shorter Lines at Polls. (Public)

Sponsors: Representatives Nesbitt, Alexander, and Michaux.

Referred to:

A BILL TO BE ENTITLED

AN ACT TO MAKE CHANGES IN THE ELECTION LAWS DESIGNED TO PREVENT LONG LINES AT THE POLLS ON ELECTION DAY.

The General Assembly of North Carolina enacts:

Section 1. G.S. 163-226 reads as rewritten:

"**§ 163-226. Who may vote an absentee ballot.**

(a) Who May Vote Absentee Ballot; Generally. -- 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 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) The voter expects not to be ~~absent from the county in which he is registered during the entire period that the polls are open~~ present at the voting place to vote in person on the day of the specified election in which the voter desires to vote; or

(2) The voter is unable to be present at the voting place to vote in person on the day of the specified election in which the voter desires to vote because of the voter's sickness or other physical disability.

~~(3) The voter is incarcerated, whether in the voter's county of residence or elsewhere, shall be entitled to vote by absentee ballot in the county of the voter's residence in any election, specified herein, in which the voter otherwise would be entitled to vote. Absentee voting shall be in the same manner as provided in this Article. The chief custodian or superintendent of the institution or~~

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1997

H

H.B. FILED

1015 APR 17 97

HOUSE PRINCIPAL CLERK D

HOUSE DRH1248-LC188(4.4)

Short Title: Crop Allotment Tax Appraisal. (Public)

Sponsors: Representative Russell.

Referred to:

A BILL TO BE ENTITLED

AN ACT TO PROVIDE THAT CROP ALLOTMENTS SHALL NOT BE CONSIDERED IN APPRAISING LAND FOR AD VALOREM TAX PURPOSES.

The General Assembly of North Carolina enacts:

Section 1. G.S. 105-277.01 reads as rewritten:

"**§ 105-277.01. Certain farm products and land with crop allotments classified for taxation at reduced valuation.**

(a) Farm ~~products (including~~ products, including crops but excluding poultry and other ~~livestock)~~ livestock, held by or for a cooperative stabilization or marketing association or corporation to which they have been delivered, conveyed, or assigned by the original producer for the purpose of sale are hereby designated a special class of property under authority of ~~Article V, Sec. 2(2),~~ Section 2(2) of Article V of the North Carolina Constitution. Before being assessed for taxation the appraised valuation of farm products so classified shall be reduced by the amount of any unpaid loan or advance made or granted thereon by the United States government, an agency of the United States government, or a cooperative stabilization or marketing association or corporation.

(b) Land on which there are acreage or poundage allotments for farm commodities is designated a special class of property under authority of Section 2(2) of Article V of the North Carolina Constitution. The value of these allotments shall not be considered in appraising land classified under this subsection."

Section 2. G.S. 105-289(a)(5) reads as rewritten:

"(5) To prepare and distribute annually to each assessor a manual that establishes five expected net income per acre ranges for

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1997

H

H.B. FILED

1016 APR 17 97

HOUSE PRINCIPAL CLERK

D

HOUSE DRHA251*-LV017(2.12)

Short Title: County Share/Day Care Fraud Collections. (Public)

Sponsors: Representative Earle.

Referred to:

A BILL TO BE ENTITLED

AN ACT TO PROVIDE COUNTIES WITH FINANCIAL INCENTIVE TO INVESTIGATE AND PURSUE DAY CARE FRAUD AND OVERPAYMENTS BY PAYING COUNTIES TWENTY-FIVE PERCENT OF ACTUAL COLLECTIONS.

The General Assembly of North Carolina enacts:

Section 1. (a) The Department of Human Resources shall award each county incentive bonuses for each of the county's day care fraud and overpayment claims collected. Each incentive bonus shall equal twenty-five percent (25%) of the actual amount collected and recouped by the county. Incentive bonuses paid pursuant to this section shall be used by the county for subsidized day care. On or before each fiscal year, each county shall report to Department of Human Resources on the use of the incentive bonuses paid pursuant to this section during the previous fiscal year.

(b) This act does not apply to claims for day care fraud recouped pursuant to the AFDC Fraud Control Program. Incentive bonuses for claims for day care fraud recouped pursuant to the AFDC Fraud Control Program shall be paid pursuant to Section 24.30 of Chapter 18 of the Session Laws, Second Extra Session 1996.

Section 2. This act is effective when it becomes law and applies to day care fraud and overpayment claims collected after July 1, 1997.

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1997

H.B. FILED
1017 APR 17 97
HOUSE PRINCIPAL CLERK

H D

HOUSE DRH7233-LM114(3.20

Short Title: Board of Mortuary Science. (Public)

Sponsors: Representative Michaux.

Referred to:

A BILL TO BE ENTITLED

AN ACT TO ELIMINATE STATEWIDE VOTING TO ELECT MEMBERS OF THE BOARD OF MORTUARY SCIENCE AND TO ALLOW THE MEMBERS OF THE FUNERAL DIRECTORS & MORTICIANS ASSOCIATION OF NORTH CAROLINA, INC., AND THE NORTH CAROLINA FUNERAL DIRECTORS ASSOCIATION, INC., TO ELECT MEMBERS OF THEIR ASSOCIATIONS TO SERVE ON THE BOARD.

The General Assembly of North Carolina enacts:

Section 1. G.S. 90-210.18 is repealed.

Section 2. Article 13A of Chapter 90 of the General Statutes is amended by adding a new section to read:

"**§ 90-210.18A. Board of Mortuary Science created; qualifications; vacancies; removal; immunity.**

(a) The General Assembly declares that the practice of funeral service affects the public health, safety, and welfare and is subject to regulation and control in the public interest. The public interest requires that only qualified persons be permitted to practice funeral service in North Carolina and that the profession merit the confidence of the public. This Article shall be liberally construed to accomplish these ends.

(b) The North Carolina Board of Mortuary Science is created as a continuation of the North Carolina Board of Embalmers and Funeral Directors. The Board is the agency for regulation of the practice of funeral service in this State. The Board shall have nine members as follows:

(1) The Funeral Directors & Morticians Association of North Carolina, Inc., shall elect two members from its membership. One of the

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1997

H.B. FILED
1018 APR 17 97
HOUSE PRINCIPAL CLERK

H D

HOUSE DRH4089-LH123(3.5)

Short Title: Cooperative Extension LRC Study. (Public)

Sponsors: Representative Smith.

Referred to:

A BILL TO BE ENTITLED

AN ACT TO AUTHORIZE THE LEGISLATIVE RESEARCH COMMISSION TO STUDY THE OPERATIONS OF THE COOPERATIVE EXTENSION SERVICE.

The General Assembly of North Carolina enacts:

Section 1. The Legislative Research Commission may study the operations of the Cooperative Extension Service. Specifically, the committee will examine the following:

(1) The division of responsibility between the Cooperative Extension Service central administration and the field offices in the 100 counties;

(2) The method of allocating funding to the field operations and the adequacy of this financial support;

(3) The relationship between State and county funding of Cooperative Extension Service programs; and

(4) The changing role of the Cooperative Extension Service.

Section 2. (a) The Legislative Research Commission shall appoint a committee to conduct the study. The committee will consist of 12 members. The Speaker of the House of Representatives and the President Pro Tempore of the Senate each will appoint six members.

(b) The Speaker of the House of Representatives shall appoint:

(1) Four members of the House of Representatives;

(2) One member nominated by the North Carolina Association of County Commissioners; and

(3) One member nominated by the Director of the Cooperative Extension Service.

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1997

FILED
1019 APR 17 97
HOUSE PRINCIPAL CLERK

H D

HOUSE DRHA313-RH021.2(3.17)

Short Title: Rigorous Academic Content Standards. (Public)

Sponsors: Representative Preston.

Referred to:

A BILL TO BE ENTITLED

AN ACT TO REQUIRE THE STATE BOARD OF EDUCATION TO IMPLEMENT RIGOROUS AND FOCUSED CONTENT STANDARDS IN READING, WRITING, MATH, SCIENCE, AND SOCIAL STUDIES, AND TO MAKE AN APPROPRIATION.

The General Assembly of North Carolina enacts:

Section 1. G.S. 115C-12 is amended by adding the following new subdivision to read:

"(9b) Power to Develop Content Standards. -- The Board shall develop a comprehensive plan to revise content standards and the standard course of study in the core academic areas of reading, writing, mathematics, science, and social studies. The Board shall involve and survey a representative sample of parents, teachers, and the public to help determine academic content standard priorities and usefulness of the content standards. A full review of available and relevant academic content standards that are rigorous, specific, sequenced, clear, focused, and measurable, whenever possible, shall be a part of the process of the development of content standards. The content standards developed in the core academic areas shall (i) reflect high expectations for students and quality; (ii) be clearly grounded in the content of each academic area; (iii) be defined grade-by-grade and course-by-course; (iv) be understandable to parents and teachers; (v) be developed in full recognition of the time available to teach the core academic areas

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1997

1020 APR 17 97

HOUSE PRINCIPAL CLERK

H D

HOUSE DRH1257-LT143(4.10)

Short Title: Insurance Settlements. (Public)

Sponsors: Representative Hardy.

Referred to:

A BILL TO BE ENTITLED

AN ACT TO CHANGE THE PROCEDURES FOR SETTLEMENT OF PERSONAL AUTOMOBILE AND COMMERCIAL LIABILITY INSURANCE CLAIMS.

The General Assembly of North Carolina enacts:

Section 1. Article 36 of Chapter 58 of the General Statutes is amended by adding a new section to read:

"**§ 58-36-66. Motor vehicle liability claim settlements.**

Every policy of motor vehicle liability insurance subject to this Article shall provide that there shall be no facility recoupment surcharge under G.S. 58-37-40(f) or Safe Driver Incentive Plan surcharges under G.S. 58-36-65 if:

(1) A motor vehicle liability insurer settles a motor vehicle accident claim against its insured;

(2) The insured denies that the insured was at fault in the accident; and

(3) The insured is not convicted of a moving traffic violation in connection with the accident."

Section 2. Article 41 of Chapter 58 of the General Statutes is amended by adding a new section to read:

"**§ 58-41-60. Liability insurance claim settlements.**

Every policy of liability insurance subject to this Article shall provide that there shall be no settlement by an insurer of a claim against its insured for more than twice the amount of the policy deductible or retention amount for which the insured is obligated to pay without the insurer first obtaining the written consent of the insured."

H.B. FILED
1021 APR 17 97
HOUSE PRINCIPAL CLERK

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1997

H D

HOUSE DRH8163-LD165A(3.27)

Short Title: Study Septic Tank Standards/Process. (Public)

Sponsors: Representatives Hardy and Reynolds.

Referred to:

A BILL TO BE ENTITLED

AN ACT TO ESTABLISH THE WASTEWATER SYSTEMS PERMITS STUDY COMMISSION.

The General Assembly of North Carolina enacts:

Section 1. The Wastewater Systems Permits Study Commission is created. The Commission shall consist of 10 members. Five members shall be appointed by the Speaker of the House of Representatives, two of whom shall be members of the House of Representatives, one of whom shall be a soil scientist, one of whom shall be a professional engineer under Chapter 89 of the General Statutes, and one of whom shall be a representative from the septic tank industry. Five members shall be appointed by the the President Pro Tempore of the Senate, two of whom shall be members of the Senate, one of whom shall be a soil scientist, one of whom shall be a professional engineer under Chapter 89C of the General Statutes, and one of whom shall be a representative of the septic tank industry. One ex officio member shall be appointed by the State Health Director.

Section 2. The Wastewater Systems Permits Study Commission shall study the process and the standards whereby improvement permits and authorizations for wastewater system construction are issued by local health departments pursuant to Article 11 of Chapter 130A of the General Statutes. The Commission shall also review the appeals process that is available to applicants whose permits are denied. The Commission may consider any other issues it deems relevant to the subjects it is required to study under this section. The Commission shall report its findings and conclusions, including any legislative proposals, to the General Assembly no later than May 1, 1998, by filing the report with the President Pro Tempore of the Senate

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1997

H.B. FILED
1022 APR 17 97
HOUSE PRINCIPAL CLERK

H D

HOUSE DRH1280-LL105(3.18)

Short Title: Retirement Service Transfer. (Public)

Sponsors: Representative Hardy.

Referred to:

A BILL TO BE ENTITLED

AN ACT TO PROVIDE FOR MEMBERS OF THE CONSOLIDATED JUDICIAL RETIREMENT SYSTEM TO TRANSFER CREDITABLE SERVICE FROM THE TEACHERS' AND STATE EMPLOYEES' RETIREMENT SYSTEM, THE LEGISLATIVE RETIREMENT SYSTEM, OR THE LOCAL GOVERNMENTAL EMPLOYEES' RETIREMENT SYSTEM TO THE CONSOLIDATED JUDICIAL RETIREMENT SYSTEM.

The General Assembly of North Carolina enacts:

Section 1. Article 1A of Chapter 120 of the General Statutes is amended by adding a new subsection to read:

"**§ 120-4.32. Transfer of members.**

On or after July 1, 1997, the accumulated contributions and creditable service of any member whose service as a member of the General Assembly has been or is terminated other than by retirement or death and who, while still a member of this Retirement System, became or becomes a member, as defined in G.S. 135-53(11), of the Consolidated Judicial Retirement System, shall be transferred from this Retirement System to the Consolidated Judicial Retirement System. In order to effect the transfer of a member's creditable service from the Legislative Retirement System to the Consolidated Judicial Retirement System on and after July 1, 1997, the accumulated contributions of each member credited in the annuity savings fund in the Legislative Retirement System shall be transferred and credited to the annuity savings fund in the Consolidated Judicial Retirement System."

Section 2. G.S. 128-34 is amended by adding a new subsection to read:

"(d) On or after July 1, 1997, the accumulated contributions and creditable service of any member whose service as a local governmental employee has been or

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1997

FILED
1023 APR 17 97
HOUSE PRINCIPAL CLERK

H D

HOUSE DRH7221-LH180(4.9)

Short Title: Pretrial Release & Bond Forfeiture. (Public)

Sponsors: Representative Baddour.

Referred to:

A BILL TO BE ENTITLED

AN ACT TO MODERNIZE THE PRETRIAL RELEASE AND BOND FORFEITURE PROCEDURE.

The General Assembly of North Carolina enacts:

Section 1. G.S. 15A-533 reads as rewritten:

"**§ 15A-533. Right to pretrial release in capital and noncapital cases.**

(a) A defendant charged with any crime, whether capital or noncapital, who is alleged to have committed this crime while still residing in or subsequent to his escape or during an unauthorized absence from involuntary commitment in a mental health facility designated or licensed by the Department of Human Resources, and whose commitment is determined to be still valid by the judge or judicial officer authorized to determine pretrial release to be valid, has no right to pretrial release. In lieu of pretrial release, however, the individual shall be returned to the treatment facility in which he was residing at the time of the alleged crime or from which he escaped or absented himself for continuation of his treatment pending the additional proceedings on the criminal offense.

(b) A defendant charged with a noncapital offense other than an offense that constitutes 'trafficking' in a controlled substance, as that term is defined by the Controlled Substances Act, must have conditions of pretrial release determined, in accordance with G.S. 15A-534.

(c) Subject to rebuttal by the person, it shall be presumed that no condition of release will reasonably assure the appearance of the person as required and the safety of the community if a judicial official finds that there is probable cause to believe that the person committed ~~A judge may determine in his discretion whether a defendant charged with~~ a capital offense or an offense involving trafficking in a controlled

NORTH CAROLINA

HOUSE OF REPRESENTATIVES

ROLL CALL

EV

SEQ. # 566
LEGISLATIVE DAY 54
H1023HCS
READING 2
BADDOUR

5/01/97
7:38 PM
IN CHAIR: SPEAKER

PRETRIAL RELEASE & BOND FORFEITURE

AYES - 111

ADAMS	CULPEPPER	HUNTER, R.	PRESTON
ALDRIDGE	CUNNINGHAM	HURLEY	RAYFIELD
ALEXANDER	DAUGHTRY	INSKO	REDWINE
ALLRED	DAVIS	IVES	REYNOLDS
ARNOLD	DECKER	JARRELL	ROGERS
BADDOUR	DEDMON	JEFFUS	RUSSELL
BAKER	DICKSON	JUSTUS	SAUNDERS
BARBEE	DOCKHAM	KINNEY	SEXTON
BEALL	EARLE	KISER	SHERRILL
BERRY	EASTERLING	LUEBKE	SMITH
BLACK	EDDINS	MCALLISTER	STARNES
BLUE	ELLIS	MCCOMAS	SUTTON
BONNER	ESPOSITO	MCCOMBS	TALLENT
BOWIE	FOX	MCCRARY	THOMPSON
BOYD-MCINTYRE	GARDNER	MCMAHAN	TOLSON
BRASWELL	GOODWIN	MERCER	WAINWRIGHT
BRAWLEY	GRADY	MICHAUX	WARNER
BROWN	GRAY	MILLER	WARWICK
BUCHANAN	GULLEY	MINER	WATSON
CANSLER	HACKNEY	MITCHELL	WEATHERLY
CAPPS	HALL	MOORE	WILKINS
CARPENTER	HARDAWAY	MORGAN	WILSON, C.
CHURCH	HARDY	MORRIS	WILSON, G.
CLARY	HIATT	MOSLEY	WOMBLE
COLE	HIGHTOWER	NEELY	WOOD
CRAWFORD	HILL	NESBITT	WRIGHT
CREECH	HOLMES	NYE	YONGUE
CULP	HUNTER, H.	OWENS	

NOES - 2

FITCH	HENSLEY

EXCUSED ABSENCE - 3

NICHOLS	OLDHAM	SHUBERT

EXCUSED VOTE - 0

NOT VOTING - 4

SPEAKER	GAMBLE	HOWARD	RAMSEY

NORTH CAROLINA GENERAL ASSEMBLY
AMENDMENT
~~Senate~~ Bill 1023
House

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

S1023-ALL-001

Date 4/23, 1997

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

Rep. Odom

moves to amend the bill on page 1, line 3,
by inserting between the word "PROCEDURE" and the period the
following:
"AND TO REQUIRE EACH CLERK OF COURT TO ENSURE THAT ALL RECORDS OF
DISPOSITIONS IN CRIMINAL CASES CONTAIN CERTAIN INFORMATION"

and on page 7, lines 4-6,
by rewriting those lines to read:

"Section 5. Article 12 of Chapter 7A of the General Statutes is amended by adding a new section to read:
'§ 7A-109.2. Records of dispositions in criminal cases.
Each clerk of superior court shall ensure that all records of dispositions in criminal cases, including those records filed electronically, contain all the essential information about the case, including the identity of the presiding judge and the attorneys representing the State and the defendant.'
Section 6. Section 5 of this act is effective upon ratification and applies to records compiled on or after that date. The remainder of this act becomes effective December 1, 1997. Sections 1, 2, and 3 apply to offenses committed on or after that

NORTH CAROLINA GENERAL ASSEMBLY
AMENDMENT
Senate Bill 1023

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

S1023-ALL-001

1 date. Section 4 applies to forfeitures ordered on or after that
2 date."

SIGNED _____
Amendment Sponsor

co-sponsor
SIGNED _____
~~Committee Chair if Senate Committee Amendment~~

ADOPTED V 45-1 FAILED _____ TABLED _____

J. Pruitt 7/23/97

NORTH CAROLINA GENERAL ASSEMBLY
SENATE

RECORDED VOTE

1997 SESSION

SEQ. 1190/15--12:03 PM JULY 23, 1997 LEGISLATIVE DAY 101

LT. GOVERNOR WICKER -- Presiding

BADDOUR
PRETRIAL RELEASE & BOND FORFEITURE
SENATE COMM. SUB./3RD EDITION

HOUSE BILL 1023

AMEND 1

AYE	45	ALLRAN	FOXX	LUCAS	RAND
		BALLANTINE	GARWOOD	MARTIN R.	REEVES
		BASNIGHT	HARTSELL	MARTIN W.	RUCHO
		BLUST	HORTON	MCDANIEL	SHAW L.
		CARPENTER	HOYLE	MILLER	SHAW R.
		CARRINGTON	JENKINS	ODOM	SOLES
		CLARK	JORDAN	PAGE	WARREN
		COCHRANE	KINCAID	PERDUE	WEBSTER
		COOPER	KINNAIRD	PHILLIPS	WEINSTEIN
		DALTON	LEDBETTER	PLYLER	WELLONS
		DANNELLY	LEE	PURCELL	WINNER
		FORRESTER			
NO	1	BALLANCE			

EXCUSED	0				
NOT CAST	4	ALBERTSON	EAST	GULLEY	KERR
ABSENT	0				
PAIRS	0				
AYE					
NO					

(CONTINUED)

GENERAL ASSEMBLY
SENATE

NORTH CAROLINA GENERAL ASSEMBLY
SENATE

RECORDED VOTE

1997 SESSION

SEQ. 1192/17--12:14 PM JULY 23, 1997 LEGISLATIVE DAY 101

LT. GOVERNOR WICKER -- Presiding

BADDOUR
PRETRIAL RELEASE & BOND FORFEITURE
SENATE COMM. SUB./3RD EDITION

HOUSE BILL 1023
READING 2

AYE	40	ALBERTSON	DALTON	LEDBETTER	PURCELL
		ALLRAN	DANNELLY	LEE	RAND
		BALLANTINE	EAST	MARTIN R.	REEVES
		BASNIGHT	FORRESTER	MCDANIEL	RUCHO
		BLUST	FOXX	MILLER	SOLES
		CARPENTER	GULLEY	ODOM	WARREN
		CARRINGTON	HARTSELL	PAGE	WEBSTER
		CLARK	HOYLE	PERDUE	WEINSTEIN
		COCHRANE	JENKINS	PHILLIPS	WELLONS
		COOPER	KINCAID	PLYLER	WINNER
NO	7	BALLANCE	JORDAN	LUCAS	SHAW L.
		GARWOOD	KINNAIRD	MARTIN W.	

EXCUSED	0			
NOT CAST	3	HORTON	KERR	SHAW R.
ABSENT	0			
PAIRS	0			
AYE				
NO				

GENERAL ASSEMBLY
SENATE

NORTH CAROLINA GENERAL ASSEMBLY
SENATE

RECORDED VOTE

1997 SESSION

SEQ. 1194/19--12:23 PM JULY 23, 1997 LEGISLATIVE DAY 101

LT. GOVERNOR WICKER -- Presiding

BADDOUR HOUSE BILL 1023
PRETRIAL RELEASE & BOND FORFEITURE
SENATE COMM. SUB./3RD EDITION
AMEND 1

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

PY)

GENERAL ASSEMBLY
SENATE

NORTH CAROLINA GENERAL ASSEMBLY
SENATE

RECORDED VOTE

1997 SESSION

SEQ. 1194/19--12:23 PM JULY 23, 1997 LEGISLATIVE DAY 101

LT. GOVERNOR WICKER -- Presiding

BADDOUR
PRETRIAL RELEASE & BOND FORFEITURE
SENATE COMM. SUB./3RD EDITION

HOUSE BILL 1023

AMEND 1

AYE	46	ALLRAN	FOXX	LUCAS	RAND
		BALLANTINE	GARWOOD	MARTIN R.	REEVES
		BASNIGHT	GULLEY	MARTIN W.	RUCHO
		BLUST	HARTSELL	MCDANIEL	SHAW L.
		CARPENTER	HORTON	MILLER	SHAW R.
		CARRINGTON	HOYLE	ODOM	SOLES
		CLARK	JENKINS	PAGE	WARREN
		COCHRANE	JORDAN	PERDUE	WEBSTER
		COOPER	KINCAID	PHILLIPS	WEINSTEIN
		DALTON	KINNAIRD	PLYLER	WELLONS
		DANNELLY	LEDBETTER	PURCELL	WINNER
		FORRESTER	LEE		
NO	1	BALLANCE			

EXCUSED	0			
NOT CAST	3	ALBERTSON	EAST	KERR
ABSENT	0			
PAIRS	0			
AYE				
NO				

(COPY)

GENERAL ASSEMBLY
SENATE

NORTH CAROLINA GENERAL ASSEMBLY
AMENDMENT
House Bill 1023

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

H1023-ARU-005

Page 1 of 1

Date 7/23 ,1997

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

Senator Cooper

1 moves to amend the bill on page 4, line 38,
2 by deleting the words "party as defined in G.S. 25-3-419," and
3 substituting the words "bondsman as defined in G.S. 58-71-1,".

SIGNED Roy Cooper
Amendment Sponsor

SIGNED _____
Committee Chair if Senate Committee Amendment

ADOPTED V 48-0 FAILED _____ TABLED _____

J. Pruitt 7/23/97

NORTH CAROLINA GENERAL ASSEMBLY
SENATE

RECORDED VOTE

1997 SESSION

SEQ. 1191/16--12:07 PM JULY 23, 1997 LEGISLATIVE DAY 101

LT. GOVERNOR WICKER -- Presiding

BADDOUR
PRETRIAL RELEASE & BOND FORFEITURE
SENATE COMM. SUB./3RD EDITION

HOUSE BILL 1023

AMEND 2

AYE	48	ALBERTSON	DANNELLY	KINNAIRD	PLYLER
		ALLRAN	EAST	LEDBETTER	PURCELL
		BALLANCE	FORRESTER	LEE	RAND
		BALLANTINE	FOXX	LUCAS	REEVES
		BASNIGHT	GARWOOD	MARTIN R.	RUCHO
		BLUST	GULLEY	MARTIN W.	SHAW L.
		CARPENTER	HARTSELL	MCDANIEL	SHAW R.
		CARRINGTON	HORTON	MILLER	SOLES
		CLARK	HOYLE	ODOM	WARREN
		COCHRANE	JENKINS	PAGE	WEBSTER
		COOPER	JORDAN	PERDUE	WELLONS
		DALTON	KINCAID	PHILLIPS	WINNER
NO	0				
EXCUSED	0				
NOT CAST	2	KERR	WEINSTEIN		
ABSENT	0				
PAIRS	0				
AYE					
NO					

GENERAL ASSEMBLY
SENATE

NORTH CAROLINA

HOUSE OF REPRESENTATIVES

ROLL CALL

EV

SEQ. # 2196
LEGISLATIVE DAY 221
H1023SCS
BADDOUR
MODERNIZE THE PRETRIAL RELEASE & BOND FORFEITURE PROCEDURE

10/27/98
4:55 PM
IN CHAIR: SPEAKER

MOTION #11 - TO NOT CONCUR IN SCS

AYES - 95

SPEAKER	CLARY	HIGHTOWER	NYE
ADAMS	COLE	HILL	OLDHAM
ALDRIDGE	CRAWFORD	HURLEY	OWENS
ALEXANDER	CREECH	INSKO	PRESTON
ALLEN	CULPEPPER	IVES	RAMSEY
ALLRED	CUNNINGHAM	JARRELL	RAYFIELD
BADDOUR	DAUGHTRY	JEFFUS	REDWINE
BAKER	DECKER	JUSTUS	REYNOLDS
BARBEE	DEDMON	KINNEY	RUSSELL
BAREFOOT	DOCKHAM	LUEBKE	SEXTON
BEALL	EARLE	MCALLISTER	SHERRILL
BERRY	EASTERLING	MCCOMAS	SHUBERT
BLACK	EDDINS	MCCOMBS	STARNES
BLUE	ESPOSITO	MCCRARY	SUTTON
BONNER	FITCH	MERCER	THOMPSON
BOWIE	GARDNER	MICHAUX	TOLSON
BOYD-MCINTYRE	GOODWIN	MILLER	WARNER
BRAWLEY	GRADY	MINER	WEATHERLY
BROWN	GULLEY	MITCHELL	WILSON, C.
BRYANT	HACKNEY	MORGAN	WILSON, G.
BUCHANAN	HARDAWAY	MORRIS	WOOD
CANSLER	HARDY	MOSLEY	WRIGHT
CAPPS	HENSLEY	NEELY	YONGUE
CARPENTER	HIATT	NICHOLS	

NOES - 1

WATSON

EXCUSED ABSENCE - 7

DAVIS	FOX	KISER	WOMBLE
DICKSON	HALL	NESBITT	

EXCUSED VOTE - 0

NOT VOTING - 17

ARNOLD	GRAY	MCMAHAN	SMITH
BRASWELL	HOLMES	MOORE	TALLENT
CHURCH	HOWARD	ROGERS	WAINWRIGHT
CULP	HUNTER, H.	SAUNDERS	WARWICK
ELLIS			

NORTH CAROLINA GENERAL ASSEMBLY
CONFERENCE REPORT
House Bill 1023

[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 House Bill 1023, A BILL TO BE ENTITLED AN ACT TO MODERNIZE THE PRETRIAL RELEASE AND BOND FORFEITURE PROCEDURE AND TO REQUIRE EACH CLERK OF COURT TO ENSURE THAT ALL RECORDS OF DISPOSITIONS IN CRIMINAL CASES CONTAIN CERTAIN INFORMATION, Fourth Edition Engrossed 7/23/97, submit the following report:

The House concurs in the Fourth Edition Engrossed, and the House and Senate agree to the following amendments:

on page 1, lines 2-3, by rewriting the lines to read:
"AN ACT TO PROVIDE THAT A PERSON CHARGED WITH A DRUG TRAFFICKING OFFENSE MAY BE DENIED PRETRIAL RELEASE IN CERTAIN CIRCUMSTANCES AND TO REQUIRE EACH CLERK OF COURT";

on page 1, line 8 through page 7, line 8, by rewriting those lines to read:
"**§ 15A-533. Right to pretrial release in capital and noncapital cases.**

(a) A defendant charged with any crime, whether capital or noncapital, who is alleged to have committed this crime while still residing in or subsequent to his escape or during an unauthorized absence from involuntary commitment in a mental health facility designated or licensed by the Department of Health and Human Services, and whose commitment is determined to be still valid by the judge or judicial officer authorized to determine pretrial release to be valid, has no right to pretrial release. In lieu of pretrial release, however, the individual shall be returned to the treatment facility in which he was residing at the time of the alleged crime or from which he escaped or absented himself for continuation of his treatment pending the additional proceedings on the criminal offense.

CHANGE TITLE

(b) A defendant charged with a noncapital offense must have conditions of pretrial release determined, in accordance with G.S. 15A-534.

(c) A judge may determine in his discretion whether a defendant charged with a capital offense may be released before trial. If he determines release is warranted, the judge must authorize release of the defendant in accordance with G.S. 15A-534.

(d) Subject to rebuttal by the person, it shall be presumed that no condition of release will reasonably assure the appearance of the person as required and the safety of the community if a judicial official finds the following:

(1) There is reasonable cause to believe that the person committed an offense involving trafficking in a controlled substance;

(2) The drug trafficking offense was committed while the person was on pretrial release for another offense; and

(3) The person has been previously convicted of a Class A through E felony or an offense involving trafficking in a controlled substance and not more than five years has elasped since the date of conviction or the person's release from prison for the offense, whichever is later.

Such person may only be released by a district or superior court judge upon a finding that there is a reasonable assurance that the person will appear and release does not pose an unreasonable risk of harm to the commnunity."

and by renumbering the remaining sections accordingly;

and on page 7, lines 16-19, by rewriting the lines to read:

"Section 3. This act becomes effective January 1, 1999. Section 1 of this act applies to offenses committed on or after that date. Section 2 of this act applies to records compiled on or after that date."

NORTH CAROLINA GENERAL ASSEMBLY
CONFERENCE REPORT
House Bill 1023

H1023-CRRG-001

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

Date conferees approved report: October 28, 1998.

Conferees for the Senate	Conferees for the House of Representatives
Frank W. Ballance, Jr., Chairman	Wilma M. Sherrill, Chairman
T.L. Fountain Odom	Richard T. Morgan
Leslie Winner	Phillip A. Baddour, Jr.
Fletcher L. Hartsell	

Senate Submitted 10/28/98 39 (adj)
Senate ADOPTED 10/29/98 (~~28~~ 10) Message Received 10/29/98
House ADOPTED 10/29/98 (1) Ordered Enrolled

Placed on Calendar 10/29/98
House ratified 10/29/98

BY SPECIAL MESSENGER

Janet Pruitt

CHANGES TITLE

NORTH CAROLINA GENERAL ASSEMBLY
CONFERENCE REPORT
House Bill 1023

H1023-CRRG-001

[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 House Bill 1023, A BILL TO BE ENTITLED AN ACT TO MODERNIZE THE PRETRIAL RELEASE AND BOND FORFEITURE PROCEDURE AND TO REQUIRE EACH CLERK OF COURT TO ENSURE THAT ALL RECORDS OF DISPOSITIONS IN CRIMINAL CASES CONTAIN CERTAIN INFORMATION, Fourth Edition Engrossed 7/23/97, submit the following report:

The House concurs in the Fourth Edition Engrossed, and the House and Senate agree to the following amendments:

on page 1, lines 2-3, by rewriting the lines to read:
"AN ACT TO PROVIDE THAT A PERSON CHARGED WITH A DRUG TRAFFICKING OFFENSE MAY BE DENIED PRETRIAL RELEASE IN CERTAIN CIRCUMSTANCES AND TO REQUIRE EACH CLERK OF COURT";

on page 1, line 8 through page 7, line 8, by rewriting those lines to read:
"§ 15A-533. Right to pretrial release in capital and noncapital cases.

(a) A defendant charged with any crime, whether capital or noncapital, who is alleged to have committed this crime while still residing in or subsequent to his escape or during an unauthorized absence from involuntary commitment in a mental health facility designated or licensed by the Department of Health and Human Services, and whose commitment is determined to be still valid by the judge or judicial officer authorized to determine pretrial release to be valid, has no right to pretrial release. In lieu of pretrial release, however, the individual shall be returned to the treatment facility in which he was residing at the time of the alleged crime or from which he escaped or absented himself for continuation of his treatment pending the additional proceedings on the criminal offense.

(b) A defendant charged with a noncapital offense must have conditions of pretrial release determined, in accordance with G.S. 15A-534.

(c) A judge may determine in his discretion whether a defendant charged with a capital offense may be released before trial. If he determines release is warranted, the judge must authorize release of the defendant in accordance with G.S. 15A-534.

(d) Subject to rebuttal by the person, it shall be presumed that no condition of release will reasonably assure the appearance of the person as required and the safety of the community if a judicial official finds the following:

(1) There is reasonable cause to believe that the person committed an offense involving trafficking in a controlled substance;

(2) The drug trafficking offense was committed while the person was on pretrial release for another offense; and

(3) The person has been previously convicted of a Class A through E felony or an offense involving trafficking in a controlled substance and not more than five years has elasped since the date of conviction or the person's release from prison for the offense, whichever is later.

Such person may only be released by a district or superior court judge upon a finding that there is a reasonable assurance that the person will appear and release does not pose an unreasonable risk of harm to the commnunity."

and by renumbering the remaining sections accordingly;

and on page 7, lines 16-19, by rewriting the lines to read:

"Section 3. This act becomes effective January 1, 1999. Section 1 of this act applies to offenses committed on or after that date. Section 2 of this act applies to records compiled on or after that date."

NORTH CAROLINA GENERAL ASSEMBLY
CONFERENCE REPORT
House Bill 1023

H1023-CRRG-001

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

Date conferees approved report: October 28, 1998.

Conferees for the Senate	Conferees for the House of Representatives
Frank W. Ballance, Jr., Chairman	Wilma M. Sherrill, Chairman
T.L. Fountain Odom	Richard T. Morgan
Leslie Winner	Phillip A. Baddour, Jr.
Fletcher L. Hartsell	

House Submitted 10/28/98 placed on the calendar for 10/29/98
ADOPTED 10/29/98 (99/0 EX) Message Received 10/29/98 SW
ADOPTED (TITLE CHANGE) Ordered Enrolled OCT 29 1998

TITLE CHANGE upon adoption

Senate notified OCT 29 1998
Special Message

ordered enrolled and presented to Governor
Special Message

NORTH CAROLINA GENERAL ASSEMBLY
CONFERENCE REPORT
House Bill 1023

H1023-CRRG-001

[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 House Bill 1023, A BILL TO BE ENTITLED AN ACT TO MODERNIZE THE PRETRIAL RELEASE AND BOND FORFEITURE PROCEDURE AND TO REQUIRE EACH CLERK OF COURT TO ENSURE THAT ALL RECORDS OF DISPOSITIONS IN CRIMINAL CASES CONTAIN CERTAIN INFORMATION, Fourth Edition Engrossed 7/23/97, submit the following report:

The House concurs in the Fourth Edition Engrossed, and the House and Senate agree to the following amendments:

on page 1, lines 2-3, by rewriting the lines to read:
"AN ACT TO PROVIDE THAT A PERSON CHARGED WITH A DRUG TRAFFICKING OFFENSE MAY BE DENIED PRETRIAL RELEASE IN CERTAIN CIRCUMSTANCES AND TO REQUIRE EACH CLERK OF COURT";

on page 1, line 8 through page 7, line 8, by rewriting those lines to read:
"§ 15A-533. Right to pretrial release in capital and noncapital cases.

(a) A defendant charged with any crime, whether capital or noncapital, who is alleged to have committed this crime while still residing in or subsequent to his escape or during an unauthorized absence from involuntary commitment in a mental health facility designated or licensed by the Department of Health and Human Services, and whose commitment is determined to be still valid by the judge or judicial officer authorized to determine pretrial release to be valid, has no right to pretrial release. In lieu of pretrial release, however, the individual shall be returned to the treatment facility in which he was residing at the time of the alleged crime or from which he escaped or absented himself for continuation of his treatment pending the additional proceedings on the criminal offense.

CHANGES TITLE

(b) A defendant charged with a noncapital offense must have conditions of pretrial release determined, in accordance with G.S. 15A-534.

(c) A judge may determine in his discretion whether a defendant charged with a capital offense may be released before trial. If he determines release is warranted, the judge must authorize release of the defendant in accordance with G.S. 15A-534.

(d) Subject to rebuttal by the person, it shall be presumed that no condition of release will reasonably assure the appearance of the person as required and the safety of the community if a judicial official finds the following:

(1) There is reasonable cause to believe that the person committed an offense involving trafficking in a controlled substance;

(2) The drug trafficking offense was committed while the person was on pretrial release for another offense; and

(3) The person has been previously convicted of a Class A through E felony or an offense involving trafficking in a controlled substance and not more than five years has elasped since the date of conviction or the person's release from prison for the offense, whichever is later.

Such person may only be released by a district or superior court judge upon a finding that there is a reasonable assurance that the person will appear and release does not pose an unreasonable risk of harm to the commnunity."

and by renumbering the remaining sections accordingly;

and on page 7, lines 16-19, by rewriting the lines to read:

"Section 3. This act becomes effective January 1, 1999. Section 1 of this act applies to offenses committed on or after that date. Section 2 of this act applies to records compiled on or after that date."

NORTH CAROLINA GENERAL ASSEMBLY
CONFERENCE REPORT
House Bill 1023

H1023-CRRG-001

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

Date conferees approved report: October 28, 1998.

Conferees for the Senate	Conferees for the House of Representatives
Frank W. Ballance, Jr., Chairman	Wilma M. Sherrill, Chairman
T.L. Fountain Odom	Richard T. Morgan
Leslie Winner	Phillip A. Baddour, Jr.
Fletcher L. Hartsell	

Senate Submitted 10/28/98 (39 ayes)
Senate ADOPTED 10/29/98 (38 / 0) Message Received
ADOPTED (/) Ordered Enrolled

Placed on Calendar 10/29/98
House notified 10/29/98
S.S.

BY SPECIAL MESSENGER

CHANGES TITLE

NORTH CAROLINA
HOUSE OF REPRESENTATIVES
ROLL CALL

EV

2206
LEGISLATIVE DAY 223
H1023SCS
CONFERENCE REPORT
BADDOUR

10/29/98
9:12 AM
IN CHAIR: SPEAKER

PRETRIAL RELEASE & BOND FORFEITURE - ADOPT CONFERENCE REPORT

AYES - 99

SPEAKER	CREECH	HOLMES	OLDHAM
ADAMS	CULP	HUNTER, H.	OWENS
ALEXANDER	CUNNINGHAM	HURLEY	PRESTON
ALLEN	DAUGHTRY	INSKO	RAMSEY
ALLRED	DAVIS	JARRELL	RAYFIELD
ARNOLD	DECKER	JEFFUS	REDWINE
BADDOUR	DEDMON	JUSTUS	REYNOLDS
BAKER	DOCKHAM	KINNEY	ROGERS
BARBEE	EARLE	LUEBKE	RUSSELL
BEALL	EASTERLING	MCALLISTER	SEXTON
BERRY	EDDINS	MCCOMAS	SHERRILL
BLACK	ELLIS	MCCOMBS	SHUBERT
BLUE	ESPOSITO	MCMAHAN	STARNES
BONNER	FITCH	MERCER	SUTTON
BOYD-MCINTYRE	GARDNER	MICHAUX	THOMPSON
BRASWELL	GOODWIN	MILLER	TOLSON
BRAWLEY	GRADY	MITCHELL	WARNER
BROWN	GRAY	MOORE	WARWICK
BRYANT	GULLEY	MORGAN	WATSON
BUCHANAN	HALL	MORRIS	WEATHERLY
CANSLER	HARDAWAY	MOSLEY	WILSON, C.
CAPPS	HENSLEY	NEELY	WILSON, G.
CARPENTER	HIATT	NESBITT	WOOD
CHURCH	HIGHTOWER	NICHOLS	YONGUE
CRAWFORD	HILL	NYE	

NOES - 0

EXCUSED ABSENCE - 11

BAREFOOT	HACKNEY	KISER	WAINWRIGHT
CULPEPPER	HARDY	MCCRARY	WOMBLE
FOX	IVES	SMITH	

EXCUSED VOTE - 0

NOT VOTING - 10

ALDRIDGE	COLE	MINER	TALLENT
BOWIE	DICKSON	SAUNDERS	WRIGHT
CLARY	HOWARD		

NORTH CAROLINA GENERAL ASSEMBLY
SENATE

RECORDED VOTE

1997 SESSION
SECOND SESSION 1998

SEQ. 2220/2-- 9:12 AM | OCTOBER 29, 1998 | LEGISLATIVE DAY 224

LT. GOVERNOR WICKER -- Presiding

BADDOUR
PRETRIAL RELEASE & BOND FORFEITURE
SENATE COMM. SUB./4TH EDITION

HOUSE BILL 1023

CONFERENCE REPORT

MOTION 7
TO ADOPT

AYE	38	BALLANCE	DANNELLY	LEDBETTER	PLYLER
		BALLANTINE	EAST	LEE	PURCELL
		BASNIGHT	FORRESTER	LUCAS	REEVES
		BLUST	FOXX	MARTIN R.	SHAW L.
		CARPENTER	GARWOOD	MARTIN W.	SHAW R.
		CARRINGTON	HARTSELL	MILLER	WEBSTER
		CLARK	HORTON	MOORE	WEINSTEIN
		COCHRANE	HOYLE	ODOM	WELLONS
		COOPER	JORDAN	PERDUE	WINNER
		DALTON	KINNAIRD		
NO	0				
EXCUSED	0				
NOT CAST	10	ALBERTSON	KERR	RAND	SOLES
		ALLRAN	MCDANIEL	RUCHO	WARREN
		GULLEY	PAGE		
ABSENT	2	JENKINS	PHILLIPS		
PAIRS	0				
AYE					
NO					

(CONTINUED)

GENERAL ASSEMBLY
SENATE

NORTH CAROLINA GENERAL ASSEMBLY
SENATE

RECORDED VOTE

1997 SESSION
SECOND SESSION 1998

SEQ. 2222/4-- 9:16 AM | OCTOBER 29, 1998 | LEGISLATIVE DAY 224

LT. GOVERNOR WICKER -- Presiding

BADDOUR
PRETRIAL RELEASE & BOND FORFEITURE
SENATE COMM. SUB./4TH EDITION

HOUSE BILL 1023

CONFERENCE REPORT

MOTION 7
TO ADOPT

AYE	39	BALLANCE	DANNELLY	LEDBETTER	PURCELL
		BALLANTINE	EAST	LEE	REEVES
		BASNIGHT	FORRESTER	LUCAS	SHAW L.
		BLUST	FOXX	MARTIN R.	SHAW R.
		CARPENTER	GARWOOD	MARTIN W.	WARREN
		CARRINGTON	HARTSELL	MILLER	WEBSTER
		CLARK	HORTON	MOORE	WEINSTEIN
		COCHRANE	HOYLE	ODOM	WELLONS
		COOPER	JORDAN	PERDUE	WINNER
		DALTON	KINNAIRD	PLYLER	
NO	0				
EXCUSED	0				
NOT CAST	9	ALBERTSON	KERR	PAGE	RUCHO
		ALLRAN	MCDANIEL	RAND	SOLES
		GULLEY			
ABSENT	2	JENKINS	PHILLIPS		
PAIRS	0				
AYE					
NO					

(COPY)

GENERAL ASSEMBLY
SENATE

NORTH CAROLINA GENERAL ASSEMBLY
SENATE

RECORDED VOTE

1997 SESSION
SECOND SESSION 1998

SEQ. 2222/4-- 9:16 AM | OCTOBER 29, 1998 | LEGISLATIVE DAY 224

LT. GOVERNOR WICKER -- Presiding

BADDOUR
PRETRIAL RELEASE & BOND FORFEITURE
SENATE COMM. SUB./4TH EDITION

HOUSE BILL 1023

CONFERENCE REPORT

MOTION 7
TO ADOPT

RECORDED
AYE 1 WARREN
ADJUSTED TOTAL
AYE 39
NO 0
NOT CAST 9
ABSENT 2

PY)

GENERAL ASSEMBLY
SENATE

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1997

H.B. FILED 1024 APR 17 97 HOUSE PRINCIPAL CLERK

H D

HOUSE DRH1261*-LT127(4.8)

Short Title: Foreign Insurer Licensing. (Public)

Sponsors: Representative Hurley.

Referred to:

A BILL TO BE ENTITLED

AN ACT TO ALLOW FOR THE LICENSING OF CERTAIN SUBSIDIARIES OF INSURERS OWNED OR CONTROLLED BY FOREIGN GOVERNMENTS.

The General Assembly of North Carolina enacts:

Section 1. G.S. 58-16-20 reads as rewritten:

"**§ 58-16-20. Company owned or controlled by ~~alien~~ foreign government prohibited from doing business.**

(a) Any insurance company or other insurance entity ~~which~~ that is financially owned or financially controlled by any alien or foreign government outside the continental limits of the United States or the territories of the United States is ~~hereby~~ prohibited from doing any kind of insurance business in the State of North Carolina. For the purposes of this section, ~~the term~~ 'alien or foreign government' ~~is defined to mean~~ means any foreign government or any state, province, municipality, or political subdivision of any foreign government, and shall not be construed to apply to any insurance company organized under the laws of a foreign nation ~~which~~ that is financially owned or financially controlled by the private citizens or private business interest of such foreign nation.

(b) The Commissioner ~~is hereby forbidden to grant a~~ shall not license ~~to~~ any insurance company or other insurance entity ~~which~~ that is financially owned or financially controlled by any alien or foreign government outside the continental limits of the United States or the territories of the United States, ~~or to~~ nor shall the Commissioner authorize any such company or entity to transact any kind of insurance business in the State of North Carolina.

(c) Any insurance company or other insurance entity ~~which~~ that is financially owned or financially controlled by any alien or foreign government outside the

NORTH CAROLINA

HOUSE OF REPRESENTATIVES

ROLL CALL

EV

NO. # 408
LEGISLATIVE DAY 51
H1024
READING 2
HURLEY

4/28/97
6:23 PM
IN CHAIR: SPEAKER

FOREIGN INSURER LICENSING

AYES - 113

ALDRIDGE	DAVIS	HUNTER, H.	PRESTON
ALEXANDER	DECKER	HUNTER, R.	RAMSEY
ALLRED	DEDMON	HURLEY	RAYFIELD
ARNOLD	DICKSON	INSKO	REDWINE
BADDOUR	DOCKHAM	IVES	REYNOLDS
BAKER	EARLE	JARRELL	ROGERS
BARBEE	EASTERLING	JEFFUS	RUSSELL
BEALL	EDDINS	JUSTUS	SAUNDERS
BERRY	ELLIS	KINNEY	SEXTON
BLACK	ESPOSITO	KISER	SHERRILL
BLUE	FITCH	MCCOMAS	SHUBERT
BONNER	FOX	MCCOMBS	SMITH
BOWIE	GAMBLE	MCMAHAN	STARNES
BOYD-MCINTYRE	GARDNER	MERCER	SUTTON
BRASWELL	GOODWIN	MICHAUX	TALLENT
BRAWLEY	GRADY	MILLER	THOMPSON
BROWN	GRAY	MINER	TOLSON
BUCHANAN	GULLEY	MITCHELL	WAINWRIGHT
CANSLER	HACKNEY	MOORE	WARNER
CAPPS	HALL	MORGAN	WARWICK
CARPENTER	HARDAWAY	MORRIS	WATSON
CHURCH	HARDY	MOSLEY	WEATHERLY
CLARY	HENSLEY	NEELY	WILKINS
COLE	HIATT	NESBITT	WILSON, C.
CREECH	HIGHTOWER	NICHOLS	WILSON, G.
CULP	HILL	NYE	WOMBLE
CULPEPPER	HOLMES	OLDHAM	WOOD
CUNNINGHAM	HOWARD	OWENS	YONGUE
DAUGHTRY			

NOES - 0

EXCUSED ABSENCE - 2

LUEBKE	WRIGHT

EXCUSED VOTE - 0

NOT VOTING - 5

SPEAKER	CRAWFORD	MCALLISTER	MCCRARY
ADAMS			

NORTH CAROLINA GENERAL ASSEMBLY
SENATE

RECORDED VOTE

1997 SESSION

SEQ. 756/9-- 8:05 PM | MAY 26, 1997 | LEGISLATIVE DAY 67

SENATOR BASNIGHT -- Presiding

HURLEY
FOREIGN INSURER LICENSING
2ND EDITION

HOUSE BILL 1024
READING 2

AYE	47	ALBERTSON	DALTON	LEDBETTER	RAND
		ALLRAN	DANNELLY	LEE	REEVES
		BALLANCE	FORRESTER	LUCAS	RUCHO
		BALLANTINE	FOXX	MARTIN R.	SHAW L.
		BASNIGHT	GARWOOD	MARTIN W.	SHAW R.
		BLUST	GULLEY	MCDANIEL	SOLES
		CARPENTER	HARTSELL	MILLER	WARREN
		CARRINGTON	HORTON	ODOM	WEBSTER
		CLARK	HOYLE	PAGE	WEINSTEIN
		COCHRANE	JENKINS	PERDUE	WELLONS
		CONDER	KINCAID	PHILLIPS	WINNER
		COOPER	KINNAIRD	PLYLER	
NO	0				
EXCUSED	0				
NOT CAST	1	KERR			
ABSENT	2	EAST	JORDAN		
PAIRS	0				
AYE					
NO					

GENERAL ASSEMBLY
SENATE

NORTH CAROLINA
HOUSE OF REPRESENTATIVES
ROLL CALL

EV

. # 761
ISLATIVE DAY 70
1024SCS

5/29/97
1:12 PM
IN CHAIR: SPEAKER

HURLEY

FOREIGN INSURER LICENSING
MOTION #11 - TO CONCUR IN SCS

AYES - 112

ADAMS	DAVIS	HURLEY	RAMSEY
ALDRIDGE	DECKER	INSKO	RAYFIELD
ALEXANDER	DEDMON	IVES	REDWINE
ALLRED	DICKSON	JARRELL	REYNOLDS
ARNOLD	DOCKHAM	JEFFUS	ROGERS
BADDOUR	EARLE	JUSTUS	RUSSELL
BAKER	EASTERLING	KINNEY	SAUNDERS
BARBEE	EDDINS	KISER	SEXTON
BEALL	ELLIS	LUEBKE	SHERRILL
BERRY	ESPOSITO	MCCOMAS	SHUBERT
BLACK	FITCH	MCCOMBS	SMITH
BLUE	FOX	MCCRARY	STARNES
BONNER	GARDNER	MCMAHAN	SUTTON
BOWIE	GOODWIN	MERCER	TALLENT
BOYD-MCINTYRE	GRADY	MILLER	THOMPSON
BRASWELL	GRAY	MINER	TOLSON
BRAWLEY	GULLEY	MITCHELL	WAINWRIGHT
BROWN	HACKNEY	MOORE	WARNER
BUCHANAN	HALL	MORGAN	WARWICK
CANSLER	HARDAWAY	MORRIS	WATSON
CAPPS	HARDY	MOSLEY	WEATHERLY
CARPENTER	HENSLEY	NEELY	WILKINS
CHURCH	HIATT	NESBITT	WILSON, C.
COLE	HIGHTOWER	NICHOLS	WILSON, G.
CRAWFORD	HILL	NYE	WOMBLE
CULP	HOLMES	OLDHAM	WOOD
CULPEPPER	HUNTER, H.	OWENS	WRIGHT
DAUGHTRY	HUNTER, R.	PRESTON	YONGUE

NOES - 0

EXCUSED ABSENCE - 2

CREECH	CUNNINGHAM

EXCUSED VOTE - 0

NOT VOTING - 6

SPEAKER	GAMBLE	MCALLISTER	MICHAUX
CLARY	HOWARD		

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1997

H

FILED
1025 APR 17 97
HOUSE PRINCIPAL CLERK

D

HOUSE DRH1266*-LH169(4.8)

Short Title: UNC Military Tuition. (Public)

Sponsors: Representative Hurley.

Referred to:

A BILL TO BE ENTITLED

AN ACT TO PROVIDE THAT CERTAIN MEMBERS OF THE MILITARY ARE CLASSIFIED AS NORTH CAROLINA RESIDENTS AND SO QUALIFY TO PAY IN-STATE TUITION AT STATE INSTITUTIONS OF HIGHER EDUCATION.

The General Assembly of North Carolina enacts:

Section 1. G.S. 116-4.3(b) reads as rewritten:

"(b) Any member of the armed services qualifying for admission to an institution of higher education as defined in G.S. 116-143.1(a)(3) but not qualifying as a resident for tuition purposes under G.S. 116-143.1 shall be charged the out-of-State tuition rate; provided, that the out- of-State tuition shall be forgiven to the extent that the out-of-State tuition rate exceeds any amounts payable to the institution or the service member by the service member's employer by reason of enrollment pursuant to such admission while the member is abiding in this State incident to active military duty, plus the amount that represents the percentage of the out-of-State tuition rate paid to the institution or the service member by the service member's employer multiplied by the in-State tuition rate and then subtracted from the in-State tuition rate. Any member of the armed services who does not qualify for any payment by the member's employer shall be classified as a resident for tuition purposes and shall pay the full amount of the in-State tuition rate."

Section 2. This act becomes effective July 1, 1997.

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1997

H.B. FILED
1026 APR 17 97
HOUSE PRINCIPAL CLERK

H D

HOUSE DRH2272-LE094A(4.9)

Short Title: Extra Days of Employment for Teachers. (Public)

Sponsors: Representative Arnold.

Referred to:

A BILL TO BE ENTITLED

AN ACT TO PROVIDE FOR ELEVEN MONTHS OF EMPLOYMENT FOR TEACHERS.

The General Assembly of North Carolina enacts:

Section 1. The General Assembly finds that adding additional workdays for public school teachers would have the benefits of increasing teacher salary, making it unnecessary for teachers to seek summer employment, giving local boards of education additional days on which to schedule teacher development, planning, and extra teacher workdays, allowing the State the capability of extending the school year, and allowing the State the capability of converting to year-round schools; therefore, it is the intent of the General Assembly to consider adding days to the school calendar as one way of increasing teacher pay.

Section 2. This act becomes effective July 1, 1997.

NORTH CAROLINA

HOUSE OF REPRESENTATIVES

ROLL CALL

EV

. # 421
ISLATIVE DAY 51
026HCS
READING 2
ARNOLD

4/28/97
7:33 PM
IN CHAIR: SPEAKER

EXTRA DAYS OF EMPLOY FOR TEACHERS

AYES - 111

ADAMS	DAVIS	HURLEY	OWENS
ALDRIDGE	DECKER	INSKO	PRESTON
ALEXANDER	DEDMON	IVES	RAMSEY
ALLRED	DICKSON	JARRELL	RAYFIELD
ARNOLD	DOCKHAM	JEFFUS	REDWINE
BADDOUR	EARLE	JUSTUS	REYNOLDS
BAKER	EDDINS	KINNEY	RUSSELL
BARBEE	ELLIS	KISER	SAUNDERS
BEALL	ESPOSITO	LUEBKE	SEXTON
BERRY	FITCH	MCALLISTER	SHERRILL
BLACK	FOX	MCCOMAS	SHUBERT
BLUE	GAMBLE	MCCOMBS	SMITH
BONNER	GARDNER	MCCRARY	STARNES
BOWIE	GOODWIN	MCMAHAN	TALLENT
BOYD-MCINTYRE	GRADY	MERCER	THOMPSON
BRASWELL	GRAY	MICHAUX	TOLSON
BRAWLEY	HACKNEY	MILLER	WAINWRIGHT
BROWN	HALL	MINER	WARNER
BUCHANAN	HARDAWAY	MITCHELL	WARWICK
CANSLER	HARDY	MOORE	WATSON
CAPPS	HENSLEY	MORGAN	WEATHERLY
CARPENTER	HIATT	MORRIS	WILKINS
CHURCH	HIGHTOWER	MOSLEY	WILSON, C.
CLARY	HILL	NEELY	WILSON, G.
COLE	HOLMES	NESBITT	WOMBLE
CULP	HOWARD	NICHOLS	WOOD
CULPEPPER	HUNTER, H.	NYE	YONGUE
DAUGHTRY	HUNTER, R.	OLDHAM	

NOES - 1

EASTERLING

EXCUSED ABSENCE - 1

WRIGHT

EXCUSED VOTE - 0

NOT VOTING - 7

SPEAKER	CREECH	GULLEY	SUTTON
CRAWFORD	CUNNINGHAM	ROGERS	

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1997

H.B. FILED 1027 APR 17 97 HOUSE PRINCIPAL CLERK

H D

HOUSE DRH6212-LC187(4.2)

Short Title: State Treasurer Venture Capital. (Public)

Sponsors: Representative Owens.

Referred to:

A BILL TO BE ENTITLED

AN ACT TO STIMULATE SUBSTANTIAL GROWTH OF VENTURE CAPITAL INVESTMENTS IN NORTH CAROLINA THROUGH INVESTMENTS BY THE STATE TREASURER.

The General Assembly of North Carolina enacts:

Section 1. G.S. 147-69.2(b)(10) reads as rewritten:

"(10) A limited partnership interest in a partnership whose primary purpose is to invest in venture capital or corporate buyout transactions, not to exceed ~~thirty million dollars ($30,000,000)~~ one hundred thirty million dollars ($130,000,000) from all funds."

Section 2. G.S. 96-5(g) is repealed.

Section 3. This act becomes effective July 1, 1997.

NORTH CAROLINA
HOUSE OF REPRESENTATIVES
ROLL CALL

RC

SEQ. # 990
LEGISLATIVE DAY 85
H1027HCS
READING 2
OWENS

6/25/97
11:14 AM
IN CHAIR: SPEAKER

STATE TREASURER VENTURE CAPITAL

AYES - 95

SPEAKER	DAUGHTRY	JARRELL	REDWINE
ADAMS	DEDMON	JEFFUS	REYNOLDS
ALDRIDGE	DICKSON	JUSTUS	ROGERS
ALEXANDER	DOCKHAM	KINNEY	RUSSELL
BADDOUR	EARLE	MCALLISTER	SEXTON
BARBEE	EASTERLING	MCCOMAS	SHERRILL
BLACK	EDDINS	MCCOMBS	SHUBERT
BLUE	ESPOSITO	MCCRARY	SMITH
BONNER	FITCH	MCMAHAN	STARNES
BOWIE	FOX	MERCER	SUTTON
BOYD-MCINTYRE	GAMBLE	MICHAUX	TALLENT
BRASWELL	GOODWIN	MILLER	THOMPSON
BRAWLEY	GRAY	MINER	TOLSON
BROWN	GULLEY	MITCHELL	WAINWRIGHT
BUCHANAN	HACKNEY	MOORE	WARWICK
CAPPS	HALL	MORGAN	WATSON
CARPENTER	HENSLEY	MORRIS	WEATHERLY
CHURCH	HILL	MOSLEY	WILKINS
CLARY	HOLMES	NEELY	WILSON, C.
COLE	HUNTER, H.	OLDHAM	WILSON, G.
CRAWFORD	HUNTER, R.	OWENS	WOOD
CULP	HURLEY	PRESTON	WRIGHT
CULPEPPER	INSKO	RAMSEY	YONGUE
CUNNINGHAM	IVES	RAYFIELD	

NOES - 22

ARNOLD	DAVIS	HIATT	NICHOLS
BAKER	DECKER	HIGHTOWER	NYE
BEALL	ELLIS	HOWARD	SAUNDERS
BERRY	GRADY	KISER	WARNER
CANSLER	HARDAWAY	LUEBKE	WOMBLE
CREECH	HARDY		

EXCUSED ABSENCE - 2

GARDNER NESBITT

EXCUSED VOTE - 0

NOT VOTING - 1

ALLRED

NORTH CAROLINA GENERAL ASSEMBLY
AMENDMENT
House Bill 1027

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

H1027-ALBK-2

Date JUN 30 1997, 1997

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

Representative Owens

moves to amend the bill on page 4, line 43,
by amending that line to read as follows:
"Section 4. This act is effective when it becomes law.".

SIGNED W.C. Owens Jr
Amendment Sponsor

SIGNED _____
Committee Chair if Senate Committee Amendment

ADOPTED 113-0 EV FAILED _____ TABLED _____

JUN 30 1997 D Weeks

NORTH CAROLINA

HOUSE OF REPRESENTATIVES

ROLL CALL

EV

SEQ. # 1022
LEGISLATIVE DAY 87
H1027HCS
READING 3
OWENS
AMEND #1 - REP OWENS
STATE TREASURER VENTURE CAPITAL

6/30/97
6:34 PM
IN CHAIR: SPEAKER

AYES - 113

ADAMS	DAUGHTRY	HURLEY	PRESTON
ALDRIDGE	DAVIS	INSKO	RAMSEY
ALEXANDER	DECKER	IVES	RAYFIELD
ALLRED	DEDMON	JARRELL	REDWINE
ARNOLD	DICKSON	JEFFUS	REYNOLDS
BADDOUR	DOCKHAM	JUSTUS	ROGERS
BAKER	EARLE	KINNEY	RUSSELL
BARBEE	EDDINS	KISER	SAUNDERS
BEALL	ELLIS	LUEBKE	SEXTON
BERRY	ESPOSITO	MCALLISTER	SHERRILL
BLACK	FOX	MCCOMAS	SHUBERT
BLUE	GAMBLE	MCCOMBS	SMITH
BONNER	GARDNER	MCCRARY	STARNES
BOWIE	GOODWIN	MCMAHAN	SUTTON
BOYD-MCINTYRE	GRADY	MERCER	TALLENT
BRASWELL	GRAY	MICHAUX	THOMPSON
BRAWLEY	GULLEY	MILLER	TOLSON
BROWN	HACKNEY	MINER	WAINWRIGHT
BUCHANAN	HALL	MITCHELL	WARNER
CANSLER	HARDY	MOORE	WARWICK
CAPPS	HENSLEY	MORGAN	WATSON
CARPENTER	HIATT	MORRIS	WEATHERLY
CHURCH	HIGHTOWER	MOSLEY	WILKINS
CLARY	HILL	NEELY	WILSON, C.
COLE	HOLMES	NICHOLS	WILSON, G.
CRAWFORD	HOWARD	NYE	WOMBLE
CREECH	HUNTER, H.	OLDHAM	WRIGHT
CULP	HUNTER, R.	OWENS	YONGUE
CULPEPPER			

NOES - 0

EXCUSED ABSENCE - 4

CUNNINGHAM	EASTERLING	HARDAWAY	NESBITT

EXCUSED VOTE - 0

NOT VOTING - 3

SPEAKER	FITCH	WOOD

NORTH CAROLINA

HOUSE OF REPRESENTATIVES

ROLL CALL

EV

SEQ. # 1023
LEGISLATIVE DAY 87
H1027HCS
READING 3
OWENS
AMEND #2 - REP CAPPS
STATE TREASURER VENTURE CAPITAL

6/30/97
6:36 PM
IN CHAIR: SPEAKER

AYES - 114

ADAMS	DAUGHTRY	HURLEY	PRESTON
ALDRIDGE	DAVIS	INSKO	RAMSEY
ALEXANDER	DECKER	IVES	RAYFIELD
ALLRED	DEDMON	JARRELL	REDWINE
ARNOLD	DICKSON	JEFFUS	REYNOLDS
BADDOUR	DOCKHAM	JUSTUS	ROGERS
BAKER	EARLE	KINNEY	RUSSELL
BARBEE	EDDINS	KISER	SAUNDERS
BEALL	ELLIS	LUEBKE	SEXTON
BERRY	ESPOSITO	MCALLISTER	SHERRILL
BLACK	FITCH	MCCOMAS	SHUBERT
BLUE	FOX	MCCOMBS	SMITH
BONNER	GAMBLE	MCCRARY	STARNES
BOWIE	GARDNER	MCMAHAN	SUTTON
BOYD-MCINTYRE	GOODWIN	MERCER	TALLENT
BRASWELL	GRADY	MICHAUX	THOMPSON
BRAWLEY	GRAY	MILLER	TOLSON
BROWN	GULLEY	MINER	WAINWRIGHT
BUCHANAN	HACKNEY	MITCHELL	WARNER
CANSLER	HALL	MOORE	WARWICK
CAPPS	HARDY	MORGAN	WATSON
CARPENTER	HENSLEY	MORRIS	WEATHERLY
CHURCH	HIATT	MOSLEY	WILKINS
CLARY	HIGHTOWER	NEELY	WILSON, C.
COLE	HILL	NICHOLS	WILSON, G.
CRAWFORD	HOLMES	NYE	WOMBLE
CREECH	HOWARD	OLDHAM	WRIGHT
CULP	HUNTER, H.	OWENS	YONGUE
CULPEPPER	HUNTER, R.		

NOES - 0

EXCUSED ABSENCE - 4

CUNNINGHAM	EASTERLING	HARDAWAY	NESBITT

EXCUSED VOTE - 0

NOT VOTING - 2

SPEAKER	WOOD

NORTH CAROLINA

HOUSE OF REPRESENTATIVES

ROLL CALL

RC

SEQ. # 1024
LEGISLATIVE DAY 87
H1027HCS
READING 3
OWENS

6/30/97
6:36 PM
IN CHAIR: SPEAKER

STATE TREASURER VENTURE CAPITAL

AYES - 105

SPEAKER	DECKER	INSKO	RAYFIELD
ADAMS	DEDMON	IVES	REDWINE
ALDRIDGE	DICKSON	JARRELL	REYNOLDS
ALEXANDER	DOCKHAM	JEFFUS	ROGERS
ALLRED	EARLE	JUSTUS	RUSSELL
BADDOUR	EDDINS	KINNEY	SAUNDERS
BAKER	ELLIS	KISER	SEXTON
BARBEE	ESPOSITO	LUEBKE	SHERRILL
BLACK	FITCH	MCALLISTER	SHUBERT
BLUE	FOX	MCCOMAS	SMITH
BONNER	GAMBLE	MCCOMBS	STARNES
BOWIE	GARDNER	MCCRARY	SUTTON
BOYD-MCINTYRE	GOODWIN	MCMAHAN	TALLENT
BRASWELL	GRAY	MERCER	THOMPSON
BRAWLEY	GULLEY	MILLER	TOLSON
BROWN	HACKNEY	MINER	WAINWRIGHT
BUCHANAN	HALL	MITCHELL	WARNER
CAPPS	HARDY	MOORE	WARWICK
CARPENTER	HENSLEY	MORGAN	WATSON
CHURCH	HIATT	MORRIS	WEATHERLY
CLARY	HILL	MOSLEY	WILKINS
COLE	HOLMES	NEELY	WILSON, C.
CRAWFORD	HOWARD	NYE	WILSON, G.
CULP	HUNTER, H.	OLDHAM	WOMBLE
CULPEPPER	HUNTER, R.	OWENS	WRIGHT
DAUGHTRY	HURLEY	PRESTON	YONGUE
DAVIS			

NOES - 10

ARNOLD	CANSLER	HIGHTOWER	NICHOLS
BEALL	CREECH	MICHAUX	RAMSEY
BERRY	GRADY		

EXCUSED ABSENCE - 4

CUNNINGHAM	EASTERLING	HARDAWAY	NESBITT

EXCUSED VOTE - 0

NOT VOTING - 1

WOOD

NORTH CAROLINA GENERAL ASSEMBLY AMENDMENT

(Please type or use ballpoint pen)

EDITION No. 2

H. B. No. 1027 DATE 6/30/97

S. B. No. _____ Amendment No. 2

(to be filled in by Principal Clerk)

COMMITTEE SUBSTITUTE X

Rep.) Capps
) _____
Sen.)

moves to amend the bill on page 1, line 13

( ) WHICH CHANGES THE TITLE

by deleting "following:" and substituting "~~following:~~ following in the State Treasurer's discretion:".

SIGNED _____

ADOPTED 6/30/97 FAILED _____ TABLED _____

114-0 EV

GA-33-A

PRINCIPAL CLERK'S OFFICE (FOR ENGROSSMENT)

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1997

H

D

HOUSE DRHA317-LK142A(4.3)

Short Title: Towing Procedures. (Public)

Sponsors: Representative Owens.

Referred to:

A BILL TO BE ENTITLED

AN ACT TO PROVIDE CERTAIN REQUIREMENTS ON TOWING OPERATORS TO PROVIDE PROTECTION FOR MEMBERS OF THE PUBLIC.

The General Assembly of North Carolina enacts:

Section 1. Chapter 20 of the General Statutes is amended by adding a new section to read:

"**§ 20-219.4. Towing procedures.**

(a) Any towing company operating in this State shall:

(1) Provide for reclaiming of towed vehicles within one hour during all hours of operations.

(2) Provide on each tow vehicle a schedule of fees for services which shall be uniformly applied to all operations involving that tow vehicle.

(3) Not charge storage fees in excess of fifteen dollars ($15.00) for each day or any part thereof.

(4) Before towing a vehicle, insure that the location from which the vehicle is being towed has signs at the entrance or entrances, if there is more than one, at least 24 inches by 24 inches in size, indicating:

a. That vehicles illegally parked will be towed at the owner's or operator's expense;

b. Providing the name, location, and telephone number of the towing company removing the vehicles; and

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1997

H.B. FILED
1029 APR 17 97
HOUSE PRINCIPAL CLERK

H D

HOUSE DRHA248-RM001.2(3.25)

Short Title: Dental Examination Pilot Program. (Public)

Sponsors: Representative Bowie.

Referred to:

A BILL TO BE ENTITLED

AN ACT TO ESTABLISH A DENTAL EXAMINATION PILOT PROGRAM.

The General Assembly of North Carolina enacts:

Section 1. The Department of Health, Environment, and Natural Resources, in consultation with the Department of Public Instruction, shall establish a pilot program providing for mandatory dental examination of all children entering kindergarten in the public schools of counties participating in the pilot program. The dental examination under the pilot program shall be in addition to medical health assessments required by G.S. 130A-440. The dental examination shall include an oral examination, dental prophylaxis, application of topical fluoride to the teeth, placement of pit and fissure sealant on fully erupted permanent molars, and an analysis of the home drinking water for fluoride content. The pilot program shall be established in all counties that choose to participate, subject to the approval of the Department.

Section 2. The Department of Health, Environment, and Natural Resources shall report to the General Assembly by January 1, 1999, and annually thereafter, regarding the program's implementation and make recommendations on whether the dental examination program should be required statewide.

Section 3. This act is effective when it becomes law and expires on January 1, 2001.

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1997

H D

HOUSE DRHA336-LN151A(4.9)

Short Title: Crim. Record Checks/Clerk of Court. (Public)

Sponsors: Representative Mosley.

Referred to:

A BILL TO BE ENTITLED

AN ACT TO AUTHORIZE NURSING HOMES TO OBTAIN CRIMINAL HISTORY RECORD CHECKS FROM THE CLERK OF COURT.

The General Assembly of North Carolina enacts:

Section 1. G.S. 131E-265(a) reads as rewritten:

"(a) Requirement. -- An offer of employment by a nursing home or a home care agency licensed under this Chapter to an applicant to fill a position that does not require the applicant to have an occupational license is conditioned on consent to a criminal history record check of the applicant. A nursing home or a home care agency shall not employ an applicant who refuses to consent to a criminal history record check required by this section. A nursing home or home care agency shall submit a request to the Department of Justice under G.S. ~~114-19.3~~ 114-19.3, or to the clerk of court, to conduct a criminal history record check within five business days of making the conditional offer of employment. All criminal history information received by the home or agency is confidential and may not be disclosed."

Section 2. This act is effective when it becomes law.

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1997

H.B. FILED
1031 APR 07 97
HOUSE PRINCIPAL CLERK

H D

HOUSE DRHA310-LB230A(4.10)

Short Title: Retirement Incentive. (Public)

Sponsors: Representative Grady.

Referred to:

A BILL TO BE ENTITLED

AN ACT TO PROVIDE A RETIREMENT INCENTIVE BY GRANTING A SEPARATION ALLOWANCE FOR ALL ELIGIBLE MEMBERS OF THE TEACHERS' AND STATE EMPLOYEES' RETIREMENT SYSTEM.

The General Assembly of North Carolina enacts:

Section 1. The catch line of Article 12D of Chapter 143 of the General Statutes reads as rewritten:

"Separation ~~Allowances for Law Enforcement Officers~~ Allowances."

Section 2. Article 12D of Chapter 143 of the General Statutes is amended by adding a new section to read:

"**§ 143-166.43. Special separation allowance.**

(a) Notwithstanding any other provision of law, any member of the Teachers' and State Employees' Retirement System who is not eligible for a special separation allowance under G.S. 143-166.41 and who qualifies under this section shall receive, beginning on the last day of the month in which he retires on a service retirement under the provisions of G.S. 135-5(a) an annual separation allowance equal to eighty-five hundredths percent (0.85%) of the annual equivalent of the base rate of compensation most recently applicable to him for each year of creditable service. The allowance shall be paid in 12 equal installments on the last day of each month. To qualify for the allowance the member shall:

(1) Have (i) completed 30 or more years of creditable service or, (ii) have attained 60 years of age and completed 25 or more years of creditable service; and

(2) Not have attained 62 years of age.

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1997

H.B. FILED

1032 APR 17 97

HOUSE PRINCIPAL CLERK

H D

HOUSE DRH7243-LD154B(3.26)

Short Title: Authorize Landfill Liner. (Public)

Sponsors: Representative Allred.

Referred to:

A BILL TO BE ENTITLED

AN ACT TO DIRECT THE ADOPTION OF RULES THAT AUTHORIZE THE USE OF DESIGN CRITERIA FOR MUNICIPAL SANITARY LANDFILLS THAT PROVIDE FOR AN EQUALLY PROTECTIVE LANDFILL LINER.

The General Assembly of North Carolina enacts:

Section 1. No later than July 1, 1998, the Environmental Management Commission shall adopt rules regarding design criteria for municipal sanitary landfills that comply with 40 C.F.R Part 258.40(a)(1) and that provide for a landfill liner that is equally protective as the currently authorized liner.

Section 2. This act is effective when it becomes law.

NORTH CAROLINA
HOUSE OF REPRESENTATIVES
ROLL CALL

EV

. # 406
ISLATIVE DAY 51
H1032HCS
READING 2
ALLRED

4/28/97
6:04 PM
IN CHAIR: SPEAKER

AUTHORIZE LANDFILL LINER

AYES - 111

ADAMS	CUNNINGHAM	HUNTER, H.	PRESTON
ALDRIDGE	DAUGHTRY	HUNTER, R.	RAYFIELD
ALEXANDER	DAVIS	HURLEY	REDWINE
ALLRED	DECKER	INSKO	REYNOLDS
ARNOLD	DEDMON	IVES	ROGERS
BADDOUR	DICKSON	JARRELL	RUSSELL
BAKER	DOCKHAM	JEFFUS	SAUNDERS
BARBEE	EARLE	JUSTUS	SEXTON
BEALL	EASTERLING	KINNEY	SHERRILL
BERRY	EDDINS	MCALLISTER	SHUBERT
BLACK	ELLIS	MCCOMAS	SMITH
BLUE	ESPOSITO	MCCOMBS	STARNES
BONNER	FITCH	MCCRARY	SUTTON
BOWIE	FOX	MCMAHAN	TALLENT
BOYD-MCINTYRE	GAMBLE	MERCER	THOMPSON
BRASWELL	GARDNER	MICHAUX	TOLSON
BRAWLEY	GOODWIN	MILLER	WAINWRIGHT
BROWN	GRADY	MINER	WARNER
BUCHANAN	GRAY	MITCHELL	WARWICK
CANSLER	GULLEY	MOORE	WATSON
CAPPS	HALL	MORGAN	WEATHERLY
CARPENTER	HARDAWAY	MORRIS	WILKINS
CHURCH	HARDY	MOSLEY	WILSON, C.
CLARY	HENSLEY	NEELY	WILSON, G.
COLE	HIATT	NICHOLS	WOMBLE
CRAWFORD	HIGHTOWER	NYE	WOOD
CULP	HILL	OLDHAM	YONGUE
CULPEPPER	HOWARD	OWENS	

NOES - 0

EXCUSED ABSENCE - 2

LUEBKE	WRIGHT

EXCUSED VOTE - 0

NOT VOTING - 7

SPEAKER	HACKNEY	KISER	RAMSEY
CREECH	HOLMES	NESBITT	

NORTH CAROLINA GENERAL ASSEMBLY
SENATE

RECORDED VOTE

1997 SESSION

SEQ. 1041/7--11:58 AM JULY 1, 1997 LEGISLATIVE DAY 88

LT. GOVERNOR WICKER -- Presiding

ALLRED
AUTHORIZE ALTERNATE LANDFILL
SENATE COMM. SUB./3RD EDITION

HOUSE BILL 1032
READING 2

LINERS

AYE	48	ALBERTSON	DALTON	KERR	PERDUE
		ALLRAN	DANNELLY	KINCAID	PHILLIPS
		BALLANCE	EAST	KINNAIRD	PLYLER
		BALLANTINE	FORRESTER	LEDBETTER	RAND
		BASNIGHT	FOXX	LEE	REEVES
		BLUST	GARWOOD	LUCAS	SHAW R.
		CARPENTER	GULLEY	MARTIN R.	SOLES
		CARRINGTON	HARTSELL	MARTIN W.	WARREN
		CLARK	HORTON	MCDANIEL	WEBSTER
		COCHRANE	HOYLE	MILLER	WEINSTEIN
		CONDER	JENKINS	ODOM	WELLONS
		COOPER	JORDAN	PAGE	WINNER
NO	0				
EXCUSED	0				
NOT CAST	2	RUCHO	SHAW L.		
ABSENT	0				
PAIRS	0				
AYE					
NO					

GENERAL ASSEMBLY
SENATE

NORTH CAROLINA
HOUSE OF REPRESENTATIVES
ROLL CALL

EV

. # 1270
GISLATIVE DAY 103
H1032SCS

7/28/97
6:26 PM
IN CHAIR: SPEAKER

ALLRED

AUTHORIZE ALTERNATE LANDFILL LINERS
MOTION #11 - TO CONCUR IN SCS

AYES - 110

ADAMS	CUNNINGHAM	HURLEY	PRESTON
ALDRIDGE	DAUGHTRY	INSKO	RAMSEY
ALEXANDER	DAVIS	IVES	RAYFIELD
ALLRED	DECKER	JARRELL	REDWINE
ARNOLD	DEDMON	JEFFUS	REYNOLDS
BADDOUR	DICKSON	JUSTUS	ROGERS
BAKER	DOCKHAM	KINNEY	RUSSELL
BARBEE	EARLE	KISER	SAUNDERS
BEALL	EASTERLING	LUEBKE	SEXTON
BLACK	EDDINS	MCALLISTER	SHERRILL
BLUE	ELLIS	MCCOMAS	SMITH
BONNER	ESPOSITO	MCCOMBS	STARNES
BOWIE	FITCH	MCCRARY	SUTTON
BOYD-MCINTYRE	GAMBLE	MCMAHAN	THOMPSON
BRASWELL	GARDNER	MERCER	TOLSON
BRAWLEY	GOODWIN	MILLER	WAINWRIGHT
BROWN	GRADY	MINER	WARNER
BUCHANAN	GRAY	MITCHELL	WARWICK
CANSLER	GULLEY	MOORE	WATSON
CAPPS	HALL	MORGAN	WEATHERLY
CARPENTER	HARDAWAY	MORRIS	WILKINS
CHURCH	HARDY	MOSLEY	WILSON, C.
CLARY	HIATT	NEELY	WILSON, G.
COLE	HIGHTOWER	NESBITT	WOMBLE
CRAWFORD	HILL	NYE	WOOD
CREECH	HOLMES	OLDHAM	WRIGHT
CULP	HOWARD	OWENS	YONGUE
CULPEPPER	HUNTER, H.		

NOES - 1

HENSLEY

EXCUSED ABSENCE - 5

BERRY	HUNTER, R.	NICHOLS	SHUBERT
FOX			

EXCUSED VOTE - 0

NOT VOTING - 4

SPEAKER	HACKNEY	MICHAUX	TALLENT

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1997

H.B. FILED
1033 APR 17 97
HOUSE PRINCIPAL CLERK

H D

HOUSE DRHA319-LB238(4.10)

Short Title: Banking Charters. (Public)

Sponsors: Representative Church.

Referred to:

A BILL TO BE ENTITLED

AN ACT RELATING TO BANK CHARTERS.

The General Assembly of North Carolina enacts:

Section 1. This act relates to bank charters.

Section 2. This act is effective when it becomes law.

NORTH CAROLINA
HOUSE OF REPRESENTATIVES
ROLL CALL

EV

. # 514
ISLATIVE DAY 54
033HCS
READING 2
CHURCH

5/01/97
1:44 PM
IN CHAIR: SPEAKER

ESTABLISH. OF BANK BRANCHES

AYES - ~~100~~ 101 DW

ADAMS	CULPEPPER	HUNTER, H.	RAMSEY
ALDRIDGE	DAUGHTRY	HUNTER, R.	RAYFIELD
ALEXANDER	DAVIS	HURLEY	REDWINE
ARNOLD	DECKER	INSKO	REYNOLDS
BADDOUR	DEDMON	IVES	ROGERS
BAKER	DICKSON	JUSTUS	RUSSELL
BARBEE	DOCKHAM	KINNEY	SAUNDERS
BEALL	EASTERLING	KISER	SEXTON
BERRY	EDDINS	LUEBKE	SHERRILL
BLACK	ELLIS	MCCOMAS	SHUBERT
BLUE	ESPOSITO	MCCOMBS	SMITH
BONNER	FITCH	MCCRARY	STARNES
BOWIE	FOX	MCMAHAN	SUTTON
BOYD-MCINTYRE	GARDNER	MERCER	TALLENT
BRASWELL	GOODWIN	MINER	THOMPSON
BRAWLEY	GRADY	MITCHELL	TOLSON
BROWN	GRAY	MOORE	WARNER
BUCHANAN	GULLEY	MORGAN	WARWICK
CANSLER	HACKNEY	MORRIS	WEATHERLY
CAPPS	HALL	MOSLEY	WILKINS
CARPENTER	HARDY	NEELY	WILSON, C.
CHURCH	HENSLEY	NICHOLS	WILSON, G.
CLARY	HILL	NYE	WOMBLE
COLE	HOLMES	OWENS	WRIGHT
CULP	HOWARD	PRESTON	YONGUE

OLDHAM DW

NOES - 0

EXCUSED ABSENCE - ~~2~~ 1 DW

MILLER	~~OLDHAM~~ Much

EXCUSED VOTE - 0

NOT VOTING - ~~18~~ 17

SPEAKER	EARLE	JARRELL	NESBITT
ALLRED	GAMBLE	JEFFUS	WAINWRIGHT
CRAWFORD	HARDAWAY	MCALLISTER	WATSON
CREECH	HIATT	MICHAUX	WOOD
CUNNINGHAM	HIGHTOWER		

NORTH CAROLINA GENERAL ASSEMBLY
SENATE

RECORDED VOTE

1997 SESSION

SEQ. 618/5-- 1:26 PM MAY 7, 1997 LEGISLATIVE DAY 57

LT. GOVERNOR WICKER -- Presiding

CHURCH
ESTABLISHMENT OF BANK BRANCHES
2ND EDITION

HOUSE BILL 1033
READING 2

AYE	50	ALBERTSON	DANNELLY	KINNAIRD	PLYLER
		ALLRAN	EAST	LEDBETTER	RAND
		BALLANCE	FORRESTER	LEE	REEVES
		BALLANTINE	FOXX	LUCAS	RUCHO
		BASNIGHT	GARWOOD	MARTIN R.	SHAW L.
		BLUST	GULLEY	MARTIN W.	SHAW R.
		CARPENTER	HARTSELL	MCDANIEL	SOLES
		CARRINGTON	HORTON	MILLER	WARREN
		CLARK	HOYLE	ODOM	WEBSTER
		COCHRANE	JENKINS	PAGE	WEINSTEIN
		CONDER	JORDAN	PERDUE	WELLONS
		COOPER	KERR	PHILLIPS	WINNER
		DALTON	KINCAID		
NO	0				

EXCUSED	0
NOT CAST	0
ABSENT	0
PAIRS	0
AYE	
NO	

GENERAL ASSEMBLY
SENATE

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1997

1034 APR 17 97
HOUSE PRINCIPAL CLERK

H D

HOUSE DRH6211-LB227A(4.9)

Short Title: IRMC Restructuring. (Public)

Sponsors: Representative Reynolds.

Referred to:

A BILL TO BE ENTITLED

AN ACT CONCERNING RESTRUCTURING OF THE INFORMATION RESOURCE MANAGEMENT COMMISSION.

The General Assembly of North Carolina enacts:

Section 1. This act restructures the Information Resource Management Commission.

Section 2. This act is effective when it becomes law.

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1997

H.B. FILED

1035 APR 17 97

HOUSE PRINCIPAL CLERK

H D

HOUSE DRH1281-LL144(4.9)

Short Title: Increase Law Enforce. Retire. (Public)

Sponsors: Representative Hardy.

Referred to:

A BILL TO BE ENTITLED

AN ACT TO PROVIDE FOR RETIREMENT BY LAW ENFORCEMENT OFFICERS WITH UNREDUCED BENEFITS AFTER TWENTY YEARS OF SERVICE, REGARDLESS OF AGE.

The General Assembly of North Carolina enacts:

Section 1. G.S. 128-27(b15) reads as rewritten:

"(b15) Service Retirement Allowance of Members Retiring on or after July 1, ~~1995.~~ 1995, but before July 1, 1997. -- Upon retirement from service in accordance with subsection (a) or (a1) above, on or after July 1, 1995, but before July 1, 1997, a member shall receive the following service retirement allowance:

(1) A member who is a law enforcement officer or an eligible former law enforcement officer shall receive a service retirement allowance computed as follows:

a. If the member's service retirement date occurs on or after his 55th birthday, and completion of five years of creditable service as a law enforcement officer, or after the completion of 30 years of creditable service, the allowance shall be equal to one and seventy-two hundredths percent (1.72%) of his average final compensation, multiplied by the number of years of his creditable service.

b. If the member's service retirement date occurs on or after his 50th birthday and before his 55th birthday with 15 or more years of creditable service as a law enforcement officer and prior to the completion of 30 years of creditable service, his retirement allowance shall be equal to the greater of:

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1997

H.B. FILED

1036 APR 17 97

HOUSE PRINCIPAL CLERK

H D

HOUSE DRH6207-LL154(4.10)

Short Title: Restrict Indigent Counsel. (Public)

Sponsors: Representative Hardy.

Referred to:

A BILL TO BE ENTITLED

AN ACT TO RESTRICT ENTITLEMENT TO COUNSEL OF INDIGENT PERSONS TO THOSE INSTANCES IN WHICH THE FEDERAL COURTS HAVE INTERPRETED THE UNITED STATES CONSTITUTION TO REQUIRE THE APPOINTMENT OF COUNSEL.

The General Assembly of North Carolina enacts:

Section 1. G.S. 7A-450(a) reads as rewritten:

"(a) An indigent person is a person who is financially unable to secure legal representation and to provide all other necessary expenses of representation in an action or proceeding enumerated in this ~~Subchapter.~~ Subchapter, and who is entitled to the appointment of counsel under the decisions of the federal courts in interpreting the Constitution of the United States. An interpreter is a necessary expense as defined in Chapter 8A of the General Statutes for a deaf person who is entitled to counsel under this subsection."

Section 2. G.S. 7A-451 reads as rewritten:

"**§ 7A-451. Scope of entitlement.**

(a) An indigent person is entitled to services of counsel in ~~the following actions and proceedings:~~

~~(1) Any case in which imprisonment, or a fine of five hundred dollars ($500.00), or more, is likely to be adjudged;~~

~~(2) A hearing on a petition for a writ of habeas corpus under Chapter 17 of the General Statutes;~~

~~(3) A motion for appropriate relief under Chapter 15A of the General Statutes if the defendant has been convicted of a felony, has been~~

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1997

H

H.B. FILED 1037 APR 17 97 HOUSE PRINCIPAL CLERK D

HOUSE DRH2270-LD151A(3.26)

Short Title: Sale of Certain Exotic Meats. (Public)

Sponsors: Representative Arnold.

Referred to:

A BILL TO BE ENTITLED

AN ACT TO AUTHORIZE THE TRANSPORTATION AND RESALE OF THE EDIBLE PARTS OF BEAR AND DEER TAKEN IN ANOTHER STATE.

The General Assembly of North Carolina enacts:

Section 1. G.S. 113-291.3(b) is amended by adding a new subdivision to read:

"(8) The sale of the edible parts of bear and deer lawfully taken in another state may be transported into this State and resold as a meat product for human consumption when the edible parts have passed inspection in the other state by that state's inspection agency or the United States Department of Agriculture."

Section 2. This act is effective when it becomes law.

NORTH CAROLINA

HOUSE OF REPRESENTATIVES

ROLL CALL

EV

SEQ. # 585
LEGISLATIVE DAY 54
H1037HCS
READING 2
ARNOLD

5/01/97
9:01 PM
IN CHAIR: SPEAKER

SALE OF CERTAIN EXOTIC MEATS

AYES - 109

ADAMS	DAVIS	HUNTER, R.	RAMSEY
ALDRIDGE	DECKER	HURLEY	RAYFIELD
ALEXANDER	DEDMON	INSKO	REDWINE
ALLRED	DICKSON	IVES	REYNOLDS
ARNOLD	DOCKHAM	JARRELL	ROGERS
BADDOUR	EARLE	JEFFUS	RUSSELL
BAKER	EASTERLING	JUSTUS	SAUNDERS
BARBEE	EDDINS	KINNEY	SEXTON
BEALL	ELLIS	KISER	SHERRILL
BERRY	ESPOSITO	MCALLISTER	SMITH
BLUE	FITCH	MCCOMAS	STARNES
BONNER	FOX	MCCOMBS	SUTTON
BOWIE	GARDNER	MCCRARY	TALLENT
BOYD-MCINTYRE	GOODWIN	MCMAHAN	THOMPSON
BRASWELL	GRADY	MICHAUX	TOLSON
BRAWLEY	GRAY	MILLER	WAINWRIGHT
BROWN	GULLEY	MINER	WARNER
BUCHANAN	HACKNEY	MITCHELL	WARWICK
CANSLER	HALL	MOORE	WATSON
CAPPS	HARDAWAY	MORGAN	WEATHERLY
CARPENTER	HARDY	MORRIS	WILKINS
CHURCH	HENSLEY	MOSLEY	WILSON, C.
CLARY	HIATT	NEELY	WILSON, G.
COLE	HIGHTOWER	NESBITT	WOMBLE
CREECH	HOLMES	NYE	WOOD
CULP	HOWARD	OWENS	WRIGHT
CULPEPPER	HUNTER, H.	PRESTON	YONGUE
DAUGHTRY			

NOES - 2

HILL	LUEBKE

EXCUSED ABSENCE - 3

NICHOLS	OLDHAM	SHUBERT

EXCUSED VOTE - 0

NOT VOTING - 6

SPEAKER	CRAWFORD	GAMBLE	MERCER
BLACK	CUNNINGHAM		

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1997

H

H.B. FILED
1038 APR 17 97
HOUSE PRINCIPAL CLERK

D

HOUSE DRH8167-LM169(4.10)

Short Title: Pharmacy Board Changes. (Public)

Sponsors: Representative Nichols.

Referred to:

A BILL TO BE ENTITLED

AN ACT TO ELIMINATE STATEWIDE VOTING TO ELECT MEMBERS OF THE BOARD OF PHARMACY AND TO ALLOW THE GENERAL ASSEMBLY TO APPOINT MEMBERS TO THE BOARD.

The General Assembly of North Carolina enacts:

Section 1. G.S. 90-85.6 reads as rewritten:

"§ 90-85.6. ~~Board of Pharmacy; creation; membership; qualification of members.~~ Board's powers and duties.

~~(a) Creation. --~~ The responsibility for enforcing the provisions of this Article and the laws pertaining to the distribution and use of drugs is vested in the Board. The Board shall adopt reasonable rules for the performance of its duties. The Board shall have all of the duties, ~~powers~~ powers, and authorities specifically granted by and necessary for the enforcement of this Article, as well as any other duties, ~~powers~~ powers, and authorities that may be granted from time to time by other appropriate statutes.

~~(b) Membership. -- The Board shall consist of six members, one of whom shall be a representative of the public, and the remainder of whom shall be pharmacists.~~

~~(c) Qualifications. -- The public member of the Board shall not be a health care provider or the spouse of a health care provider. He shall not be enrolled in a program to prepare him to be a health care provider. The public member of the Board shall be a resident of this State at the time of his appointment and while serving as a Board member. The pharmacist members of the Board shall be residents of this State at the time of their appointment and while serving as Board members.~~"

Section 2. G.S. 90-85.7 reads as rewritten:

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1997

H.B. FILED
1039 APR 17 97
HOUSE PRINCIPAL CLERK

H D

HOUSE DRH2260-LK131A(4.2)

Short Title: MV Claims/Salvage History. (Public)

Sponsors: Representative Weatherly.

Referred to:

A BILL TO BE ENTITLED

AN ACT TO REQUIRE THE DIVISION OF MOTOR VEHICLES TO MAINTAIN VEHICLE TITLE RECORDS TO REFLECT INSURANCE CLAIMS AND SALVAGE HISTORY ON ALL MOTOR VEHICLES REGISTERED IN THIS STATE.

The General Assembly of North Carolina enacts:

Section 1. Chapter 20 of the General Statutes is amended by adding a new section to read:

"**§ 20-279.40. Motor vehicle insurance claims-salvage history file.**

(a) When any vehicle registered in North Carolina is damaged by collision or other occurrence to the extent that:

(1) A claim equal or exceeding twenty-five percent (25%) of its fair retail market value has been paid on the vehicle by an insurance company doing business in North Carolina; or

(2) The costs of repairs to the vehicle and rendering the vehicle safe for use on the public streets and highways would equal or exceed twenty-five percent (25%) of its fair retail market value where the owner is self-insured under the provisions of G.S. 20-279.33.

The insurance company or self-insured owner of the vehicle shall report the payment or cost of repair to the Division by the following categories:

(1) Exceeding twenty-five percent (25%) of fair retail market value;

(2) Exceeding fifty percent (50%) of fair retail market value; or

(3) Exceeding seventy-five percent (75%) of fair retail market value.

Repairs shall include parts and labor. Fair retail market value shall be as found in the NADA Pricing Guide Book or other publication approved by the Commissioner.

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1997

H

H.B. FILED 1040 APR 17 97 HOUSE PRINCIPAL CLERK D

HOUSE DRHA343-LMQQX148(3.27)

Short Title: Environmental Management Professionals. (Public)

Sponsors: Representative Wood (By Request).

Referred to:

A BILL TO BE ENTITLED

AN ACT TO LICENSE ENVIRONMENTAL MANAGEMENT PROFESSIONALS.

The General Assembly of North Carolina enacts:

Section 1. The General Statutes are amended by adding the following new Chapter:

"Chapter 89G.

"Environmental Management Professionals.

"**§ 89G-1. Purpose.**

Environmental management professionals possess special training and knowledge that is valuable in protecting and preserving natural resources. The protection and preservation of these resources is essential to maintaining the quality of air, soil, and water in this State. Therefore, the licensure of environmental management professionals is necessary to protect the public health, safety, and welfare.

"**§ 89G-2. License required; exemptions.**

(a) No person shall practice or offer to practice environmental management in this State or use any card, title, or abbreviation to indicate that the person is an environmental management professional unless that person is licensed under the provisions of this Chapter.

(b) The provisions of this Chapter do not apply to:

(1) Persons practicing environmental management for the improvement of their own property.

(2) Persons teaching environmental management at a college or university in this State.

(3) Persons engaged in research related to environmental management.

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1997

H.B. FILED
1041 APR 17 97
HOUSE PRINCIPAL CLERK

H D

HOUSE DRH1293-LK150(4.9)

Short Title: Cons. Protection/Damage Disclosure. (Public)

Sponsors: Representative Neely.

Referred to:

A BILL TO BE ENTITLED

AN ACT TO AMEND THE NORTH CAROLINA LAW RELATING TO MOTOR VEHICLE SALVAGE TITLES.

The General Assembly of North Carolina enacts:

Section 1. G.S. 20-4.01(33) reads as rewritten:

"(33) (a) Flood Vehicle. -- A motor vehicle that has been submerged or partially submerged in water to the extent that damage to the body, engine, transmission, or differential has occurred.

(b) Non-U.S.A. Vehicle. -- A motor vehicle manufactured outside of the United States and not intended by the manufacturer for sale in the United States.

(c) Reconstructed Vehicle. -- A motor vehicle of a type required to be registered hereunder that has been materially altered from original construction due to removal, addition or substitution of new or used essential parts; and includes glider kits and custom assembled vehicles.

(d) Salvage Motor Vehicle. -- Any motor vehicle damaged by collision or other occurrence to the extent that <u>a total loss claim has been paid on the vehicle by an insurance company doing business in North Carolina or</u> the cost of repairs to the vehicle and rendering the vehicle safe for use on the public streets and highways would exceed seventy-five percent (75%) of its fair retail market value, whether or not the motor vehicle has been declared a total loss by an insurer. Repairs shall include the cost of parts and labor.

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1997

FILED
1042 · APR 17 97
HOUSE PRINCIPAL CLERK

H D

HOUSE DRHA335*-LL136(4.8)

Short Title: Publication of Appellate Decisions. (Public)

Sponsors: Representative Black.

Referred to:

A BILL TO BE ENTITLED

AN ACT TO PROVIDE PARTIES WITH THE RIGHT TO THE PUBLICATION OF ANY OPINION ISSUED BY THE COURT OF APPEALS.

The General Assembly of North Carolina enacts:

Section 1. Article 2 of Chapter 7A of the General Statutes is amended by adding a new section to read:

"**§ 7A-6.1. Right to publication of Court of Appeals opinions.**

When a case is decided by the Court of Appeals without publication of an opinion under Rule 30(e) of the Rules of Appellate Procedure, either party may, within 30 days of the issuance of the court's decision, pay to the Judicial Department an amount equal to the cost of publication and providing storage for the publishing of the opinion, and the court's opinion shall be published and treated in all respects as a published opinion. The amount paid to the Judicial Department shall be set by the Judicial Department based upon a methodology developed by the Department for reflecting the actual cost of publication and storage of additional opinions, and may not exceed the sum of five hundred dollars ($500.00)."

Section 2. This act is effective when it becomes law and applies to decisions issued on or after that date.

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1997

H.B. FILED
1043 APR 17 97
HOUSE PRINCIPAL CLERK

H D

HOUSE DRH7232-LDQ170(4.1)

Short Title: Farm Environmental Compliance Fund. (Public)

Sponsors: Representatives Brown and Mitchell.

Referred to:

A BILL TO BE ENTITLED

AN ACT TO ESTABLISH THE FARM ENVIRONMENTAL COMPLIANCE REVOLVING LOAN FUND TO PROVIDE ASSISTANCE TO FARMERS TO ACHIEVE ENVIRONMENTAL COMPLIANCE.

Whereas, North Carolina dairy farmers and other small farmers have struggled economically in recent years; and

Whereas, the number of farms in the State has declined significantly; and

Whereas, new and stricter environmental laws and regulations may cause additional farms to close due to the cost of compliance and the lack of available financing; Now, therefore,

The General Assembly of North Carolina enacts:

Section 1. G.S. 122D-1 through G.S. 122D-23 is codified as Article 1 of Chapter 122D of the General Statutes and entitled "General Agricultural Finance".

Section 2. Chapter 122D of the General Statutes is amended by adding a new Article to read:

"ARTICLE 2.

"Loans for Environmental Compliance by Farmers.

"**§ 122D-30. Farm Environmental Compliance Revolving Loan Fund.**

(a) Fund Created. -- The Farm Environmental Compliance Revolving Loan Fund is created as a nonreverting account to be administered by the Agricultural Finance Authority in accordance with this section and any rules adopted by the Agricultural Finance Authority pursuant to this Chapter.

(b) Guidelines for Loans. -- The Agricultural Finance Authority shall establish guidelines for loans from this Fund. A farmer shall not be eligible for a loan under this section unless the farm has been in existence since January 1, 1994. Loans may

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1997

FILED
1044
APR 17 97
HOUSE PRINCIPAL CLERK

H D

HOUSE DRHA333-LC208(4.10)

Short Title: County Tax Information Recipient. (Public)

Sponsors: Representative Rogers.

Referred to:

A BILL TO BE ENTITLED

AN ACT TO AUTHORIZE COUNTIES TO DESIGNATE AN OFFICIAL TO RECEIVE SALES TAX REFUND INFORMATION.

The General Assembly of North Carolina enacts:

Section 1. G.S. 105-164.14(f) reads as rewritten:

"(f) **(See editor's note)** Information to Counties. -- Upon written request of a county, the Secretary shall, within 30 days after the request, provide the ~~chair of the board of county commissioners~~ designated county official a list of each claimant that has, within the past 12 months, received a refund under subsection (b) or (c) of this section of at least one thousand dollars ($1,000) of tax paid to the county. The list shall include the name and address of each claimant and the amount of the refund it has received from that county. Upon written request of a county, a claimant that has received a refund under subsection (b) or (c) of this section shall provide the ~~chair of the board of county commissioners~~ designated county official a copy of the request for the refund and any supporting documentation requested by the county to verify the request. For the purpose of this subsection, the designated county official is the chair of the board of county commissioners or a county official designated in a resolution adopted by the board. Information provided to a county under this subsection is not a public record and may not be disclosed except in accordance with G.S. 153A-148.1. If a claimant determines that a refund it has received under subsection (b) or (c) of this section is incorrect, it shall file an amended request for the refund."

Section 2. This act is effective when it becomes law.

NORTH CAROLINA
HOUSE OF REPRESENTATIVES
ROLL CALL

EV

SEQ. # 537
LEGISLATIVE DAY 54
H1044
READING 2
ROGERS

5/01/97
3:39 PM
IN CHAIR: SPEAKER

COUNTY TAX INFO. RECIPIENT

AYES - 105

ADAMS	DEDMON	IVES	RAYFIELD
ALDRIDGE	DICKSON	JARRELL	REDWINE
ALEXANDER	DOCKHAM	JEFFUS	REYNOLDS
ALLRED	EARLE	JUSTUS	ROGERS
ARNOLD	EASTERLING	KINNEY	SAUNDERS
BADDOUR	EDDINS	KISER	SEXTON
BAKER	ELLIS	LUEBKE	SHERRILL
BARBEE	ESPOSITO	MCALLISTER	SHUBERT
BEALL	FITCH	MCCOMAS	SMITH
BERRY	FOX	MCCOMBS	STARNES
BLUE	GARDNER	MCCRARY	SUTTON
BONNER	GOODWIN	MCMAHAN	TALLENT
BOWIE	GRADY	MERCER	THOMPSON
BOYD-MCINTYRE	GRAY	MICHAUX	TOLSON
BRASWELL	GULLEY	MILLER	WAINWRIGHT
BRAWLEY	HACKNEY	MINER	WARNER
BUCHANAN	HARDAWAY	MITCHELL	WARWICK
CANSLER	HARDY	MOORE	WATSON
CARPENTER	HENSLEY	MORGAN	WEATHERLY
CHURCH	HIATT	MORRIS	WILKINS
CLARY	HIGHTOWER	MOSLEY	WILSON, C.
COLE	HILL	NEELY	WILSON, G.
CULP	HUNTER, H.	NICHOLS	WOMBLE
CULPEPPER	HUNTER, R.	NYE	WOOD
CUNNINGHAM	HURLEY	OWENS	WRIGHT
DAUGHTRY	INSKO	RAMSEY	YONGUE
DAVIS			

NOES - 0

EXCUSED ABSENCE - 1

OLDHAM

EXCUSED VOTE - 0

NOT VOTING - 14

SPEAKER	CRAWFORD	HALL	NESBITT
BLACK	CREECH	HOLMES	PRESTON
BROWN	DECKER	HOWARD	RUSSELL
CAPPS	GAMBLE		

NORTH CAROLINA GENERAL ASSEMBLY
SENATE

RECORDED VOTE

1997 SESSION

SEQ. 1119/4--10:30 AM JULY 10, 1997 LEGISLATIVE DAY 94

LT. GOVERNOR WICKER -- Presiding

ROGERS
COUNTY TAX INFORMATION RECIPIENT
SENATE COMM. SUB./2ND EDITION

HOUSE BILL 1044
READING 2

AYE	49	ALBERTSON	DANNELLY	KINNAIRD	PLYLER
		ALLRAN	EAST	LEDBETTER	RAND
		BALLANCE	FORRESTER	LEE	REEVES
		BALLANTINE	FOXX	LUCAS	RUCHO
		BASNIGHT	GARWOOD	MARTIN R.	SHAW L.
		BLUST	GULLEY	MARTIN W.	SHAW R.
		CARPENTER	HARTSELL	MCDANIEL	SOLES
		CARRINGTON	HORTON	MILLER	WARREN
		CLARK	HOYLE	ODOM	WEBSTER
		COCHRANE	JENKINS	PAGE	WEINSTEIN
		CONDER	KERR	PERDUE	WELLONS
		COOPER	KINCAID	PHILLIPS	WINNER
		DALTON			
NO	0				

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

GENERAL ASSEMBLY
SENATE

NORTH CAROLINA
HOUSE OF REPRESENTATIVES
ROLL CALL

EV

SEQ. # 1165
LEGISLATIVE DAY 97
H1044SCS

7/16/97
10:53 AM
IN CHAIR: SPEAKER

ROGERS

COUNTY TAX INFO. RECIPIENT
MOTION #11 - TO CONCUR IN SCS

AYES - 111

ADAMS	DAUGHTRY	HUNTER, R.	PRESTON
ALDRIDGE	DECKER	HURLEY	RAYFIELD
ALEXANDER	DEDMON	INSKO	REDWINE
ALLRED	DICKSON	IVES	REYNOLDS
ARNOLD	DOCKHAM	JARRELL	ROGERS
BADDOUR	EARLE	JEFFUS	RUSSELL
BAKER	EASTERLING	JUSTUS	SAUNDERS
BARBEE	EDDINS	KINNEY	SEXTON
BEALL	ELLIS	KISER	SHERRILL
BERRY	ESPOSITO	LUEBKE	SHUBERT
BLUE	FITCH	MCALLISTER	SMITH
BONNER	FOX	MCCOMAS	STARNES
BOWIE	GAMBLE	MCCOMBS	SUTTON
BOYD-MCINTYRE	GARDNER	MCCRARY	TALLENT
BRAWLEY	GOODWIN	MCMAHAN	THOMPSON
BROWN	GRADY	MERCER	TOLSON
BUCHANAN	GRAY	MILLER	WAINWRIGHT
CANSLER	GULLEY	MINER	WARNER
CAPPS	HACKNEY	MITCHELL	WARWICK
CARPENTER	HALL	MORGAN	WATSON
CHURCH	HARDY	MORRIS	WEATHERLY
CLARY	HENSLEY	MOSLEY	WILKINS
COLE	HIATT	NEELY	WILSON, C.
CRAWFORD	HIGHTOWER	NESBITT	WILSON, G.
CREECH	HILL	NICHOLS	WOOD
CULP	HOLMES	NYE	WRIGHT
CULPEPPER	HOWARD	OLDHAM	YONGUE
CUNNINGHAM	HUNTER, H.	OWENS	

NOES - 0

EXCUSED ABSENCE - 4

DAVIS	HARDAWAY	MOORE	WOMBLE

EXCUSED VOTE - 0

NOT VOTING - 5

SPEAKER	BRASWELL	MICHAUX	RAMSEY
BLACK			

1045

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1997 1045 APR 17 97

H HOUSE PRINCIPAL CLERK D

HOUSE DRH1285-LK132(4.2)

Short Title: Red Light Photo Citations. (Public)

Sponsors: Representative Shubert.

Referred to:

A BILL TO BE ENTITLED

AN ACT TO AUTHORIZE LOCAL GOVERNMENTS TO USE PHOTOGRAPHIC IMAGES AS PRIMA FACIE EVIDENCE OF A TRAFFIC VIOLATION.

The General Assembly of North Carolina enacts:

Section 1. Chapter 160A of the General Statutes is amended by adding a new section to read:

"**§ 160A-300.1. Use of traffic control photographic systems.**

(a) Traffic control photographic systems.

(1) A traffic control photographic system is an electronic system consisting of a photographic, video, or electronic camera and a vehicle sensor installed to work in conjunction with an official traffic control device to automatically produce photographs, video, or digital images of each vehicle violating a standard traffic control statute or ordinance.

(2) Any traffic control photographic system, as described in subdivision (1) of this subsection or any device which is a part of that system deployed on a street or highway which is a part of the State highway system shall meet requirements established by the North Carolina Department of Transportation. Any traffic control system deployed on a municipal street shall meet standards established by the municipality and shall be consistent with any standards set by the Department of Transportation.

(b) Municipalities and counties may adopt ordinances for the enforcement of G.S. 20-141, 20-141.1, 20-143, or 20-158 by means of a traffic control photographic system,

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1997

H.B. FILED
1046 APR 17 97
HOUSE PRINCIPAL CLERK

H D

HOUSE DRH1292-LV041(3.20)

Short Title: N.C. Partnership Audit Process. (Public)

Sponsors: Representative Shubert.

Referred to:

A BILL TO BE ENTITLED

AN ACT TO CHANGE THE AUDIT PROCESS FOR THE NORTH CAROLINA PARTNERSHIP FOR CHILDREN, INC.

The General Assembly of North Carolina enacts:

Section 1. G.S. 143B-168.12(b) reads as rewritten:

"(b) The North Carolina Partnership shall ~~be subject to~~ contract annually with an independent firm to perform a financial and compliance audit and review ~~by the State Auditor under Article 5A of Chapter 147 of the General Statutes. The State Auditor shall conduct annual financial and compliance audits of the North Carolina Partnership.~~ of the North Carolina Partnership."

Section 2. The North Carolina Partnership shall choose the independent firm by competitive bid pursuant to Article 3 of Chapter 143 of the General Statutes.

Section 3. This act is effective when it becomes law and applies beginning for fiscal year 1998-99.

NORTH CAROLINA
HOUSE OF REPRESENTATIVES
ROLL CALL

EV

. # 356
ISLATIVE DAY 49
1046
READING 2
SHUBERT

4/23/97
5:16 PM
IN CHAIR: SPEAKER

NC PARTNERSHIP AUDIT PROCESS

AYES - 76

ALDRIDGE	DAUGHTRY	HOWARD	PRESTON
ALEXANDER	DAVIS	HURLEY	RAMSEY
ALLRED	DECKER	INSKO	RAYFIELD
ARNOLD	DICKSON	IVES	REYNOLDS
BAKER	DOCKHAM	JUSTUS	ROGERS
BARBEE	EDDINS	KISER	RUSSELL
BERRY	ELLIS	MCCOMAS	SEXTON
BRAWLEY	ESPOSITO	MCCOMBS	SHERRILL
BROWN	FOX	MCCRARY	SHUBERT
BUCHANAN	GARDNER	MCMAHAN	STARNES
CANSLER	GOODWIN	MERCER	TALLENT
CAPPS	GRADY	MINER	THOMPSON
CARPENTER	GRAY	MITCHELL	WARNER
CHURCH	GULLEY	MOORE	WARWICK
CLARY	HALL	MORGAN	WATSON
COLE	HARDY	MORRIS	WEATHERLY
CREECH	HIATT	NEELY	WILSON, C.
CULP	HILL	NICHOLS	WILSON, G.
CULPEPPER	HOLMES	NYE	WOOD

NOES - 41

ADAMS	EASTERLING	JEFFUS	REDWINE
BADDOUR	FITCH	KINNEY	SAUNDERS
BEALL	GAMBLE	LUEBKE	SMITH
BLACK	HACKNEY	MCALLISTER	SUTTON
BLUE	HARDAWAY	MICHAUX	TOLSON
BONNER	HENSLEY	MILLER	WAINWRIGHT
BOYD-MCINTYRE	HIGHTOWER	MOSLEY	WILKINS
BRASWELL	HUNTER, H.	NESBITT	WOMBLE
CUNNINGHAM	HUNTER, R.	OLDHAM	WRIGHT
DEDMON	JARRELL	OWENS	YONGUE
EARLE			

EXCUSED ABSENCE - 0

EXCUSED VOTE - 0

NOT VOTING - 3

SPEAKER	BOWIE	CRAWFORD

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1997

RECEIVED
1047 APR 17 97
HOUSE PRINCIPAL CLERK

H D

HOUSE DRHA318-LTQ008B(12.13)

Short Title: Information Technology Commission. (Public)

Sponsors: Representatives Shubert and Reynolds (Cosponsors).

Referred to:

A BILL TO BE ENTITLED

AN ACT TO ESTABLISH THE LEGISLATIVE STUDY COMMISSION ON INFORMATION TECHNOLOGY.

The General Assembly of North Carolina enacts:

Section 1. Chapter 120 of the General Statutes is amended by adding a new Article to read:

"ARTICLE 25.

"The Legislative Study Commission on Information Technology.

"**§ 120-213. Creation and purpose of the Legislative Study Commission on Information Technology.**

The Legislative Study Commission on Information Technology is established. The commission shall review current information technology that impacts public policy, including electronic data processing and telecommunications, software technology, and information processing. The goals and objectives of the commission shall be to develop electronic commerce in the State and to coordinate the use of information technology by State agencies in a manner that assures that the citizens of the State receive quality services from all State agencies and that the needs of the citizens are met in an efficient and effective manner.

"**§ 120-214. Commission duties; reports.**

(a) The Legislative Study Commission on Information Technology may:

(1) Evaluate the current technological infrastructure of State government and information systems use and needs in State government and determine potential demands for additional information staff, equipment, software, data communications, and consulting services in State government during the next 10 years.

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1997

1048 APR 17 97
HOUSE PRINCIPAL CLERK

H D

HOUSE DRH4095-SA001(4.16)

Short Title: Increase Cock Fighting Penalty. (Public)

Sponsors: Judiciary II Committee.

Referred to:

A BILL TO BE ENTITLED

AN ACT TO INCREASE THE PENALTY FOR COCK FIGHTING.

The General Assembly of North Carolina enacts:

Section 1. G.S. 14-362 reads as rewritten:

"**§ 14-362. Cock fighting.**

(a) A person who instigates, promotes, conducts, is employed at, provides a cock for, allows property under his ownership or control to be used for, ~~participates as a spectator at,~~ gambles on, or profits from an exhibition featuring the fighting of a cock is guilty of a ~~Class 2 misdemeanor.~~ Class I felony. A lease of property that is used or is intended to be used for an exhibition featuring the fighting of a cock is void, and a lessor who knows this use is made or is intended to be made of his property is under a duty to evict the lessee immediately.

(b) A person who owns, possesses, or trains a cock with the intent that the cock be used in an exhibition featuring the fighting of that cock is guilty of a Class I felony.

(c) A person who participates as a spectator at an exhibition featuring the fighting of a cock is guilty of a Class 1 misdemeanor.

(d) A person who commits a second or subsequent offense under subsection (c) of this section within three years after being convicted of any offense under this section is guilty of a Class I felony."

Section 2. This act becomes effective December 1, 1997, and applies to offenses committed on or after that date.

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1997

H.B. FILED 1049 APR 17 97 HOUSE PRINCIPAL CLERK

H D

HOUSE DRH4096-SA002(4.16)

Short Title: Increase Cruelty to Animals Penalty. (Public)

Sponsors: Judiciary II Committee.

Referred to:

A BILL TO BE ENTITLED

AN ACT TO INCREASE THE PENALTY FOR CRUELTY TO ANIMALS.

The General Assembly of North Carolina enacts:

Section 1. G.S. 14-360 reads as rewritten:

"**§ 14-360. Cruelty to animals; construction of section.**

(a) If any person shall willfully overdrive, overload, wound, injure, ~~torture, torment,~~ or deprive of necessary sustenance, ~~cruelly beat, needlessly mutilate or kill~~ or cause or procure to be overdriven, overloaded, wounded, injured, ~~tortured, tormented,~~ or deprived of necessary sustenance, ~~cruelly beaten, needlessly mutilated or killed as aforesaid, any useful beast, fowl or~~ any animal, every such offender shall for every such offense be guilty of a Class 1 misdemeanor. ~~In this section, and in every law which may be enacted relating to animals, the words "animal" and "dumb animal" shall be held to include every living creature; the words "torture," "torment" or "cruelty" shall be held to include every act, omission or neglect whereby unjustifiable physical pain, suffering or death is caused or permitted. Such terms shall not be construed to prohibit the lawful taking of animals under the jurisdiction and regulation of the Wildlife Resources Commission.~~

(b) If any person shall willfully torture, torment, mutilate, maim, cruelly beat, disfigure, poison or kill, or cause or procure to be tortured, tormented, mutilated, maimed, cruelly beaten, disfigured, poisoned or killed, any animal, every such offender shall for every such offense be guilty of a Class I felony.

(c) In this section, the term 'animal' shall be held to include every domestic or otherwise useful animal. This section shall not be construed to prohibit the lawful taking of animals under the jurisdiction and regulation of the Wildlife Resources Commission, lawful activities sponsored by agencies conducting biomedical research

NORTH CAROLINA

HOUSE OF REPRESENTATIVES

ROLL CALL

EV

. # 336
ISLATIVE DAY 48
049
READING 2

4/22/97
2:49 PM
IN CHAIR: SPEAKER

INCREASE CRUELTY TO ANIMALS PENALTY
MOTION #7 - TO RE-REFER TO J2
- REP NEELY

AYES - 100

ADAMS	DAUGHTRY	HURLEY	RAMSEY
ALDRIDGE	DAVIS	INSKO	RAYFIELD
ALEXANDER	DEDMON	IVES	REDWINE
ARNOLD	DOCKHAM	JARRELL	REYNOLDS
BADDOUR	EARLE	KINNEY	ROGERS
BAKER	EASTERLING	LUEBKE	SAUNDERS
BARBEE	EDDINS	MCALLISTER	SEXTON
BEALL	ELLIS	MCCOMAS	SHERRILL
BERRY	ESPOSITO	MCCOMBS	SHUBERT
BLACK	FITCH	MCCRARY	SMITH
BOYD-MCINTYRE	FOX	MERCER	STARNES
BRASWELL	GAMBLE	MICHAUX	SUTTON
BRAWLEY	GOODWIN	MILLER	TALLENT
BROWN	GRAY	MINER	THOMPSON
BUCHANAN	GULLEY	MITCHELL	TOLSON
CANSLER	HACKNEY	MOORE	WAINWRIGHT
CAPPS	HALL	MORGAN	WARNER
CHURCH	HARDAWAY	MORRIS	WARWICK
CLARY	HARDY	MOSLEY	WEATHERLY
COLE	HENSLEY	NEELY	WILKINS
CRAWFORD	HIGHTOWER	NESBITT	WILSON, G.
CREECH	HILL	NICHOLS	WOMBLE
CULP	HOLMES	NYE	WOOD
CULPEPPER	HUNTER, H.	OLDHAM	WRIGHT
CUNNINGHAM	HUNTER, R.	OWENS	YONGUE

NOES - 18

ALLRED	DICKSON	JEFFUS	PRESTON
BONNER	GARDNER	JUSTUS	RUSSELL
BOWIE	GRADY	KISER	WATSON
CARPENTER	HIATT	MCMAHAN	WILSON, C.
DECKER	HOWARD		

EXCUSED ABSENCE - 0

EXCUSED VOTE - 0

NOT VOTING - 2

SPEAKER BLUE

NORTH CAROLINA

HOUSE OF REPRESENTATIVES

ROLL CALL

EV

580
SLATIVE DAY 54
H1049
READING 2

5/01/97
8:29 PM
IN CHAIR: SPEAKER

INCREASE CRUELTY TO ANIMALS PENALTY

AYES - 111

ADAMS	DAUGHTRY	HUNTER, R.	PRESTON
ALDRIDGE	DAVIS	HURLEY	RAMSEY
ALEXANDER	DECKER	INSKO	RAYFIELD
ALLRED	DEDMON	IVES	REDWINE
ARNOLD	DICKSON	JARRELL	REYNOLDS
BADDOUR	DOCKHAM	JEFFUS	RUSSELL
BAKER	EARLE	JUSTUS	SAUNDERS
BARBEE	EASTERLING	KINNEY	SEXTON
BEALL	EDDINS	KISER	SHERRILL
BERRY	ELLIS	LUEBKE	SMITH
BLACK	ESPOSITO	MCALLISTER	STARNES
BLUE	FOX	MCCOMAS	SUTTON
BONNER	GARDNER	MCCOMBS	TALLENT
BOWIE	GOODWIN	MCCRARY	THOMPSON
BOYD-MCINTYRE	GRADY	MCMAHAN	TOLSON
BRASWELL	GRAY	MERCER	WAINWRIGHT
BRAWLEY	GULLEY	MICHAUX	WARNER
BROWN	HACKNEY	MILLER	WARWICK
BUCHANAN	HALL	MINER	WATSON
CANSLER	HARDAWAY	MITCHELL	WEATHERLY
CAPPS	HARDY	MOORE	WILKINS
CARPENTER	HENSLEY	MORGAN	WILSON, C.
CHURCH	HIATT	MORRIS	WILSON, G.
CLARY	HIGHTOWER	MOSLEY	WOMBLE
COLE	HILL	NEELY	WOOD
CREECH	HOLMES	NESBITT	WRIGHT
CULP	HOWARD	NYE	YONGUE
CULPEPPER	HUNTER, H.	OWENS	

NOES - 1

FITCH

EXCUSED ABSENCE - 3

NICHOLS	OLDHAM	SHUBERT

EXCUSED VOTE - 0

NOT VOTING - 5

SPEAKER	CUNNINGHAM	GAMBLE	ROGERS
CRAWFORD			

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1997

H

HOUSE DRH1298-SA003(4.16)

Short Title: Donation of Unclaimed Bicycles. (Public)

Sponsors: House Local and Regional Government II Committee.

Referred to:

A BILL TO BE ENTITLED

AN ACT TO ALLOW LAW ENFORCEMENT AGENCIES TO DONATE UNCLAIMED BICYCLES TO CHARITY.

The General Assembly of North Carolina enacts:

Section 1. G.S. 15-12 reads as rewritten:

"**§ 15-12. Publication of notice of unclaimed property; advertisement and sale or donation of unclaimed bicycles.**

(a) Unless otherwise provided herein, whenever such articles in the possession of any sheriff or police department have remained unclaimed by the person who may be entitled thereto for a period of 180 days after such seizure, confiscation, or receipt thereof in any other manner, by such sheriff or police department, the said sheriff or police department in whose possession said articles are may cause to be published one time in some newspaper published in said county a notice to the effect that such articles are in the custody of such officer or department, and requiring all persons who may have or claim any interest therein to make and establish such claim or interest not later than 30 days from the date of the publication of such notice or in default thereof, such articles will be sold and disposed of. Such notice shall contain a brief description of the said articles and such other information as the said officer or department may consider necessary or advisable to reasonably inform the public as to the kind and nature of the article about which the notice relates.

(b) ~~Provided, however,~~ Notwithstanding subsection (a) of this section or Article 12 of Chapter 160A of the General Statutes, when bicycles which are in the possession of any sheriff or police department, as provided for in this Article, have remained unclaimed by the person who may be entitled thereto for a period of ~~30~~ 60 days after such seizure, confiscation or receipt thereof, the said sheriff or police department

NORTH CAROLINA

HOUSE OF REPRESENTATIVES

ROLL CALL

EV

337
LEGISLATIVE DAY 48
H1050
READING 2

4/22/97
2:50 PM
IN CHAIR: SPEAKER

DONATION OF UNCLAIM. BICYCLES

AYES - 117

ADAMS	DAVIS	HUNTER, R.	OWENS
ALDRIDGE	DECKER	HURLEY	PRESTON
ALEXANDER	DEDMON	INSKO	RAMSEY
ALLRED	DICKSON	IVES	RAYFIELD
ARNOLD	DOCKHAM	JARRELL	REDWINE
BADDOUR	EARLE	JEFFUS	REYNOLDS
BAKER	EASTERLING	JUSTUS	ROGERS
BARBEE	EDDINS	KINNEY	RUSSELL
BEALL	ELLIS	KISER	SAUNDERS
BERRY	ESPOSITO	LUEBKE	SEXTON
BLACK	FITCH	MCALLISTER	SHERRILL
BONNER	FOX	MCCOMAS	SHUBERT
BOWIE	GAMBLE	MCCOMBS	SMITH
BOYD-MCINTYRE	GARDNER	MCCRARY	SUTTON
BRASWELL	GOODWIN	MCMAHAN	TALLENT
BRAWLEY	GRADY	MERCER	THOMPSON
BROWN	GRAY	MICHAUX	TOLSON
BUCHANAN	GULLEY	MILLER	WAINWRIGHT
CANSLER	HACKNEY	MINER	WARNER
CAPPS	HALL	MITCHELL	WARWICK
CARPENTER	HARDAWAY	MOORE	WATSON
CHURCH	HARDY	MORGAN	WEATHERLY
CLARY	HENSLEY	MORRIS	WILKINS
COLE	HIATT	MOSLEY	WILSON, C.
CRAWFORD	HIGHTOWER	NEELY	WILSON, G.
CREECH	HILL	NESBITT	WOMBLE
CULP	HOLMES	NICHOLS	WOOD
CULPEPPER	HOWARD	NYE	WRIGHT
CUNNINGHAM	HUNTER, H.	OLDHAM	YONGUE
DAUGHTRY			

NOES - 0

EXCUSED ABSENCE - 0

EXCUSED VOTE - 0

NOT VOTING - 3

SPEAKER	BLUE	STARNES

NORTH CAROLINA GENERAL ASSEMBLY
SENATE

RECORDED VOTE

1997 SESSION

SEQ. 786/11-- 1:14 PM MAY 29, 1997 LEGISLATIVE DAY 70

LT. GOVERNOR WICKER -- Presiding

LOCAL GOV II
DONATION OF UNCLAIMED BICYCLES

HOUSE BILL 1050
READING 2

AYE	47	ALBERTSON	DALTON	KINCAID	PLYLER
		ALLRAN	DANNELLY	KINNAIRD	RAND
		BALLANCE	EAST	LEDBETTER	REEVES
		BALLANTINE	FORRESTER	LEE	RUCHO
		BASNIGHT	FOXX	LUCAS	SHAW L.
		BLUST	GARWOOD	MARTIN R.	SHAW R.
		CARPENTER	GULLEY	MARTIN W.	SOLES
		CARRINGTON	HARTSELL	MCDANIEL	WARREN
		CLARK	HORTON	MILLER	WEBSTER
		COCHRANE	HOYLE	ODOM	WEINSTEIN
		CONDER	JENKINS	PAGE	WELLONS
		COOPER	KERR	PHILLIPS	
NO	0				
EXCUSED	0				
NOT CAST	0				
ABSENT	3	JORDAN	PERDUE		
PAIRS	0				
AYE					
NO					

WINNER

GENERAL ASSEMBLY
SENATE

H.B. FILED
1051 APR 17 9:
HOUSE PRINCIPAL CLERK

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1997

H D

HOUSE DRH7252-LN163(4.10)

Short Title: Organ Donation/Procurement. (Public)

Sponsors: Representative Miller.

Referred to:

A BILL TO BE ENTITLED

AN ACT PERTAINING TO THE DUTY OF HOSPITALS AND OTHER AGENCIES WITH RESPECT TO ORGAN PROCUREMENT AND DONATION.

The General Assembly of North Carolina enacts:

Section 1. G.S. 130A-412.1 reads as rewritten:

"**§ 130A-412.1. Duty of hospitals to establish organ procurement protocols.**

~~(a) In order to facilitate the goals of this Part, each hospital shall be required to establish written protocols for the identification of potential organ and tissue donors that:~~

~~(1) Assure that the families of potential organ and tissue donors are made aware of the option of organ or tissue donation and their option to decline;~~

~~(2) Encourage discretion and sensitivity with respect to the circumstances, views and beliefs of such families;~~

~~(3) Require that only the organ procurement agency designated by the Secretary of Health and Human Services be notified of potential organ and tissue donors; and~~

~~(4) Assure that procedures are established for identifying and consulting with holders of properly executed donor cards.~~

~~(b) The family of any person whose organ or tissue is donated for transplantation shall not be financially liable for any costs related to the evaluation of the suitability of the donor's organ or tissue for transplantation or any costs of retrieval of the organ or tissue.~~

NORTH CAROLINA

HOUSE OF REPRESENTATIVES

ROLL CALL

EN

SEQ. # 538
LEGISLATIVE DAY 54
H1051
READING 2
MILLER

5/01/97
3:41 PM
IN CHAIR: SPEAKER

ORGAN DONATION/ PROCUREMENT

AYES - 109

ADAMS	DAVIS	HUNTER, R.	OWENS
ALDRIDGE	DECKER	HURLEY	RAMSEY
ALEXANDER	DEDMON	INSKO	RAYFIELD
ALLRED	DICKSON	IVES	REDWINE
ARNOLD	DOCKHAM	JARRELL	REYNOLDS
BADDOUR	EARLE	JEFFUS	RUSSELL
BAKER	EASTERLING	JUSTUS	SAUNDERS
BARBEE	EDDINS	KINNEY	SEXTON
BEALL	ELLIS	KISER	SHERRILL
BERRY	ESPOSITO	LUEBKE	SHUBERT
BLUE	FITCH	MCALLISTER	SMITH
BONNER	FOX	MCCOMAS	STARNES
BOWIE	GARDNER	MCCOMBS	SUTTON
BOYD-MCINTYRE	GOODWIN	MCCRARY	TALLENT
BRASWELL	GRADY	MCMAHAN	THOMPSON
BRAWLEY	GRAY	MERCER	TOLSON
BROWN	GULLEY	MICHAUX	WAINWRIGHT
BUCHANAN	HACKNEY	MILLER	WARNER
CANSLER	HALL	MINER	WARWICK
CAPPS	HARDAWAY	MITCHELL	WATSON
CARPENTER	HARDY	MOORE	WEATHERLY
CHURCH	HENSLEY	MORGAN	WILKINS
CLARY	HIATT	MORRIS	WILSON, C.
COLE	HIGHTOWER	MOSLEY	WILSON, G.
CULP	HILL	NEELY	WOMBLE
CULPEPPER	HOLMES	NICHOLS	WRIGHT
CUNNINGHAM	HUNTER, H.	NYE	YONGUE
DAUGHTRY			

NOES - 0

EXCUSED ABSENCE - 1

OLDHAM

EXCUSED VOTE - 0

NOT VOTING - 10

SPEAKER	CREECH	NESBITT	ROGERS
BLACK	GAMBLE	PRESTON	WOOD
CRAWFORD	HOWARD		

NORTH CAROLINA GENERAL ASSEMBLY
SENATE

RECORDED VOTE

1997 SESSION

SEQ. 794/6-- 7:54 PM JUNE 2, 1997 LEGISLATIVE DAY 71

LT. GOVERNOR WICKER -- Presiding

MILLER
ORGAN DONATION/PROCUREMENT
SENATE COMM. SUB./2ND EDITION

HOUSE BILL 1051
READING 2

AYE	49	ALBERTSON	EAST	KINNAIRD	PLYLER
		BALLANCE	FORRESTER	LEDBETTER	RAND
		BALLANTINE	FOXX	LEE	REEVES
		BASNIGHT	GARWOOD	LUCAS	RUCHO
		BLUST	GULLEY	MARTIN R.	SHAW L.
		CARPENTER	HARTSELL	MARTIN W.	SHAW R.
		CARRINGTON	HORTON	MCDANIEL	SOLES
		CLARK	HOYLE	MILLER	WARREN
		COCHRANE	JENKINS	ODOM	WEBSTER
		CONDER	JORDAN	PAGE	WEINSTEIN
		COOPER	KERR	PERDUE	WELLONS
		DALTON	KINCAID	PHILLIPS	WINNER
		DANNELLY			
NO	0				
EXCUSED	0				
NOT CAST	1	ALLRAN			
ABSENT	0				
PAIRS	0				
AYE					
NO					

GENERAL ASSEMBLY
SENATE

NORTH CAROLINA
HOUSE OF REPRESENTATIVES
ROLL CALL

EV

853
ISLATIVE DAY 75
H1051SCS

6/09/97
6:20 PM
IN CHAIR: SPEAKER

MILLER

ORGAN DONATION/ PROCUREMENT
MOTION #11 TO CONCUR IN SCS

AYES - 110

ADAMS	DAUGHTRY	HURLEY	OWENS
ALDRIDGE	DAVIS	INSKO	RAMSEY
ALEXANDER	DECKER	IVES	RAYFIELD
ALLRED	DEDMON	JARRELL	REDWINE
ARNOLD	DICKSON	JEFFUS	REYNOLDS
BADDOUR	DOCKHAM	JUSTUS	ROGERS
BAKER	EARLE	KINNEY	RUSSELL
BARBEE	EASTERLING	KISER	SAUNDERS
BEALL	EDDINS	LUEBKE	SEXTON
BERRY	ESPOSITO	MCALLISTER	SHERRILL
BLUE	FOX	MCCOMAS	SHUBERT
BONNER	GAMBLE	MCCOMBS	SMITH
BOWIE	GARDNER	MCCRARY	STARNES
BOYD-MCINTYRE	GOODWIN	MCMAHAN	SUTTON
BRAWLEY	GRADY	MERCER	THOMPSON
BROWN	GRAY	MILLER	TOLSON
BUCHANAN	GULLEY	MINER	WAINWRIGHT
CANSLER	HACKNEY	MITCHELL	WARNER
CAPPS	HALL	MOORE	WATSON
CARPENTER	HARDAWAY	MORGAN	WEATHERLY
CHURCH	HARDY	MORRIS	WILKINS
CLARY	HENSLEY	MOSLEY	WILSON, C.
COLE	HIATT	NEELY	WILSON, G.
CRAWFORD	HILL	NESBITT	WOMBLE
CREECH	HOLMES	NICHOLS	WOOD
CULP	HOWARD	NYE	WRIGHT
CULPEPPER	HUNTER, H.	OLDHAM	YONGUE
CUNNINGHAM	HUNTER, R.		

NOES - 0

EXCUSED ABSENCE - 3

BRASWELL	ELLIS	HIGHTOWER

EXCUSED VOTE - 0

NOT VOTING - 7

SPEAKER	FITCH	PRESTON	WARWICK
BLACK	MICHAUX	TALLENT	

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1997

FILED
1052 APR 17 97
HOUSE PRINCIPAL CLERK

H D

HOUSE DRH1301-LV066(4.10)

Short Title: Permit Exclusion of Excess Coverage. (Public)

Sponsors: Representative Miller.

Referred to:

A BILL TO BE ENTITLED

AN ACT TO ALLOW INSURERS TO LIMIT OR EXCLUDE EXCESS LIABILITY COVERAGE FOR UNINSURED AND UNDERINSURED MOTORISTS AS PROVIDED BY LAW.

The General Assembly of North Carolina enacts:

Section 1. Article 3 of Chapter 58 of the General Statutes is amended by adding a new section to read:

"**§ 58-3-152. Excess liability policies; uninsured and underinsured motorist coverages.**

With respect to policy forms that provide excess liability coverage, an insurer may limit or exclude coverage for uninsured motorists as provided in G.S. 20-279.21(b)(3) and for underinsured motorists as provided in G.S. 20-279.21(b)(4)."

Section 2. This act is effective when it becomes law.

NORTH CAROLINA

HOUSE OF REPRESENTATIVES

ROLL CALL

EV

[redacted] # 409
[redacted]ISLATIVE DAY 51
H1052
READING 2
MILLER

4/28/97
6:24 PM
IN CHAIR: SPEAKER

PERMIT EXCLUSION OF EXCESS COVERAGE

AYES - 107

ADAMS	DAVIS	HUNTER, R.	OWENS
ALDRIDGE	DECKER	HURLEY	PRESTON
ALEXANDER	DEDMON	INSKO	REDWINE
ALLRED	DICKSON	IVES	REYNOLDS
ARNOLD	DOCKHAM	JARRELL	ROGERS
BAKER	EARLE	JEFFUS	RUSSELL
BARBEE	EASTERLING	JUSTUS	SEXTON
BEALL	EDDINS	KINNEY	SHERRILL
BERRY	ELLIS	KISER	SHUBERT
BLACK	ESPOSITO	MCCOMAS	SMITH
BLUE	FITCH	MCCOMBS	STARNES
BONNER	FOX	MCCRARY	SUTTON
BOYD-MCINTYRE	GAMBLE	MCMAHAN	TALLENT
BRASWELL	GARDNER	MERCER	THOMPSON
BRAWLEY	GOODWIN	MICHAUX	TOLSON
BROWN	GRADY	MILLER	WAINWRIGHT
BUCHANAN	GRAY	MINER	WARNER
CANSLER	HACKNEY	MITCHELL	WARWICK
CAPPS	HALL	MOORE	WATSON
CARPENTER	HARDAWAY	MORGAN	WEATHERLY
CHURCH	HARDY	MORRIS	WILKINS
CLARY	HENSLEY	MOSLEY	WILSON, C.
COLE	HIATT	NEELY	WILSON, G.
CREECH	HIGHTOWER	NESBITT	WOMBLE
CULP	HILL	NICHOLS	WOOD
CULPEPPER	HOLMES	NYE	YONGUE
CUNNINGHAM	HOWARD	OLDHAM	

NOES - 0

EXCUSED ABSENCE - 2

LUEBKE	WRIGHT

EXCUSED VOTE - 0

NOT VOTING - 11

SPEAKER	CRAWFORD	HUNTER, H.	RAYFIELD
BADDOUR	DAUGHTRY	MCALLISTER	SAUNDERS
BOWIE	GULLEY	RAMSEY	

NORTH CAROLINA GENERAL ASSEMBLY
SENATE

RECORDED VOTE

1997 SESSION

SEQ. 1120/5--10:31 AM JULY 10, 1997 LEGISLATIVE DAY 94

LT. GOVERNOR WICKER -- Presiding

MILLER
EXCLUDE EXCESS COVERAGE/
SENATE COMM. SUB./2ND EDITION

COVENANTS

HOUSE BILL 1052
READING 2

AYE	49	ALBERTSON	DANNELLY	KINNAIRD	PLYLER
		ALLRAN	EAST	LEDBETTER	RAND
		BALLANCE	FORRESTER	LEE	REEVES
		BALLANTINE	FOXX	LUCAS	RUCHO
		BASNIGHT	GARWOOD	MARTIN R.	SHAW L.
		BLUST	GULLEY	MARTIN W.	SHAW R.
		CARPENTER	HARTSELL	MCDANIEL	SOLES
		CARRINGTON	HORTON	MILLER	WARREN
		CLARK	HOYLE	ODOM	WEBSTER
		COCHRANE	JENKINS	PAGE	WEINSTEIN
		CONDER	KERR	PERDUE	WELLONS
		COOPER	KINCAID	PHILLIPS	WINNER
		DALTON			
NO	0				

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

GENERAL ASSEMBLY
SENATE

NORTH CAROLINA
HOUSE OF REPRESENTATIVES
ROLL CALL

EV

[redacted] # 1313
[redacted]SLATIVE DAY 107
H1052SCS

8/04/97
7:47 PM
IN CHAIR: SPEAKER

MILLER

EXCLUDE EXCESS COVERAGE/COVENANTS
MOTION #11 - TO CONCUR IN SCS

AYES - 104

ALDRIDGE	DECKER	HUNTER, H.	NYE
ALEXANDER	DEDMON	HUNTER, R.	OWENS
ALLRED	DICKSON	HURLEY	PRESTON
ARNOLD	DOCKHAM	INSKO	RAMSEY
BADDOUR	EARLE	IVES	RAYFIELD
BAKER	EASTERLING	JARRELL	REYNOLDS
BEALL	EDDINS	JEFFUS	ROGERS
BERRY	ESPOSITO	JUSTUS	RUSSELL
BLACK	FITCH	KISER	SEXTON
BLUE	FOX	LUEBKE	SHERRILL
BONNER	GAMBLE	MCALLISTER	SMITH
BOWIE	GARDNER	MCCOMAS	STARNES
BRASWELL	GOODWIN	MCCOMBS	SUTTON
BRAWLEY	GRADY	MCCRARY	TALLENT
BROWN	GRAY	MCMAHAN	THOMPSON
BUCHANAN	GULLEY	MERCER	TOLSON
CANSLER	HACKNEY	MILLER	WAINWRIGHT
CAPPS	HALL	MINER	WARNER
CARPENTER	HARDAWAY	MITCHELL	WARWICK
CHURCH	HARDY	MOORE	WATSON
COLE	HENSLEY	MORGAN	WEATHERLY
CRAWFORD	HIATT	MORRIS	WILKINS
CULP	HIGHTOWER	MOSLEY	WILSON, C.
CULPEPPER	HILL	NEELY	WILSON, G.
DAUGHTRY	HOLMES	NESBITT	WRIGHT
DAVIS	HOWARD	NICHOLS	YONGUE

NOES - 0

EXCUSED ABSENCE - 10

ADAMS	CUNNINGHAM	REDWINE	SHUBERT
BARBEE	KINNEY	SAUNDERS	WOOD
BOYD-MCINTYRE	OLDHAM		

EXCUSED VOTE - 0

NOT VOTING - 6

SPEAKER	CREECH	MICHAUX	WOMBLE
CLARY	ELLIS		

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1997

H

HOUSE DRH4091-LB218(4.2)

FILED
1053 APR 17 97
HOUSE PRINCIPAL CLERK

D

Short Title: Stop Corporate Political Contributions. (Public)

Sponsors: Representative Baddour.

Referred to:

A BILL TO BE ENTITLED

AN ACT TO STOP THE FLOW OF CORPORATE POLITICAL CONTRIBUTIONS INTO NORTH CAROLINA.

The General Assembly of North Carolina enacts:

Section 1. G.S. 163-269 reads as rewritten:

"**§ 163-269. Violations by corporations.**

It shall be unlawful for any corporation doing business in this State, either domestic or foreign charter, directly or indirectly to make any contribution or expenditure in aid or in behalf of any candidate or campaign committee in any primary or election held in this State, or for any political purpose whatsoever, or for the reimbursement or indemnification of any person for money or property so used, or for any contribution or expenditure so made; or for any officer, director, stockholder, attorney or agent of any corporation to aid, abet, advise or consent to any such contribution or expenditure, or for any person to solicit or knowingly receive any such contribution or expenditure.

Any contribution by a corporation doing business in this State, by either domestic or foreign charter, is deemed to have been made for a political purpose if it is made:

(1) With the intent or purpose of expressly advocating the election or defeat of any candidate in any election as defined in Article 22A of this Chapter whether made directly or indirectly; or

(2) In response to a solicitation by a candidate or committee as defined in that Article, or by any representative thereof, by whom it is represented that such contribution will be used directly or indirectly to expressly advocate the election or defeat of any

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1997

FILED
1054
APR 17 97
HOUSE PRINCIPAL CLERK

H D

HOUSE JOINT RESOLUTION DRHJR7238-RH022(4.8)

Sponsors: Representatives Russell and Shubert.

Referred to:

A JOINT RESOLUTION PROVIDING FOR A JOINT SESSION OF THE GENERAL ASSEMBLY TO ACT ON A JOINT RESOLUTION PROVIDING FOR CONFIRMATION OF THE APPOINTMENTS BY THE GOVERNOR OF NEW MEMBERS TO THE STATE BOARD OF EDUCATION.

Whereas, under the provisions of the Constitution of North Carolina and G.S. 115C-10, appointments by the Governor to membership on the State Board of Education are subject to confirmation by the General Assembly in joint session; and

Whereas, vacancies have occurred on the State Board of Education; and

Whereas, the Governor has transmitted to the presiding officers of the Senate and the House of Representatives the names of his appointees to fill the terms of membership on the State Board of Education which expire March 31, 2005;

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

Section 1. Upon the call of the Speaker of the House of Representatives and the President Pro Tempore of the Senate, the General Assembly shall meet in joint session to act on a joint resolution providing for confirmation of the appointments by the Governor of new members to the State Board of Education.

Section 2. This resolution is effective upon ratification.

NORTH CAROLINA
HOUSE OF REPRESENTATIVES
ROLL CALL

EV

. # 554
ISLATIVE DAY 54
HJR1054
READING 2
RUSSELL

5/01/97
6:36 PM
IN CHAIR: SPEAKER

SETS JOINT SESSION CONFIRMING BD OF ED.

AYES - 115

ADAMS	CUNNINGHAM	HUNTER, H.	PRESTON
ALDRIDGE	DAUGHTRY	HUNTER, R.	RAMSEY
ALEXANDER	DAVIS	HURLEY	RAYFIELD
ALLRED	DECKER	INSKO	REDWINE
ARNOLD	DEDMON	IVES	REYNOLDS
BADDOUR	DICKSON	JARRELL	ROGERS
BAKER	DOCKHAM	JEFFUS	RUSSELL
BARBEE	EARLE	JUSTUS	SAUNDERS
BEALL	EASTERLING	KINNEY	SEXTON
BERRY	EDDINS	KISER	SHERRILL
BLACK	ELLIS	LUEBKE	SMITH
BLUE	ESPOSITO	MCALLISTER	STARNES
BONNER	FITCH	MCCOMAS	SUTTON
BOWIE	FOX	MCCOMBS	TALLENT
BOYD-MCINTYRE	GARDNER	MCCRARY	THOMPSON
BRASWELL	GOODWIN	MCMAHAN	TOLSON
BRAWLEY	GRADY	MERCER	WAINWRIGHT
BROWN	GRAY	MICHAUX	WARNER
BUCHANAN	GULLEY	MILLER	WARWICK
CANSLER	HACKNEY	MINER	WATSON
CAPPS	HALL	MITCHELL	WEATHERLY
CARPENTER	HARDAWAY	MOORE	WILKINS
CHURCH	HARDY	MORGAN	WILSON, C.
CLARY	HENSLEY	MOSLEY	WILSON, G.
COLE	HIATT	NEELY	WOMBLE
CRAWFORD	HIGHTOWER	NESBITT	WOOD
CREECH	HILL	NICHOLS	WRIGHT
CULP	HOLMES	NYE	YONGUE
CULPEPPER	HOWARD	OWENS	

NOES - 0

EXCUSED ABSENCE - 2

OLDHAM	SHUBERT

EXCUSED VOTE - 0

NOT VOTING - 3

SPEAKER	GAMBLE	MORRIS

NORTH CAROLINA GENERAL ASSEMBLY
SENATE

RECORDED VOTE

1997 SESSION

SEQ. 685/5--12:28 PM MAY 15, 1997 LEGISLATIVE DAY 62

LT. GOVERNOR WICKER -- Presiding

RUSSELL
JOINT SESSION/STATE BOARD OF EDUC.

HOUSE RES. 1054
READING 2

AYE	46	ALBERTSON	DALTON	LEE	RAND
		ALLRAN	EAST	LUCAS	REEVES
		BALLANCE	FORRESTER	MARTIN R.	RUCHO
		BALLANTINE	FOXX	MARTIN W.	SHAW L.
		BASNIGHT	GULLEY	MCDANIEL	SHAW R.
		BLUST	HARTSELL	MILLER	SOLES
		CARPENTER	HOYLE	ODOM	WARREN
		CARRINGTON	JENKINS	PAGE	WEBSTER
		CLARK	JORDAN	PERDUE	WEINSTEIN
		COCHRANE	KERR	PHILLIPS	WELLONS
		CONDER	KINNAIRD	PLYLER	WINNER
		COOPER	LEDBETTER		
NO	0				
EXCUSED	0				
NOT CAST	0				
ABSENT	4	DANNELLY	GARWOOD	HORTON	KINCAID
PAIRS	0				
AYE					
NO					

GENERAL ASSEMBLY
SENATE

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1997

H.B. FILED
1055 APR 17 97
HOUSE PRINCIPAL CLERK

H D

HOUSE DRH7254*-LD157B(3.27)

Short Title: Arbitration of Seed Claims. (Public)

Sponsors: Representative Russell.

Referred to:

A BILL TO BE ENTITLED

AN ACT TO PROVIDE FOR THE MANDATORY ARBITRATION OF CLAIMS RELATED TO DEFECTIVE SEED.

The General Assembly of North Carolina enacts:

Section 1. G.S. 106-277.29 is repealed.

Section 2. Article 31 of Chapter 106 of the General Statutes is amended by adding the following new sections:

"**§ 106-277.30. Condition precedent to filing an action; notice required.**

(a) Complaint by Buyer. -- When a buyer believes that he or she has suffered damages due to the failure of agricultural or vegetable seed to produce or perform as labeled, as warranted, or as a result of negligence, the buyer shall make a sworn complaint against the dealer from whom the seeds were purchased, alleging the damages sustained or to be sustained, and file the complaint with the Commissioner of Agriculture within such time as to permit inspection of the seed, crops, or plants. The buyer shall send a copy of the complaint to the dealer by registered mail. A filing fee of one hundred dollars ($100.00) shall be paid to the Commissioner of Agriculture with each complaint filed. This fee may be used by the Commissioner to offset the expenses of the arbitration committee incurred under G.S. 106-277.32. Within 10 days after receipt of a copy of the complaint, the dealer may file an answer to the complaint and, in that event, shall send a copy to the buyer by registered mail.

(b) Notice Required. -- The seed dealer shall legibly print or type on the seed container or affix a label on the seed container a notice in the following form or using reasonably equivalent language:

'Notice of Mandatory Arbitration

NORTH CAROLINA
HOUSE OF REPRESENTATIVES
ROLL CALL

RC

SEQ. # 1994
LEGISLATIVE DAY 194
H1055HCS #2
READING 2
RUSSELL

9/09/98
2:53 PM
IN CHAIR: SPEAKER

ARBITRATION OF SEED CLAIMS

AYES - 107

SPEAKER	CULP	HILL	OLDHAM
ADAMS	CULPEPPER	HOLMES	OWENS
ALDRIDGE	CUNNINGHAM	HOWARD	PRESTON
ALEXANDER	DAUGHTRY	HUNTER, H.	RAMSEY
ALLRED	DAVIS	HURLEY	RAYFIELD
ARNOLD	DEDMON	INSKO	REDWINE
BADDOUR	DICKSON	JARRELL	REYNOLDS
BAKER	DOCKHAM	JEFFUS	ROGERS
BARBEE	EARLE	JUSTUS	RUSSELL
BAREFOOT	EASTERLING	KINNEY	SAUNDERS
BEALL	EDDINS	KISER	SEXTON
BERRY	ELLIS	MCALLISTER	SHERRILL
BLACK	ESPOSITO	MCCOMAS	SHUBERT
BLUE	FITCH	MCCOMBS	SMITH
BONNER	FOX	MCCRARY	STARNES
BOYD-MCINTYRE	GARDNER	MCMAHAN	SUTTON
BRAWLEY	GOODWIN	MICHAUX	THOMPSON
BROWN	GRADY	MILLER	TOLSON
BRYANT	GRAY	MINER	WAINWRIGHT
BUCHANAN	GULLEY	MITCHELL	WARNER
CANSLER	HACKNEY	MOORE	WATSON
CAPPS	HALL	MORGAN	WEATHERLY
CHURCH	HARDAWAY	MORRIS	WILSON, C.
CLARY	HARDY	NEELY	WILSON, G.
COLE	HENSLEY	NESBITT	WRIGHT
CRAWFORD	HIATT	NICHOLS	YONGUE
CREECH	HIGHTOWER	NYE	

NOES - 0

EXCUSED ABSENCE - 8

CARPENTER	IVES	MERCER	WARWICK
DECKER	LUEBKE	MOSLEY	WOOD

EXCUSED VOTE - 0

NOT VOTING - 5

ALLEN	BRASWELL	TALLENT	WOMBLE
BOWIE			

NORTH CAROLINA
HOUSE OF REPRESENTATIVES
ROLL CALL

RC

. # 2010
ISLATIVE DAY 195
H1055HCS #2
READING 3
RUSSELL

9/10/98
10:15 AM
IN CHAIR: SPEAKER

ARBITRATION OF SEED CLAIMS

AYES - 106

SPEAKER	CREECH	HOLMES	PRESTON
ADAMS	CULP	HUNTER, H.	RAMSEY
ALDRIDGE	CULPEPPER	HURLEY	RAYFIELD
ALEXANDER	CUNNINGHAM	INSKO	REDWINE
ALLEN	DAUGHTRY	JARRELL	REYNOLDS
ALLRED	DAVIS	JEFFUS	ROGERS
ARNOLD	DEDMON	JUSTUS	RUSSELL
BADDOUR	DICKSON	LUEBKE	SAUNDERS
BAKER	DOCKHAM	MCALLISTER	SEXTON
BARBEE	EARLE	MCCOMAS	SHERRILL
BAREFOOT	EASTERLING	MCCOMBS	SHUBERT
BEALL	EDDINS	MCCRARY	SMITH
BERRY	ELLIS	MCMAHAN	STARNES
BLUE	ESPOSITO	MERCER	SUTTON
BONNER	FITCH	MICHAUX	THOMPSON
BOWIE	FOX	MILLER	TOLSON
BOYD-MCINTYRE	GOODWIN	MITCHELL	WAINWRIGHT
BRASWELL	GRADY	MOORE	WARNER
BRAWLEY	GRAY	MORGAN	WARWICK
BRYANT	GULLEY	MORRIS	WATSON
BUCHANAN	HACKNEY	NEELY	WEATHERLY
CANSLER	HALL	NESBITT	WILSON, C.
CAPPS	HARDAWAY	NICHOLS	WILSON, G.
CHURCH	HARDY	NYE	WOMBLE
CLARY	HENSLEY	OLDHAM	WOOD
COLE	HIATT	OWENS	YONGUE
CRAWFORD	HIGHTOWER		

NOES - 0

EXCUSED ABSENCE - 11

BLACK	GARDNER	IVES	MINER
CARPENTER	HILL	KINNEY	MOSLEY
DECKER	HOWARD	KISER	

EXCUSED VOTE - 0

NOT VOTING - 3

BROWN	TALLENT	WRIGHT

NORTH CAROLINA GENERAL ASSEMBLY
AMENDMENT
House Bill 1055

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

H1055-ALB-1

Date 10/8 ,1998

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

Senator Kerr

moves to amend the bill on page 6, lines 14, 19, and 26, by adding imediately after the word "registered", the words "or certified".

SIGNED _____
Amendment Sponsor

SIGNED _____
Committee Chair if Senate Committee Amendment

ADOPTED ✓ 29-0 FAILED _____ TABLED _____

10/8/98 Janet Pruitt

NORTH CAROLINA GENERAL ASSEMBLY
SENATE

RECORDED VOTE

1997 SESSION
SECOND SESSION 1998

SEQ. 2147/3--12:35 PM OCTOBER 8, 1998 LEGISLATIVE DAY 212

SENATOR BASNIGHT -- Presiding

RUSSELL
ARBITRATION OF SEED CLAIMS
SENATE COM. SUB/ 4TH EDITION

HOUSE BILL 1055

AMEND 1

AYE	29	ALBERTSON	FORRESTER	MARTIN W.	RAND
		BALLANCE	FOXX	MCDANIEL	SHAW L.
		BALLANTINE	HARTSELL	MILLER	SHAW R.
		BASNIGHT	JORDAN	ODOM	SOLES
		CLARK	KERR	PHILLIPS	WARREN
		COCHRANE	LUCAS	PLYLER	WEINSTEIN
		COOPER	MARTIN R.	PURCELL	WELLONS
		EAST			
NO	0				
EXCUSED	0				
NOT CAST	11	ALLRAN	GARWOOD	KINNAIRD	REEVES
		BLUST	HORTON	LEE	WINNER
		DANNELLY	JENKINS	MOORE	
ABSENT	10	CARPENTER	GULLEY	PAGE	RUCHO
		CARRINGTON	HOYLE	PERDUE	WEBSTER
		DALTON	LEDBETTER		
PAIRS	0				
AYE					
NO					

NTINUED)

GENERAL ASSEMBLY
SENATE

NORTH CAROLINA GENERAL ASSEMBLY
SENATE

RECORDED VOTE

1997 SESSION
SECOND SESSION 1998

SEQ. 2149/5-- 1:17 PM OCTOBER 8, 1998 LEGISLATIVE DAY 212

SENATOR BASNIGHT -- Presiding

RUSSELL
ARBITRATION OF SEED CLAIMS
SENATE COM. SUB/ 4TH EDITION

HOUSE BILL 1055

AMEND 1

AYE	31	ALBERTSON	EAST	MARTIN W.	RAND
		BALLANCE	FORRESTER	MCDANIEL	SHAW L.
		BALLANTINE	FOXX	MILLER	SHAW R.
		BASNIGHT	HARTSELL	ODOM	SOLES
		CLARK	JORDAN	PERDUE	WARREN
		COCHRANE	KERR	PHILLIPS	WEINSTEIN
		COOPER	LUCAS	PLYLER	WELLONS
		DANNELLY	MARTIN R.	PURCELL	
NO	0				
EXCUSED	0				
NOT CAST	10	ALLRAN	HORTON	LEE	REEVES
		BLUST	JENKINS	MOORE	WINNER
		GARWOOD	KINNAIRD		
ABSENT	9	CARPENTER	GULLEY	LEDBETTER	RUCHO
		CARRINGTON	HOYLE	PAGE	WEBSTER
		DALTON			
PAIRS	0				
AYE					
NO					

(COPY)

GENERAL ASSEMBLY
SENATE

NORTH CAROLINA GENERAL ASSEMBLY
SENATE

RECORDED VOTE

1997 SESSION
SECOND SESSION 1998

SEQ. 2149/5-- 1:17 PM OCTOBER 8, 1998 LEGISLATIVE DAY 212

SENATOR BASNIGHT -- Presiding

RUSSELL HOUSE BILL 1055
ARBITRATION OF SEED CLAIMS
SENATE COM. SUB/ 4TH EDITION
AMEND 1

RECORDED
AYE 2 DANNELLY PERDUE
ABSENT -1
ADJUSTED TOTAL
AYE 31
NO 0
NOT CAST 10
ABSENT 9

(COPY)

GENERAL ASSEMBLY
SENATE

PLEASE PRESS HARD - 5 COPIES

NORTH CAROLINA GENERAL ASSEMBLY AMENDMENT

(Please type or use ballpoint pen)

EDITION No. _____

H. B. No. 1055 (SCS) DATE 10/13/98

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

COMMITTEE SUBSTITUTE _____

Rep.)
) Foster
Sen.)

1 moves to amend the bill on page 8, line 30

2 ( ) WHICH CHANGES THE TITLE

3 by adding between lines 30 and 31 a new section to read: "Section 3.1.G.S.

4 106-277.11 is amended by adding the following immediately before the period

5 at the end: ";nor shall any seed container manufactured after Jan. 1,

6 1999 bear any disclaimer, non-warranty, or limited warranty clause

7 which is not a defense as provided by this section."

8

9

10

11

12

13

14

15

16

17

18

19

SIGNED Foster

ADOPTED _____ FAILED ✓ 18-30 TABLED _____

J. Pruitt 10/14/98

NORTH CAROLINA GENERAL ASSEMBLY
SENATE

RECORDED VOTE

1997 SESSION
SECOND SESSION 1998

SEQ. 2157/2-- 2:43 PM | OCTOBER 14, 1998 | LEGISLATIVE DAY 215

SENATOR BASNIGHT -- Presiding

RUSSELL
ARBITRATION OF SEED CLAIMS
SENATE COM. SUB/ 4TH EDITION

HOUSE BILL 1055

AMEND 2

AYE	18	BALLANTINE	EAST	HORTON	PAGE
		BLUST	FORRESTER	JENKINS	RUCHO
		CARPENTER	FOXX	LEDBETTER	SHAW L.
		CLARK	GARWOOD	MCDANIEL	SHAW R.
		COCHRANE	HARTSELL		
	29	ALBERTSON	GULLEY	MARTIN R.	PURCELL
		ALLRAN	HOYLE	MARTIN W.	RAND
		BALLANCE	JORDAN	MILLER	REEVES
		BASNIGHT	KERR	ODOM	SOLES
		CARRINGTON	KINNAIRD	PERDUE	WARREN
		COOPER	LEE	PHILLIPS	WELLONS
		DALTON	LUCAS	PLYLER	WINNER
		DANNELLY			

EXCUSED	0			
NOT CAST	0			
ABSENT	3	MOORE	WEBSTER	WEINSTEIN
PAIRS	0			
AYE				
NO				

NTINUED)

GENERAL ASSEMBLY
SENATE

NORTH CAROLINA GENERAL ASSEMBLY
SENATE

RECORDED VOTE

1997 SESSION
SECOND SESSION 1998

SEQ. 2158/3-- 2:43 PM | OCTOBER 14, 1998 | LEGISLATIVE DAY 215

SENATOR BASNIGHT -- Presiding

RUSSELL
ARBITRATION OF SEED CLAIMS
SENATE COM. SUB/ 4TH EDITION

HOUSE BILL 1055
READING 2

AYE	47	ALBERTSON	DANNELLY	KINNAIRD	PLYLER
		ALLRAN	EAST	LEDBETTER	PURCELL
		BALLANCE	FORRESTER	LEE	RAND
		BALLANTINE	FOXX	LUCAS	REEVES
		BASNIGHT	GARWOOD	MARTIN R.	RUCHO
		BLUST	GULLEY	MARTIN W.	SHAW L.
		CARPENTER	HARTSELL	MCDANIEL	SHAW R.
		CARRINGTON	HORTON	MILLER	SOLES
		CLARK	HOYLE	ODOM	WARREN
		COCHRANE	JENKINS	PAGE	WELLONS
		COOPER	JORDAN	PERDUE	WINNER
		DALTON	KERR	PHILLIPS	
NO	0				
EXCUSED	0				
NOT CAST	0				
ABSENT	3	MOORE	WEBSTER	WEINSTEIN	
PAIRS	0				
AYE					
NO					

GENERAL ASSEMBLY
SENATE

NORTH CAROLINA GENERAL ASSEMBLY
SENATE

RECORDED VOTE

1997 SESSION
SECOND SESSION 1998

SEQ. 2165/10-- 3:21 PM OCTOBER 14, 1998 LEGISLATIVE DAY 215

SENATOR BASNIGHT -- Presiding

RUSSELL
ARBITRATION OF SEED CLAIMS
SENATE COM. SUB/ 4TH EDITION

HOUSE BILL 1055

AMEND 2

AYE	17	BALLANTINE	EAST	HARTSELL	MCDANIEL
		BLUST	FORRESTER	HORTON	PAGE
		CARPENTER	FOXX	JENKINS	RUCHO
		CLARK	GARWOOD	LEDBETTER	SHAW R.
		COCHRANE			
	30	ALBERTSON	GULLEY	MARTIN W.	RAND
		ALLRAN	HOYLE	MILLER	REEVES
		BALLANCE	JORDAN	ODOM	SHAW L.
		BASNIGHT	KERR	PERDUE	SOLES
		CARRINGTON	KINNAIRD	PHILLIPS	WARREN
		COOPER	LEE	PLYLER	WELLONS
		DALTON	LUCAS	PURCELL	WINNER
		DANNELLY	MARTIN R.		

EXCUSED	0			
NOT CAST	0			
ABSENT	3	MOORE	WEBSTER	WEINSTEIN
PAIRS	0			
AYE				
NO				

(COPY)

GENERAL ASSEMBLY
SENATE

NORTH CAROLINA GENERAL ASSEMBLY
SENATE

RECORDED VOTE

1997 SESSION
SECOND SESSION 1998

SEQ. 2165/10-- 3:21 PM OCTOBER 14, 1998 LEGISLATIVE DAY 215

SENATOR BASNIGHT -- Presiding

RUSSELL HOUSE BILL 1055
ARBITRATION OF SEED CLAIMS
SENATE COM. SUB/ 4TH EDITION

AMEND 2

RECORDED
AYE -1
NO 1 SHAW L.
ADJUSTED TOTAL
AYE 17
NO 30
NOT CAST 0
ABSENT 3

(COPY)

GENERAL ASSEMBLY
SENATE

NORTH CAROLINA
HOUSE OF REPRESENTATIVES
ROLL CALL

EV

[redacted]. # 2168
[redacted]ISLATIVE DAY 217
[redacted]055SCS

10/20/98
2:40 PM
IN CHAIR: SPEAKER

RUSSELL

ARBITRATION OF SEED CLAIMS
MOTION #11 - TO CONCUR IN SCS

AYES - 97

SPEAKER	DECKER	JEFFUS	PRESTON
ADAMS	DEDMON	JUSTUS	RAMSEY
ALDRIDGE	DICKSON	KINNEY	RAYFIELD
ALEXANDER	DOCKHAM	KISER	REDWINE
ALLEN	EARLE	LUEBKE	REYNOLDS
ALLRED	EASTERLING	MCALLISTER	ROGERS
BADDOUR	EDDINS	MCCOMAS	RUSSELL
BAKER	ELLIS	MCCOMBS	SAUNDERS
BAREFOOT	GARDNER	MCCRARY	SEXTON
BEALL	GOODWIN	MCMAHAN	SHERRILL
BERRY	GRADY	MERCER	SHUBERT
BONNER	GULLEY	MICHAUX	SMITH
BOWIE	HALL	MILLER	SUTTON
BRAWLEY	HARDAWAY	MINER	TALLENT
BROWN	HARDY	MITCHELL	THOMPSON
BRYANT	HENSLEY	MOORE	TOLSON
CAPPS	HIATT	MORGAN	WAINWRIGHT
CARPENTER	HIGHTOWER	MORRIS	WARNER
CHURCH	HILL	NEELY	WATSON
CLARY	HOWARD	NESBITT	WEATHERLY
COLE	HUNTER, H.	NICHOLS	WILSON, C.
CULP	HURLEY	NYE	WILSON, G.
CULPEPPER	INSKO	OLDHAM	WRIGHT
DAUGHTRY	JARRELL	OWENS	YONGUE
DAVIS			

NOES - 0

EXCUSED ABSENCE - 17

ARNOLD	CRAWFORD	GRAY	STARNES
BARBEE	CREECH	HACKNEY	WARWICK
BLUE	ESPOSITO	HOLMES	WOMBLE
BUCHANAN	FOX	MOSLEY	WOOD
CANSLER			

EXCUSED VOTE - 0

NOT VOTING - 6

BLACK	BRASWELL	FITCH	IVES
BOYD-MCINTYRE	CUNNINGHAM		

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1997

H.B. FILED 1056 APR 17 97 HOUSE PRINCIPAL CLERK

H D

HOUSE DRH8112-LM087(3.5)

Short Title: Esthetician Registration. (Public)

Sponsors: Representative Morris.

Referred to:

A BILL TO BE ENTITLED

AN ACT TO PROVIDE FOR THE REGISTRATION OF ESTHETICIANS AND ESTHETICIAN APPRENTICES BY THE STATE BOARD OF COSMETIC ART EXAMINERS.

The General Assembly of North Carolina enacts:

Section 1. Chapter 88 of the General Statutes is amended by adding a new section to read:

"**§ 88-6.1. Definitions.**

The following definitions apply in this Chapter:

(1) Esthetician. -- Any person other than a registered cosmetologist, registered apprentice, or esthetician apprentice, who practices esthetics.

(2) Esthetics. -- The providing of services, for compensation, to enhance the appearance of the face, neck, arms, legs, or shoulders of an individual through skin care, makeup artistry, facials, or body waxing.

(3) Esthetician apprentice. -- Any person who is registered by the State Board of Cosmetic Art Examiners to learn the practice of esthetics under the direction and supervision of a registered cosmetologist or a registered esthetician as provided in G.S. 88-12.2. An applicant for this registration shall pay the fees required under G.S. 88-21."

Section 2. Chapter 88 of the General Statutes is amended by adding the following new sections to read:

"**§ 88-12.2. Supervision of registered esthetician apprentice.**

H.B. FILED
1057 APR 17 97
HOUSE PRINCIPAL CLERK

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1997

H D

HOUSE DRH2262*-LC84(2.12)

Short Title: Exempt Audiovisual Masters. (Public)

Sponsors: Representative Grady.

Referred to:

A BILL TO BE ENTITLED

AN ACT TO EXEMPT FROM SALES TAX AUDIOVISUAL MASTER TAPES USED IN THE MOTION PICTURE, TELEVISION, AND AUDIO PRODUCTION INDUSTRIES.

The General Assembly of North Carolina enacts:

Section 1. G.S. 105-164.13 is amended by adding a new subdivision to read:

"(22a) Sales of audiovisual masters made or used by a production company in making visual and audio images for first generation reproduction. For the purpose of this subdivision, an 'audiovisual master' is an audio or video film, tape, or disk or another audio or video storage device from which all other copies are made. For the purpose of this subdivision, a production company is a person engaged in the business of making motion picture, television, or radio images for theatrical, commercial, advertising, or educational purposes."

Section 2. This act becomes effective July 1, 1997, and applies to sales made on or after that date.

NORTH CAROLINA
HOUSE OF REPRESENTATIVES
ROLL CALL

EV

755
ISLATIVE DAY 69
H1057
READING 2
GRADY

5/27/97
5:42 PM
IN CHAIR: SPEAKER

EXEMPT AUDIOVISUAL MASTERS
MOTION #3 REP GRADY
PREVIOUS QUESTION CALLED ON READING 2

AYES - 86

ALDRIDGE	CULP	HUNTER, R.	PRESTON
ARNOLD	CULPEPPER	HURLEY	RAMSEY
BADDOUR	DAUGHTRY	IVES	RAYFIELD
BAKER	DAVIS	JARRELL	ROGERS
BARBEE	DECKER	JEFFUS	RUSSELL
BEALL	DEDMON	JUSTUS	SEXTON
BERRY	DICKSON	KINNEY	SHUBERT
BLACK	EASTERLING	KISER	SMITH
BONNER	EDDINS	MCCOMAS	STARNES
BOWIE	ELLIS	MCCOMBS	SUTTON
BOYD-MCINTYRE	ESPOSITO	MCMAHAN	TALLENT
BRASWELL	FOX	MINER	THOMPSON
BRAWLEY	GARDNER	MITCHELL	TOLSON
BROWN	GOODWIN	MOORE	WARNER
BUCHANAN	GRADY	MORGAN	WARWICK
CANSLER	GULLEY	MORRIS	WATSON
CAPPS	HALL	MOSLEY	WEATHERLY
CARPENTER	HARDY	NEELY	WILKINS
CHURCH	HIATT	NYE	WILSON, C.
CLARY	HILL	OLDHAM	WILSON, G.
COLE	HOLMES	OWENS	WOOD
CRAWFORD	HOWARD		

NOES - 20

ALLRED	HIGHTOWER	MICHAUX	SHERRILL
EARLE	HUNTER, H.	MILLER	WAINWRIGHT
HACKNEY	INSKO	NESBITT	WOMBLE
HARDAWAY	LUEBKE	REDWINE	WRIGHT
HENSLEY	MCCRARY	SAUNDERS	YONGUE

EXCUSED ABSENCE - 8

ALEXANDER	CREECH	DOCKHAM	MERCER
BLUE	CUNNINGHAM	GRAY	NICHOLS

EXCUSED VOTE - 0

NOT VOTING - 6

SPEAKER	FITCH	MCALLISTER	REYNOLDS
ADAMS	GAMBLE		

NORTH CAROLINA
HOUSE OF REPRESENTATIVES
ROLL CALL

EV

756
ISLATIVE DAY 69
H1057
READING 2
GRADY

5/27/97
5:43 PM
IN CHAIR: SPEAKER

EXEMPT AUDIOVISUAL MASTERS

AYES - 99

SPEAKER	DICKSON	IVES	RAYFIELD
ALDRIDGE	EARLE	JARRELL	REDWINE
ARNOLD	EASTERLING	JEFFUS	ROGERS
BADDOUR	EDDINS	JUSTUS	RUSSELL
BAKER	ELLIS	KINNEY	SAUNDERS
BARBEE	ESPOSITO	KISER	SEXTON
BEALL	FOX	MCCOMAS	SHERRILL
BERRY	GAMBLE	MCCOMBS	SHUBERT
BLACK	GARDNER	MCCRARY	SMITH
BONNER	GOODWIN	MCMAHAN	STARNES
BOWIE	GRADY	MICHAUX	THOMPSON
BOYD-MCINTYRE	GULLEY	MILLER	TOLSON
BRAWLEY	HACKNEY	MINER	WAINWRIGHT
BROWN	HALL	MITCHELL	WARNER
BUCHANAN	HARDAWAY	MOORE	WARWICK
CANSLER	HARDY	MORGAN	WATSON
CHURCH	HENSLEY	MORRIS	WEATHERLY
CLARY	HIATT	MOSLEY	WILKINS
COLE	HILL	NEELY	WILSON, C.
CRAWFORD	HOLMES	NESBITT	WILSON, G.
CULP	HOWARD	NYE	WOMBLE
CULPEPPER	HUNTER, H.	OLDHAM	WOOD
DAUGHTRY	HUNTER, R.	OWENS	WRIGHT
DECKER	HURLEY	PRESTON	YONGUE
DEDMON	INSKO	RAMSEY	

NOES - 9

ALLRED	CARPENTER	HIGHTOWER	SUTTON
BRASWELL	DAVIS	LUEBKE	TALLENT
CAPPS			

EXCUSED ABSENCE - 8

ALEXANDER	CREECH	DOCKHAM	MERCER
BLUE	CUNNINGHAM	GRAY	NICHOLS

EXCUSED VOTE - 0

NOT VOTING - 4

ADAMS	FITCH	MCALLISTER	REYNOLDS

NORTH CAROLINA GENERAL ASSEMBLY
SENATE

RECORDED VOTE

1997 SESSION

SEQ. 1476/11--11:52 AM AUGUST 26, 1997 LEGISLATIVE DAY 121

SENATOR BASNIGHT -- Presiding

GRADY
EXEMPT AUDIOVISUAL MASTERS
SENATE COM SUB/2ND EDITION

HOUSE BILL 1057
READING 2

AYE	47	ALBERTSON	DANNELLY	KINNAIRD	PURCELL
		ALLRAN	EAST	LEDBETTER	RAND
		BALLANCE	FORRESTER	LEE	REEVES
		BALLANTINE	FOXX	LUCAS	RUCHO
		BASNIGHT	GARWOOD	MARTIN R.	SHAW L.
		BLUST	GULLEY	MCDANIEL	SHAW R.
		CARPENTER	HARTSELL	MOORE	SOLES
		CARRINGTON	HORTON	ODOM	WEBSTER
		CLARK	HOYLE	PAGE	WEINSTEIN
		COCHRANE	JENKINS	PERDUE	WELLONS
		COOPER	JORDAN	PHILLIPS	WINNER
		DALTON	KERR	PLYLER	
NO	0				

EXCUSED	0		
NOT CAST	2	MARTIN W.	MILLER
ABSENT	1	WARREN	
PAIRS	0		
AYE			
NO			

GENERAL ASSEMBLY
SENATE

NORTH CAROLINA GENERAL ASSEMBLY
SENATE

RECORDED VOTE

1997 SESSION

SEQ. 1477/12--11:52 AM AUGUST 26, 1997 LEGISLATIVE DAY 121

SENATOR BASNIGHT -- Presiding

GRADY
EXEMPT AUDIOVISUAL MASTERS
SENATE COM SUB/2ND EDITION

HOUSE BILL 1057
READING 3

AYE	48	ALLRAN	EAST	LEDBETTER	PLYLER
		BALLANCE	FORRESTER	LEE	PURCELL
		BALLANTINE	FOXX	LUCAS	RAND
		BASNIGHT	GARWOOD	MARTIN R.	REEVES
		BLUST	GULLEY	MARTIN W.	RUCHO
		CARPENTER	HARTSELL	MCDANIEL	SHAW L.
		CARRINGTON	HORTON	MILLER	SHAW R.
		CLARK	HOYLE	MOORE	SOLES
		COCHRANE	JENKINS	ODOM	WEBSTER
		COOPER	JORDAN	PAGE	WEINSTEIN
		DALTON	KERR	PERDUE	WELLONS
		DANNELLY	KINNAIRD	PHILLIPS	WINNER
NO	0				

EXCUSED	0	
NOT CAST	1	ALBERTSON
ABSENT	1	WARREN
PAIRS	0	
AYE		
NO		

(CONTINUED)

NORTH CAROLINA GENERAL ASSEMBLY
SENATE

RECORDED VOTE

1997 SESSION

SEQ. 1482/17--12:58 PM AUGUST 26, 1997 LEGISLATIVE DAY 121

SENATOR BASNIGHT -- Presiding

GRADY
EXEMPT AUDIOVISUAL MASTERS
SENATE COM SUB/2ND EDITION

HOUSE BILL 1057
READING 3

RECORDED
AYE 1 ALBERTSON
ADJUSTED TOTAL
AYE 49
NO 0
NOT CAST 0
ABSENT 1

Y)

NORTH CAROLINA GENERAL ASSEMBLY
SENATE

RECORDED VOTE

1997 SESSION

SEQ. 1482/17--12:58 PM AUGUST 26, 1997 LEGISLATIVE DAY 121

SENATOR BASNIGHT -- Presiding

GRADY
EXEMPT AUDIOVISUAL MASTERS
SENATE COM SUB/2ND EDITION

HOUSE BILL 1057
READING 3

AYE	49	ALBERTSON	EAST	LEDBETTER	PLYLER
		ALLRAN	FORRESTER	LEE	PURCELL
		BALLANCE	FOXX	LUCAS	RAND
		BALLANTINE	GARWOOD	MARTIN R.	REEVES
		BASNIGHT	GULLEY	MARTIN W.	RUCHO
		BLUST	HARTSELL	MCDANIEL	SHAW L.
		CARPENTER	HORTON	MILLER	SHAW R.
		CARRINGTON	HOYLE	MOORE	SOLES
		CLARK	JENKINS	ODOM	WEBSTER
		COCHRANE	JORDAN	PAGE	WEINSTEIN
		COOPER	KERR	PERDUE	WELLONS
		DALTON	KINNAIRD	PHILLIPS	WINNER
		DANNELLY			
NO	0				

EXCUSED 0

NOT CAST 0

ABSENT 1 WARREN

PAIRS 0
AYE
NO

(PY)

GENERAL ASSEMBLY
SENATE

NORTH CAROLINA
HOUSE OF REPRESENTATIVES
ROLL CALL

EV

SEQ. # 1511
LEGISLATIVE DAY 122
H1057SCS

8/27/97
3:45 PM
IN CHAIR: SPEAKER

GRADY

EXEMPT AUDIOVISUAL MASTERS
MOTION #11 - TO CONCUR IN SCS

AYES - 112

SPEAKER	CULP	HOWARD	OWENS
ADAMS	CULPEPPER	HUNTER, H.	PRESTON
ALDRIDGE	DAUGHTRY	HUNTER, R.	RAMSEY
ALEXANDER	DAVIS	HURLEY	RAYFIELD
ALLRED	DECKER	INSKO	REDWINE
ARNOLD	DEDMON	IVES	REYNOLDS
BADDOUR	DICKSON	JARRELL	ROGERS
BAKER	DOCKHAM	JEFFUS	RUSSELL
BARBEE	EARLE	JUSTUS	SAUNDERS
BEALL	EASTERLING	KISER	SEXTON
BERRY	EDDINS	MCALLISTER	SHERRILL
BLACK	ELLIS	MCCOMAS	SHUBERT
BLUE	ESPOSITO	MCCOMBS	SMITH
BONNER	FITCH	MCCRARY	STARNES
BOWIE	FOX	MERCER	SUTTON
BOYD-MCINTYRE	GAMBLE	MICHAUX	THOMPSON
BRASWELL	GOODWIN	MILLER	TOLSON
BRAWLEY	GRADY	MINER	WAINWRIGHT
BROWN	GULLEY	MITCHELL	WARNER
BUCHANAN	HACKNEY	MOORE	WARWICK
CANSLER	HALL	MORGAN	WEATHERLY
CAPPS	HARDAWAY	MORRIS	WILKINS
CARPENTER	HARDY	MOSLEY	WILSON, C.
CHURCH	HENSLEY	NEELY	WILSON, G.
CLARY	HIATT	NESBITT	WOMBLE
COLE	HIGHTOWER	NICHOLS	WOOD
CRAWFORD	HILL	NYE	WRIGHT
CREECH	HOLMES	OLDHAM	YONGUE

NOES - 1

LUEBKE

EXCUSED ABSENCE - 5

GARDNER	MCMAHAN	TALLENT	WATSON
GRAY			

EXCUSED VOTE - 0

NOT VOTING - 2

CUNNINGHAM KINNEY

H.B. FILED
1058 APR 17 97
HOUSE PRINCIPAL CLERK

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1997

H D

HOUSE DRHA337-LN124(3.26)

Short Title: Health Care Facil./Any Willing Provider. (Public)

Sponsors: Representative Cunningham.

Referred to:

A BILL TO BE ENTITLED

AN ACT TO REQUIRE HEALTH CARE FACILITIES THAT RECEIVE STATE FUNDS TO ALLOW PROVIDERS WHO HAVE MET THE FACILITY'S CREDENTIALING REQUIREMENTS TO DIAGNOSE AND TREAT PATIENTS AT THE FACILITY.

The General Assembly of North Carolina enacts:

Section 1. A health care facility that is licensed to do business in this State and that receives State funds for the care and treatment of patients at the facility shall not, directly or indirectly, by contract or otherwise, prohibit, prevent, or exclude a duly licensed health care provider that has been granted privileges to treat patients at the facility under the facility's provider credentialing process from using the facility to diagnose and treat patients in accordance with the privileges granted. As used in this section, the term 'health care facility' means a general hospital, specialized hospital, or medical center providing health care services in municipalities that have a population in excess of 300,000 by the last federal census.

Section 2. This act is effective when it becomes law and applies to contracts for services entered into on and after that date.

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1997

H.B. FILED
1059 APR 17 97
HOUSE PRINCIPAL CLERK

H D

HOUSE DRHA339-LH076A(2.13)

Short Title: CAMA/Urban Waterfront Redevelop. (Public)

Sponsors: Representative Wright.

Referred to:

A BILL TO BE ENTITLED

AN ACT TO AMEND THE COASTAL AREA MANAGEMENT ACT TO ALLOW CERTAIN TYPES OF REDEVELOPMENT WITHIN URBAN WATERFRONTS THAT HISTORICALLY HAVE A PATTERN OF URBAN-LEVEL DEVELOPMENT.

The General Assembly of North Carolina enacts:

Section 1. Article 7 of Chapter 113A of the General Statutes is amended by adding a new section to read:

"**§ 113A-120.2. Permits for urban waterfront redevelopment in historically urban areas.**

(a) Notwithstanding any other provision of law, any person may apply to the Commission for a permit for major development granting permission to use the person's land for a nonwater dependent use that is otherwise prohibited by rules, standards, or limitations prescribed by the Commission, or orders issued by the Commission, pursuant to this Article. The procedure to apply for the permit shall be as provided by G.S. 113A-119.

(b) Notwithstanding G.S. 113A-120(a), the Commission may grant the permit if the following criteria are met:

(1) The land is waterfront property located in a municipality.

(2) The land has a history of urban-level development as evidenced by any of the following:

a. The land is an historic place that is listed, or has been approved for listing by the North Carolina Historical Commission, in the National Register of Historic Places pursuant to the National Historic Preservation Act of 1966.

NORTH CAROLINA

HOUSE OF REPRESENTATIVES

ROLL CALL

EV

567
ISLATIVE DAY 54
H1059HCS
READING 2
WRIGHT

5/01/97
7:39 PM
IN CHAIR: SPEAKER

CAMA/URBAN WATERFRONT REDEV.

AYES - 107

ADAMS	DAVIS	INSKO	RAYFIELD
ALDRIDGE	DECKER	IVES	REDWINE
ALEXANDER	DEDMON	JARRELL	REYNOLDS
ALLRED	DICKSON	JEFFUS	ROGERS
BADDOUR	DOCKHAM	JUSTUS	RUSSELL
BAKER	EARLE	KINNEY	SAUNDERS
BARBEE	EASTERLING	KISER	SEXTON
BEALL	EDDINS	LUEBKE	SHERRILL
BERRY	ESPOSITO	MCALLISTER	SMITH
BLACK	FITCH	MCCOMAS	STARNES
BLUE	FOX	MCCOMBS	SUTTON
BONNER	GARDNER	MCCRARY	TALLENT
BOWIE	GOODWIN	MCMAHAN	THOMPSON
BOYD-MCINTYRE	GRADY	MERCER	TOLSON
BRASWELL	GRAY	MICHAUX	WAINWRIGHT
BRAWLEY	GULLEY	MILLER	WARNER
BROWN	HACKNEY	MINER	WARWICK
BUCHANAN	HALL	MITCHELL	WATSON
CARPENTER	HARDAWAY	MOORE	WEATHERLY
CHURCH	HARDY	MORGAN	WILKINS
CLARY	HENSLEY	MORRIS	WILSON, C.
COLE	HIATT	MOSLEY	WILSON, G.
CRAWFORD	HIGHTOWER	NEELY	WOMBLE
CULP	HILL	NESBITT	WOOD
CULPEPPER	HUNTER, H.	NYE	WRIGHT
CUNNINGHAM	HUNTER, R.	OWENS	YONGUE
DAUGHTRY	HURLEY	PRESTON	

NOES - 5

ARNOLD	CAPPS	CREECH	ELLIS
CANSLER			

EXCUSED ABSENCE - 3

NICHOLS	OLDHAM	SHUBERT

EXCUSED VOTE - 0

NOT VOTING - 5

SPEAKER	HOLMES	HOWARD	RAMSEY
GAMBLE			

NORTH CAROLINA GENERAL ASSEMBLY
SENATE

RECORDED VOTE

1997 SESSION

SEQ. 1098/9--12:48 PM JULY 8, 1997 LEGISLATIVE DAY 92

SENATOR BASNIGHT -- Presiding

WRIGHT
COASTAL AREA MANAGEMENT ACT/URBAN
SENATE COMM. SUB./3RD EDITION

WATERFRONT REDEVELOPMENT

HOUSE BILL 1059
READING 2

AYE	48	ALBERTSON	DALTON	KERR	PERDUE
		ALLRAN	DANNELLY	KINCAID	PHILLIPS
		BALLANCE	EAST	KINNAIRD	PLYLER
		BALLANTINE	FORRESTER	LEDBETTER	RAND
		BASNIGHT	FOXX	LEE	RUCHO
		BLUST	GARWOOD	LUCAS	SHAW L.
		CARPENTER	GULLEY	MARTIN R.	SHAW R.
		CARRINGTON	HARTSELL	MARTIN W.	SOLES
		CLARK	HORTON	MCDANIEL	WARREN
		COCHRANE	HOYLE	MILLER	WEBSTER
		CONDER	JENKINS	ODOM	WEINSTEIN
		COOPER	JORDAN	PAGE	WELLONS
NO	2	REEVES	WINNER		

EXCUSED 0

NOT CAST 0

ABSENT 0

PAIRS 0
AYE
NO

GENERAL ASSEMBLY
SENATE

NORTH CAROLINA GENERAL ASSEMBLY AMENDMENT

(Please type or use ballpoint pen) Amd. withdrawn

EDITION No. _____

H. B. No. 1059 DATE 7/8/97

S. B. No. _____ Amendment No. 1

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

Rep.)
Sen.) GULLEY

1 moves to amend the bill on page 3, line 3
2 ( ) WHICH CHANGES THE TITLE
3 by BY ADDING AFTER "LAW" AND BEFORE THE PERIOD THE FOLLOWING:
4 "AND SHALL EXPIRE ON JULY 1, 2000."
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19

SIGNED _____

ADOPTED _____ FAILED _____ TABLED _____

Amendment withdrawn 7/8/97 Janet Pruitt

GA-33-A

PRINCIPAL CLERK'S OFFICE (FOR ENGROSSMENT)

NORTH CAROLINA
HOUSE OF REPRESENTATIVES
ROLL CALL

EV

SEQ. # 1150
LEGISLATIVE DAY 96
H1059SCS

7/15/97
10:22 AM
IN CHAIR: SPEAKER

WRIGHT

CAMA/URBAN WATERFRONT REDEVEL.
MOTION #11 - TO CONCUR IN SCS

AYES - 109

ADAMS	CUNNINGHAM	HUNTER, H.	OLDHAM
ALDRIDGE	DAUGHTRY	HUNTER, R.	OWENS
ALEXANDER	DECKER	HURLEY	PRESTON
ALLRED	DEDMON	IVES	RAMSEY
ARNOLD	DICKSON	JARRELL	RAYFIELD
BAKER	DOCKHAM	JEFFUS	REDWINE
BARBEE	EARLE	JUSTUS	REYNOLDS
BEALL	EASTERLING	KINNEY	ROGERS
BERRY	EDDINS	KISER	SAUNDERS
BLACK	ELLIS	LUEBKE	SEXTON
BLUE	ESPOSITO	MCALLISTER	SHERRILL
BONNER	FITCH	MCCOMAS	SHUBERT
BOWIE	FOX	MCCOMBS	STARNES
BOYD-MCINTYRE	GAMBLE	MCCRARY	THOMPSON
BRASWELL	GARDNER	MCMAHAN	TOLSON
BRAWLEY	GOODWIN	MERCER	WAINWRIGHT
BROWN	GRADY	MICHAUX	WARNER
BUCHANAN	GRAY	MILLER	WARWICK
CANSLER	GULLEY	MINER	WATSON
CAPPS	HALL	MITCHELL	WEATHERLY
CARPENTER	HARDAWAY	MORGAN	WILKINS
CHURCH	HARDY	MORRIS	WILSON, C.
CLARY	HIATT	MOSLEY	WILSON, G.
COLE	HIGHTOWER	NEELY	WOMBLE
CRAWFORD	HILL	NESBITT	WOOD
CREECH	HOLMES	NICHOLS	WRIGHT
CULP	HOWARD	NYE	YONGUE
CULPEPPER			

NOES - 3

HACKNEY	INSKO	SMITH

EXCUSED ABSENCE - 5

DAVIS	MOORE	RUSSELL	SUTTON
HENSLEY			

EXCUSED VOTE - 0

NOT VOTING - 3

SPEAKER	BADDOUR	TALLENT

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1997

H.B. FILED
1060 APR 17 97
HOUSE PRINCIPAL CLERK

H D

HOUSE DRH2257*-LGQ129(3.19)

Short Title: Central Children's Home Funds. (Public)

Sponsors: Representative H. Hunter.

Referred to:

A BILL TO BE ENTITLED

AN ACT TO APPROPRIATE FUNDS TO CENTRAL CHILDREN'S HOME OF NORTH CAROLINA, INC., FOR CAPITAL IMPROVEMENTS.

The General Assembly of North Carolina enacts:

Section 1. There is appropriated from the General Fund to the Central Children's Home of North Carolina, Inc., a nonprofit corporation, the sum of two million five hundred thousand dollars ($2,500,000) for the 1997-98 fiscal year to provide better services to homeless and neglected children. These funds may be used for capital improvements including the following:

(1) Renovating Shepherd Hall, the Center's dining hall and auditorium;

(2) Constructing an emergency care cottage for girls, which can also be used as a transitional living facility;

(3) Paving and curbing driveways and parking lots, along with related landscaping; and

(4) Bringing all existing facilities up to current building code standards.

Section 2. This act becomes effective July 1, 1997.

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1997

H.B. FILED
1061 APR 17 97
HOUSE PRINCIPAL CLERK

H D

HOUSE DRHA316-LL123(3.26)

Short Title: Disabled Sportsman Licenses. (Public)

Sponsors: Representative McCombs.

Referred to:

A BILL TO BE ENTITLED

AN ACT TO ESTABLISH LIFETIME SPORTSMAN LICENSES FOR CERTAIN DISABLED RESIDENTS AND DISABLED VETERANS AND TO PROHIBIT THE UNLAWFUL USE OF FACILITIES PROVIDED FOR DISABLED SPORTSMEN.

The General Assembly of North Carolina enacts:

Section 1. G.S. 113-270.1D(b) reads as rewritten:

"(b) Lifetime Sportsman Licenses. Lifetime sportsman licenses are valid for the lifetime of the holders and entitle the holders to take all wild animals and wild birds by all lawful methods in all open seasons, including the use of game lands, and to fish with hook and line for all fish in all inland and joint fishing waters, including public mountain trout waters. Lifetime sportsman licenses issued by the Wildlife Resources Commission are:

(1) Infant Lifetime Sportsman License -- $200.00. This license shall be issued only to an individual under one year of age.

(2) Youth Lifetime Sportsman License -- $350.00. This license shall be issued only to an individual under 12 years of age.

(3) Adult Resident Lifetime Sportsman License -- $500.00. This license shall be issued only to an individual resident of the State.

(4) Nonresident Lifetime Sportsman License -- $1,000. this license shall be issued only to an individual nonresident of the State.

(5) Age 70 Resident Lifetime Sportsman License -- $10.00. This license shall be issued only to an individual resident of the State who is at least 70 years of age.

NORTH CAROLINA

HOUSE OF REPRESENTATIVES

ROLL CALL

RC

. # 855
ISLATIVE DAY 75
H1061HCS
READING 3
MCCOMBS

6/09/97
6:23 PM
IN CHAIR: SPEAKER

DISABLED SPORTSMAN LICENSES

AYES - 111

SPEAKER	CUNNINGHAM	HUNTER, R.	OWENS
ADAMS	DAUGHTRY	HURLEY	RAMSEY
ALDRIDGE	DAVIS	INSKO	RAYFIELD
ALEXANDER	DECKER	IVES	REDWINE
ALLRED	DEDMON	JARRELL	REYNOLDS
ARNOLD	DICKSON	JEFFUS	ROGERS
BADDOUR	DOCKHAM	JUSTUS	RUSSELL
BAKER	EARLE	KINNEY	SAUNDERS
BARBEE	EASTERLING	KISER	SEXTON
BEALL	EDDINS	LUEBKE	SHERRILL
BERRY	ESPOSITO	MCALLISTER	SHUBERT
BLUE	FOX	MCCOMAS	SMITH
BONNER	GAMBLE	MCCOMBS	STARNES
BOWIE	GARDNER	MCCRARY	SUTTON
BOYD-MCINTYRE	GOODWIN	MCMAHAN	THOMPSON
BRAWLEY	GRADY	MERCER	TOLSON
BROWN	GRAY	MILLER	WAINWRIGHT
BUCHANAN	GULLEY	MINER	WARNER
CANSLER	HACKNEY	MITCHELL	WATSON
CAPPS	HALL	MOORE	WEATHERLY
CARPENTER	HARDAWAY	MORGAN	WILKINS
CHURCH	HARDY	MORRIS	WILSON, C.
CLARY	HENSLEY	MOSLEY	WILSON, G.
COLE	HIATT	NEELY	WOMBLE
CRAWFORD	HILL	NESBITT	WOOD
CREECH	HOLMES	NICHOLS	WRIGHT
CULP	HOWARD	NYE	YONGUE
CULPEPPER	HUNTER, H.	OLDHAM	

NOES - 0

EXCUSED ABSENCE - 3

BRASWELL	ELLIS	HIGHTOWER

EXCUSED VOTE - 0

NOT VOTING - 6

BLACK	MICHAUX	TALLENT	WARWICK
FITCH	PRESTON		

NORTH CAROLINA GENERAL ASSEMBLY
SENATE

RECORDED VOTE

1997 SESSION

SEQ. 1078/11--10:46 AM JULY 3, 1997 LEGISLATIVE DAY 90

SENATOR BASNIGHT -- Presiding

MCCOMBS
DISABLED SPORTSMAN LICENSES
SENATE COMM. SUB./3RD EDITION

HOUSE BILL 1061
READING 2

AYE	49	ALBERTSON	DANNELLY	KINCAID	PLYLER
		ALLRAN	EAST	KINNAIRD	RAND
		BALLANCE	FORRESTER	LEDBETTER	REEVES
		BALLANTINE	FOXX	LEE	RUCHO
		BASNIGHT	GARWOOD	LUCAS	SHAW L.
		BLUST	GULLEY	MARTIN R.	SHAW R.
		CARPENTER	HARTSELL	MARTIN W.	SOLES
		CARRINGTON	HORTON	MILLER	WARREN
		CLARK	HOYLE	ODOM	WEBSTER
		COCHRANE	JENKINS	PAGE	WEINSTEIN
		CONDER	JORDAN	PERDUE	WELLONS
		COOPER	KERR	PHILLIPS	WINNER
		DALTON			
NO	0				

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

PY)

GENERAL ASSEMBLY
SENATE

NORTH CAROLINA GENERAL ASSEMBLY
SENATE

RECORDED VOTE

1997 SESSION

SEQ. 1085/3-- 7:31 PM JULY 7, 1997 LEGISLATIVE DAY 91

SENATOR BASNIGHT -- Presiding

MCCOMBS
DISABLED SPORTSMAN LICENSES
SENATE COMM. SUB./3RD EDITION

HOUSE BILL 1061
READING 3

AYE	47	ALBERTSON	DALTON	LEDBETTER	RAND
		ALLRAN	DANNELLY	LEE	REEVES
		BALLANCE	EAST	LUCAS	RUCHO
		BALLANTINE	FORRESTER	MARTIN R.	SHAW L.
		BASNIGHT	FOXX	MARTIN W.	SHAW R.
		BLUST	GARWOOD	MCDANIEL	SOLES
		CARPENTER	GULLEY	MILLER	WARREN
		CARRINGTON	HORTON	ODOM	WEBSTER
		CLARK	HOYLE	PAGE	WEINSTEIN
		COCHRANE	JENKINS	PERDUE	WELLONS
		CONDER	KINCAID	PHILLIPS	WINNER
		COOPER	KINNAIRD	PLYLER	
NO	0				
EXCUSED	0				
NOT CAST	2	HARTSELL	JORDAN		
ABSENT	1	KERR			
PAIRS	0				
AYE					
NO					

GENERAL ASSEMBLY
SENATE

NORTH CAROLINA
HOUSE OF REPRESENTATIVES
ROLL CALL

EV

[redacted]. # 1124
[redacted]ISLATIVE DAY 94
[redacted]61SCS

7/10/97
10:31 AM
IN CHAIR: SPEAKER

MCCOMBS

DISABLED SPORTSMAN LICENSES
MOTION #11 - TO CONCUR IN SCS

AYES - 102

ADAMS	CULPEPPER	HUNTER, H.	PRESTON
ALDRIDGE	CUNNINGHAM	HUNTER, R.	RAMSEY
ALEXANDER	DAUGHTRY	HURLEY	RAYFIELD
ALLRED	DAVIS	IVES	REYNOLDS
ARNOLD	DECKER	JARRELL	RUSSELL
BADDOUR	DEDMON	JEFFUS	SAUNDERS
BAKER	DICKSON	JUSTUS	SEXTON
BEALL	EDDINS	KISER	SHUBERT
BLACK	ELLIS	LUEBKE	SMITH
BLUE	ESPOSITO	MCALLISTER	STARNES
BONNER	FITCH	MCCOMAS	SUTTON
BOWIE	FOX	MCCOMBS	TALLENT
BOYD-MCINTYRE	GAMBLE	MCMAHAN	THOMPSON
BRASWELL	GARDNER	MICHAUX	TOLSON
BRAWLEY	GRADY	MILLER	WAINWRIGHT
BROWN	GRAY	MINER	WARNER
BUCHANAN	GULLEY	MITCHELL	WARWICK
CANSLER	HACKNEY	MOORE	WATSON
CAPPS	HALL	MORGAN	WEATHERLY
CARPENTER	HARDAWAY	MOSLEY	WILKINS
CHURCH	HENSLEY	NEELY	WILSON, G.
CLARY	HIATT	NICHOLS	WOMBLE
COLE	HIGHTOWER	NYE	WOOD
CRAWFORD	HILL	OLDHAM	WRIGHT
CREECH	HOLMES	OWENS	YONGUE
CULP	HOWARD		

NOES - 0

EXCUSED ABSENCE - 11

BARBEE	EASTERLING	MORRIS	SHERRILL
BERRY	MCCRARY	REDWINE	WILSON, C.
DOCKHAM	MERCER	ROGERS	

EXCUSED VOTE - 0

NOT VOTING - 7

SPEAKER	GOODWIN	INSKO	NESBITT
EARLE	HARDY	KINNEY	

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1997

H.B. FILED
1062 APR 17 97
HOUSE PRINCIPAL CLERK

H D

HOUSE DRH2269-LN033A(1.22)

Short Title: Child Support/Health Coverage. (Public)

Sponsors: Representative Berry.

Referred to:

A BILL TO BE ENTITLED

AN ACT TO REQUIRE THE DEPARTMENT OF HUMAN RESOURCES TO DEVELOP AND IMPLEMENT A PLAN FOR PROVIDING LOW-COST HEALTH INSURANCE COVERAGE TO CHILDREN WHOSE PARENTS ARE ORDERED TO PROVIDE MEDICAL SUPPORT UNDER ORDERS ENFORCED BY THE DEPARTMENT.

The General Assembly of North Carolina enacts:

Section 1. (a) The Department of Human Resources shall develop and implement a program to provide low-cost health care coverage for children for whom the Department enforces child support orders. The purpose of the program is to increase the number of these children who have health care coverage by offering their parents a choice of health care plans the premiums for which are lower than that available through the employer or on the individual market. Persons eligible for the program are noncustodial parents who are under an order enforced by the Department to provide medical support for their dependent children. The program shall:

(1) Include procedures for soliciting proposals from private health insurers, including managed care companies, to participate in the program;

(2) Provide for administration of benefits and premium collections by a Third Party Administrator selected by private health insurers;

(3) Ensure that access to the Plan is available to eligible children throughout the State; and

(4) Establish requirements for insurer participation that address the purposes of the program.

NORTH CAROLINA

EV

HOUSE OF REPRESENTATIVES

ROLL CALL

[redacted]. # 544
[redacted]ISLATIVE DAY 54
[redacted]062HCS
READING 2
BERRY

4/30/97
4:09 PM
IN CHAIR: SPEAKER

CHILD SUPPORT/HEALTH COVERAGE

AYES - 113

ADAMS	DAUGHTRY	INSKO	RAMSEY
ALDRIDGE	DECKER	IVES	RAYFIELD
ALEXANDER	DEDMON	JARRELL	REDWINE
ALLRED	DICKSON	JEFFUS	REYNOLDS
ARNOLD	DOCKHAM	JUSTUS	ROGERS
BADDOUR	EARLE	KINNEY	RUSSELL
BAKER	EASTERLING	KISER	SAUNDERS
BARBEE	EDDINS	LUEBKE	SEXTON
BEALL	ELLIS	MCALLISTER	SHERRILL
BERRY	ESPOSITO	MCCOMAS	SHUBERT
BLACK	FITCH	MCCOMBS	SMITH
BLUE	FOX	MCCRARY	STARNES
BONNER	GARDNER	MCMAHAN	SUTTON
BOWIE	GOODWIN	MERCER	TALLENT
BOYD-MCINTYRE	GRADY	MICHAUX	THOMPSON
BRASWELL	GRAY	MILLER	TOLSON
BRAWLEY	GULLEY	MINER	WAINWRIGHT
BROWN	HACKNEY	MITCHELL	WARNER
BUCHANAN	HARDAWAY	MOORE	WARWICK
CANSLER	HARDY	MORGAN	WATSON
CARPENTER	HENSLEY	MORRIS	WEATHERLY
CHURCH	HIATT	MOSLEY	WILKINS
CLARY	HIGHTOWER	NEELY	WILSON, C.
COLE	HILL	NESBITT	WILSON, G.
CRAWFORD	HOWARD	NICHOLS	WOMBLE
CREECH	HUNTER, H.	NYE	WOOD
CULP	HUNTER, R.	OWENS	WRIGHT
CULPEPPER	HURLEY	PRESTON	YONGUE
CUNNINGHAM			

NOES - 2

CAPPS	DAVIS

EXCUSED ABSENCE - 1

OLDHAM

EXCUSED VOTE - 0

NOT VOTING - 4

SPEAKER	GAMBLE	HALL	HOLMES

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1997

1063 APR 17 97

HOUSE PRINCIPAL CLERK

H D

HOUSE DRH7236-LM108B(3.19)

Short Title: Amend Psychology Practice Act. (Public)

Sponsors: Representative Berry.

Referred to:

A BILL TO BE ENTITLED

AN ACT TO AMEND THE PSYCHOLOGY PRACTICE ACT AND RELATED STATUTES.

The General Assembly of North Carolina enacts:

Section 1. G.S. 90-270.2(9) reads as rewritten:

"(9) Psychologist. -- A person represents himself or herself to be a psychologist if that person uses any title or description of services incorporating the words 'psychology', 'psychological', 'psychologic', or 'psychologist', states that he or she possesses expert qualification in any area of psychology, or provides or offers to provide services defined as the practice of psychology in this Article. All persons licensed under this ~~Article may present themselves as psychologists, as may those persons who are exempt by G.S. 90-270.4 and those who are qualified applicants under G.S. 90-270.5.~~ Article, persons exempt under G.S. 90-270.4, and qualified applicants under G.S. 90-270.5 may present themselves as psychologists and shall indicate, in accordance with Board rules, their academic degrees."

Section 2. G.S. 90-270.5(d) reads as rewritten:

"(d) For permanent licensure as a licensed psychologist, an otherwise qualified psychologist must secure ~~two years of~~ acceptable and appropriate supervised ~~experience~~ experience, as provided in this subsection, that is germane to his or her training and intended area of practice as a psychologist. The Board shall permit such supervised experience to be acquired on a less than full-time basis, and shall additionally specify in its rules the format, setting, content, time frame, amounts of

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1997

FILED
1064 APR 17 97
HOUSE PRINCIPAL CLERK

H D

HOUSE DRH8171-LM168A(4.10)

Short Title: Housing Authority Amendments. (Public)

Sponsors: Representative Fox.

Referred to:

A BILL TO BE ENTITLED

AN ACT TO ALLOW A HOUSING AUTHORITY TO TERMINATE OR FAIL TO RENEW A LEASE IF A TENANT ENGAGES IN CRIMINAL ACTIVITY ON OR NEAR THE PREMISES AND TO ALLOW CERTAIN SUMMARY EJECTMENT ACTIONS INITIATED BY A HOUSING AUTHORITY TO BE HELD IN DISTRICT COURT INSTEAD OF IN MAGISTRATE'S COURT.

The General Assembly of North Carolina enacts:

Section 1. G.S. 157-29 reads as rewritten:

"**§ 157-29.** ~~**Rentals and tenant selections.**~~ **Rentals; tenant selections; and summary ejectments.**

(a) It is hereby declared to be the policy of this State that each housing authority shall manage and operate its housing projects in an efficient manner so as to enable it to fix the cost of dwelling accommodations for persons of low income at the lowest possible rates consistent with its providing decent, safe, and sanitary dwelling accommodations. No housing authority may construct or operate its housing projects so as to provide revenues for other activities of the city.

(b) In the operation or management of housing projects, or portions of projects, for persons of low income, an authority shall at all times observe the following duties with respect to rentals and tenant selection:

(1) It may rent or lease dwelling accommodations set aside for persons of low income only to persons who lack the amount of income ~~which~~ that is necessary (as determined by the housing authority undertaking the project) to enable them, without financial assistance, to live in decent, safe, and sanitary dwellings, without overcrowding; and

NORTH CAROLINA
HOUSE OF REPRESENTATIVES
ROLL CALL

EV

. # 573
ISLATIVE DAY 54
H1064HCS
READING 2

5/01/97
8:13 PM
IN CHAIR: SPEAKER

HOUSING AUTHORITY AMENDMENTS

108 DWash

AYES - ~~107~~

SPEAKER	DAUGHTRY	HUNTER, R.	PRESTON
ADAMS	DAVIS	HURLEY	RAYFIELD
ALEXANDER	DECKER	IVES	REDWINE
ALLRED	DEDMON	JARRELL	REYNOLDS
ARNOLD	DICKSON	JEFFUS	ROGERS
BADDOUR	DOCKHAM	JUSTUS	RUSSELL
BAKER	EARLE	KINNEY	SAUNDERS
BARBEE	EASTERLING	KISER	SEXTON
BEALL	EDDINS	LUEBKE	SHERRILL
BERRY	ELLIS	MCALLISTER	SMITH
BLACK	ESPOSITO	MCCOMAS	SUTTON
BONNER	FOX	MCCOMBS	TALLENT
BOWIE	GARDNER	MCCRARY	THOMPSON
BOYD-MCINTYRE	GOODWIN	MCMAHAN	TOLSON
BRASWELL	GRADY	MERCER	WAINWRIGHT
BRAWLEY	GRAY	MICHAUX	WARNER
BROWN	GULLEY	MILLER	WARWICK
BUCHANAN	HACKNEY	MINER	WATSON
CANSLER	HALL	MITCHELL	WEATHERLY
CAPPS	HARDAWAY	MOORE	WILKINS
CARPENTER	HENSLEY	MORGAN	WILSON, C.
CHURCH	HIATT	MORRIS	WILSON, G.
CLARY	HIGHTOWER	MOSLEY	WOMBLE
COLE	HILL	NEELY	WOOD
CREECH	HOLMES	NESBITT	WRIGHT
CULP	HOWARD	NYE	YONGUE
CULPEPPER	HUNTER, H.	OWENS	HARDY D

NOES - 0

EXCUSED ABSENCE - 3

NICHOLS	OLDHAM	SHUBERT

EXCUSED VOTE - 0

NOT VOTING - ~~10~~ 9 SW

ALDRIDGE	CUNNINGHAM	~~HARDY~~	RAMSEY
BLUE	FITCH	INSKO	STARNES
CRAWFORD	GAMBLE		

NORTH CAROLINA GENERAL ASSEMBLY
SENATE

RECORDED VOTE

1997 SESSION

SEQ. 1272/3-- 7:31 PM AUGUST 4, 1997 LEGISLATIVE DAY 107

LT. GOVERNOR WICKER -- Presiding

FOX
HOUSING AUTHORITY AMENDMENTS
SENATE COM SUB/3RD EDITION

HOUSE BILL 1064
READING 2

AYE	43	ALBERTSON	FOXX	LEE	RAND
		BALLANTINE	GARWOOD	LUCAS	REEVES
		BASNIGHT	GULLEY	MARTIN R.	RUCHO
		CARPENTER	HARTSELL	MARTIN W.	SHAW R.
		CARRINGTON	HORTON	MCDANIEL	SOLES
		CLARK	HOYLE	MILLER	WARREN
		COCHRANE	JENKINS	ODOM	WEBSTER
		COOPER	JORDAN	PAGE	WEINSTEIN
		DALTON	KERR	PHILLIPS	WELLONS
		EAST	KINNAIRD	PLYLER	WINNER
		FORRESTER	LEDBETTER	PURCELL	
NO	0				
EXCUSED	0				
NOT CAST	3	ALLRAN	BLUST	PERDUE	
ABSENT	3	BALLANCE	DANNELLY	SHAW L.	
PAIRS	0				
AYE					
NO					

GENERAL ASSEMBLY
SENATE

NORTH CAROLINA GENERAL ASSEMBLY
SENATE

RECORDED VOTE

1997 SESSION

SEQ. 1272/3-- 7:31 PM AUGUST 4, 1997 LEGISLATIVE DAY 107

LT. GOVERNOR WICKER -- Presiding

FOX
HOUSING AUTHORITY AMENDMENTS
SENATE COM SUB/3RD EDITION

HOUSE BILL 1064
READING 2

AYE	43	ALBERTSON	FOXX	LEE	RAND
		BALLANTINE	GARWOOD	LUCAS	REEVES
		BASNIGHT	GULLEY	MARTIN R.	RUCHO
		CARPENTER	HARTSELL	MARTIN W.	SHAW R.
		CARRINGTON	HORTON	MCDANIEL	SOLES
		CLARK	HOYLE	MILLER	WARREN
		COCHRANE	JENKINS	ODOM	WEBSTER
		COOPER	JORDAN	PAGE	WEINSTEIN
		DALTON	KERR	PHILLIPS	WELLONS
		EAST	KINNAIRD	PLYLER	WINNER
		FORRESTER	LEDBETTER	PURCELL	
NO	0				
EXCUSED	0				
NOT CAST	3	ALLRAN	BLUST	PERDUE	
ABSENT	3	BALLANCE	DANNELLY	SHAW L.	
PAIRS	0				
AYE					
NO					

GENERAL ASSEMBLY
SENATE

NORTH CAROLINA
HOUSE OF REPRESENTATIVES
ROLL CALL

EV

[redacted]. # 1455
[redacted]ISLATIVE DAY 118
[redacted]64SCS

8/21/97
10:26 AM
IN CHAIR: SPEAKER

FOX

HOUSING AUTHORITY AMENDMENTS
MOTION #11 - TO CONCUR IN SCS

AYES - ~~110~~ 111

ADAMS	CULPEPPER	HURLEY	PRESTON
ALDRIDGE	CUNNINGHAM	INSKO	RAMSEY
ALEXANDER	DAUGHTRY	IVES	RAYFIELD
ALLRED	DECKER	JARRELL	REDWINE
ARNOLD	DEDMON	JEFFUS	RUSSELL
BADDOUR	DICKSON	JUSTUS	SAUNDERS
BAKER	DOCKHAM	KINNEY	SEXTON
BARBEE	EARLE	KISER	SHERRILL
BEALL	EASTERLING	LUEBKE	SHUBERT
BERRY	EDDINS	MCALLISTER	SMITH
BLACK	ESPOSITO	MCCOMAS	STARNES
BLUE	FITCH	MCCOMBS	SUTTON
BONNER	FOX	MCCRARY	TALLENT
BOWIE	GARDNER	MCMAHAN	THOMPSON
BOYD-MCINTYRE	GOODWIN	MERCER	TOLSON
BRASWELL	GRADY	MICHAUX	WAINWRIGHT
BRAWLEY	GRAY	MINER	WARNER
BROWN	GULLEY	MITCHELL	WARWICK
BUCHANAN	HACKNEY	MORGAN	WATSON
CANSLER	HALL	MORRIS	WEATHERLY
CAPPS	HARDAWAY	MOSLEY	WILKINS
CARPENTER	HARDY	NEELY	WILSON, C.
CHURCH	HENSLEY	NESBITT	WILSON, G.
CLARY	HIATT	NICHOLS	WOMBLE
COLE	HIGHTOWER	NYE	WOOD
CRAWFORD	HILL	OLDHAM	WRIGHT
CREECH	HOLMES	OWENS	YONGUE
CULP	HUNTER, H.		DAVIS

NOES - 0

EXCUSED ABSENCE - 5

GAMBLE	MILLER	MOORE	REYNOLDS
HUNTER, R.			

EXCUSED VOTE - 0

NOT VOTING - ~~5~~ 4

SPEAKER	ELLIS	HOWARD	ROGERS
~~DAVIS~~			

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1997

FILED
1065
APR 17 97
HOUSE PRINCIPAL CLERK

H D

HOUSE DRHA334-LH176(4.9)

Short Title: Parental Rights & Child Protect. Act. (Public)

Sponsors: Representative Davis.

Referred to:

A BILL TO BE ENTITLED

AN ACT TO PROVIDE THAT IT IS UNLAWFUL TO DISSEMINATE CERTAIN MATERIALS TO A MINOR WITHOUT WRITTEN PARENTAL CONSENT AND TO PROVIDE THAT CRIMINAL AND CIVIL PENALTIES MAY BE IMPOSED FOR SUCH VIOLATIONS.

The General Assembly of North Carolina enacts:

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

"ARTICLE 26B.

"Parental Rights and Child Protection.

"**§ 14-202.15. Definitions.**

The following definitions apply in this Article:

(1) Material. -- The term includes any type of literature, pamphlet, book, magazine, audio or visual tape recording, or other information in any form.

(2) Person. -- The term includes a person, group, association, agency, business, institution, governmental unit, or entity.

"**§ 14-202.16. Unlawful dissemination of certain materials to a minor.**

(a) It is unlawful for any person to disseminate to a minor without first obtaining the written permission of the minor's parent any material that the person knows, or reasonably should know, suggests, recommends, condones, or advocates, explicitly or implicitly, engaging in any of the following: sexual acts, unnatural sexual acts, alternate lifestyles, any other form of sexual activity outside the bonds of matrimony between a lawfully married man and woman, or a violation of any provision of

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1997

FILED
1066 APR 17 97
HOUSE PRINCIPAL CLERK

H D

HOUSE DRH6213-LN162(4.10)

Short Title: Amend Divorce Law. (Public)

Sponsors: Representative Davis.

Referred to:

A BILL TO BE ENTITLED

AN ACT TO AMEND THE DIVORCE LAW TO ALLOW A PARTY TO OBJECT TO THE DIVORCE IF THERE ARE MINOR CHILDREN.

The General Assembly of North Carolina enacts:

Section 1. G.S. 50-6 reads as rewritten:

"**§ 50-6. Divorce after separation of one year on application of either party.**

Except as otherwise provided in this section, ~~Marriages~~ marriages may be dissolved and the parties thereto divorced from the bonds of matrimony on the application of either party, if and when the husband and wife have lived separate and apart for one year, and the plaintiff or defendant in the suit for divorce has resided in the State for a period of six months. A divorce under this section shall not be barred to either party by any defense or plea based upon any provision of G.S. 50-7, a plea of res judicata, or a plea of recrimination. This section shall not apply if there are minor children born of the parties, born of either party and adopted by the other, or adopted by both parties, and either party files a written objection to the granting of the divorce. A written objection must be filed within 21 days of service of the initial pleading requesting a divorce under this section in the court in which the initial pleading was filed. If an objection is timely filed, then a divorce may be granted under this section only if the objecting party:

(1) Abandons his or her family.

(2) Maliciously turns the other out-of-doors.

(3) By cruel or barbarous treatment endangers the life of the other. In addition, the court may grant the victim of the treatment the remedies available under G.S. 50B-1, et seq.

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1997

H

HOUSE DRHA324-LH004A(1.1)

Short Title: Taxpayer Protection Act. (Public)

Sponsors: Representatives Starnes and Russell.

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 1997

FILED
1068 APR 17 97
HOUSE PRINCIPAL CLERK

H D

HOUSE DRHA340-LC197(4.9)

Short Title: Merchants' Sales Tax Discount. (Public)

Sponsors: Representative Hardy.

Referred to:

A BILL TO BE ENTITLED

AN ACT TO ALLOW A PERCENTAGE DISCOUNT TO MERCHANTS FOR COLLECTING STATE SALES AND USE TAXES.

The General Assembly of North Carolina enacts:

Section 1. G.S. 105-164.21 is reenacted and rewritten to read:

"**§ 105-164.21. Discount for collecting and paying taxes when due.**

(a) Amount. -- Except as provided in subsection (b), a retailer who pays the retail sales or use tax imposed by this Article may deduct from the amount of the tax paid a discount of three percent (3%) of the first one thousand dollars ($1,000) of tax paid per month and seven-tenths of one percent (7/10 of 1%) of the remaining tax paid per month up to the following maximum discounts:

(1) One hundred dollars ($100.00) per month for each place of business at a separate location.

(2) For taxpayers who are required to report on a semimonthly basis, five thousand dollars ($5,000) per semimonthly period for each retailer group.

(3) For taxpayers who are not required to report on a semimonthly basis, ten thousand dollars ($10,000) per month for each retailer group.

The discount for each location may be deducted only from the tax paid with regard to that location. For the purposes of this section, a retailer group includes all retail establishments that have one of the following relationships with one another: (i) one corporation owns, directly or indirectly, at least eighty percent (80%) of the voting stock of the others; (ii) at least eighty percent (80%) of the voting stock of the corporations is owned, directly or indirectly, by the same interests; or (iii) in the case

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1997

1069 APR 17 97
HOUSE PRINCIPAL CLERK

H D

HOUSE DRH1305-LG141(3.25)

Short Title: Encourage State Work First Hires. (Public)

Sponsors: Representative Womble.

Referred to:

A BILL TO BE ENTITLED

AN ACT AMENDING THE STATE PERSONNEL ACT TO ENCOURAGE THE HIRING INTO STATE GOVERNMENT EMPLOYMENT OF QUALIFIED WORK FIRST PROGRAM PARTICIPANTS.

The General Assembly of North Carolina enacts:

Section 1. G.S. 126-7.1 reads as rewritten:

"**§ 126-7.1. Posting requirement; State employees receive priority consideration; reduction-in-force ~~rights.~~ rights; Work First hiring.**

(a) All vacancies for which any State agency, department, or institution openly recruit shall be posted within at least the following:

(1) The personnel office of the agency, department, or institution having the vacancy; and

(2) The particular work unit of the agency, department, or institution having the vacancy

in a location readily accessible to employees. If the decision is made, initially or at any time while the vacancy remains open, to receive applicants from outside the recruiting agency, department, or institution, the vacancy shall be listed with the Office of State Personnel for the purpose of informing current State employees of such vacancy. The State agency, department, or institution may not receive approval from the Office of State Personnel to fill a job vacancy if the agency, department, or institution cannot prove to the satisfaction of the Office of State Personnel that it complied with these posting requirements. The agency, department, or institution which hires any person in violation of these posting requirements shall pay such person when employment is discontinued as a result of such violation for the work performed during the period of time between his initial employment and separation.

NORTH CAROLINA

HOUSE OF REPRESENTATIVES

EV

. # 577
ISLATIVE DAY 54
H1069
READING 2
WOMBLE

5/01/97
8:24 PM
IN CHAIR: SPEAKER

ROLL CALL

ENCOURAGE STATE WORK FIRST HIRES

AYES - 111

SPEAKER	DAUGHTRY	HUNTER, H.	OWENS
ADAMS	DAVIS	HUNTER, R.	PRESTON
ALDRIDGE	DECKER	HURLEY	RAYFIELD
ALEXANDER	DEDMON	INSKO	REDWINE
ALLRED	DICKSON	IVES	REYNOLDS
ARNOLD	DOCKHAM	JARRELL	ROGERS
BADDOUR	EARLE	JEFFUS	RUSSELL
BAKER	EASTERLING	JUSTUS	SAUNDERS
BARBEE	EDDINS	KINNEY	SEXTON
BEALL	ELLIS	KISER	SHERRILL
BERRY	ESPOSITO	LUEBKE	SMITH
BLACK	FITCH	MCALLISTER	STARNES
BLUE	FOX	MCCOMAS	SUTTON
BONNER	GARDNER	MCCOMBS	TALLENT
BOWIE	GOODWIN	MCCRARY	THOMPSON
BOYD-MCINTYRE	GRADY	MCMAHAN	TOLSON
BRASWELL	GRAY	MERCER	WAINWRIGHT
BRAWLEY	GULLEY	MICHAUX	WARNER
BROWN	HACKNEY	MILLER	WARWICK
BUCHANAN	HALL	MINER	WATSON
CANSLER	HARDAWAY	MITCHELL	WEATHERLY
CAPPS	HARDY	MOORE	WILKINS
CHURCH	HENSLEY	MORGAN	WILSON, G.
CLARY	HIATT	MORRIS	WOMBLE
COLE	HIGHTOWER	MOSLEY	WOOD
CREECH	HILL	NEELY	WRIGHT
CULP	HOLMES	NESBITT	YONGUE
CULPEPPER	HOWARD	NYE	

NOES - 1

CARPENTER

EXCUSED ABSENCE - 3

NICHOLS	OLDHAM	SHUBERT

EXCUSED VOTE - 0

NOT VOTING - 5

CRAWFORD	GAMBLE	RAMSEY	WILSON, C.
CUNNINGHAM			

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1997

FILED
1070
APR 17 97
HOUSE PRINCIPAL CLERK

H D

HOUSE DRH2263*-LC133(3.6)

Short Title: Local Option Homestead Relief. (Public)

Sponsors: Representative Moore.

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."

Section 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

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1997

FILED
1071
APR 17 97
HOUSE PRINCIPAL CLERK

H D

HOUSE DRH8166-LM160(4.9)

Short Title: Pay Rent Arrears to Stay Ejectment. (Public)

Sponsors: Representative Capps.

Referred to:

A BILL TO BE ENTITLED

AN ACT TO REQUIRE TENANTS TO PAY TO THE CLERK OF COURT THE AMOUNT OF RENT IN ARREARS TO STAY THE EXECUTION OF JUDGMENT FOR SUMMARY EJECTMENT PENDING APPEAL TO DISTRICT COURT AND TO POST A BOND FOR ANY FURTHER APPEALS.

The General Assembly of North Carolina enacts:

Section 1. G.S. 42-34 reads as rewritten:

"**§ 42-34. Undertaking on appeal and order staying execution.**

(a) Upon appeal to the district court, either party may demand that the case be tried at the first session of the court after the appeal is docketed, but the presiding judge, in his discretion, may first try any pending case in which the rights of the parties or the public demand it.

(b) It shall be sufficient to stay execution of a judgment for ejectment ~~that~~ if the defendant appellant ~~sign~~ pays any rent in arrears and signs an undertaking that he or she will pay into the office of the clerk of superior court the amount of the contract rent as it becomes due periodically after the judgment was entered and, where applicable, comply with subdivision (c) below. Any magistrate, clerk, or district court judge shall order stay of execution upon ~~such undertaking.~~ the defendant appellant's paying the rent in arrears and signing the undertaking. If either party disputes the amount of the payment or the due date in ~~such~~ the undertaking, the aggrieved party may move for modification of the terms of the undertaking before the clerk of superior court or the district court. Upon such motion and upon notice to all interested parties, the clerk or court shall hold a hearing and determine what modifications, if any, are appropriate.

NORTH CAROLINA

HOUSE OF REPRESENTATIVES

ROLL CALL

EV

NO. # 534
LEGISLATIVE DAY 54
H1071
READING 2
CAPPS

5/01/97
3:20 PM
IN CHAIR: SPEAKER

PAY RENT ARREARS TO STAY EJECTMENT

AYES - 100

ALEXANDER	CUNNINGHAM	HUNTER, R.	RAYFIELD
ALLRED	DAUGHTRY	HURLEY	REDWINE
ARNOLD	DAVIS	INSKO	REYNOLDS
BADDOUR	DECKER	IVES	ROGERS
BAKER	DEDMON	JUSTUS	SEXTON
BARBEE	DICKSON	KINNEY	SHERRILL
BERRY	DOCKHAM	KISER	SHUBERT
BLACK	EARLE	MCALLISTER	SMITH
BLUE	EASTERLING	MCCOMAS	STARNES
BONNER	EDDINS	MCCOMBS	SUTTON
BOWIE	ESPOSITO	MCCRARY	TALLENT
BOYD-MCINTYRE	FOX	MCMAHAN	THOMPSON
BRASWELL	GARDNER	MERCER	TOLSON
BRAWLEY	GOODWIN	MINER	WAINWRIGHT
BROWN	GRADY	MITCHELL	WARNER
BUCHANAN	GRAY	MOORE	WARWICK
CANSLER	GULLEY	MORGAN	WATSON
CAPPS	HALL	MORRIS	WEATHERLY
CARPENTER	HARDAWAY	MOSLEY	WILKINS
CHURCH	HARDY	NEELY	WILSON, C.
CLARY	HIATT	NICHOLS	WILSON, G.
CRAWFORD	HIGHTOWER	NYE	WOMBLE
CREECH	HILL	OWENS	WOOD
CULP	HOLMES	PRESTON	WRIGHT
CULPEPPER	HOWARD	RAMSEY	YONGUE

NOES - 5

ADAMS	HENSLEY	LUEBKE	MILLER
FITCH			

EXCUSED ABSENCE - 2

OLDHAM	RUSSELL

EXCUSED VOTE - 0

NOT VOTING - 13

SPEAKER	ELLIS	HUNTER, H.	MICHAUX
ALDRIDGE	GAMBLE	JARRELL	NESBITT
BEALL	HACKNEY	JEFFUS	SAUNDERS
COLE			

NORTH CAROLINA GENERAL ASSEMBLY
AMENDMENT
House Bill 1071

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

H1071-ARU-005

Page 1 of 1

Date 11 August ,1998

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

Senator Kinnaird

moves to amend the bill on page 1, line 12,
by rewriting the line to read:
"parties or the public demand it. If the case has not been previously continued in district court, the court shall continue the case for an appropriate period of time if any party initiates discovery or files a motion to allow further pleadings pursuant to G.S. 7A-220 or G.S. 7A-229, or for summary judgment pursuant to Rule 56 of the Rules of Civil Procedure."; and

on page 3, line 44,
by deleting the citation "G.S. 1-292." and substituting "G.S. 42-34(b).".

SIGNED _____
Amendment Sponsor

SIGNED _____
Committee Chair if **Senate** Committee Amendment

ADOPTED V 47-0 FAILED _____ TABLED _____

J. Pruitt 8/11/98

NORTH CAROLINA GENERAL ASSEMBLY
SENATE

RECORDED VOTE

1997 SESSION
SECOND SESSION 1998

SEQ. 1934/7-- 2:35 PM AUGUST 11, 1998 LEGISLATIVE DAY 177

LT. GOVERNOR WICKER -- Presiding

CAPPS
PAY RENT ARREARS TO STAY EJECTMENT
SENATE COM SUB/2ND EDITION

HOUSE BILL 1071

AMEND 1

AYE	47	ALBERTSON	DANNELLY	LEDBETTER	PLYLER
		ALLRAN	EAST	LEE	PURCELL
		BALLANCE	FORRESTER	LUCAS	RAND
		BALLANTINE	FOXX	MARTIN R.	REEVES
		BASNIGHT	GARWOOD	MARTIN W.	RUCHO
		BLUST	HARTSELL	MCDANIEL	SHAW R.
		CARPENTER	HORTON	MILLER	SOLES
		CARRINGTON	HOYLE	MOORE	WARREN
		CLARK	JENKINS	ODOM	WEBSTER
		COCHRANE	JORDAN	PAGE	WEINSTEIN
		COOPER	KERR	PERDUE	WELLONS
		DALTON	KINNAIRD	PHILLIPS	
NO	0				

EXCUSED	0		
NOT CAST	1	WINNER	
ABSENT	2	GULLEY	SHAW L.
PAIRS	0		
AYE			
NO			

GENERAL ASSEMBLY
SENATE

NORTH CAROLINA GENERAL ASSEMBLY
SENATE

RECORDED VOTE

1997 SESSION
SECOND SESSION 1998

SEQ. 1935/8-- 2:35 PM AUGUST 11, 1998 LEGISLATIVE DAY 177

LT. GOVERNOR WICKER -- Presiding

CAPPS
PAY RENT ARREARS TO STAY EJECTMENT
SENATE COM SUB/2ND EDITION

HOUSE BILL 1071
READING 2

AYE	46	ALBERTSON	EAST	LEE	PLYLER
		ALLRAN	FORRESTER	LUCAS	PURCELL
		BALLANTINE	FOXX	MARTIN R.	RAND
		BASNIGHT	GARWOOD	MARTIN W.	REEVES
		BLUST	HARTSELL	MCDANIEL	RUCHO
		CARPENTER	HORTON	MILLER	SHAW R.
		CARRINGTON	HOYLE	MOORE	SOLES
		CLARK	JENKINS	ODOM	WARREN
		COCHRANE	JORDAN	PAGE	WEBSTER
		COOPER	KERR	PERDUE	WEINSTEIN
		DALTON	KINNAIRD	PHILLIPS	WELLONS
		DANNELLY	LEDBETTER		
NO	1	BALLANCE			

EXCUSED	0		
NOT CAST	1	WINNER	
ABSENT	2	GULLEY	SHAW L.
PAIRS	0		
AYE			
NO			

GENERAL ASSEMBLY
SENATE

NORTH CAROLINA
HOUSE OF REPRESENTATIVES
ROLL CALL

EV

. # 1926
ISLATIVE DAY 181
H1071SCS

8/18/98
2:54 PM
IN CHAIR: SPEAKER

CAPPS

PAY RENT ARREARS TO STAY EJECTMENT
MOTION #11 - TO CONCUR IN SCS

AYES - 102

SPEAKER	CLARY	HIGHTOWER	OWENS
ALDRIDGE	COLE	HILL	PRESTON
ALEXANDER	CRAWFORD	HOLMES	RAYFIELD
ALLEN	CREECH	HOWARD	REDWINE
ALLRED	CULP	HUNTER, H.	REYNOLDS
ARNOLD	CULPEPPER	INSKO	ROGERS
BADDOUR	DAUGHTRY	JARRELL	RUSSELL
BAKER	DAVIS	JEFFUS	SAUNDERS
BARBEE	DECKER	JUSTUS	SEXTON
BAREFOOT	DEDMON	KINNEY	SHERRILL
BEALL	DICKSON	KISER	SHUBERT
BERRY	DOCKHAM	MCCOMAS	SMITH
BLACK	EARLE	MCCOMBS	SUTTON
BLUE	EASTERLING	MCCRARY	TALLENT
BONNER	EDDINS	MCMAHAN	THOMPSON
BOWIE	ELLIS	MERCER	TOLSON
BOYD-MCINTYRE	FOX	MILLER	WAINWRIGHT
BRASWELL	GARDNER	MINER	WARNER
BRAWLEY	GOODWIN	MITCHELL	WARWICK
BROWN	GRADY	MOORE	WEATHERLY
BRYANT	GRAY	MORGAN	WILSON, G.
BUCHANAN	GULLEY	MORRIS	WOMBLE
CANSLER	HALL	NICHOLS	WOOD
CAPPS	HARDAWAY	NYE	WRIGHT
CARPENTER	HARDY	OLDHAM	YONGUE
CHURCH	HIATT		

NOES - 5

HENSLEY	MCALLISTER	MOSLEY	NESBITT
LUEBKE			

EXCUSED ABSENCE - 4

ESPOSITO	IVES	NEELY	WATSON

EXCUSED VOTE - 1

HACKNEY

NOT VOTING - 8

ADAMS	FITCH	MICHAUX	STARNES
CUNNINGHAM	HURLEY	RAMSEY	WILSON, C.

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1997

FILED
1072
APR 17 97
HOUSE PRINCIPAL CLERK

H D

HOUSE DRH6210-LE106(4.10)

Short Title: Prevent School Violence. (Public)

Sponsors: Representative Cole.

Referred to:

A BILL TO BE ENTITLED

AN ACT TO AUTHORIZE THE SCHOOLS TO DEVELOP CASE MANAGEMENT PLANS FOR JUVENILES TO PREVENT SCHOOL VIOLENCE.

The General Assembly of North Carolina enacts:

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

"ARTICLE 27A.

"Parental Responsibility to Prevent School Violence.

"§ 115C-397.1. Local procedures for the establishment of case management teams to remedy violent behavior of students; implementation of plans.

(a) Local boards of education shall adopt procedures for identifying students in need of guidance or counseling to prevent violent behavior and for establishing case management plans for those students to remedy the behavior. Local boards shall publish these procedures and make them available to each student and the student's parent or guardian at the beginning of each school year.

(b) Under the plan established for a student, the parent or guardian of the student may be required to participate in case management meetings and to participate in services recommended by the case management team. These services may include instructions for the parent or guardian in parenting, family literacy, and parental involvement skills including nonviolent living skills.

(c) If the parent or guardian, because of his/her student's behavior, is requested to participate in case management meetings and/or participate in services recommended by a case management team, these services should be designed to offer the parent or

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1997

H.B. FILED
1073 APR 17 97
HOUSE PRINCIPAL CLERK

H D

HOUSE DRH7248-LK163(4.10)

Short Title: MV Applications and Fees From Dealers. (Public)

Sponsors: Representatives Cole and Hiatt.

Referred to:

A BILL TO BE ENTITLED

AN ACT TO PROVIDE THAT DEALERS HAVE TEN WORKING DAYS TO SEND MOTOR VEHICLE TITLE APPLICATIONS AND FEES TO THE STATE.

The General Assembly of North Carolina enacts:

Section 1. G.S. 20-79.1(d) reads as rewritten:

"~~(d) A dealer shall not issue, assign, transfer, or deliver temporary registration plates or markers to anyone other than a bona fide purchaser or owner of a vehicle being sold by such dealer, nor shall a dealer issue a temporary registration plate or marker without first obtaining from said purchaser or owner a written application for the titling and registration of the purchased vehicle with the prescribed fees therefor, which application and fees the said dealer shall immediately forward to the Division by mail or messenger or by messenger to a local license agency; nor shall a dealer issue a temporary registration plate to anyone purchasing a vehicle that has unexpired registration plates, which registration plates are to be transferred to such purchaser; nor shall a dealer lend to anyone or use on any vehicle that he may own, temporary registration plates or markers: Provided that dealers are hereby authorized to issue temporary markers to nonresidents for the purpose of removing a vehicle purchased in this State, without collecting a registration fee or requiring an application for titling and registration. It shall be unlawful for any person to issue any temporary registration plate or marker containing any misstatement of fact or knowingly insert any false information upon the face thereof.~~

(d) A dealer shall:

GENERAL ASSEMBLY OF NORTH CAROLINA FILED

SESSION 1997 1074 APR 17 97

H HOUSE PRINCIPAL CLERK D

HOUSE DRHA328-LD026(1.23)

Short Title: Representations to Consolidate Debts. (Public)

Sponsors: Representative Hall.

Referred to:

A BILL TO BE ENTITLED

AN ACT TO PROHIBIT A PERSON FROM REPRESENTING THAT THE PERSON PROVIDES OR OBTAINS DEBT CONSOLIDATION WHEN THE SERVICE THAT PERSON PRIMARILY PROVIDES IS RELATED TO BANKRUPTCY PROCEEDINGS.

The General Assembly of North Carolina enacts:

Section 1. Article 1 of Chapter 75 of the General Statutes is amended by adding a new section to read:

"**§ 75-36. Representation of providing or obtaining debt consolidation.**

(a) No person, firm, or corporation engaged in commerce shall, in connection with the sale or solicitation for sale of any service, represent that the person, firm, or corporation obtains or provides debt consolidation when the service that person primarily obtains or provides is related to bankruptcy proceedings without clearly disclosing that the person primarily obtains or provides services related to bankruptcy proceedings.

(b) To the extent that representations of the type governed by this section are broadcast by radio or television or carried by cable-television, the required disclosure shall be clearly and prominently disclosed.

(c) Nothing in this section shall create any liability for acts by the publisher, owner, agent, or employee of a newspaper, periodical, radio station, television station, cable-television system or other advertising medium arising out of the publication or dissemination of any advertisement or promotion governed by this section, when the publisher, owner, agent, or employee did not know that the advertisement or promotion violated the requirements of this section."

NORTH CAROLINA
HOUSE OF REPRESENTATIVES
ROLL CALL

EV

. # 552
ISLATIVE DAY 54
1074
READING 2
HALL

5/01/97
6:31 PM
IN CHAIR: SPEAKER

REPRESENTATIONS TO CONSOLIDATE DEBTS

AYES - 113

ADAMS	CUNNINGHAM	HUNTER, H.	OWENS
ALDRIDGE	DAUGHTRY	HUNTER, R.	PRESTON
ALEXANDER	DAVIS	HURLEY	RAMSEY
ALLRED	DECKER	INSKO	RAYFIELD
ARNOLD	DEDMON	IVES	REDWINE
BADDOUR	DICKSON	JARRELL	REYNOLDS
BAKER	DOCKHAM	JEFFUS	ROGERS
BARBEE	EARLE	JUSTUS	RUSSELL
BEALL	EASTERLING	KINNEY	SAUNDERS
BERRY	EDDINS	KISER	SEXTON
BLACK	ELLIS	LUEBKE	SHERRILL
BLUE	ESPOSITO	MCALLISTER	SMITH
BONNER	FITCH	MCCOMAS	STARNES
BOWIE	FOX	MCCOMBS	TALLENT
BOYD-MCINTYRE	GARDNER	MCCRARY	THOMPSON
BRASWELL	GOODWIN	MCMAHAN	TOLSON
BRAWLEY	GRADY	MERCER	WAINWRIGHT
BROWN	GRAY	MILLER	WARNER
BUCHANAN	GULLEY	MINER	WARWICK
CANSLER	HACKNEY	MITCHELL	WATSON
CAPPS	HALL	MOORE	WEATHERLY
CARPENTER	HARDAWAY	MORGAN	WILKINS
CHURCH	HARDY	MORRIS	WILSON, C.
CLARY	HIATT	MOSLEY	WILSON, G.
COLE	HIGHTOWER	NEELY	WOMBLE
CRAWFORD	HILL	NESBITT	WOOD
CREECH	HOLMES	NICHOLS	WRIGHT
CULP	HOWARD	NYE	YONGUE
CULPEPPER			

NOES - 2

HENSLEY	SUTTON

EXCUSED ABSENCE - 2

OLDHAM	SHUBERT

EXCUSED VOTE - 0

NOT VOTING - 3

SPEAKER	GAMBLE	MICHAUX

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1997

H.B. FILED
1075 APR 17 97
HOUSE PRINCIPAL CLERK

H D

HOUSE DRH1284-LT130(4.9)

Short Title: Appreciation of Reverse Mortgages. (Public)

Sponsors: Representative Hall.

Referred to:

A BILL TO BE ENTITLED

AN ACT TO PERMIT LENDERS TO CONTRACT FOR AND RECEIVE SHARED APPRECIATION IN CERTAIN CIRCUMSTANCES.

The General Assembly of North Carolina enacts:

Section 1. G.S. 53-270 reads as rewritten:

"**§ 53-270. Prohibited acts.**

Reverse mortgage lenders are prohibited from engaging in any of the following acts in connection with the making, servicing, or collecting of a reverse mortgage loan:

(1) Misrepresenting material facts, making false promises, or engaging in a course of misrepresentation through agents or otherwise.

(2) Failing to disburse funds in accordance with the terms of the reverse mortgage loan contract or other written commitment.

(3) Improperly refusing to issue a satisfaction of a mortgage.

(4) Engaging in any action or practice that is unfair or deceptive, or that operates a fraud on any person.

(5) Contracting for or receiving shared ~~appreciation.~~ appreciation or shared equity, other than in an amount:

a. Not to exceed ten percent (10%) of the value of the property at the time of the loan repayment; and

b. Permitted in conjunction with a loan that:

1. Is outstanding for 24 months or longer; and

2. Either (i) is guaranteed or insured by an agency of the federal government, or (ii) has originated under a reverse mortgage program approved by the Federal National Mortgage Corporation, the Government

NORTH CAROLINA
HOUSE OF REPRESENTATIVES
ROLL CALL

EV

. # 547
EGISLATIVE DAY 54
H1075
READING 2
HALL

4/30/97
4:56 PM
IN CHAIR: SPEAKER

APPRECIATION OF REVERSE MORTGAGES
MOTION #3 REP HALL
CALL THE PREVIOUS QUESTION

AYES - 80

ALDRIDGE	DECKER	JEFFUS	REYNOLDS
ARNOLD	DICKSON	JUSTUS	ROGERS
BADDOUR	DOCKHAM	KINNEY	RUSSELL
BAKER	EDDINS	KISER	SEXTON
BARBEE	ELLIS	MCALLISTER	SHERRILL
BERRY	ESPOSITO	MCCOMAS	SHUBERT
BOWIE	FOX	MCCOMBS	SMITH
BRAWLEY	GARDNER	MCMAHAN	STARNES
BROWN	GRADY	MERCER	SUTTON
BUCHANAN	GRAY	MINER	TALLENT
CANSLER	GULLEY	MITCHELL	THOMPSON
CAPPS	HALL	MOORE	TOLSON
CARPENTER	HARDY	MORGAN	WARWICK
CHURCH	HIATT	MORRIS	WATSON
CLARY	HIGHTOWER	MOSLEY	WEATHERLY
COLE	HILL	NEELY	WILKINS
CREECH	HOLMES	NICHOLS	WILSON, C.
CULP	HURLEY	OWENS	WILSON, G.
DAUGHTRY	INSKO	PRESTON	WOOD
DAVIS	JARRELL	RAYFIELD	YONGUE

NOES - 31

ADAMS	CRAWFORD	HARDAWAY	NYE
ALEXANDER	CULPEPPER	HENSLEY	RAMSEY
ALLRED	CUNNINGHAM	HUNTER, H.	REDWINE
BEALL	DEDMON	HUNTER, R.	SAUNDERS
BLACK	EARLE	LUEBKE	WARNER
BONNER	FITCH	MCCRARY	WOMBLE
BOYD-MCINTYRE	GOODWIN	MICHAUX	WRIGHT
BRASWELL	HACKNEY	MILLER	

EXCUSED ABSENCE - 1

OLDHAM

EXCUSED VOTE - 1

BLUE

NOT VOTING - 7

SPEAKER	GAMBLE	IVES	WAINWRIGHT
EASTERLING	HOWARD	NESBITT	

NORTH CAROLINA

HOUSE OF REPRESENTATIVES

ROLL CALL

EV

NO. # 548
LEGISLATIVE DAY 54
H1075
READING 2
HALL

4/30/97
4:56 PM
IN CHAIR: SPEAKER

APPRECIATION OF REVERSE MORTGAGES

AYES - 74

ALDRIDGE	DEDMON	KINNEY	REYNOLDS
ALEXANDER	DICKSON	KISER	ROGERS
ARNOLD	DOCKHAM	MCCOMAS	RUSSELL
BAKER	EDDINS	MCCOMBS	SEXTON
BARBEE	ELLIS	MCCRARY	SHERRILL
BERRY	ESPOSITO	MCMAHAN	SHUBERT
BLACK	FOX	MERCER	SMITH
BOWIE	GOODWIN	MINER	STARNES
BROWN	GRADY	MITCHELL	TALLENT
CANSLER	GRAY	MOORE	THOMPSON
CAPPS	GULLEY	MORGAN	TOLSON
CARPENTER	HALL	MORRIS	WATSON
CHURCH	HARDY	MOSLEY	WEATHERLY
CLARY	HIATT	NEELY	WILKINS
CREECH	HILL	NICHOLS	WILSON, C.
CULP	HOLMES	OWENS	WILSON, G.
DAUGHTRY	HURLEY	PRESTON	WOMBLE
DAVIS	JARRELL	RAYFIELD	WOOD
DECKER	JUSTUS		

NOES - 37

ADAMS	CRAWFORD	HIGHTOWER	NESBITT
ALLRED	CULPEPPER	HUNTER, H.	NYE
BADDOUR	CUNNINGHAM	HUNTER, R.	RAMSEY
BEALL	EARLE	INSKO	REDWINE
BONNER	FITCH	JEFFUS	SAUNDERS
BOYD-MCINTYRE	GARDNER	LUEBKE	SUTTON
BRASWELL	HACKNEY	MCALLISTER	WARNER
BRAWLEY	HARDAWAY	MICHAUX	WARWICK
BUCHANAN	HENSLEY	MILLER	YONGUE
COLE			

EXCUSED ABSENCE - 1

OLDHAM

EXCUSED VOTE - 1

BLUE

NOT VOTING - 7

SPEAKER	GAMBLE	IVES	WRIGHT
EASTERLING	HOWARD	WAINWRIGHT	

NORTH CAROLINA
HOUSE OF REPRESENTATIVES
ROLL CALL

EV

[illegible]Q. # 555
[illegible]ISLATIVE DAY 54
[illegible]075
READING 3
HALL

5/01/97
6:39 PM
IN CHAIR: SPEAKER

APPRECIATION OF REVERSE MORTGAGES

AYES - 66

ALDRIDGE	DAVIS	IVES	PRESTON
ALEXANDER	DECKER	JUSTUS	RAYFIELD
ARNOLD	DEDMON	KISER	REYNOLDS
BAKER	DICKSON	MCCOMAS	ROGERS
BARBEE	DOCKHAM	MCCOMBS	RUSSELL
BERRY	EDDINS	MCMAHAN	SEXTON
BOWIE	ELLIS	MERCER	SHERRILL
BROWN	ESPOSITO	MINER	TALLENT
BUCHANAN	GRADY	MITCHELL	THOMPSON
CANSLER	GRAY	MOORE	TOLSON
CAPPS	GULLEY	MORGAN	WAINWRIGHT
CARPENTER	HALL	MORRIS	WATSON
CHURCH	HARDY	MOSLEY	WEATHERLY
CLARY	HIATT	NEELY	WILSON, C.
CREECH	HILL	NICHOLS	WILSON, G.
CULP	HOLMES	OWENS	WOOD
DAUGHTRY	HURLEY		

NOES - ~~48~~ 47 DWeeks.

ADAMS	CULPEPPER	HUNTER, H.	RAMSEY
ALLRED	CUNNINGHAM	HUNTER, R.	REDWINE
BADDOUR	EARLE	INSKO	SAUNDERS
BEALL	EASTERLING	JARRELL	SMITH
BLACK	FITCH	JEFFUS	STARNES
[redacted] DW	FOX	LUEBKE	SUTTON
BONNER	GARDNER	MCALLISTER	WARNER
BOYD-MCINTYRE	GOODWIN	MCCRARY	WARWICK
BRASWELL	HACKNEY	MICHAUX	WILKINS
BRAWLEY	HARDAWAY	MILLER	WOMBLE
COLE	HENSLEY	NESBITT	WRIGHT
CRAWFORD	HIGHTOWER	NYE	YONGUE

EXCUSED ABSENCE - 2

OLDHAM SHUBERT

EXCUSED VOTE - ~~0~~ 1 BLUE DW

NOT VOTING - 4

SPEAKER	GAMBLE	HOWARD	KINNEY

H1075

NORTH CAROLINA GENERAL ASSEMBLY
SENATE

RECORDED VOTE

1997 SESSION

SEQ. 1329/7-- 8:38 PM AUGUST 11, 1997 LEGISLATIVE DAY 111

LT. GOVERNOR WICKER -- Presiding

HALL
APPRECIATION OF REVERSE MORTGAGES
SENATE COM SUB/2ND EDITION

HOUSE BILL 1075
READING 2

AYE	39	ALBERTSON	COOPER	LEDBETTER	PERDUE
		ALLRAN	DALTON	LEE	PHILLIPS
		BALLANCE	DANNELLY	LUCAS	PLYLER
		BALLANTINE	FORRESTER	MARTIN R.	PURCELL
		BASNIGHT	FOXX	MARTIN W.	RAND
		BLUST	HORTON	MCDANIEL	REEVES
		CARPENTER	HOYLE	MILLER	RUCHO
		CARRINGTON	JENKINS	MOORE	SOLES
		CLARK	JORDAN	ODOM	WARREN
		COCHRANE	KINNAIRD	PAGE	
NO	5	EAST	KERR	SHAW R.	WEBSTER
		GARWOOD			
EXCUSED	0				
NOT CAST	1	SHAW L.			
ABSENT	5	GULLEY	WEINSTEIN	WELLONS	WINNER
		HARTSELL			
PAIRS	0				
AYE					
NO					

GENERAL ASSEMBLY
SENATE

NORTH CAROLINA GENERAL ASSEMBLY
AMENDMENT
House Bill 1075

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

H1075-ARO-002

Page 1 of 1

Date Aug. 13 ,1997

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

Senator Dalton

moves to amend the bill on page 2, line 30, by rewriting the line to read:

"c. Provides that the borrower receives additional economic benefit in exchange for";

and on page 2, line 32, by adding the following sentence to the end of the line:

"The specific nature of the economic benefit shall be provided to the Commissioner with the other information about the reverse mortgage program required under G.S. 53-264 for dissemination to the reverse mortgage counselors."

and on page 2, line 33, by inserting the phrase "Under subdivisions (a)(1) and (2) of this section," at the beginning of the sentence;

and on page 2, lines 35 and 36, by deleting the phrase "under subdivisions (a)(1) and (2) of this section,".

SIGNED Senator H. Dalton
Amendment Sponsor

SIGNED _____
Committee Chair if Senate Committee Amendment

ADOPTED ✓ 47-0 FAILED _____ TABLED _____

D. Pruitt 8/13/97

NORTH CAROLINA GENERAL ASSEMBLY
SENATE

RECORDED VOTE

1997 SESSION

SEQ. 1352/9--11:32 AM AUGUST 13, 1997 LEGISLATIVE DAY 113

LT. GOVERNOR WICKER -- Presiding

HALL
APPRECIATION OF REVERSE MORTGAGES
SENATE COM SUB/2ND EDITION

HOUSE BILL 1075

AMEND 1

AYE	47	ALBERTSON	EAST	LEE	PURCELL
		ALLRAN	FORRESTER	LUCAS	RAND
		BALLANTINE	FOXX	MARTIN R.	REEVES
		BASNIGHT	GARWOOD	MARTIN W.	RUCHO
		BLUST	HARTSELL	MCDANIEL	SHAW R.
		CARPENTER	HORTON	MILLER	SOLES
		CARRINGTON	HOYLE	MOORE	WARREN
		CLARK	JENKINS	ODOM	WEBSTER
		COCHRANE	JORDAN	PAGE	WEINSTEIN
		COOPER	KERR	PERDUE	WELLONS
		DALTON	KINNAIRD	PHILLIPS	WINNER
		DANNELLY	LEDBETTER	PLYLER	
NO	0				

EXCUSED	1	SHAW L.	
NOT CAST	0		
ABSENT	2	BALLANCE	GULLEY
PAIRS	0		
AYE			
NO			

GENERAL ASSEMBLY
SENATE

Substitute and. for And. #1

NORTH CAROLINA GENERAL ASSEMBLY
AMENDMENT
House Bill 1075

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

H1075-ALT-001

Date 8/13, 1997

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

Senator Shaw

moves to amend the bill on page 2, line 19, by deleting "and";

and on page 2, lines 30 through 32, by rewriting the lines to read:

"c. The borrower receives additional economic benefit in exchange for paying the shared appreciation or shared value, including (i) larger monthly payments or a larger line of credit and (ii) an estimated economic benefit which is at least the amount of shared appreciation or shared value received by the lender and is in addition to the actuarial value.".

SIGNED Bob Shaw
Amendment Sponsor

SIGNED _____
Committee Chair if **Senate** Committee Amendment

ADOPTED _____ FAILED V 19-27 TABLED _____

J. Pruitt 8/13/97

NORTH CAROLINA GENERAL ASSEMBLY
SENATE

RECORDED VOTE

1997 SESSION

SEQ. 1351/8--11:32 AM AUGUST 13, 1997 LEGISLATIVE DAY 113

LT. GOVERNOR WICKER -- Presiding

HALL
APPRECIATION OF REVERSE MORTGAGES
SENATE COM SUB/2ND EDITION

SUBSTITUTE FOR AMD. 1

HOUSE BILL 1075

AMEND 2

AYE	19	ALLRAN	COCHRANE	HARTSELL	PAGE
		BALLANTINE	EAST	HORTON	RUCHO
		BLUST	FORRESTER	LEDBETTER	SHAW R.
		CARRINGTON	FOXX	MCDANIEL	WEBSTER
		CLARK	GARWOOD	MOORE	
	27	ALBERTSON	JENKINS	MILLER	REEVES
		BASNIGHT	JORDAN	ODOM	SOLES
		CARPENTER	KINNAIRD	PERDUE	WARREN
		COOPER	LEE	PHILLIPS	WEINSTEIN
		DALTON	LUCAS	PLYLER	WELLONS
		DANNELLY	MARTIN R.	PURCELL	WINNER
		HOYLE	MARTIN W.	RAND	

EXCUSED	1	SHAW L.	
NOT CAST	1	KERR	
ABSENT	2	BALLANCE	GULLEY
PAIRS	0		
AYE			
NO			

GENERAL ASSEMBLY
SENATE

NORTH CAROLINA GENERAL ASSEMBLY
SENATE

RECORDED VOTE

1997 SESSION

SEQ. 1353/10--11:40 AM AUGUST 13, 1997 LEGISLATIVE DAY 113

LT. GOVERNOR WICKER -- Presiding

HALL
APPRECIATION OF REVERSE MORTGAGES
SENATE COM SUB/2ND EDITION

HOUSE BILL 1075
READING 3

AYE	46	ALBERTSON	FORRESTER	LUCAS	PURCELL
		ALLRAN	FOXX	MARTIN R.	RAND
		BALLANTINE	GARWOOD	MARTIN W.	REEVES
		BASNIGHT	HARTSELL	MCDANIEL	RUCHO
		BLUST	HORTON	MILLER	SHAW R.
		CARPENTER	HOYLE	MOORE	SOLES
		CARRINGTON	JENKINS	ODOM	WARREN
		CLARK	JORDAN	PAGE	WEBSTER
		COCHRANE	KERR	PERDUE	WEINSTEIN
		COOPER	KINNAIRD	PHILLIPS	WELLONS
		DALTON	LEDBETTER	PLYLER	WINNER
		DANNELLY	LEE		
NO	1	EAST			

EXCUSED	1	SHAW L.	
NOT CAST	0		
ABSENT	2	BALLANCE	GULLEY
PAIRS	0		
AYE			
NO			

(CONTINUED)

NORTH CAROLINA GENERAL ASSEMBLY
SENATE

RECORDED VOTE

1997 SESSION

SEQ. 1357/14--11:40 AM AUGUST 13, 1997 LEGISLATIVE DAY 113

LT. GOVERNOR WICKER -- Presiding

HALL
APPRECIATION OF REVERSE MORTGAGES
SENATE COM SUB/2ND EDITION

HOUSE BILL 1075
READING 3

AYE	47	ALBERTSON	EAST	LEE	PURCELL
		ALLRAN	FORRESTER	LUCAS	RAND
		BALLANTINE	FOXX	MARTIN R.	REEVES
		BASNIGHT	GARWOOD	MARTIN W.	RUCHO
		BLUST	HARTSELL	MCDANIEL	SHAW R.
		CARPENTER	HORTON	MILLER	SOLES
		CARRINGTON	HOYLE	MOORE	WARREN
		CLARK	JENKINS	ODOM	WEBSTER
		COCHRANE	JORDAN	PAGE	WEINSTEIN
		COOPER	KERR	PERDUE	WELLONS
		DALTON	KINNAIRD	PHILLIPS	WINNER
		DANNELLY	LEDBETTER	PLYLER	
NO	0				
EXCUSED	1	SHAW L.			
NOT CAST	0				
ABSENT	2	BALLANCE	GULLEY		
PAIRS	0				
AYE					
NO					

(COPY)

GENERAL ASSEMBLY
SENATE

NORTH CAROLINA GENERAL ASSEMBLY
SENATE

RECORDED VOTE

1997 SESSION

SEQ. 1357/14--11:40 AM AUGUST 13, 1997 LEGISLATIVE DAY 113

LT. GOVERNOR WICKER -- Presiding

HALL
APPRECIATION OF REVERSE MORTGAGES
SENATE COM SUB/2ND EDITION

HOUSE BILL 1075
READING 3

RECORDED
AYE 1 EAST
NO -1
ADJUSTED TOTAL
AYE 47
NO 0
NOT CAST 0
[illegible]ENT 2

([illegible]PY)

NORTH CAROLINA GENERAL ASSEMBLY
SENATE

RECORDED VOTE

1997 SESSION
SECOND SESSION 1998

SEQ. 1912/8-- 1:23 PM AUGUST 6, 1998 LEGISLATIVE DAY 175

SENATOR BASNIGHT -- Presiding

HALL HOUSE BILL 1075
APPRECIATION OF REVERSE MORTGAGES
SENATE COM SUB #2/4TH EDITION

AFTER RECONSIDERATION MOTION 2
FOR PREVIOUS QUESTION

AYE	39	ALBERTSON	FORRESTER	LUCAS	PLYLER
		ALLRAN	FOXX	MARTIN R.	PURCELL
		BALLANCE	GULLEY	MARTIN W.	RAND
		BALLANTINE	HARTSELL	MCDANIEL	RUCHO
		BASNIGHT	HOYLE	MILLER	SOLES
		CARRINGTON	JENKINS	MOORE	WARREN
		CLARK	JORDAN	ODOM	WEINSTEIN
		COOPER	KERR	PAGE	WELLONS
		DALTON	KINNAIRD	PERDUE	WINNER
		DANNELLY	LEE	PHILLIPS	
NO	10	BLUST	EAST	REEVES	SHAW R.
		CARPENTER	GARWOOD	SHAW L.	WEBSTER
		COCHRANE	LEDBETTER		

EXCUSED 0

NOT CAST 1 HORTON

ABSENT 0

PAIRS 0
AYE
NO

GENERAL ASSEMBLY
SENATE

NORTH CAROLINA GENERAL ASSEMBLY
SENATE

RECORDED VOTE

1997 SESSION
SECOND SESSION 1998

SEQ. 1913/9-- 1:24 PM AUGUST 6, 1998 LEGISLATIVE DAY 175

SENATOR BASNIGHT -- Presiding

HALL
APPRECIATION OF REVERSE MORTGAGES
SENATE COM SUB #2/4TH EDITION

AFTER RECONSIDERATION

HOUSE BILL 1075
READING 2

AYE	33	ALBERTSON	FORRESTER	MARTIN W.	PLYLER
		ALLRAN	FOXX	MCDANIEL	PURCELL
		BALLANCE	GULLEY	MILLER	RAND
		BALLANTINE	HARTSELL	MOORE	SOLES
		CARRINGTON	HOYLE	ODOM	WARREN
		COCHRANE	LEDBETTER	PAGE	WEINSTEIN
		COOPER	LEE	PERDUE	WELLONS
		DALTON	LUCAS	PHILLIPS	WINNER
		DANNELLY			
NO	16	BASNIGHT	EAST	KERR	RUCHO
		BLUST	HORTON	KINNAIRD	SHAW L.
		CARPENTER	JENKINS	MARTIN R.	SHAW R.
		CLARK	JORDAN	REEVES	WEBSTER

EXCUSED 0

NOT CAST 1 GARWOOD

ABSENT 0

PAIRS 0
AYE
NO

GENERAL ASSEMBLY
SENATE

NORTH CAROLINA
HOUSE OF REPRESENTATIVES
ROLL CALL

EV

SEQ. # 1927
LEGISLATIVE DAY 181
H1075SCS #2

8/18/98
2:55 PM
IN CHAIR: SPEAKER

HALL

APPRECIATION OF REVERSE MORTGAGES
MOTION #11 - TO CONCUR IN SCS

AYES - 109

SPEAKER	COLE	HILL	NICHOLS
ADAMS	CRAWFORD	HOLMES	OLDHAM
ALDRIDGE	CREECH	HOWARD	OWENS
ALEXANDER	CULP	HUNTER, H.	PRESTON
ALLEN	CULPEPPER	HURLEY	RAMSEY
ALLRED	CUNNINGHAM	INSKO	RAYFIELD
ARNOLD	DAUGHTRY	JARRELL	REDWINE
BADDOUR	DAVIS	JEFFUS	REYNOLDS
BAKER	DEDMON	JUSTUS	ROGERS
BARBEE	DICKSON	KINNEY	RUSSELL
BAREFOOT	DOCKHAM	KISER	SAUNDERS
BEALL	EARLE	LUEBKE	SEXTON
BERRY	EASTERLING	MCALLISTER	SHERRILL
BLACK	EDDINS	MCCOMAS	SHUBERT
BLUE	ELLIS	MCCOMBS	SMITH
BONNER	FITCH	MCCRARY	SUTTON
BOWIE	FOX	MCMAHAN	TALLENT
BOYD-MCINTYRE	GARDNER	MERCER	THOMPSON
BRASWELL	GOODWIN	MICHAUX	TOLSON
BRAWLEY	GRADY	MILLER	WAINWRIGHT
BROWN	GRAY	MINER	WARNER
BRYANT	GULLEY	MITCHELL	WARWICK
BUCHANAN	HALL	MOORE	WEATHERLY
CANSLER	HARDAWAY	MORGAN	WILSON, G.
CAPPS	HARDY	MORRIS	WOOD
CARPENTER	HIATT	MOSLEY	WRIGHT
CHURCH	HIGHTOWER	NESBITT	YONGUE
CLARY			

NOES - 1

HACKNEY

EXCUSED ABSENCE - 4

ESPOSITO	IVES	NEELY	WATSON

EXCUSED VOTE - 0

NOT VOTING - 6

DECKER	NYE	WILSON, C.	WOMBLE
HENSLEY	STARNES		

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1997

H.B. FILED
1076 APR 17 97
HOUSE PRINCIPAL CLERK

H D

HOUSE DRH1288-LL124(3.27)

Short Title: Infractions to Magistrates. (Public)

Sponsors: Representatives Clary and Justus.

Referred to:

A BILL TO BE ENTITLED

AN ACT TO EXPAND THE JURISDICTION OF CERTAIN MAGISTRATES TO DISPOSE OF INFRACTIONS.

The General Assembly of North Carolina enacts:

Section 1. G.S. 7A-273 is amended by adding a new subdivision to read:

"**§ 7A-273. Powers of magistrates in infractions or criminal actions.**

In criminal actions or infractions, any magistrate has power:

(1) In infraction cases in which the maximum penalty that can be imposed is not more than fifty dollars ($50.00), exclusive of costs, or in Class 3 misdemeanors, other than the types of infractions and misdemeanors specified in subdivision (2) of this section, to accept guilty pleas or admissions of responsibility and enter judgment;

(2) In misdemeanor or infraction cases involving alcohol offenses under Chapter 18B of the General Statutes, traffic offenses, hunting, fishing, State park and recreation area rule offenses under Chapter 113 of the General Statutes, boating offenses under Chapter 75A of the General Statutes, and littering offenses under G.S. 14-399(c), to accept written appearances, waivers of trial or hearing and pleas of guilty or admissions of responsibility, in accordance with the schedule of offenses and fines or penalties promulgated by the Conference of Chief District Judges pursuant to G.S. 7A-148, and in such cases, to enter judgment and collect the fines or penalties and costs;

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1997

H.B. FILED
1077 APR 17 97
HOUSE PRINCIPAL CLERK

H D

HOUSE DRH8161-LMQQX150(4.3)

Short Title: Massage and Bodywork Therapies. (Public)

Sponsors: Representative Clary.

Referred to:

A BILL TO BE ENTITLED

AN ACT REGULATING THE PRACTICE OF MASSAGE AND BODYWORK THERAPIES.

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 33.

"Massage and Bodywork Therapies Practice.

"§ 90-520. Short title.

This Article shall be known as the North Carolina Massage and Bodywork Therapies Practice Act.

"§ 90-521. Declaration of purpose.

The General Assembly recognizes that the improper practice of massage and bodywork therapies is potentially harmful to the public. Mandatory licensure of those engaged in the practice of massage and bodywork therapies is necessary to ensure minimum standards of competency and to protect the public health, safety, and welfare.

"§ 90-522. Definitions.

The following definitions apply in this Article:

(1) Board. -- The North Carolina Board of Massage and Bodywork Therapies.

(2) Board approved school. -- Any massage and bodywork therapies school or training program in this State or another state that has met the criteria established by the Board.

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1997

H

H.B. FILED 1078 APR 17 97 HOUSE PRINCIPAL CLERK

D

HOUSE DRH1291*-LL146(4.10)

Short Title: Sheriffs' comm'n Amendments. (Public)

Sponsors: Representative Kiser.

Referred to:

A BILL TO BE ENTITLED

AN ACT TO AUTHORIZE THE SHERIFFS' EDUCATION AND TRAINING STANDARDS COMMISSION TO ESTABLISH MINIMUM EMPLOYMENT, TRAINING, AND RETENTION STANDARDS FOR TELECOMMUNICATORS AND TO APPROPRIATE FUNDS TO IMPLEMENT THE ACT.

The General Assembly of North Carolina enacts:

Section 1. G.S. 17E-2(3) reads as rewritten:

"(3) 'Justice officer' ~~means a person who, through the special trust and confidence of the sheriff of the county, has taken the oath of office prescribed by Chapter 11 of these statutes as a peace officer in the office of a sheriff, or who has been duly appointed as a detention officer by the sheriff. The term includes 'deputy sheriffs' and 'special deputy sheriffs' but does not include clerical and support personnel not required to take an oath. The term 'special deputy' means a person who, through appointment by the sheriff, becomes an unpaid criminal justice officer to perform a specific act directed to the person by the sheriff. Justice officer shall also mean the administrator and the other custodial personnel of district confinement facilities as defined in G.S. 153A-219. Nothing in this Chapter shall transfer any supervisory or administrative control of employees of district confinement facilities to the office of the sheriff.~~ means:

a. A person who, through the special trust and confidence of the sheriff, has taken the oath of office prescribed by Chapter 11 of the General Statutes as a peace officer in the

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1997

1079 APR 17 97
HOUSE PRINCIPAL CLERK

H D

HOUSE DRHA329-LH095(2.20)

Short Title: Drug Law Amendments. (Public)

Sponsors: Representative Watson.

Referred to:

A BILL TO BE ENTITLED

AN ACT TO STRENGTHEN THE CONTROLLED SUBSTANCES LAWS.

The General Assembly of North Carolina enacts:

Section 1. G.S. 90-95 reads as rewritten:

"**§ 90-95. Violations; penalties.**

(a) Except as authorized by this Article, it is unlawful for any person:

(1) To manufacture, sell or deliver, or possess with intent to manufacture, sell or deliver, a controlled substance;

(2) To create, sell or deliver, or possess with intent to sell or deliver, a counterfeit controlled substance;

(3) To possess a controlled substance.

(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~~ E felon;

(2) A controlled substance classified in Schedule III, IV, V, or VI shall be punished as a Class ~~I~~ G felon, but 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).

(c) Any person who violates G.S. 90-95(a)(2) shall be punished as a Class I felon.

(d) Except as provided in subsections (h) and (i) of this section, any person who violates G.S. 90-95(a)(3) with respect to:

(1) A controlled substance classified in Schedule I shall be punished as a Class ~~I~~ G felon;

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1997

H.B. FILED
1080 APR 17 97
HOUSE PRINCIPAL CLERK

H D

HOUSE DRH7255-LD167A(3.31)

Short Title: N.C. Withdrawal From S.E. Compact. (Public)

Sponsors: Representatives Hackney and Miner.

Referred to:

A BILL TO BE ENTITLED

AN ACT TO PROVIDE FOR NORTH CAROLINA'S WITHDRAWAL FROM THE SOUTHEAST INTERSTATE LOW-LEVEL RADIOACTIVE WASTE MANAGEMENT COMPACT AND TO REPEAL THE NORTH CAROLINA LOW-LEVEL RADIOACTIVE WASTE MANAGEMENT AUTHORITY ACT OF 1987.

The General Assembly of North Carolina enacts:

Section 1. Chapter 104F of the General Statutes is repealed.

Section 2. Chapter 104G of the General Statutes is repealed.

Section 3. This act is effective when it becomes law.

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1997

H.B. FILED

1081 APR 17 97

HOUSE PRINCIPAL CLERK

H D

HOUSE DRH2286-LB(4.10)

Short Title: Condemnation Awards/Evidence. (Public)

Sponsors: Representative Allred.

Referred to:

A BILL TO BE ENTITLED

AN ACT TO AMEND LAWS GOVERNING CONDEMNATION TO AUTHORIZE AWARD OF ATTORNEYS' FEES AND INTRODUCTION OF ADDITIONAL EVIDENCE OF PROPERTY VALUE IN CERTAIN CONDEMNATION ACTIONS.

The General Assembly of North Carolina enacts:

Section 1. G.S. 40A-8 is amended by adding a new subsection to read:

"(d) In addition to the other costs allowed under this Chapter, in any action brought under Article 3 of this Chapter in which the judgment awarded to the owner is an amount greater than the amount of the deposit under G.S. 40A-41, the court with jurisdiction over the action shall, after making appropriate findings of fact, award each owner of the property sought to be condemned a sum that, in the opinion of the court based upon its findings of fact, will reimburse the owner for reasonable costs, disbursements, and expenses, including reasonable attorneys', appraisal, and engineering fees."

Section 2. Article 4 of Chapter 40A of the General Statutes is amended by adding a new section to read:

"**§ 40A-71. Evidence of value.**

In any proceeding to determine the value of property condemned under Article 3 of this Chapter:

(1) The amount deposited pursuant to G.S. 40A-41,

(2) The most recent appraisal and valuation done prior to institution of the action pursuant to G.S. 40A-41 for the purpose of levying ad valorem taxes upon the property condemned, or

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1997

H.B. FILED

1082 APR 17 97

HOUSE PRINCIPAL CLERK

H D

HOUSE DRH1287-LKX145(4.8)

Short Title: Native American Special Plates. (Public)

Sponsors: Representative Sutton.

Referred to:

A BILL TO BE ENTITLED

AN ACT TO AUTHORIZE THE DIVISION OF MOTOR VEHICLES TO ISSUE A "NATIVE AMERICAN" REGISTRATION PLATE WITH THE NET PROCEEDS FROM THE SALE OF THE PLATES TO BE TRANSFERRED TO THE NORTH CAROLINA COMMISSION ON INDIAN AFFAIRS.

The General Assembly of North Carolina enacts:

Section 1. G.S. 20-81.12 is amended by adding a new subsection to read:

"(b5) Native American Plates. -- The Division shall receive 300 or more applications for a Native American plate with words and a picture approved by the North Carolina Commission on Indian Affairs before the plate may be developed. The Division shall transfer quarterly the money in the Collegiate and Cultural Attraction Plate Account derived from the sale of Native American plates to the Department of Administration for operational expenses of the North Carolina Commission on Indian Affairs."

Section 2. G.S. 20-79.4(a) reads as rewritten:

"(a) Fees. -- Upon request, the Division shall provide and issue free of charge one registration plate to a recipient of the Congressional Medal of Honor, a 100% disabled veteran, and an ex-prisoner of war. All other special registration plates are subject to the regular motor vehicle registration fee in G.S. 20-87 or G.S. 20-88 plus an additional fee in the following amount:

Special Plate	Additional Fee Amount
Historical Attraction	$30.00
State Attraction	$30.00
Collegiate Insignia	$25.00
Olympic Games	$25.00

NORTH CAROLINA
HOUSE OF REPRESENTATIVES
ROLL CALL

RC

[redacted]. # 699
[redacted]ISLATIVE DAY 66
[redacted]82HCS
READING 2
SUTTON

5/22/97
1:44 PM
IN CHAIR: SPEAKER

NATIVE AMERICAN SPECIAL PLATES

AYES - 107

ADAMS	DEDMON	INSKO	RAYFIELD
ALDRIDGE	DICKSON	IVES	REDWINE
ALLRED	DOCKHAM	JARRELL	REYNOLDS
ARNOLD	EARLE	JEFFUS	ROGERS
BADDOUR	EASTERLING	JUSTUS	RUSSELL
BAKER	EDDINS	KISER	SAUNDERS
BARBEE	ELLIS	LUEBKE	SEXTON
BEALL	ESPOSITO	MCCOMAS	SHERRILL
BERRY	FITCH	MCCRARY	SHUBERT
BLACK	FOX	MCMAHAN	SMITH
BLUE	GAMBLE	MERCER	SUTTON
BONNER	GARDNER	MICHAUX	TALLENT
BOYD-MCINTYRE	GOODWIN	MILLER	THOMPSON
BRASWELL	GRADY	MINER	TOLSON
BRAWLEY	GRAY	MITCHELL	WAINWRIGHT
BROWN	GULLEY	MOORE	WARNER
BUCHANAN	HACKNEY	MORGAN	WARWICK
CANSLER	HALL	MORRIS	WATSON
CAPPS	HARDAWAY	MOSLEY	WEATHERLY
CARPENTER	HIATT	NEELY	WILKINS
CLARY	HIGHTOWER	NESBITT	WILSON, C.
COLE	HILL	NICHOLS	WILSON, G.
CRAWFORD	HOLMES	NYE	WOMBLE
CULP	HOWARD	OLDHAM	WOOD
CULPEPPER	HUNTER, H.	OWENS	WRIGHT
DAUGHTRY	HUNTER, R.	PRESTON	YONGUE
DECKER	HURLEY	RAMSEY	

NOES - 5

BOWIE	DAVIS	HARDY	HENSLEY
CREECH			

EXCUSED ABSENCE - 7

ALEXANDER	CUNNINGHAM	MCALLISTER	STARNES
CHURCH	KINNEY	MCCOMBS	

EXCUSED VOTE - 0

NOT VOTING - 1

SPEAKER

NORTH CAROLINA
HOUSE OF REPRESENTATIVES
ROLL CALL

RC

SEQ. # 714
LEGISLATIVE DAY 67
H1082HCS
READING 3
SUTTON

5/26/97
7:29 PM
IN CHAIR: SPEAKER

NATIVE AMERICAN SPECIAL PLATES

AYES - 99

ADAMS	DECKER	KINNEY	REDWINE
ALDRIDGE	DEDMON	KISER	REYNOLDS
ALLRED	DICKSON	LUEBKE	ROGERS
ARNOLD	EARLE	MCALLISTER	RUSSELL
BADDOUR	EASTERLING	MCCOMAS	SAUNDERS
BAKER	EDDINS	MCCOMBS	SEXTON
BARBEE	ELLIS	MCCRARY	SHERRILL
BEALL	ESPOSITO	MCMAHAN	SHUBERT
BLACK	FOX	MERCER	SMITH
BLUE	GARDNER	MICHAUX	STARNES
BOYD-MCINTYRE	GOODWIN	MILLER	SUTTON
BRASWELL	GRADY	MINER	TALLENT
BRAWLEY	GRAY	MITCHELL	TOLSON
BROWN	GULLEY	MOORE	WAINWRIGHT
BUCHANAN	HACKNEY	MORGAN	WARNER
CANSLER	HALL	MORRIS	WARWICK
CAPPS	HIATT	MOSLEY	WATSON
CARPENTER	HILL	NEELY	WEATHERLY
CLARY	HUNTER, R.	NESBITT	WILKINS
COLE	HURLEY	NICHOLS	WILSON, C.
CRAWFORD	INSKO	NYE	WILSON, G.
CULP	IVES	OLDHAM	WOMBLE
CULPEPPER	JARRELL	OWENS	WRIGHT
CUNNINGHAM	JEFFUS	PRESTON	YONGUE
DAUGHTRY	JUSTUS	RAYFIELD	

NOES - 4

BOWIE	DAVIS	HARDY	HENSLEY

EXCUSED ABSENCE - 7

BONNER	DOCKHAM	HIGHTOWER	WOOD
CREECH	HARDAWAY	HOLMES	

EXCUSED VOTE - 0

NOT VOTING - 10

SPEAKER	CHURCH	HOWARD	RAMSEY
ALEXANDER	FITCH	HUNTER, H.	THOMPSON
BERRY	GAMBLE		

NORTH CAROLINA GENERAL ASSEMBLY
SENATE

RECORDED VOTE

1997 SESSION
SECOND SESSION 1998

SEQ. 2012/5-- 9:26 AM SEPTEMBER 3, 1998 LEGISLATIVE DAY 191

LT. GOVERNOR WICKER -- Presiding

SUTTON
NATIVE AMERICAN PLATES/HOUSING
SENATE COM SUB #2/4TH EDITION

HOUSE BILL 1082
READING 2

AYE	47	ALBERTSON	DANNELLY	LEDBETTER	PLYLER
		ALLRAN	EAST	LEE	PURCELL
		BALLANCE	FOXX	LUCAS	RAND
		BALLANTINE	GARWOOD	MARTIN R.	REEVES
		BASNIGHT	GULLEY	MARTIN W.	SHAW R.
		BLUST	HARTSELL	MCDANIEL	SOLES
		CARPENTER	HORTON	MILLER	WARREN
		CARRINGTON	HOYLE	MOORE	WEBSTER
		CLARK	JENKINS	ODOM	WEINSTEIN
		COCHRANE	JORDAN	PAGE	WELLONS
		COOPER	KERR	PERDUE	WINNER
		DALTON	KINNAIRD	PHILLIPS	
NO	0				
EXCUSED	0				
NOT CAST	1	SHAW L.			
ABSENT	2	FORRESTER	RUCHO		
PAIRS	0				
AYE					
NO					

GENERAL ASSEMBLY
SENATE

NORTH CAROLINA GENERAL ASSEMBLY
SENATE

RECORDED VOTE

1997 SESSION
SECOND SESSION 1998

SEQ. 2028/4-- 2:09 PM SEPTEMBER 8, 1998 LEGISLATIVE DAY 1

LT. GOVERNOR WICKER -- Presiding

SUTTON
NATIVE AMERICAN PLATES/HOUSING
SENATE COM SUB #2/4TH EDITION

HOUSE BILL 1082
READING 3

AYE	44	ALBERTSON	DALTON	KINNAIRD	PLYLER
		ALLRAN	DANNELLY	LEDBETTER	PURCELL
		BALLANCE	EAST	LEE	RAND
		BALLANTINE	FORRESTER	LUCAS	REEVES
		BASNIGHT	FOXX	MARTIN R.	RUCHO
		BLUST	GULLEY	MARTIN W.	SHAW R.
		CARPENTER	HORTON	MCDANIEL	SOLES
		CARRINGTON	HOYLE	MILLER	WARREN
		CLARK	JENKINS	ODOM	WEBSTER
		COCHRANE	JORDAN	PAGE	WEINSTEIN
		COOPER	KERR	PHILLIPS	WELLONS
NO	0				
EXCUSED	0				
NOT CAST	1	PERDUE			
ABSENT	5	GARWOOD	MOORE	SHAW L.	WINNER
		HARTSELL			
PAIRS	0				
AYE					
NO					

GENERAL ASSEMBLY
SENATE

NORTH CAROLINA
HOUSE OF REPRESENTATIVES
ROLL CALL

EV

[redacted]. # 2015
[redacted]ISLATIVE DAY 196
[redacted]82SCS #2

9/14/98
7:16 PM
IN CHAIR: SPEAKER

SUTTON

NATIVE AMERICAN PLATES/HOUSING
MOTION #11 - TO CONCUR IN SENATE COMMITTEE SUBSTITUTE

AYES - 81

SPEAKER	CRAWFORD	HOWARD	NICHOLS
ADAMS	CULP	HURLEY	NYE
ALDRIDGE	CULPEPPER	INSKO	OWENS
ALEXANDER	DAVIS	JARRELL	PRESTON
ALLRED	DECKER	JEFFUS	RAMSEY
BADDOUR	DEDMON	JUSTUS	RAYFIELD
BAKER	EARLE	MCALLISTER	REDWINE
BARBEE	EDDINS	MCCOMAS	REYNOLDS
BAREFOOT	FOX	MCCOMBS	SEXTON
BEALL	GARDNER	MCCRARY	SHERRILL
BERRY	GOODWIN	MCMAHAN	STARNES
BLUE	GRADY	MILLER	SUTTON
BONNER	GRAY	MINER	THOMPSON
BOYD-MCINTYRE	GULLEY	MITCHELL	TOLSON
BROWN	HACKNEY	MOORE	WARNER
BRYANT	HALL	MORGAN	WARWICK
BUCHANAN	HENSLEY	MORRIS	WEATHERLY
CAPPS	HIGHTOWER	MOSLEY	WILSON, G.
CHURCH	HILL	NEELY	WOOD
CLARY	HOLMES	NESBITT	YONGUE
COLE			

NOES - 3

BOWIE	CREECH	HARDY

EXCUSED ABSENCE - 23

ALLEN	CUNNINGHAM	KINNEY	SMITH
ARNOLD	DICKSON	KISER	WAINWRIGHT
BLACK	DOCKHAM	LUEBKE	WATSON
BRAWLEY	ELLIS	MERCER	WOMBLE
CANSLER	ESPOSITO	ROGERS	WRIGHT
CARPENTER	IVES	RUSSELL	

EXCUSED VOTE - 0

NOT VOTING - 13

BRASWELL	HARDAWAY	MICHAUX	SHUBERT
DAUGHTRY	HIATT	OLDHAM	TALLENT
EASTERLING	HUNTER, H.	SAUNDERS	WILSON, C.
FITCH			

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1997

H.B. FILED
1083 APR 17 97
HOUSE PRINCIPAL CLERK

H D

HOUSE DRH1260-RW019(4.12)

Short Title: Transfer Funds to Spot Safety and Maint. (Public)

Sponsors: Representative Justus.

Referred to:

A BILL TO BE ENTITLED

AN ACT TO TRANSFER THREE MILLION DOLLARS FROM THE HIGHWAY TRUST FUND TO THE HIGHWAY FUND, TO BE USED FOR SPOT SAFETY IMPROVEMENTS AND MAINTENANCE OF THE STATE'S HIGHWAYS.

The General Assembly of North Carolina enacts:

Section 1. This act becomes effective July 1, 1997.

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1997

H

HOUSE DRHA325-LD198(4.10)

Short Title: Self-Serve Storage Late Fees. (Public)

Sponsors: Representative Luebke.

Referred to:

A BILL TO BE ENTITLED

AN ACT TO PROTECT CONSUMERS BY REQUIRING CONTRACTS FOR THE RENTAL OF SELF-SERVICE STORAGE TO CLEARLY STATE THE TERMS REGARDING THE IMPOSITION OF LATE FEES AND TO LIMIT THE RATE OF LATE FEES.

The General Assembly of North Carolina enacts:

Section 1. Chapter 66 of the General Statutes is amended by adding a new Article to read:

"ARTICLE 32.

"Self-Service Storage Rental Agreements.

"**§ 66-250. Definitions.**

The definitions set forth in Article 4 of Chapter 44A of the General Statutes apply to this Article.

"**§ 66-251. Contract requirements.**

The rental agreement for the storage of personal property in a self-service storage facility shall provide in bold type that is conspicuously placed near the top of the page of the front page of the contract, the terms regarding the imposition of late fees. Any oral or written declaration or instrument that purports to alter these terms is void.

"**§ 66-252. Late fees.**

(a) In all rental agreements in which a definite time for the payment of the rent is fixed, the late fee shall not exceed fifteen dollars ($15.00) or five percent (5%) of the rental payment, whichever is greater, and shall not be imposed by the owner until the rental payment is 10 days or more late.

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1997

FILED
1085 APR 17 97
HOUSE PRINCIPAL CLERK

H D

HOUSE DRH1300-LH186(4.10)

Short Title: Amend Ethnic Intimidation Law. (Public)

Sponsors: Representatives Luebke, Miller, and Michaux (Cosponsors).

Referred to:

A BILL TO BE ENTITLED

AN ACT TO AMEND THE LAWS REGARDING ETHNIC INTIMIDATION.

The General Assembly of North Carolina enacts:

Section 1. G.S. 14-3(c) reads as rewritten:

"(c) If any Class 2 or Class 3 misdemeanor is committed because of the victim's race, color, religion, nationality, sex, sexual orientation, gender identity, or country of origin, the offender shall be guilty of a Class 1 misdemeanor. If any Class A1 or Class 1 misdemeanor offense is committed because of the victim's race, color, religion, nationality, or country of origin, the offender shall be guilty of a Class I felony."

Section 2. G.S. 14-401.14 reads as rewritten:

"**§ 14-401.14. Ethnic intimidation; teaching any technique to be used for ethnic intimidation.**

(a) If a person shall, because of race, color, religion, nationality, sex, sexual orientation, gender identity, or country of origin, assault another person, or damage or deface the property of another person, or threaten to do any such act, he shall be guilty of a Class ~~1 misdemeanor.~~ I felony.

(b) A person who assembles with one or more persons to teach any technique or means to be used to commit any act in violation of subsection (a) of this section is guilty of a Class ~~1 misdemeanor.~~ I felony."

Section 3. This act becomes effective December 1, 1997, and applies to offenses committed on or after that date.

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1997

N.S. FILLD
1086 APR 17 97
HOUSE PRINCIPAL CLERK

H D

HOUSE DRH1290-LD193(4.10)

Short Title: Amend Offer of Judgment Rule-2. (Public)

Sponsors: Representative Miller.

Referred to:

A BILL TO BE ENTITLED

AN ACT TO AMEND RULE 68 OF THE RULES OF CIVIL PROCEDURE REGARDING OFFERS OF JUDGMENT.

The General Assembly of North Carolina enacts:

Section 1. G.S. 1A-1, Rule 68 reads as rewritten:

"**Rule 68. Offer of judgment and disclaimer.**

(a) Offer of judgment. --

(1) At any time more than ~~10~~ 30 days before the trial begins, a party defending against a claim may serve upon the adverse party ~~an~~ a written offer to allow judgment to be ~~taken~~ entered against ~~him for the money or property or to the effect specified in his offer, with costs then accrued.~~ the defending party and in favor of the adverse party for the relief specified in the offer, plus any interest that has accrued as of that date, and, as may be awarded by the court, costs and statutorily authorized attorneys' fees incurred as of that date. The defending party shall not file the written offer with the court at this time.

(2) If within ~~10~~ 30 days after the service of the offer the adverse party serves written notice that the offer is accepted, either party may then file the offer and notice of acceptance together with proof of service ~~thereof and thereupon the clerk shall enter judgment.~~ thereof. The court shall determine costs, interest, and statutorily authorized attorneys' fees and enter judgment accordingly. An offer not accepted within ~~10~~ 30 days after its service shall be deemed withdrawn and evidence of the offer is not admissible

NORTH CAROLINA
HOUSE OF REPRESENTATIVES
ROLL CALL

EV

SEQ. # 553
LEGISLATIVE DAY 54
H1086HCS
READING 2
MILLER

5/01/97
6:33 PM
IN CHAIR: SPEAKER

AMEND OFFER OF JUDGMENT RULE-2

AYES - 115

ADAMS	CUNNINGHAM	HUNTER, R.	PRESTON
ALDRIDGE	DAVIS	HURLEY	RAMSEY
ALEXANDER	DECKER	INSKO	RAYFIELD
ALLRED	DEDMON	IVES	REDWINE
ARNOLD	DICKSON	JARRELL	REYNOLDS
BADDOUR	DOCKHAM	JEFFUS	ROGERS
BAKER	EARLE	JUSTUS	RUSSELL
BARBEE	EASTERLING	KINNEY	SAUNDERS
BEALL	EDDINS	KISER	SEXTON
BERRY	ELLIS	LUEBKE	SHERRILL
BLACK	ESPOSITO	MCALLISTER	SMITH
BLUE	FITCH	MCCOMAS	STARNES
BONNER	FOX	MCCOMBS	SUTTON
BOWIE	GARDNER	MCCRARY	TALLENT
BOYD-MCINTYRE	GOODWIN	MCMAHAN	THOMPSON
BRASWELL	GRADY	MERCER	TOLSON
BRAWLEY	GRAY	MICHAUX	WAINWRIGHT
BROWN	GULLEY	MILLER	WARNER
BUCHANAN	HACKNEY	MINER	WARWICK
CANSLER	HALL	MITCHELL	WATSON
CAPPS	HARDAWAY	MOORE	WEATHERLY
CARPENTER	HARDY	MORGAN	WILKINS
CHURCH	HENSLEY	MORRIS	WILSON, C.
CLARY	HIATT	MOSLEY	WILSON, G.
COLE	HIGHTOWER	NEELY	WOMBLE
CRAWFORD	HILL	NESBITT	WOOD
CREECH	HOLMES	NICHOLS	WRIGHT
CULP	HOWARD	NYE	YONGUE
CULPEPPER	HUNTER, H.	OWENS	

NOES - 1

DAUGHTRY

EXCUSED ABSENCE - 2

OLDHAM SHUBERT

EXCUSED VOTE - 0

NOT VOTING - 2

SPEAKER GAMBLE

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1997

H.B. FILED

1087 APR 17 97

HOUSE PRINCIPAL CLERK

H D

HOUSE DRH2284-LK138B(4.3)

Short Title: Motorized Vehicle Trespass. (Public)

Sponsors: Representative Baker.

Referred to:

A BILL TO BE ENTITLED

AN ACT TO MAKE TRESPASSING WITH A MOTORIZED WHEELED OR TRACKED VEHICLE A MISDEMEANOR.

The General Assembly of North Carolina enacts:

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

"**§ 14-159.3 Trespass to land on motorized wheeled or tracked vehicle.**

(a) No person shall operate any motorized wheeled or tracked vehicle for recreational purposes:

(1) On any private property, without the express written consent of the owner of that property;

(2) Within the banks of any stream or waterway; or

(3) Within 25 feet of the banks of any stream or waterway.

(b) Nothing in this section shall be construed to limit the use of these vehicles for farming or other work related purposes or to limit the use of these vehicles by the owner of private property on his own land.

(c) A violation of this section shall be a Class 1 misdemeanor and shall subject the violator to a fine of not more than five hundred dollars ($500.00)."

Section 2. This act becomes effective December 1, 1997.

NORTH CAROLINA
HOUSE OF REPRESENTATIVES
ROLL CALL

EV

SEQ. # 520
LEGISLATIVE DAY 54
H1087HCS
READING 2
BAKER

5/01/97
2:36 PM
IN CHAIR: SPEAKER

MOTORIZED VEHICLE TRESPASS

AYES - 109

ADAMS	DAUGHTRY	HURLEY	OWENS
ALDRIDGE	DAVIS	INSKO	PRESTON
ALEXANDER	DECKER	IVES	RAYFIELD
ALLRED	DEDMON	JARRELL	REDWINE
ARNOLD	DICKSON	JEFFUS	REYNOLDS
BADDOUR	DOCKHAM	JUSTUS	ROGERS
BAKER	EARLE	KINNEY	RUSSELL
BARBEE	EASTERLING	KISER	SAUNDERS
BEALL	EDDINS	LUEBKE	SHERRILL
BERRY	ESPOSITO	MCALLISTER	SHUBERT
BLACK	FITCH	MCCOMAS	STARNES
BLUE	FOX	MCCOMBS	SUTTON
BONNER	GARDNER	MCCRARY	TALLENT
BOWIE	GOODWIN	MCMAHAN	THOMPSON
BOYD-MCINTYRE	GRAY	MERCER	TOLSON
BRASWELL	GULLEY	MICHAUX	WAINWRIGHT
BRAWLEY	HACKNEY	MILLER	WARNER
BROWN	HALL	MINER	WARWICK
BUCHANAN	HARDAWAY	MITCHELL	WATSON
CANSLER	HARDY	MORGAN	WEATHERLY
CAPPS	HENSLEY	MORRIS	WILKINS
CARPENTER	HIATT	MOSLEY	WILSON, C.
CHURCH	HILL	NEELY	WILSON, G.
CLARY	HOLMES	NESBITT	WOMBLE
COLE	HOWARD	NICHOLS	WOOD
CRAWFORD	HUNTER, H.	NYE	WRIGHT
CULP	HUNTER, R.	OLDHAM	YONGUE
CULPEPPER			

NOES - 5

ELLIS	MOORE	SEXTON	SMITH
HIGHTOWER			

EXCUSED ABSENCE - 0

EXCUSED VOTE - 0

NOT VOTING - 6

SPEAKER	CUNNINGHAM	GRADY	RAMSEY
CREECH	GAMBLE		

NORTH CAROLINA GENERAL ASSEMBLY AMENDMENT

(Please type or use ballpoint pen)

EDITION No. _____

H. B. No. 1087 DATE August 18 1997

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

COMMITTEE SUBSTITUTE X

Rep.) McDaniel

Sen.)

moves to amend the bill on page 1, line 14 Through 16

( ) WHICH CHANGES THE TITLE

by ~~, deleting current section 3 in its entirety~~ deleting those lines in their entirety

further moves to amend the bill on page 1 line 13 by deleting ";or" and substituting a period

further moves to amend the bill on page 1, line 10, by adding "or" at the end of the line

SIGNED [signature]

ADOPTED ✓ 38-4 FAILED _____ TABLED _____

J. Smith 8/18/97

GA-33-A

PRINCIPAL CLERK'S OFFICE (FOR ENGROSSMENT)

NORTH CAROLINA GENERAL ASSEMBLY
SENATE

RECORDED VOTE

1997 SESSION

SEQ. 1396/12-- 7:52 PM AUGUST 18, 1997 LEGISLATIVE DAY 115

LT. GOVERNOR WICKER -- Presiding

BAKER
MOTORIZED VEHICLE TRESSPASS
SENATE COM SUB/3RD EDITION

HOUSE BILL 1087

AMEND 1

AYE	38	ALBERTSON	EAST	LUCAS	PLYLER
		BALLANCE	FORRESTER	MARTIN R.	PURCELL
		BALLANTINE	FOXX	MARTIN W.	RAND
		BASNIGHT	HORTON	MCDANIEL	REEVES
		CARPENTER	JENKINS	MILLER	RUCHO
		CARRINGTON	JORDAN	ODOM	SHAW R.
		CLARK	KERR	PAGE	SOLES
		COOPER	KINNAIRD	PERDUE	WEBSTER
		DALTON	LEDBETTER	PHILLIPS	WELLONS
		DANNELLY	LEE		
NO	4	ALLRAN	BLUST	COCHRANE	MOORE

EXCUSED	0				
NOT CAST	1	SHAW L.			
ABSENT	7	GARWOOD	HARTSELL	WARREN	WINNER
		GULLEY	HOYLE	WEINSTEIN	
PAIRS	0				
AYE					
NO					

GENERAL ASSEMBLY
SENATE

NORTH CAROLINA GENERAL ASSEMBLY
SENATE

RECORDED VOTE

1997 SESSION

SEQ. 1397/13-- 7:52 PM AUGUST 18, 1997 LEGISLATIVE DAY 115

LT. GOVERNOR WICKER -- Presiding

BAKER
MOTORIZED VEHICLE TRESSPASS
SENATE COM SUB/3RD EDITION

HOUSE BILL 1087
READING 2

AYE	39	ALBERTSON	DANNELLY	LEE	PLYLER
		ALLRAN	EAST	LUCAS	PURCELL
		BASNIGHT	FORRESTER	MARTIN R.	RAND
		BLUST	FOXX	MARTIN W.	REEVES
		CARPENTER	HORTON	MILLER	RUCHO
		CARRINGTON	JENKINS	MOORE	SHAW R.
		CLARK	JORDAN	ODOM	SOLES
		COCHRANE	KERR	PAGE	WEBSTER
		COOPER	KINNAIRD	PERDUE	WELLONS
		DALTON	LEDBETTER	PHILLIPS	
NO	3	BALLANCE	BALLANTINE	MCDANIEL	
EXCUSED	0				
NOT CAST	1	SHAW L.			
ABSENT	7	GARWOOD	HARTSELL	WARREN	WINNER
		GULLEY	HOYLE	WEINSTEIN	
PAIRS	0				
AYE					
NO					

GENERAL ASSEMBLY
SENATE

NORTH CAROLINA
HOUSE OF REPRESENTATIVES
ROLL CALL

EV

SEQ. # 1496
LEGISLATIVE DAY 121
H1087SCS

8/26/97
1:27 PM
IN CHAIR: SPEAKER

BAKER

MOTORIZED VEHICLE TRESPASS
MOTION #11 - TO CONCUR IN SCS

AYES - 103

ADAMS	DEDMON	INSKO	RAMSEY
ALEXANDER	DICKSON	IVES	RAYFIELD
ARNOLD	DOCKHAM	JEFFUS	REDWINE
BADDOUR	EARLE	JUSTUS	REYNOLDS
BAKER	EASTERLING	KINNEY	RUSSELL
BARBEE	EDDINS	KISER	SAUNDERS
BEALL	ESPOSITO	LUEBKE	SEXTON
BLACK	FITCH	MCCOMAS	SHERRILL
BONNER	FOX	MCCOMBS	SHUBERT
BOYD-MCINTYRE	GAMBLE	MCCRARY	SMITH
BRASWELL	GARDNER	MCMAHAN	SUTTON
BRAWLEY	GOODWIN	MERCER	TALLENT
BROWN	GRADY	MICHAUX	THOMPSON
BUCHANAN	GRAY	MINER	TOLSON
CANSLER	GULLEY	MITCHELL	WAINWRIGHT
CAPPS	HACKNEY	MOORE	WARNER
CARPENTER	HALL	MORGAN	WARWICK
CHURCH	HARDY	MORRIS	WATSON
CLARY	HENSLEY	MOSLEY	WEATHERLY
COLE	HIATT	NEELY	WILKINS
CRAWFORD	HIGHTOWER	NESBITT	WILSON, G.
CULP	HILL	NICHOLS	WOMBLE
CUNNINGHAM	HOLMES	NYE	WOOD
DAUGHTRY	HUNTER, H.	OLDHAM	WRIGHT
DAVIS	HUNTER, R.	OWENS	YONGUE
DECKER	HURLEY	PRESTON	

NOES - 1

ELLIS

EXCUSED ABSENCE - 3

BERRY	HOWARD	MILLER

EXCUSED VOTE - 0

NOT VOTING - 13

SPEAKER	BOWIE	HARDAWAY	ROGERS
ALDRIDGE	CREECH	JARRELL	STARNES
ALLRED	CULPEPPER	MCALLISTER	WILSON, C.
BLUE			

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1997

H.B. FILED
1088 APR 17 97
HOUSE PRINCIPAL CLERK

H D

HOUSE DRH6201-LD163(3.27)

Short Title: No Ads to Cellular Phones. (Public)

Sponsors: Representative Warner.

Referred to:

A BILL TO BE ENTITLED

AN ACT TO PROHIBIT A PERSON FROM SENDING AN UNSOLICITED ADVERTISEMENT TO A CELLULAR TELEPHONE.

The General Assembly of North Carolina enacts:

Section 1. Article 1 of Chapter 75 of the General Statutes is amended by adding a new section to read:

"**§ 75-36. Unsolicited advertisements to cellular phones.**

No person, firm, or corporation engaged in commerce shall send an unsolicited advertisement to any telephone number assigned to a cellular telephone service."

Section 2. This act is effective when it becomes law.

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1997

1089 APR 17 97

HOUSE PRINCIPAL CLERK

H D

HOUSE DRH6220*-LH169(4.8)

Short Title: UNC Military Tuition. (Public)

Sponsors: Representatives Kinney and McAllister.

Referred to:

A BILL TO BE ENTITLED

AN ACT TO PROVIDE THAT CERTAIN MEMBERS OF THE MILITARY ARE CLASSIFIED AS NORTH CAROLINA RESIDENTS AND SO QUALIFY TO PAY IN-STATE TUITION AT STATE INSTITUTIONS OF HIGHER EDUCATION.

The General Assembly of North Carolina enacts:

Section 1. G.S. 116-4.3(b) reads as rewritten:

"(b) Any member of the armed services qualifying for admission to an institution of higher education as defined in G.S. 116-143.1(a)(3) but not qualifying as a resident for tuition purposes under G.S. 116-143.1 shall be charged the out-of-State tuition rate; provided, that the out- of-State tuition shall be forgiven to the extent that the out-of-State tuition rate exceeds any amounts payable to the institution or the service member by the service member's employer by reason of enrollment pursuant to such admission while the member is abiding in this State incident to active military duty, plus the amount that represents the percentage of the out-of-State tuition rate paid to the institution or the service member by the service member's employer multiplied by the in-State tuition rate and then subtracted from the in-State tuition rate. Any member of the armed services who does not qualify for any payment by the member's employer shall be classified as a resident for tuition purposes and shall pay the full amount of the in-State tuition rate."

Section 2. This act becomes effective July 1, 1997.

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1997

H.B. FILED 1090 APR 17 97 HOUSE PRINCIPAL CLERK

H D

HOUSE DRH2156-LH088(2.18)

Short Title: Beach Renourish/Reserve Funds. (Public)

Sponsors: Representative Redwine.

Referred to:

A BILL TO BE ENTITLED

AN ACT TO ESTABLISH THE BEACH RENOURISHMENT FUND, THE TRUSTEES OF THE FUND, AND TO RESERVE FIVE PERCENT OF THE UNRESERVED CREDIT BALANCE IN THE GENERAL FUND AT THE END OF EACH FISCAL YEAR TO THE BEACH RENOURISHMENT FUND.

The General Assembly of North Carolina enacts:

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

"**§ 143-15.3C. Funds reserved to the Beach Renourishment Fund.**

(a) The Beach Renourishment Fund is established in G.S. 113-146.1. The State Controller shall reserve to the Beach Renourishment Fund five percent (5%) of any unreserved credit balance remaining in the General Fund at the end of each fiscal year. 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 the State Controller to the Savings Reserve Account, the Repairs and Renovations Reserve Account, the Clean Water Management Trust Fund, or the Beach Renourishment Fund pursuant to this section, G.S. 143-15.3, 143-15.3A, and 143-15.3B.

(b) The funds in the Beach Renourishment Fund shall be used only in accordance with Article 13B of Chapter 113 of the General Statutes."

Section 2. Chapter 113 of the General Statutes is amended by adding a new Article to read:

"ARTICLE 13B.

"Beach Renourishment Fund.

"**§ 113-146. Definitions.**

The following definitions apply in this Article:

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1997

H

D

HOUSE DRH2279-LN078(2.19)

Short Title: Crim. Record Check by Private Bus. (Public)

Sponsors: Representative Braswell.

Referred to:

A BILL TO BE ENTITLED

AN ACT TO ALLOW CERTAIN CRIMINAL RECORD CHECKS TO BE CONDUCTED BY PRIVATE BUSINESS.

The General Assembly of North Carolina enacts:

Section 1. G.S. 131D-40(a) reads as rewritten:

"(a) Requirement. -- An offer of employment by an adult care home licensed under this Chapter to an applicant to fill a position that does not require the applicant to have an occupational license is conditioned on consent to a criminal history record check of the applicant. An adult care home shall not employ an applicant who refuses to consent to a criminal history record check required by this section. Within five business days of making the conditional offer of employment, an ~~An~~ adult care home shall submit a request to the Department of Justice under ~~G.S. 114-19.3~~ G.S. 114-19.3, or shall request a private business entity, to conduct a criminal history record ~~check~~ check. ~~within five business days of making the conditional offer of employment.~~ All criminal history information received by the home is confidential and may not be disclosed."

Section 2. G.S. 131E-265(a) reads as rewritten:

"(a) Requirement. -- An offer of employment by a nursing home or a home care agency licensed under this Chapter to an applicant to fill a position that does not require the applicant to have an occupational license is conditioned on consent to a criminal history record check of the applicant. A nursing home or a home care agency shall not employ an applicant who refuses to consent to a criminal history record check required by this section. Within five business days of making the conditional offer of employment, a ~~A~~ nursing home or home care agency shall submit a request to the Department of Justice under ~~G.S. 114-19.3~~ G.S. 114-19.3, or shall

NORTH CAROLINA

HOUSE OF REPRESENTATIVES

ROLL CALL

EV

572
ISLATIVE DAY 54
H1091HCS
READING 2
BRASWELL

5/01/97
8:11 PM
IN CHAIR: SPEAKER

CRIMINAL REC. CHECK BY PRIVATE BUSINESS

AYES - 110

ADAMS	DAUGHTRY	HUNTER, H.	OWENS
ALDRIDGE	DAVIS	HUNTER, R.	RAYFIELD
ALEXANDER	DECKER	HURLEY	REDWINE
ALLRED	DEDMON	INSKO	REYNOLDS
ARNOLD	DICKSON	IVES	ROGERS
BADDOUR	DOCKHAM	JARRELL	RUSSELL
BAKER	EARLE	JEFFUS	SAUNDERS
BARBEE	EASTERLING	JUSTUS	SEXTON
BEALL	EDDINS	KINNEY	SHERRILL
BERRY	ELLIS	KISER	SMITH
BLACK	ESPOSITO	LUEBKE	STARNES
BLUE	FITCH	MCCOMAS	SUTTON
BONNER	FOX	MCCOMBS	TALLENT
BOWIE	GARDNER	MCCRARY	THOMPSON
BOYD-MCINTYRE	GOODWIN	MCMAHAN	TOLSON
BRASWELL	GRADY	MERCER	WAINWRIGHT
BRAWLEY	GRAY	MICHAUX	WARNER
BROWN	GULLEY	MILLER	WARWICK
BUCHANAN	HACKNEY	MINER	WATSON
CANSLER	HALL	MITCHELL	WEATHERLY
CAPPS	HARDAWAY	MOORE	WILKINS
CARPENTER	HARDY	MORGAN	WILSON, C.
CHURCH	HENSLEY	MORRIS	WILSON, G.
CLARY	HIATT	MOSLEY	WOMBLE
COLE	HIGHTOWER	NEELY	WOOD
CREECH	HILL	NESBITT	WRIGHT
CULP	HOLMES	NYE	YONGUE
CULPEPPER	HOWARD		

NOES - 0

EXCUSED ABSENCE - 3

NICHOLS	OLDHAM	SHUBERT

EXCUSED VOTE - 0

NOT VOTING - 7

SPEAKER	CUNNINGHAM	MCALLISTER	RAMSEY
CRAWFORD	GAMBLE	PRESTON	

GENERAL ASSEMBLY OF NORTH CAROLINA H.B. FILED

SESSION 1997 1092 APR 17 97

H HOUSE PRINCIPAL CLERK D

HOUSE DRH1238*-LC138(3.13)

Short Title: Reduce Farm/Industry Fuel Tax. (Public)

Sponsors: Representative Creech.

Referred to:

A BILL TO BE ENTITLED

AN ACT TO PHASE DOWN THE SALES TAX ON ELECTRICITY AND PIPED NATURAL GAS USED IN FARMING AND MANUFACTURING.

The General Assembly of North Carolina enacts:

Section 1. G.S. 105-164.4(a)(1f) reads as rewritten:

"(1f) The ~~rate of two and eighty-three hundredths percent (2.83%)~~ applicable rate provided in the table below applies to the sales price of electricity and piped natural gas described in this subdivision and measured by a separate meter or another device:

Effective Date	Rate
August 1, 1996	2.83%
July 1, 1997	2.67%
July 1, 1998	2.34%
July 1, 1999	2%
July 1, 2000	1.67%
July 1, 2001	1.34%
July 1, 2002	1%

a. Sales of electricity and piped natural gas to farmers to be used by them for any farm purposes other than preparing food, heating dwellings, and other household purposes. The quantity of electricity or gas purchased or used at any one time shall not be a determinative factor as to whether its sale or use is or is not subject to the rate of tax provided in this subdivision.

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1997

H

HOUSE DRH2280-LL139(4.9)

Short Title: HP Helicopter to Asheville. (Public)

Sponsors: Representative Nesbitt.

Referred to:

A BILL TO BE ENTITLED

AN ACT TO PERMANENTLY ASSIGN A HIGHWAY PATROL HELICOPTER AND THE NECESSARY OPERATING PERSONNEL TO ASHEVILLE TO SERVE THE WESTERN PART OF THE STATE.

The General Assembly of North Carolina enacts:

Section 1. The Highway Patrol Division of the Department of Crime Control and Public Safety shall permanently assign a Highway Patrol helicopter and the personnel necessary to operate and maintain it to District 4 of Troop G in Asheville. The helicopter shall be used for traffic control, high speed pursuits, drug eradication efforts, and other law enforcement activities in the western part of the State.

Section 2. This act becomes effective July 1, 1997.

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1997

H.B. FILED
1094 APR 17 97
HOUSE PRINCIPAL CLERK

H D

HOUSE DRH6206-LL141(4.9)

Short Title: Repeal/Recodify Railroad Laws. (Public)

Sponsors: Representative Culpepper.

Referred to:

A BILL TO BE ENTITLED

AN ACT TO REPEAL OBSOLETE OR PREEMPTED PROVISIONS OF THE GENERAL STATUTES AFFECTING RAILROADS, TO RECODIFY CERTAIN RAILROAD STATUTES, AND TO MAKE CONFORMING CHANGES AND CLARIFYING CHANGES.

The General Assembly of North Carolina enacts:

Section 1. G.S. 62-3(6) reads as rewritten:

"(6) 'Common carrier' means any ~~person~~ person, other than a carrier by rail, which holds itself out to the general public to engage in transportation of persons or household goods for compensation, including transportation by ~~train,~~ bus, truck, boat or other conveyance, except as exempted in G.S. 62-260."

Section 2. G.S. 62-3(22) reads as rewritten:

"(22) 'Private carrier' means any ~~person~~ person, other than a carrier by rail, not included in the definitions of common carrier, which transports in intrastate commerce in its own vehicle or vehicles property of which such person is the owner, lessee, or bailee, when such transportation is for the purpose of sale, lease, rent, or bailment, or when such transportation is purely an incidental adjunct to some other established private business owned and operated by such person other than the transportation of household goods for compensation."

Section 3. G.S. 62-3(23) reads as rewritten:

"(23) a. 'Public utility' means a person, whether organized under the laws of this State or under the laws of any other state or

NORTH CAROLINA
HOUSE OF REPRESENTATIVES
ROLL CALL

EV

NO. # 895
LEGISLATIVE DAY 77
H1094HCS #2
READING 2
CULPEPPER

6/11/97
3:14 PM
IN CHAIR: SPEAKER

REPEAL/RECODIFY RAILROAD LAW

AYES - 109

ADAMS	DAUGHTRY	HURLEY	OLDHAM
ALDRIDGE	DAVIS	INSKO	OWENS
ALEXANDER	DECKER	IVES	PRESTON
ARNOLD	DEDMON	JARRELL	RAYFIELD
BADDOUR	DICKSON	JEFFUS	REDWINE
BAKER	DOCKHAM	JUSTUS	REYNOLDS
BARBEE	EARLE	KINNEY	ROGERS
BEALL	EASTERLING	KISER	RUSSELL
BERRY	EDDINS	LUEBKE	SAUNDERS
BLACK	ELLIS	MCALLISTER	SEXTON
BLUE	ESPOSITO	MCCOMAS	SHERRILL
BONNER	FITCH	MCCOMBS	SHUBERT
BOWIE	FOX	MCCRARY	SMITH
BOYD-MCINTYRE	GAMBLE	MCMAHAN	STARNES
BRASWELL	GARDNER	MERCER	SUTTON
BRAWLEY	GOODWIN	MICHAUX	TALLENT
BUCHANAN	GRADY	MILLER	THOMPSON
CANSLER	GULLEY	MINER	TOLSON
CAPPS	HACKNEY	MITCHELL	WAINWRIGHT
CARPENTER	HALL	MOORE	WARNER
CHURCH	HARDY	MORGAN	WARWICK
CLARY	HENSLEY	MORRIS	WATSON
COLE	HIATT	MOSLEY	WEATHERLY
CRAWFORD	HILL	NEELY	WILKINS
CREECH	HOLMES	NESBITT	WILSON, G.
CULP	HOWARD	NICHOLS	WOMBLE
CULPEPPER	HUNTER, H.	NYE	WRIGHT
CUNNINGHAM			

NOES - 2

ALLRED WOOD

EXCUSED ABSENCE - 1

HARDAWAY

EXCUSED VOTE - 0

NOT VOTING - 8

SPEAKER	GRAY	HUNTER, R.	WILSON, C.
BROWN	HIGHTOWER	RAMSEY	YONGUE

NORTH CAROLINA GENERAL ASSEMBLY
AMENDMENT
House Bill 1094

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

H1094-ARB-1

Page 1 of 1

JUN 12 1997

Date ,1997

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

Representative Culpepper

moves to amend the bill on page 6, lines 23 through 26, by deleting the sentence that begins on line 23.

SIGNED Bill Culpepper
Amendment Sponsor

SIGNED
Committee Chair if Senate Committee Amendment

ADOPTED JUN 12 1997 FAILED TABLED

111-0 ev

NORTH CAROLINA

HOUSE OF REPRESENTATIVES

ROLL CALL

EV

. # 917
ISLATIVE DAY 78
H1094HCS #2
READING 3
CULPEPPER
AMEND #1 Rep. Culpepper
REPEAL/RECODIFY RAILROAD LAW

6/12/97
12:41 PM
IN CHAIR: SPEAKER

AYES - 111

ADAMS	DAVIS	HURLEY	RAMSEY
ALDRIDGE	DECKER	INSKO	RAYFIELD
ALEXANDER	DEDMON	JARRELL	REDWINE
ALLRED	DICKSON	JEFFUS	REYNOLDS
ARNOLD	DOCKHAM	JUSTUS	ROGERS
BADDOUR	EARLE	KINNEY	RUSSELL
BAKER	EASTERLING	KISER	SAUNDERS
BEALL	EDDINS	LUEBKE	SEXTON
BLACK	ESPOSITO	MCALLISTER	SHERRILL
BLUE	FITCH	MCCOMAS	SHUBERT
BONNER	GAMBLE	MCCOMBS	SMITH
BOWIE	GARDNER	MCCRARY	STARNES
BOYD-MCINTYRE	GOODWIN	MCMAHAN	SUTTON
BRASWELL	GRADY	MERCER	TALLENT
BRAWLEY	GRAY	MICHAUX	THOMPSON
BROWN	GULLEY	MILLER	TOLSON
BUCHANAN	HACKNEY	MINER	WAINWRIGHT
CANSLER	HALL	MITCHELL	WARNER
CAPPS	HARDAWAY	MOORE	WARWICK
CARPENTER	HARDY	MORGAN	WATSON
CHURCH	HENSLEY	MORRIS	WEATHERLY
COLE	HIATT	MOSLEY	WILSON, C.
CRAWFORD	HIGHTOWER	NEELY	WILSON, G.
CREECH	HILL	NESBITT	WOMBLE
CULP	HOLMES	NYE	WOOD
CULPEPPER	HOWARD	OLDHAM	WRIGHT
CUNNINGHAM	HUNTER, H.	OWENS	YONGUE
DAUGHTRY	HUNTER, R.	PRESTON	

NOES - 0

EXCUSED ABSENCE - 5

BARBEE	ELLIS	FOX	NICHOLS
BERRY			

EXCUSED VOTE - 0

NOT VOTING - 4

SPEAKER	CLARY	IVES	WILKINS

NORTH CAROLINA
HOUSE OF REPRESENTATIVES
ROLL CALL

EV

. # 918
ISLATIVE DAY 78
H1094HCS #2
READING 3
CULPEPPER

6/12/97
12:42 PM
IN CHAIR: SPEAKER

REPEAL/RECODIFY RAILROAD LAW

AYES - 109

ADAMS	DECKER	HURLEY	PRESTON
ALDRIDGE	DEDMON	INSKO	RAMSEY
ALEXANDER	DICKSON	JARRELL	RAYFIELD
ARNOLD	DOCKHAM	JEFFUS	REDWINE
BADDOUR	EARLE	JUSTUS	REYNOLDS
BAKER	EASTERLING	KINNEY	ROGERS
BEALL	EDDINS	KISER	RUSSELL
BLACK	ESPOSITO	LUEBKE	SAUNDERS
BLUE	FITCH	MCALLISTER	SEXTON
BONNER	GAMBLE	MCCOMAS	SHERRILL
BOWIE	GARDNER	MCCOMBS	SHUBERT
BOYD-MCINTYRE	GOODWIN	MCCRARY	SMITH
BRASWELL	GRADY	MCMAHAN	STARNES
BRAWLEY	GRAY	MERCER	SUTTON
BROWN	GULLEY	MICHAUX	TALLENT
BUCHANAN	HACKNEY	MILLER	THOMPSON
CANSLER	HALL	MINER	TOLSON
CAPPS	HARDAWAY	MITCHELL	WAINWRIGHT
CARPENTER	HARDY	MOORE	WARNER
CHURCH	HENSLEY	MORGAN	WARWICK
COLE	HIATT	MORRIS	WATSON
CRAWFORD	HIGHTOWER	MOSLEY	WILSON, C.
CREECH	HILL	NEELY	WILSON, G.
CULP	HOLMES	NESBITT	WOMBLE
CULPEPPER	HOWARD	NYE	WOOD
CUNNINGHAM	HUNTER, H.	OLDHAM	WRIGHT
DAUGHTRY	HUNTER, R.	OWENS	YONGUE
DAVIS			

NOES - 1

ALLRED

EXCUSED ABSENCE - 5

BARBEE	ELLIS	FOX	NICHOLS
BERRY			

EXCUSED VOTE - 0

NOT VOTING - 5

SPEAKER	IVES	WEATHERLY	WILKINS
CLARY			

NORTH CAROLINA GENERAL ASSEMBLY
SENATE

RECORDED VOTE

1997 SESSION
SECOND SESSION 1998

SEQ. 1965/3-- 2:56 PM AUGUST 18, 1998 LEGISLATIVE DAY 181

LT. GOVERNOR WICKER -- Presiding

CULPEPPER
REPEAL/RECODIFY RAILROAD LAWS
SENATE COM SUB/5TH EDITION

HOUSE BILL 1094
READING 2

AYE	47	ALBERTSON	DANNELLY	LEE	RAND
		ALLRAN	EAST	LUCAS	REEVES
		BALLANCE	FORRESTER	MARTIN R.	RUCHO
		BALLANTINE	FOXX	MARTIN W.	SHAW L.
		BASNIGHT	GULLEY	MCDANIEL	SHAW R.
		BLUST	HORTON	MILLER	SOLES
		CARPENTER	HOYLE	ODOM	WARREN
		CARRINGTON	JENKINS	PAGE	WEBSTER
		CLARK	JORDAN	PERDUE	WEINSTEIN
		COCHRANE	KERR	PHILLIPS	WELLONS
		COOPER	KINNAIRD	PLYLER	WINNER
		DALTON	LEDBETTER	PURCELL	
NO	0				
EXCUSED	0				
NOT CAST	0				
ABSENT	3	GARWOOD	HARTSELL	MOORE	
PAIRS	0				
AYE					
NO					

GENERAL ASSEMBLY
SENATE

NORTH CAROLINA
HOUSE OF REPRESENTATIVES
ROLL CALL

EV

SEQ. # 1951
LEGISLATIVE DAY 185
H1094SCS

8/25/98
2:10 PM
IN CHAIR: SPEAKER

CULPEPPER

REPEAL/RECODIFY RAILROAD LAWS
MOTION #11 - TO CONCUR IN SCS

AYES - 110

SPEAKER	CRAWFORD	HILL	NYE
ADAMS	CREECH	HOLMES	OLDHAM
ALEXANDER	CULP	HOWARD	OWENS
ALLEN	CULPEPPER	HURLEY	PRESTON
ALLRED	CUNNINGHAM	INSKO	RAMSEY
ARNOLD	DAUGHTRY	JARRELL	RAYFIELD
BADDOUR	DAVIS	JEFFUS	REYNOLDS
BAKER	DECKER	JUSTUS	ROGERS
BARBEE	DEDMON	KINNEY	RUSSELL
BAREFOOT	DICKSON	KISER	SAUNDERS
BEALL	DOCKHAM	LUEBKE	SEXTON
BERRY	EARLE	MCCOMAS	SHERRILL
BLACK	EASTERLING	MCCOMBS	SHUBERT
BLUE	EDDINS	MCCRARY	SMITH
BONNER	ESPOSITO	MCMAHAN	STARNES
BOWIE	FITCH	MERCER	SUTTON
BOYD-MCINTYRE	FOX	MICHAUX	TALLENT
BRASWELL	GARDNER	MILLER	THOMPSON
BRAWLEY	GOODWIN	MINER	TOLSON
BROWN	GRADY	MITCHELL	WAINWRIGHT
BRYANT	GRAY	MOORE	WARNER
BUCHANAN	GULLEY	MORGAN	WARWICK
CANSLER	HALL	MORRIS	WATSON
CAPPS	HARDAWAY	MOSLEY	WEATHERLY
CARPENTER	HARDY	NEELY	WILSON, G.
CHURCH	HENSLEY	NESBITT	WOMBLE
CLARY	HIATT	NICHOLS	YONGUE
COLE	HIGHTOWER		

NOES - 0

EXCUSED ABSENCE - 5

ALDRIDGE	REDWINE	WOOD	WRIGHT
IVES			

EXCUSED VOTE - 0

NOT VOTING - 5

ELLIS	HUNTER, H.	MCALLISTER	WILSON, C.
HACKNEY			

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1997

H.B. FILED 1095 APR 17 97

HOUSE PRINCIPAL CLERK

H D

HOUSE DRH8168-LJ27(3.4)

Short Title: Dealer Plate For Business Only. (Public)

Sponsors: Representative Gamble.

Referred to:

A BILL TO BE ENTITLED

AN ACT TO ENSURE THAT DEALER PLATES ARE USED ONLY ON VEHICLES DRIVEN FOR A BUSINESS PURPOSE OF THE DEALERSHIP.

The General Assembly of North Carolina enacts:

Section 1. G.S. 20-79 reads as rewritten:

"**§ 20-79. Dealer license plates.**

(a) How to Get a Dealer Plate. -- A dealer licensed under Article 12 of this Chapter may obtain a dealer license plate 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 required fee is the amount set by G.S. 20-87(7).

(b) Number of Plates. -- A dealer who was licensed under Article 12 of this Chapter for the previous 12-month period ending April 30 may obtain the number of dealer license plates allowed by the following table; the number allowed is based on the number of motor vehicles the dealer sold during the relevant 12-month period and the average number of qualifying sales representatives the dealer employed during that same 12-month period:

Vehicles Sold In Relevant 12-Month Period	Maximum Number of Plates
Fewer than 12	1
At least 12 but less than 25	4
At least 25 but less than 37	5
At least 37 but less than 49	6
49 or more	At least 6, but no more than 4 times the average number of qualifying sales

GENERAL ASSEMBLY OF NORTH CAROLINA

H.B. FILED

SESSION 1997

1096

APR 17 97

HOUSE PRINCIPAL CLERK

H D

HOUSE DRH1254*-LK143A(4.3)

Short Title: Trucking Adjustment Act of 1997. (Public)

Sponsors: Representative Hiatt.

Referred to:

A BILL TO BE ENTITLED

AN ACT TO ADJUST CERTAIN STATUTES AFFECTING THE TRUCKING INDUSTRY TO ENCOURAGE THE GROWTH OF THAT INDUSTRY THROUGH INCREASED TRUCK REGISTRATIONS IN THIS STATE AND TO PROVIDE CONSUMER PROTECTION PROVISIONS.

The General Assembly of North Carolina enacts:

Section 1. G.S. 105-187.3(a) reads as rewritten:

"(a) Amount. -- The rate of the use tax imposed by this Article is three percent (3%) of the retail value of a motor vehicle for which a certificate of title is issued. The tax is payable as provided in G.S. 105-187.4. ~~The tax may not be more than one thousand dollars ($1,000) for each certificate of title issued for a Class A or Class B motor vehicle that is a commercial motor vehicle, as defined in G.S. 20-4.01.~~ The tax may not be more than one thousand five hundred dollars ($1,500) for each motor vehicle for which a certificate of title ~~issued for any other motor vehicle.~~ is issued."

Section 2. 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.

PLEASE PRESS HARD - 5 COPIES

NORTH CAROLINA GENERAL ASSEMBLY AMENDMENT

(Please type or use ballpoint pen)

EDITION No. _____

H. B. No. 1096 DATE 8-6-97

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

COMMITTEE SUBSTITUTE _____ perfecting #1

Rep.)
) LUEBKE
~~Sen.~~)

amendment #1
moves to amend ~~the bill on page~~ _____, line _____

( ) WHICH CHANGES THE TITLE

by rewriting line 9 to read

"c. ~~unprocessed forest~~ forest products originating and

SIGNED _____

ADOPTED 86-1 EV FAILED _____ TABLED _____

8/7/97

NORTH CAROLINA

HOUSE OF REPRESENTATIVES

ROLL CALL

EV

SEQ. # 1352
LEGISLATIVE DAY 110
H1096HCS
READING 2
HIATT
AMEND #2- Rep. Luebke
TRUCKING ADJUSTMENT ACT OF 1997
PERFECTING AMENDMENT

8/07/97
11:02 AM
IN CHAIR: SPEAKER

AYES - 86

ADAMS	DOCKHAM	JUSTUS	RAMSEY
ALEXANDER	EASTERLING	KINNEY	RAYFIELD
ALLRED	EDDINS	KISER	REYNOLDS
ARNOLD	ELLIS	MCCOMBS	ROGERS
BADDOUR	ESPOSITO	MCCRARY	SEXTON
BAKER	GAMBLE	MCMAHAN	SMITH
BERRY	GARDNER	MERCER	STARNES
BLACK	GOODWIN	MICHAUX	SUTTON
BROWN	GRADY	MILLER	THOMPSON
BUCHANAN	GRAY	MINER	TOLSON
CANSLER	GULLEY	MITCHELL	WAINWRIGHT
CAPPS	HALL	MOORE	WARNER
CARPENTER	HARDY	MORGAN	WARWICK
CLARY	HENSLEY	MORRIS	WATSON
COLE	HIATT	NEELY	WEATHERLY
CRAWFORD	HILL	NESBITT	WILKINS
CREECH	HOWARD	NICHOLS	WILSON, C.
CULP	HUNTER, H.	NYE	WILSON, G.
CULPEPPER	HUNTER, R.	OLDHAM	WOMBLE
DECKER	IVES	OWENS	WRIGHT
DEDMON	JARRELL	PRESTON	YONGUE
DICKSON	JEFFUS		

NOES - 1

BEALL

EXCUSED ABSENCE - 21

ALDRIDGE	CUNNINGHAM	HIGHTOWER	REDWINE
BARBEE	DAUGHTRY	INSKO	SAUNDERS
BLUE	DAVIS	LUEBKE	SHUBERT
BOWIE	HACKNEY	MCALLISTER	TALLENT
BRASWELL	HARDAWAY	MOSLEY	WOOD
BRAWLEY			

EXCUSED VOTE - 1

MCCOMAS

NOT VOTING - 11

SPEAKER	CHURCH	FOX	RUSSELL
BONNER	EARLE	HOLMES	SHERRILL
BOYD-MCINTYRE	FITCH	HURLEY	

NORTH CAROLINA GENERAL ASSEMBLY
AMENDMENT
House Bill 1096

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

H1096-ALK-1

Page 1 of 1

8/7/97

Date ~~8/6~~ ,1997

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

Representative Hiatt

moves to amend the bill on page 2, line 1, by inserting "transported" immediately before the word "from"; and further moves to amend the bill on page 2, line 4, by rewriting that line to read:

"b. Meats or agricultural crop products ~~originating~~ transported from a farm";

and further moves to amend the bill on page 2, line 6, by rewriting that line to read:

"c. ~~Unprocessed forest~~ Forest products ~~originating~~ transported from a farm";

and further moves to amend the bill on page 2, line 8, by inserting "transported" immediately before the word "from"; and further moves to amend the bill on page 2, line 10, by inserting "transported" immediately before the word "from"; and further moves to amend the bill on page 2, line 12, by inserting "transported" immediately before the word "from".

SIGNED William S Hiatt
Amendment Sponsor

SIGNED _____
Committee Chair if Senate Committee Amendment

ADOPTED AUG 7 1997 FAILED _____ TABLED _____

87-1 GV

NORTH CAROLINA

HOUSE OF REPRESENTATIVES

ROLL CALL

EV

SEQ. # 1353
LEGISLATIVE DAY 110
H1096HCS
READING 2
HIATT
AMEND #1. REP HIATT
TRUCKING ADJUSTMENT ACT OF 1997

8/07/97
11:02 AM
IN CHAIR: SPEAKER

AYES - 87

ADAMS	DICKSON	JEFFUS	RAMSEY
ALEXANDER	DOCKHAM	JUSTUS	RAYFIELD
ALLRED	EASTERLING	KINNEY	REYNOLDS
ARNOLD	EDDINS	KISER	ROGERS
BADDOUR	ELLIS	MCCOMBS	SEXTON
BAKER	ESPOSITO	MCCRARY	SMITH
BEALL	GAMBLE	MCMAHAN	STARNES
BERRY	GARDNER	MERCER	SUTTON
BLACK	GOODWIN	MICHAUX	THOMPSON
BROWN	GRADY	MILLER	TOLSON
BUCHANAN	GRAY	MINER	WAINWRIGHT
CANSLER	GULLEY	MITCHELL	WARNER
CAPPS	HALL	MOORE	WARWICK
CARPENTER	HARDY	MORGAN	WATSON
CLARY	HIATT	MORRIS	WEATHERLY
COLE	HILL	NEELY	WILKINS
CRAWFORD	HOWARD	NESBITT	WILSON, C.
CREECH	HUNTER, H.	NICHOLS	WILSON, G.
CULP	HUNTER, R.	NYE	WOMBLE
CULPEPPER	HURLEY	OLDHAM	WRIGHT
DECKER	IVES	OWENS	YONGUE
DEDMON	JARRELL	PRESTON	

NOES - 1

HENSLEY

EXCUSED ABSENCE - 21

ALDRIDGE	CUNNINGHAM	HIGHTOWER	REDWINE
BARBEE	DAUGHTRY	INSKO	SAUNDERS
BLUE	DAVIS	LUEBKE	SHUBERT
BOWIE	HACKNEY	MCALLISTER	TALLENT
BRASWELL	HARDAWAY	MOSLEY	WOOD
BRAWLEY			

EXCUSED VOTE - 1

MCCOMAS

NOT VOTING - 10

SPEAKER	CHURCH	FOX	RUSSELL
BONNER	EARLE	HOLMES	SHERRILL
BOYD-MCINTYRE	FITCH		

NORTH CAROLINA

HOUSE OF REPRESENTATIVES

ROLL CALL

RC

SEQ. # 1354
LEGISLATIVE DAY 110
H1096HCS
READING 2
HIATT

8/07/97
11:09 AM
IN CHAIR: SPEAKER

TRUCKING ADJUSTMENT ACT OF 1997

AYES - 92

ADAMS	DICKSON	JARRELL	RAMSEY
ALEXANDER	DOCKHAM	JEFFUS	RAYFIELD
ALLRED	EASTERLING	JUSTUS	REYNOLDS
ARNOLD	EDDINS	KINNEY	ROGERS
BADDOUR	ELLIS	KISER	RUSSELL
BAKER	ESPOSITO	MCCOMBS	SEXTON
BEALL	FOX	MCCRARY	SHERRILL
BERRY	GAMBLE	MCMAHAN	SMITH
BLACK	GARDNER	MERCER	STARNES
BROWN	GOODWIN	MICHAUX	SUTTON
BUCHANAN	GRADY	MILLER	THOMPSON
CANSLER	GRAY	MINER	TOLSON
CAPPS	GULLEY	MITCHELL	WAINWRIGHT
CARPENTER	HALL	MOORE	WARNER
CHURCH	HARDY	MORGAN	WARWICK
CLARY	HIATT	MORRIS	WATSON
COLE	HILL	NEELY	WEATHERLY
CRAWFORD	HOLMES	NESBITT	WILKINS
CREECH	HOWARD	NICHOLS	WILSON, C.
CULP	HUNTER, H.	NYE	WILSON, G.
CULPEPPER	HUNTER, R.	OLDHAM	WOMBLE
DECKER	HURLEY	OWENS	WRIGHT
DEDMON	IVES	PRESTON	YONGUE

NOES - 1

HENSLEY

EXCUSED ABSENCE - 21

ALDRIDGE	CUNNINGHAM	HIGHTOWER	REDWINE
BARBEE	DAUGHTRY	INSKO	SAUNDERS
BLUE	DAVIS	LUEBKE	SHUBERT
BOWIE	HACKNEY	MCALLISTER	TALLENT
BRASWELL	HARDAWAY	MOSLEY	WOOD
BRAWLEY			

EXCUSED VOTE - 1

MCCOMAS

NOT VOTING - 5

SPEAKER	BOYD-MCINTYRE	EARLE	FITCH
BONNER			

NORTH CAROLINA
HOUSE OF REPRESENTATIVES
ROLL CALL

RC

REQ. # 1360
LEGISLATIVE DAY 111
H1096HCS
READING 3
HIATT

8/11/97
6:37 PM
IN CHAIR: SPEAKER

TRUCKING ADJUSTMENT ACT OF 1997

AYES - 98

ADAMS	DAVIS	JEFFUS	RAMSEY
ALEXANDER	DEDMON	JUSTUS	RAYFIELD
ALLRED	DICKSON	KINNEY	REDWINE
ARNOLD	DOCKHAM	KISER	REYNOLDS
BADDOUR	EARLE	MCALLISTER	ROGERS
BAKER	EASTERLING	MCCOMBS	RUSSELL
BARBEE	ESPOSITO	MCCRARY	SAUNDERS
BEALL	FOX	MCMAHAN	SEXTON
BLACK	GAMBLE	MERCER	SHERRILL
BLUE	GARDNER	MICHAUX	SHUBERT
BOWIE	GOODWIN	MILLER	SMITH
BOYD-MCINTYRE	GRADY	MINER	STARNES
BRASWELL	GULLEY	MITCHELL	TALLENT
BRAWLEY	HALL	MOORE	THOMPSON
BROWN	HARDAWAY	MORGAN	TOLSON
BUCHANAN	HARDY	MORRIS	WAINWRIGHT
CANSLER	HIATT	MOSLEY	WARNER
CARPENTER	HILL	NEELY	WEATHERLY
CHURCH	HOLMES	NESBITT	WILKINS
CLARY	HOWARD	NICHOLS	WILSON, C.
COLE	HUNTER, H.	NYE	WILSON, G.
CREECH	HUNTER, R.	OLDHAM	WOMBLE
CULP	HURLEY	OWENS	WOOD
CULPEPPER	INSKO	PRESTON	YONGUE
CUNNINGHAM	IVES		

NOES - 1

WARWICK

EXCUSED ABSENCE - 11

ALDRIDGE	EDDINS	HACKNEY	SUTTON
BONNER	ELLIS	HIGHTOWER	WRIGHT
CAPPS	GRAY	LUEBKE	

EXCUSED VOTE - 1

MCCOMAS

NOT VOTING - 9

SPEAKER	DAUGHTRY	FITCH	JARRELL
BERRY	DECKER	HENSLEY	WATSON
CRAWFORD			

NORTH CAROLINA GENERAL ASSEMBLY
AMENDMENT
House Bill 1096

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

H1096-ALK-2

Date August 13, 1997

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

Senator ~~Hoyle~~ Hoyle.

moves to amend the bill on page 2, line 7,
by rewriting that line to read:
"transported from a farm or from woodlands to first ~~market.~~ market without interruption or delay for further packaging or processing after initiating transport.";
and further moves to amend the bill on page 2, line 24,
by rewriting that line to read:
"G.S. 104E-5.
h. Treated sludge collected from a wastewater treatment facility.'"

SIGNED _____
Amendment Sponsor

SIGNED _____
Committee Chair if Senate Committee Amendment

ADOPTED ✓ FAILED _____ TABLED _____

J. Pruitt 8/14/97

Comm. Amend. 1
Adopted ~~and Engrossed~~
Pursuant to Rule 45.1
8/14/97

NORTH CAROLINA GENERAL ASSEMBLY
SENATE

RECORDED VOTE

1997 SESSION

SEQ. 1381/24--12:51 PM AUGUST 14, 1997 LEGISLATIVE DAY 114

SENATOR BASNIGHT -- Presiding

HIATT
TRUCKING ADJUSTMENT ACT OF 1997
COM SUB/4TH EDITION

HOUSE BILL 1096
READING 2

AYE	43	ALBERTSON	FORRESTER	LUCAS	PURCELL
		ALLRAN	FOXX	MARTIN R.	RAND
		BALLANTINE	GARWOOD	MARTIN W.	REEVES
		BASNIGHT	HARTSELL	MCDANIEL	RUCHO
		BLUST	HORTON	MILLER	SHAW L.
		CARPENTER	HOYLE	MOORE	SHAW R.
		COCHRANE	JENKINS	ODOM	SOLES
		COOPER	JORDAN	PAGE	WARREN
		DALTON	KERR	PERDUE	WEINSTEIN
		DANNELLY	LEDBETTER	PHILLIPS	WELLONS
		EAST	LEE	PLYLER	
NO	1	KINNAIRD			

EXCUSED	0			
NOT CAST	0			
ABSENT	6	BALLANCE	CLARK	WEBSTER WINNER
		CARRINGTON	GULLEY	
PAIRS	0			
AYE				
NO				

GENERAL ASSEMBLY
SENATE

NORTH CAROLINA GENERAL ASSEMBLY
SENATE

RECORDED VOTE

1997 SESSION

SEQ. 1391/7-- 7:33 PM AUGUST 18, 1997 LEGISLATIVE DAY 115

LT. GOVERNOR WICKER -- Presiding

HIATT
TRUCKING ADJUSTMENT ACT OF 1997
COM SUB/3RD EDITION

HOUSE BILL 1096
READING 3

AYE	40	ALBERTSON	COOPER	LEE	PHILLIPS
		ALLRAN	DALTON	LUCAS	PLYLER
		BALLANCE	DANNELLY	MARTIN R.	PURCELL
		BALLANTINE	EAST	MARTIN W.	RAND
		BASNIGHT	FORRESTER	MCDANIEL	REEVES
		BLUST	FOXX	MILLER	RUCHO
		CARPENTER	JENKINS	MOORE	SHAW R.
		CARRINGTON	JORDAN	ODOM	SOLES
		CLARK	KERR	PAGE	WEBSTER
		COCHRANE	LEDBETTER	PERDUE	WELLONS
NO	2	HORTON	KINNAIRD		
EXCUSED	0				
NOT CAST	1	SHAW L.			
ABSENT	7	GARWOOD	HARTSELL	WARREN	WINNER
		GULLEY	HOYLE	WEINSTEIN	
PAIRS	0				
AYE					
NO					

GENERAL ASSEMBLY
SENATE

NORTH CAROLINA
HOUSE OF REPRESENTATIVES
ROLL CALL

EV

1440
ISLATIVE DAY 117
H1096HCS

8/20/97
10:33 AM
IN CHAIR: SPEAKER

HIATT
AMEND #1
TRUCKING ADJUSTMENT ACT OF 1997
MOTION #11 - TO CONCUR W/O SENATE AMEND. #1 OF HCS

AYES - 107

ADAMS	CULPEPPER	HOWARD	PRESTON
ALDRIDGE	CUNNINGHAM	HUNTER, H.	RAMSEY
ALEXANDER	DAUGHTRY	HURLEY	RAYFIELD
ALLRED	DAVIS	INSKO	REDWINE
ARNOLD	DECKER	IVES	REYNOLDS
BADDOUR	DEDMON	JARRELL	ROGERS
BAKER	DICKSON	JEFFUS	RUSSELL
BARBEE	DOCKHAM	JUSTUS	SAUNDERS
BEALL	EARLE	KINNEY	SEXTON
BERRY	EASTERLING	KISER	SHERRILL
BLACK	EDDINS	MCALLISTER	SHUBERT
BONNER	ESPOSITO	MCCOMBS	SMITH
BOWIE	FITCH	MCCRARY	STARNES
BOYD-MCINTYRE	FOX	MERCER	SUTTON
BRASWELL	GAMBLE	MICHAUX	TALLENT
BRAWLEY	GARDNER	MINER	THOMPSON
BROWN	GOODWIN	MITCHELL	TOLSON
BUCHANAN	GRADY	MOORE	WAINWRIGHT
CANSLER	GRAY	MORGAN	WARNER
CAPPS	GULLEY	MORRIS	WARWICK
CARPENTER	HALL	MOSLEY	WATSON
CHURCH	HARDAWAY	NEELY	WILKINS
CLARY	HARDY	NESBITT	WILSON, C.
COLE	HENSLEY	NICHOLS	WILSON, G.
CRAWFORD	HIATT	NYE	WOMBLE
CREECH	HIGHTOWER	OLDHAM	YONGUE
CULP	HILL	OWENS	

NOES - 0

EXCUSED ABSENCE - 6

BLUE	MCMAHAN	WEATHERLY	WOOD
LUEBKE	MILLER		

EXCUSED VOTE - 2

HACKNEY	MCCOMAS

NOT VOTING - 5

SPEAKER	HOLMES	HUNTER, R.	WRIGHT
ELLIS			

GENERAL ASSEMBLY OF NORTH CAROLINA H.B. FILED

SESSION 1997 1097 APR 17 97

H HOUSE PRINCIPAL CLERK D

HOUSE DRH8172-RT/SB073.03(4.9)

Short Title: Fisheries Reform Act-2. (Public)

Sponsors: Representatives Preston, Redwine, Reynolds, Smith, and Grady.

Referred to:

A BILL TO BE ENTITLED

AN ACT TO ENACT THE FISHERIES REFORM ACT OF 1997 TO PROTECT, ENHANCE, AND BETTER MANAGE COASTAL FISHERIES IN NORTH CAROLINA.

Whereas, the State of North Carolina has one of the most diverse fisheries in the United States; and

Whereas, the General Assembly recognizes that commercial fishermen perform an essential function by providing wholesome food for the citizens of the State and thereby properly earn a livelihood; and

Whereas, the General Assembly recognizes the economic contribution and important heritage of traditional full-time and part-time commercial fishing; and

Whereas, the General Assembly recognizes that for many citizens fishing is an important recreational activity and that recreational fishing is a source of great personal enjoyment and satisfaction; and

Whereas, the General Assembly recognizes the importance of providing plentiful fishery resources to maintain and enhance tourism as a major contributor to the economy of the State; and

Whereas, the General Assembly recognizes the need to protect our coastal fishery resources and to balance the commercial and recreational interests through better management of these resources; Now, therefore,

The General Assembly of North Carolina enacts:

PART I. SHORT TITLE; PERFORMANCE AUDIT

NORTH CAROLINA GENERAL ASSEMBLY
AMENDMENT
House Bill 1097

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

H1097-ALHF-13

Date June 3 ,1997

Comm. Sub. []
Amends Title []

Representative Mitchell

moves to amend the bill on page 39, lines 26-27, by inserting between those lines the following:

"Section 6.6A. Article 20 of Chapter 113 of the General Statutes is amended by adding a new section to read:

"**§ 113-270. Taking fish by trawling and nets.**

(a) Offense. -- It is unlawful to take fish in the internal waters and joint waters of the State by using a trawl net or a long-haul seine.

(b) Penalty. -- A violation of this section is a Class I felony.

(c) Application. -- This section does not apply to the use of a cast net that is no more than 12 feet in diameter dip net or seines less than 12 feet in length and 3 feet deep for the taking of bait fish. This section does not apply to the taking of fish in waters of the Atlantic Ocean.

(d) For purposes of this section the term fish does not include shellfish or crustaceans."

SIGNED W. Frank Mitchell
Amendment Sponsor

SIGNED _____
Committee Chair if Senate Committee Amendment

ADOPTED _____ FAILED JUN 3 1997 TABLED _____

21-94 EV (adjusted)

NORTH CAROLINA
HOUSE OF REPRESENTATIVES
ROLL CALL

EV

781
SLATIVE DAY 72
97HCS #3
READING 2
PRESTON
AMEND #1
FISHERIES REFORM ACT-2
MOTION #3 · REP PRESTON
PREVIOUS QUESTION ON AMENDMENT #1

6/03/97
3:30 PM
IN CHAIR: SPEAKER

AYES - 82

ALDRIDGE	DAVIS	JARRELL	PRESTON
ARNOLD	DECKER	JEFFUS	RAMSEY
BAKER	DEDMON	JUSTUS	RAYFIELD
BARBEE	DICKSON	KINNEY	REDWINE
BEALL	DOCKHAM	KISER	REYNOLDS
BERRY	EDDINS	MCALLISTER	ROGERS
BONNER	ELLIS	MCCOMAS	RUSSELL
BOWIE	ESPOSITO	MCCOMBS	SEXTON
BOYD-MCINTYRE	GAMBLE	MCMAHAN	SHERRILL
BRAWLEY	GARDNER	MERCER	SMITH
BROWN	GRADY	MINER	STARNES
BUCHANAN	GRAY	MITCHELL	SUTTON
CANSLER	GULLEY	MOORE	TALLENT
CARPENTER	HALL	MORGAN	THOMPSON
CHURCH	HARDY	MORRIS	TOLSON
CLARY	HIATT	NEELY	WARWICK
COLE	HIGHTOWER	NESBITT	WATSON
CRAWFORD	HILL	NICHOLS	WEATHERLY
CULP	HOWARD	OLDHAM	WILSON, G.
CULPEPPER	HUNTER, R.	OWENS	YONGUE
CUNNINGHAM	IVES		

NOES - 32

ADAMS	DAUGHTRY	HENSLEY	MOSLEY
ALEXANDER	EARLE	HUNTER, H.	NYE
ALLRED	EASTERLING	HURLEY	SAUNDERS
BADDOUR	FITCH	INSKO	WAINWRIGHT
BLACK	FOX	LUEBKE	WARNER
BLUE	GOODWIN	MCCRARY	WILKINS
BRASWELL	HACKNEY	MICHAUX	WOMBLE
CAPPS	HARDAWAY	MILLER	WRIGHT

EXCUSED ABSENCE - 4

CREECH	SHUBERT	WILSON, C.	WOOD

EXCUSED VOTE - 0

NOT VOTING - 2

SPEAKER	HOLMES

NORTH CAROLINA

HOUSE OF REPRESENTATIVES

ROLL CALL

EV

6/03/97
3:31 PM
IN CHAIR: SPEAKER

NO. # 782
LEGISLATIVE DAY 72
H1097HCS ~~#~~ 3
READING 2
PRESTON
AMEND #1 - REP MITCHELL
FISHERIES REFORM ACT-2

AYES - ~~23~~ 21 KWeeks

ALDRIDGE	DAVIS	JUSTUS	MORRIS
ALEXANDER	GAMBLE	KISER	~~PRESTON~~ EV
BAKER	GULLEY	MCCOMAS	REYNOLDS
BRAWLEY	HALL	MCCOMBS	STARNES
BROWN	HURLEY	MINER	TOLSON
COLE	~~JEFFUS~~ DW	MITCHELL	

NOES - ~~92~~ 94 KWeeks

SPEAKER	CUNNINGHAM	HILL	OWENS
ADAMS	DAUGHTRY	HOWARD	RAMSEY
ALLRED	DECKER	HUNTER, H.	RAYFIELD
ARNOLD	DEDMON	HUNTER, R.	REDWINE
BADDOUR	DICKSON	INSKO	ROGERS
BARBEE	DOCKHAM	IVES	RUSSELL
BEALL	EARLE	JARRELL	SAUNDERS
BERRY	EASTERLING	KINNEY	SEXTON
BLACK	EDDINS	LUEBKE	SHERRILL
BLUE	ELLIS	MCALLISTER	SMITH
BONNER	ESPOSITO	MCCRARY	SUTTON
BOWIE	FITCH	MCMAHAN	TALLENT
BOYD-MCINTYRE	FOX	MERCER	THOMPSON
BRASWELL	GARDNER	MICHAUX	WAINWRIGHT
BUCHANAN	GOODWIN	MILLER	WARNER
CANSLER	GRADY	MOORE	WARWICK
CAPPS	GRAY	MORGAN	WATSON
CARPENTER	HACKNEY	MOSLEY	WEATHERLY
CHURCH	HARDAWAY	NEELY	WILKINS
CLARY	HARDY	NESBITT	WILSON, G.
CRAWFORD	HENSLEY	NICHOLS	WOMBLE
CULP	HIATT	NYE	WRIGHT
CULPEPPER	HIGHTOWER	OLDHAM	YONGUE
		JEFFUS DW	PRESTON DW

EXCUSED ABSENCE - 4

CREECH	SHUBERT	WILSON, C.	WOOD

EXCUSED VOTE - 0

NOT VOTING - 1

HOLMES

NORTH CAROLINA GENERAL ASSEMBLY
AMENDMENT
House Bill 1097

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

H1097V4-ART/SB-002.02

Date JUN 3 1997, 1997

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

Representative Smith

moves to amend the bill on page 40, between lines 17 and 18 by inserting:

"Section 6.14. Section 3 of Chapter 547 of the 1995 Session Laws, Regular Session 1996, as amended by subsection (b) of Section 1 of Chapter 633 of the 1995 Session Laws, Regular Session 1996, reads as rewritten:

'Sec. 3. Notwithstanding G.S. 113-202, a moratorium on new shellfish cultivation leases shall be imposed in the remaining area of Core Sound not described in Section 1 of this act. During the moratorium, a comprehensive study of the shellfish lease program shall be conducted. The moratorium established under this section shall expire July 1, ~~1997.~~ 1998.'";

on page 40, line 18 by rewriting that line to read:

"Section 6.15. Sections 1.1, 5.8, 6.7, 6.9, 6.10, 6.12, 6.13, and 6.15 of this"; and

NORTH CAROLINA GENERAL ASSEMBLY
AMENDMENT
House Bill 1097

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

H1097V4-ART/SB-002.02

on page 40, line 23 by rewriting that line to read:

"1997. Section 6.1 of this act becomes effective 30 June 1997. Section 6.14 of this act becomes effective 1 July 1997. Sections 3.1, 3.2, 3.3,".

SIGNED _____
Amendment Sponsor

SIGNED _____
Committee Chair if Senate Committee Amendment

ADOPTED ✓ FAILED _____ TABLED _____

JUN 3 1997
68-43 EV

NORTH CAROLINA

HOUSE OF REPRESENTATIVES

ROLL CALL

EV

6/03/97
3:36 PM
IN CHAIR: SPEAKER

NO. # 783
LEGISLATIVE DAY 72
H1097HCS #3
READING 2
PRESTON
AMEND #2- REP SMITH
FISHERIES REFORM ACT-2

AYES - 68

ADAMS	DECKER	HUNTER, R.	OLDHAM
ALEXANDER	DEDMON	HURLEY	OWENS
ALLRED	EARLE	INSKO	RAMSEY
BADDOUR	EASTERLING	JARRELL	REDWINE
BEALL	EDDINS	JEFFUS	REYNOLDS
BLACK	FITCH	KINNEY	ROGERS
BLUE	FOX	LUEBKE	SAUNDERS
BONNER	GAMBLE	MCALLISTER	SMITH
BOYD-MCINTYRE	GOODWIN	MCCRARY	SUTTON
BRASWELL	GRADY	MERCER	TOLSON
BRAWLEY	HACKNEY	MICHAUX	WAINWRIGHT
CAPPS	HARDAWAY	MILLER	WARNER
CHURCH	HARDY	MOORE	WARWICK
COLE	HENSLEY	MOSLEY	WILKINS
CRAWFORD	HIGHTOWER	NESBITT	WOMBLE
CULPEPPER	HILL	NICHOLS	WRIGHT
CUNNINGHAM	HUNTER, H.	NYE	YONGUE

NOES - 43

ALDRIDGE	DAUGHTRY	IVES	PRESTON
ARNOLD	DAVIS	JUSTUS	RAYFIELD
BAKER	DICKSON	KISER	SEXTON
BARBEE	DOCKHAM	MCCOMAS	SHERRILL
BERRY	ELLIS	MCCOMBS	STARNES
BROWN	GARDNER	MCMAHAN	TALLENT
BUCHANAN	GRAY	MINER	THOMPSON
CANSLER	GULLEY	MITCHELL	WATSON
CARPENTER	HALL	MORGAN	WEATHERLY
CLARY	HIATT	MORRIS	WILSON, G.
CULP	HOWARD	NEELY	

EXCUSED ABSENCE - 4

CREECH	SHUBERT	WILSON, C.	WOOD

EXCUSED VOTE - 0

NOT VOTING - 5

SPEAKER	ESPOSITO	HOLMES	RUSSELL
BOWIE			

NORTH CAROLINA

HOUSE OF REPRESENTATIVES

ROLL CALL

RC

784
LEGISLATIVE DAY 72
H1097HCS #3
READING 2
PRESTON

6/03/97
3:36 PM
IN CHAIR: SPEAKER

FISHERIES REFORM ACT-2

AYES - 115

SPEAKER	CUNNINGHAM	HOWARD	NYE
ADAMS	DAUGHTRY	HUNTER, H.	OLDHAM
ALDRIDGE	DAVIS	HUNTER, R.	OWENS
ALEXANDER	DECKER	HURLEY	PRESTON
ALLRED	DEDMON	INSKO	RAMSEY
ARNOLD	DICKSON	IVES	RAYFIELD
BADDOUR	DOCKHAM	JARRELL	REDWINE
BAKER	EARLE	JEFFUS	REYNOLDS
BARBEE	EASTERLING	JUSTUS	ROGERS
BEALL	EDDINS	KINNEY	RUSSELL
BERRY	ELLIS	KISER	SAUNDERS
BLACK	ESPOSITO	LUEBKE	SEXTON
BLUE	FITCH	MCALLISTER	SHERRILL
BONNER	FOX	MCCOMAS	SMITH
BOWIE	GAMBLE	MCCOMBS	STARNES
BOYD-MCINTYRE	GARDNER	MCCRARY	SUTTON
BRASWELL	GOODWIN	MCMAHAN	TALLENT
BRAWLEY	GRADY	MERCER	THOMPSON
BROWN	GRAY	MICHAUX	TOLSON
BUCHANAN	GULLEY	MILLER	WAINWRIGHT
CANSLER	HACKNEY	MINER	WARNER
CAPPS	HALL	MITCHELL	WARWICK
CARPENTER	HARDAWAY	MOORE	WEATHERLY
CHURCH	HARDY	MORGAN	WILKINS
CLARY	HENSLEY	MORRIS	WILSON, G.
COLE	HIATT	MOSLEY	WOMBLE
CRAWFORD	HIGHTOWER	NEELY	WRIGHT
CULP	HILL	NESBITT	YONGUE
CULPEPPER	HOLMES	NICHOLS	

NOES - 1

WATSON

EXCUSED ABSENCE - 4

CREECH	SHUBERT	WILSON, C.	WOOD

EXCUSED VOTE - 0

NOT VOTING - 0

NORTH CAROLINA GENERAL ASSEMBLY
AMENDMENT
House Bill 1097

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

H1097V4-ART/SB-005.02

Date JUN 10 1997 ,1997

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

Representative Nichols

moves to amend the bill, as amended by Amendment #2, on page 40, between lines 17 and 18 by inserting:

"Section 6.15. G.S. 143B-279.4 reads as rewritten:
'**§ 143B-279.4. The Department of Environment, Health, and Natural Resources -- Secretary; Deputy ~~Secretaries.~~ Secretaries; Division of Marine Fisheries staff.**

(a) The Secretary of Environment, Health, and Natural Resources shall be the head of the Department.

(b) The Secretary may appoint two Deputy Secretaries.

(c) The Director of the Division of Marine Fisheries and the Chief of the Marine Patrol of the Division of Marine Fisheries shall be assigned to the Morehead City offices of the Division of Marine Fisheries.'" and

on page 40, line 18, by rewriting that line to read:

"Section 6.16. Sections 1.1, 5.8, 6.7, 6.9, 6.10, 6.12, 6.13, 6.14, 6.15, and 6.16 of this".

SIGNED John M. Nichols
Amendment Sponsor

SIGNED _____
Committee Chair if Senate Committee Amendment

ADOPTED _____ FAILED JUN 10 1997 TABLED _____

47-69 EV

NORTH CAROLINA

HOUSE OF REPRESENTATIVES

ROLL CALL

EV

865
LEGISLATIVE DAY 76
H1097HCS #3
READING 3
PRESTON
AMEND #3 REP NICHOLS
FISHERIES REFORM ACT-2

6/10/97
1:28 PM
IN CHAIR: SPEAKER

AYES - 47

ADAMS	CLARY	HALL	OWENS
ALDRIDGE	COLE	HARDAWAY	ROGERS
ALEXANDER	DAVIS	HARDY	SHUBERT
ALLRED	DECKER	HIATT	SMITH
ARNOLD	EDDINS	HOWARD	STARNES
BAKER	FITCH	HUNTER, H.	WAINWRIGHT
BERRY	FOX	HURLEY	WARNER
BOYD-MCINTYRE	GAMBLE	LUEBKE	WATSON
BRAWLEY	GOODWIN	MCALLISTER	WILKINS
BUCHANAN	GRADY	MICHAUX	WOMBLE
CAPPS	GRAY	NICHOLS	WOOD
CHURCH	HACKNEY	OLDHAM	

NOES - 69

BADDOUR	EARLE	MCCOMAS	RAYFIELD
BARBEE	EASTERLING	MCCOMBS	REDWINE
BEALL	ESPOSITO	MCCRARY	REYNOLDS
BLACK	GARDNER	MCMAHAN	RUSSELL
BONNER	GULLEY	MERCER	SAUNDERS
BOWIE	HENSLEY	MILLER	SEXTON
BROWN	HIGHTOWER	MINER	SHERRILL
CANSLER	HILL	MITCHELL	SUTTON
CARPENTER	HOLMES	MOORE	TALLENT
CRAWFORD	HUNTER, R.	MORGAN	THOMPSON
CREECH	INSKO	MORRIS	TOLSON
CULP	IVES	MOSLEY	WARWICK
CULPEPPER	JARRELL	NEELY	WEATHERLY
CUNNINGHAM	JEFFUS	NESBITT	WILSON, C.
DAUGHTRY	JUSTUS	NYE	WILSON, G.
DEDMON	KINNEY	PRESTON	WRIGHT
DICKSON	KISER	RAMSEY	YONGUE
DOCKHAM			

EXCUSED ABSENCE - 2

BRASWELL	ELLIS

EXCUSED VOTE - 0

NOT VOTING - 2

SPEAKER	BLUE

NORTH CAROLINA

HOUSE OF REPRESENTATIVES

ROLL CALL

RC

866
LEGISLATIVE DAY 76
H1097HCS #3
READING 3
PRESTON

6/10/97
1:29 PM
IN CHAIR: SPEAKER

FISHERIES REFORM ACT-2

AYES - 116

SPEAKER	DAUGHTRY	HUNTER, R.	OWENS
ADAMS	DAVIS	HURLEY	PRESTON
ALDRIDGE	DECKER	INSKO	RAMSEY
ALEXANDER	DEDMON	IVES	RAYFIELD
ALLRED	DICKSON	JARRELL	REDWINE
ARNOLD	DOCKHAM	JEFFUS	REYNOLDS
BADDOUR	EARLE	JUSTUS	ROGERS
BAKER	EASTERLING	KINNEY	RUSSELL
BARBEE	EDDINS	KISER	SAUNDERS
BEALL	ESPOSITO	LUEBKE	SEXTON
BERRY	FITCH	MCALLISTER	SHERRILL
BLACK	FOX	MCCOMAS	SHUBERT
BONNER	GAMBLE	MCCOMBS	SMITH
BOWIE	GARDNER	MCCRARY	STARNES
BOYD-MCINTYRE	GOODWIN	MCMAHAN	SUTTON
BRAWLEY	GRADY	MERCER	TALLENT
BROWN	GRAY	MICHAUX	THOMPSON
BUCHANAN	GULLEY	MILLER	TOLSON
CANSLER	HACKNEY	MINER	WAINWRIGHT
CAPPS	HALL	MITCHELL	WARNER
CARPENTER	HARDAWAY	MOORE	WARWICK
CHURCH	HARDY	MORGAN	WEATHERLY
CLARY	HENSLEY	MORRIS	WILKINS
COLE	HIATT	MOSLEY	WILSON, C.
CRAWFORD	HIGHTOWER	NEELY	WILSON, G.
CREECH	HILL	NESBITT	WOMBLE
CULP	HOLMES	NICHOLS	WOOD
CULPEPPER	HOWARD	NYE	WRIGHT
CUNNINGHAM	HUNTER, H.	OLDHAM	YONGUE

NOES - 1

WATSON

EXCUSED ABSENCE - 2

BRASWELL ELLIS

EXCUSED VOTE - 0

NOT VOTING - 1

BLUE

NORTH CAROLINA GENERAL ASSEMBLY
SENATE

RECORDED VOTE

1997 SESSION

SEQ. 1328/6-- 8:11 PM AUGUST 11, 1997 LEGISLATIVE DAY 111

LT. GOVERNOR WICKER -- Presiding

PRESTON
FISHERIES REFORM ACT-2
SENATE COM SUB #3/8TH EDITION

HOUSE BILL 1097
READING 2

AYE	45	ALBERTSON	DANNELLY	LEDBETTER	PHILLIPS
		ALLRAN	EAST	LEE	PLYLER
		BALLANCE	FORRESTER	LUCAS	PURCELL
		BALLANTINE	FOXX	MARTIN R.	RAND
		BASNIGHT	GARWOOD	MARTIN W.	REEVES
		BLUST	HORTON	MCDANIEL	RUCHO
		CARPENTER	HOYLE	MILLER	SHAW L.
		CARRINGTON	JENKINS	MOORE	SHAW R.
		CLARK	JORDAN	ODOM	SOLES
		COCHRANE	KERR	PAGE	WARREN
		COOPER	KINNAIRD	PERDUE	WEBSTER
		DALTON			
NO	0				
EXCUSED	0				
NOT CAST	0				
ABSENT	5	GULLEY	WEINSTEIN	WELLONS	WINNER
		HARTSELL			
PAIRS	0				
AYE					
NO					

GENERAL ASSEMBLY
SENATE

NORTH CAROLINA GENERAL ASSEMBLY
SENATE

RECORDED VOTE

1997 SESSION

SEQ. 1335/4--10:22 AM AUGUST 12, 1997 LEGISLATIVE DAY 112

SENATOR BASNIGHT -- Presiding

PRESTON
FISHERIES REFORM ACT-2
SENATE COM SUB #3/8TH EDITION

HOUSE BILL 1097
READING 3

AYE	49	ALBERTSON	EAST	LEE	PURCELL
		ALLRAN	FORRESTER	LUCAS	RAND
		BALLANCE	FOXX	MARTIN R.	REEVES
		BALLANTINE	GARWOOD	MARTIN W.	RUCHO
		BASNIGHT	HARTSELL	MCDANIEL	SHAW L.
		BLUST	HORTON	MILLER	SHAW R.
		CARPENTER	HOYLE	MOORE	SOLES
		CARRINGTON	JENKINS	ODOM	WARREN
		CLARK	JORDAN	PAGE	WEBSTER
		COCHRANE	KERR	PERDUE	WEINSTEIN
		COOPER	KINNAIRD	PHILLIPS	WELLONS
		DALTON	LEDBETTER	PLYLER	WINNER
		DANNELLY			
NO	0				

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

GENERAL ASSEMBLY
SENATE

NORTH CAROLINA
HOUSE OF REPRESENTATIVES
ROLL CALL

SEQ. # 1377
LEGISLATIVE DAY 113
1097SCS #3
READING 2
PRESTON

8/13/97
10:26 AM
IN CHAIR: ~~NEELY~~ Speaker

FISHERIES REFORM ACT-2
MOTION #11 - TO CONCUR IN SCS # 3. ROLL CALL

AYES - 98

ADAMS	DAVIS	JARRELL	RAMSEY
ALEXANDER	DECKER	JEFFUS	RAYFIELD
ARNOLD	DEDMON	JUSTUS	REDWINE
BADDOUR	DICKSON	KISER	REYNOLDS
BAKER	DOCKHAM	MCALLISTER	ROGERS
BARBEE	EASTERLING	MCCOMAS	RUSSELL
BEALL	EDDINS	MCCOMBS	SAUNDERS
BERRY	ESPOSITO	MCCRARY	SEXTON
BLACK	FITCH	MCMAHAN	SHERRILL
BLUE	FOX	MERCER	SHUBERT
BOWIE	GARDNER	MICHAUX	SUTTON
BOYD-MCINTYRE	GOODWIN	MILLER	TALLENT
BRAWLEY	GRAY	MINER	THOMPSON
BROWN	GULLEY	MITCHELL	TOLSON
CANSLER	HENSLEY	MOORE	WAINWRIGHT
CARPENTER	HIATT	MORGAN	WARNER
CHURCH	HIGHTOWER	MORRIS	WEATHERLY
CLARY	HILL	MOSLEY	WILKINS
COLE	HOLMES	NESBITT	WILSON, C.
CRAWFORD	HOWARD	NICHOLS	WILSON, G.
CREECH	HUNTER, H.	NYE	WOMBLE
CULP	HUNTER, R.	OLDHAM	WOOD
CULPEPPER	HURLEY	OWENS	WRIGHT
CUNNINGHAM	INSKO	PRESTON	YONGUE
DAUGHTRY	IVES		

NOES - 7

ALLRED	GRADY	STARNES	WATSON
EARLE	SMITH	WARWICK	

EXCUSED ABSENCE - 14

ALDRIDGE	CAPPS	HALL	KINNEY
BONNER	ELLIS	HARDAWAY	LUEBKE
BRASWELL	GAMBLE	HARDY	NEELY
BUCHANAN	HACKNEY		

EXCUSED VOTE - 0

NOT VOTING - 1

SPEAKER

NORTH CAROLINA
HOUSE OF REPRESENTATIVES
ROLL CALL

EV

SEQ. # 1390
LEGISLATIVE DAY 114
H1097SCS #3
READING 3
PRESTON

8/14/97
11:33 AM
IN CHAIR: SPEAKER

FISHERIES REFORM ACT-2
MOTION #3 - PREVIOUS QUESTION
REP REDWINE

AYES - 64

ARNOLD	CUNNINGHAM	HURLEY	RAYFIELD
BAKER	DAUGHTRY	IVES	REDWINE
BEALL	DAVIS	JARRELL	REYNOLDS
BERRY	DECKER	JUSTUS	ROGERS
BOWIE	DICKSON	KISER	RUSSELL
BRASWELL	DOCKHAM	MCALLISTER	SEXTON
BROWN	EDDINS	MCCOMAS	SHERRILL
BUCHANAN	ESPOSITO	MCCOMBS	SHUBERT
CANSLER	GRADY	MCMAHAN	STARNES
CARPENTER	GRAY	MERCER	TALLENT
CHURCH	GULLEY	MINER	THOMPSON
CLARY	HIATT	MITCHELL	TOLSON
CRAWFORD	HILL	MORGAN	WEATHERLY
CREECH	HOLMES	MORRIS	WILSON, C.
CULP	HOWARD	NICHOLS	WILSON, G.
CULPEPPER	HUNTER, R.	PRESTON	YONGUE

NOES - 43

ADAMS	EARLE	LUEBKE	SMITH
ALEXANDER	EASTERLING	MCCRARY	SUTTON
ALLRED	FITCH	MICHAUX	WAINWRIGHT
BADDOUR	FOX	MILLER	WARNER
BLACK	GARDNER	MOORE	WARWICK
BLUE	GOODWIN	NESBITT	WATSON
BONNER	HARDAWAY	NYE	WILKINS
BOYD-MCINTYRE	HENSLEY	OLDHAM	WOMBLE
BRAWLEY	HUNTER, H.	OWENS	WOOD
COLE	INSKO	RAMSEY	WRIGHT
DEDMON	JEFFUS	SAUNDERS	

EXCUSED ABSENCE - 9

ALDRIDGE	GAMBLE	HALL	KINNEY
CAPPS	HACKNEY	HARDY	NEELY
ELLIS			

EXCUSED VOTE - 0

NOT VOTING - 4

SPEAKER	BARBEE	HIGHTOWER	MOSLEY

NORTH CAROLINA
HOUSE OF REPRESENTATIVES
ROLL CALL

RC

SEQ. # 1391
LEGISLATIVE DAY 114
H1097SCS #3
READING 3
PRESTON

8/14/97
11:33 AM
IN CHAIR: SPEAKER

FISHERIES REFORM ACT-2
MOTION #11- TO CONCUR IN SCS #3 - RULED MATERIAL

AYES - ~~58~~ 57

ALEXANDER	DAUGHTRY	LUEBKE	PRESTON
ARNOLD	DICKSON	MCCOMAS	REDWINE
BADDOUR	DOCKHAM	MCCOMBS	REYNOLDS
BAKER	ESPOSITO	MCCRARY	ROGERS
BOWIE	GRAY	MCMAHAN	RUSSELL
BRAWLEY	GULLEY	MICHAUX	SEXTON
BROWN	HENSLEY	MILLER	SHERRILL
BUCHANAN	HILL	MINER	SHUBERT
CANSLER	HOLMES	MITCHELL	THOMPSON
CARPENTER	HOWARD	MORGAN	WAINWRIGHT
CHURCH	HUNTER, H.	MORRIS	WILSON, C.
COLE	HUNTER, R.	NESBITT	WILSON, G.
CRAWFORD	IVES	NICHOLS	WRIGHT
CULP	JARRELL	OWENS	YONGUE
CULPEPPER	JEFFUS		CLARY DW

NOES - 49

ADAMS	DEDMON	HURLEY	SMITH
ALLRED	EARLE	INSKO	STARNES
BEALL	EASTERLING	JUSTUS	SUTTON
BERRY	EDDINS	KISER	TALLENT
BLACK	FITCH	MCALLISTER	TOLSON
BLUE	FOX	MERCER	WARNER
BONNER	GARDNER	MOORE	WARWICK
BOYD-MCINTYRE	GOODWIN	NYE	WATSON
BRASWELL	GRADY	OLDHAM	WEATHERLY
CREECH	HARDAWAY	RAMSEY	WILKINS
CUNNINGHAM	HIATT	RAYFIELD	WOMBLE
DAVIS	HIGHTOWER	SAUNDERS	WOOD
DECKER			

EXCUSED ABSENCE - 9

ALDRIDGE	GAMBLE	HALL	KINNEY
CAPPS	HACKNEY	HARDY	NEELY
ELLIS			

EXCUSED VOTE - 0

NOT VOTING - ~~4~~ 3 DW

SPEAKER	BARBEE	~~CLARY~~ DW	MOSLEY

H1097SCS

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1997

FILED
1098
APR 17 97
HOUSE PRINCIPAL CLERK

H

D

HOUSE DRH7239-RH024(4.8)

Short Title: Special Education Mediation. (Public)

Sponsors: Representative Preston.

Referred to:

A BILL TO BE ENTITLED

AN ACT TO AMEND THE PROCEDURE FOR MEDIATION OF SPECIAL EDUCATION DISPUTES BETWEEN LOCAL EDUCATION AGENCIES AND PARENTS.

The General Assembly of North Carolina enacts:

Section 1. G.S. 115C-116(b) reads as rewritten:

"(b) Mediation. -- ~~Mediation of disputes or disagreements regarding the identification of children with special needs and the provision of special education for children with special needs prior to formal administrative review is encouraged. If a request for formal administrative review has not been filed, the superintendent, upon the request of a parent, guardian, or surrogate parent, shall meet, or designate an assistant or associate superintendent to meet, with the parent, guardian, or surrogate parent to attempt to resolve the dispute or disagreement. The meeting shall be informal and the General Assembly intends that the meeting shall be nonadversarial, as required by G.S. 150B-22.~~

It is the policy of this State to encourage local education agencies and parents, guardians, or surrogate parents to seek informal resolution of disputes or disagreements regarding the identification of children with special needs and the provision of special education and related services before filing a request for a formal administrative review of the matter. To that end, the following provisions apply to the mediation of these disputes:

(1) Purpose. -- The purpose of mediation is to clarify the concerns of the parents and to resolve disputes.

(2) Definitions. -- As used in this subsection, the following terms have the following meanings:

NORTH CAROLINA
HOUSE OF REPRESENTATIVES
ROLL CALL

EV

. # 426
ISLATIVE DAY 51
H1098HCS
READING 2
PRESTON

4/28/97
8:16 PM
IN CHAIR: SPEAKER

SPECIAL EDUCATION MEDIATION

114 DWeeks

AYES - ~~113~~

ADAMS	DAUGHTRY	INSKO	PRESTON
ALDRIDGE	DAVIS	IVES	RAMSEY
ALEXANDER	DEDMON	JARRELL	RAYFIELD
ALLRED	DICKSON	JEFFUS	REDWINE
ARNOLD	DOCKHAM	JUSTUS	REYNOLDS
BADDOUR	EARLE	KINNEY	ROGERS
BAKER	EASTERLING	KISER	RUSSELL
BARBEE	EDDINS	LUEBKE	SAUNDERS
BEALL	ELLIS	MCALLISTER	SEXTON
BERRY	ESPOSITO	MCCOMAS	SHERRILL
BLACK	FITCH	MCCOMBS	SHUBERT
BLUE	FOX	MCCRARY	SMITH
BONNER	GARDNER	MCMAHAN	STARNES
BOWIE	GOODWIN	MERCER	SUTTON
BOYD-MCINTYRE	GRADY	MICHAUX	TALLENT
BRASWELL	GRAY	MILLER	THOMPSON
BRAWLEY	GULLEY	MINER	TOLSON
BROWN	HALL	MITCHELL	WAINWRIGHT
BUCHANAN	HARDAWAY	MOORE	WARNER
CANSLER	HARDY	MORGAN	WARWICK
CAPPS	HENSLEY	MORRIS	WATSON
CARPENTER	HIATT	MOSLEY	WEATHERLY
CHURCH	HIGHTOWER	NEELY	WILKINS
CLARY	HILL	NESBITT	WILSON, C.
COLE	HOLMES	NICHOLS	WILSON, G.
CREECH	HUNTER, H.	NYE	WOMBLE
CULP	HUNTER, R.	OLDHAM	WOOD
CULPEPPER	HURLEY	OWENS	YONGUE
CUNNINGHAM			DECKER DWeeks

NOES - 0

EXCUSED ABSENCE - 1

WRIGHT

EXCUSED VOTE - 0

NOT VOTING - ~~6~~ 5 DWeeks

SPEAKER	~~DECKER~~	HACKNEY	HOWARD
CRAWFORD	GAMBLE		

NORTH CAROLINA GENERAL ASSEMBLY
SENATE

RECORDED VOTE

1997 SESSION

SEQ. 686/6--12:28 PM MAY 15, 1997 LEGISLATIVE DAY 62

LT. GOVERNOR WICKER -- Presiding

PRESTON
SPECIAL EDUCATION MEDIATION
2ND EDITION

HOUSE BILL 1098
READING 2

AYE	46	ALBERTSON	DALTON	LEE	RAND
		ALLRAN	EAST	LUCAS	REEVES
		BALLANCE	FORRESTER	MARTIN R.	RUCHO
		BALLANTINE	FOXX	MARTIN W.	SHAW L.
		BASNIGHT	GULLEY	MCDANIEL	SHAW R.
		BLUST	HARTSELL	MILLER	SOLES
		CARPENTER	HOYLE	ODOM	WARREN
		CARRINGTON	JENKINS	PAGE	WEBSTER
		CLARK	JORDAN	PERDUE	WEINSTEIN
		COCHRANE	KERR	PHILLIPS	WELLONS
		CONDER	KINNAIRD	PLYLER	WINNER
		COOPER	LEDBETTER		
NO	0				
EXCUSED	0				
NOT CAST	0				
ABSENT	4	DANNELLY	GARWOOD	HORTON	KINCAID
PAIRS	0				
AYE					
NO					

GENERAL ASSEMBLY
SENATE

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1997

H.B. FILED

1099

APR 17 97

HOUSE PRINCIPAL CLERK

H D

HOUSE DRHA327-LE029A(2.19)

Short Title: Kindergarten Entry/Gifted Students. (Public)

Sponsors: Representative Preston.

Referred to:

A BILL TO BE ENTITLED

AN ACT TO AUTHORIZE SCHOOL PRINCIPALS TO ADMIT CERTAIN GIFTED STUDENTS TO KINDERGARTEN REGARDLESS OF THEIR BIRTH DATES.

The General Assembly of North Carolina enacts:

Section 1. G.S. 115C-364 reads as rewritten:

"**§ 115C-364. Admission requirements.**

A child, to be entitled to initial entry in the public schools, must have passed the fifth anniversary of ~~his/her~~ the child's birth on or before October 16 of the year in which the child is presented for enrollment, and must be presented for enrollment during the first month of the school year.

A child who has passed the fifth anniversary of the child's birth on or before April 16 may enter a public school if the child is presented for enrollment during the first month of the school year and if the principal of the school finds, based on information submitted by the child's parent or guardian, that the child is gifted and that the child has the maturity to justify admission to the school. The State Board of Education shall establish guidelines for the principal to use in making this finding.

The initial point of entry into the public school system shall be at the kindergarten level: Provided, that if a particular child has already been attending school in another state in accordance with the laws or regulations of the school authorities of ~~such~~ that state before moving to and becoming a resident of North Carolina, ~~such~~ the child ~~will be~~ is eligible for enrollment in the schools of this State regardless of whether ~~such~~ the child has passed the fifth anniversary of ~~his~~ the child's birth before October 16. If the principal of a school finds as fact subsequent to initial entry that a child, by reason of maturity can be more appropriately served in the first grade rather than in

NORTH CAROLINA
HOUSE OF REPRESENTATIVES
ROLL CALL

EV

. # 427
ISLATIVE DAY 51
H1099HCS
READING 2
PRESTON

4/28/97
8:24 PM
IN CHAIR: SPEAKER

KINDERGARTEN ENTRY/ GIFTED STUDENTS

AYES - 103

ADAMS	DAUGHTRY	INSKO	RAMSEY
ALDRIDGE	DECKER	IVES	RAYFIELD
ALEXANDER	DEDMON	JEFFUS	REDWINE
ARNOLD	DICKSON	JUSTUS	REYNOLDS
BADDOUR	DOCKHAM	KISER	ROGERS
BAKER	EARLE	LUEBKE	RUSSELL
BARBEE	EASTERLING	MCALLISTER	SAUNDERS
BEALL	EDDINS	MCCOMAS	SEXTON
BERRY	ELLIS	MCCOMBS	SHERRILL
BLACK	ESPOSITO	MCCRARY	SHUBERT
BOWIE	FOX	MCMAHAN	SMITH
BOYD-MCINTYRE	GAMBLE	MERCER	SUTTON
BRASWELL	GARDNER	MICHAUX	TALLENT
BRAWLEY	GOODWIN	MILLER	THOMPSON
BROWN	GRADY	MINER	TOLSON
BUCHANAN	GRAY	MITCHELL	WAINWRIGHT
CANSLER	GULLEY	MOORE	WARNER
CAPPS	HARDAWAY	MORGAN	WARWICK
CARPENTER	HARDY	MORRIS	WATSON
CHURCH	HIATT	MOSLEY	WEATHERLY
CLARY	HIGHTOWER	NEELY	WILKINS
COLE	HILL	NICHOLS	WILSON, G.
CREECH	HOLMES	NYE	WOMBLE
CULP	HOWARD	OLDHAM	WOOD
CULPEPPER	HUNTER, R.	OWENS	YONGUE
CUNNINGHAM	HURLEY	PRESTON	

NOES - 13

ALLRED	FITCH	HENSLEY	KINNEY
BLUE	HACKNEY	HUNTER, H.	NESBITT
BONNER	HALL	JARRELL	STARNES
DAVIS			

EXCUSED ABSENCE - 1

WRIGHT

EXCUSED VOTE - 0

NOT VOTING - 3

SPEAKER	CRAWFORD	WILSON, C.

NORTH CAROLINA
HOUSE OF REPRESENTATIVES
ROLL CALL

EV

[redacted] # 438
[redacted]ISLATIVE DAY 52
[redacted]099HCS
READING 3
PRESTON

4/29/97
4:50 PM
IN CHAIR: SPEAKER

KINDERGARTEN ENTRY/ GIFTED STUDENTS

AYES - 109

ADAMS	DECKER	JARRELL	RAYFIELD
ALDRIDGE	DEDMON	JEFFUS	REDWINE
ALEXANDER	DICKSON	JUSTUS	REYNOLDS
ARNOLD	DOCKHAM	KINNEY	ROGERS
BADDOUR	EARLE	KISER	RUSSELL
BAKER	EASTERLING	LUEBKE	SAUNDERS
BARBEE	EDDINS	MCALLISTER	SEXTON
BEALL	ELLIS	MCCOMAS	SHERRILL
BERRY	ESPOSITO	MCCRARY	SHUBERT
BLACK	FOX	MCMAHAN	SMITH
BLUE	GAMBLE	MERCER	STARNES
BONNER	GARDNER	MICHAUX	SUTTON
BOWIE	GOODWIN	MILLER	TALLENT
BOYD-MCINTYRE	GRADY	MINER	THOMPSON
BRASWELL	GRAY	MITCHELL	TOLSON
BRAWLEY	GULLEY	MOORE	WAINWRIGHT
BUCHANAN	HARDAWAY	MORGAN	WARNER
CANSLER	HARDY	MORRIS	WARWICK
CAPPS	HIATT	MOSLEY	WATSON
CARPENTER	HIGHTOWER	NEELY	WEATHERLY
CHURCH	HILL	NESBITT	WILKINS
CLARY	HOLMES	NICHOLS	WILSON, C.
COLE	HOWARD	NYE	WILSON, G.
CRAWFORD	HUNTER, H.	OLDHAM	WOMBLE
CREECH	HUNTER, R.	OWENS	WOOD
CULP	HURLEY	PRESTON	WRIGHT
CULPEPPER	INSKO	RAMSEY	YONGUE
CUNNINGHAM			

NOES - 6

ALLRED	FITCH	HALL	HENSLEY
DAVIS	HACKNEY		

EXCUSED ABSENCE - 1

MCCOMBS

EXCUSED VOTE - 0

NOT VOTING - 4

SPEAKER	BROWN	DAUGHTRY	IVES

NORTH CAROLINA GENERAL ASSEMBLY
SENATE

RECORDED VOTE

1997 SESSION

SEQ. 907/13-- 1:03 PM JUNE 12, 1997 LEGISLATIVE DAY 78

LT. GOVERNOR WICKER -- Presiding

PRESTON
KINDERGARTEN ENTRY/GIFTED STUDENTS
SENATE COMM. SUB./4TH EDITION

HOUSE BILL 1099
READING 2

AYE	45	ALBERTSON	DALTON	KERR	PLYLER
		ALLRAN	DANNELLY	LEDBETTER	RAND
		BALLANCE	EAST	LEE	REEVES
		BALLANTINE	FORRESTER	LUCAS	RUCHO
		BASNIGHT	FOXX	MARTIN R.	SHAW L.
		BLUST	GARWOOD	MARTIN W.	SHAW R.
		CARPENTER	GULLEY	MCDANIEL	SOLES
		CARRINGTON	HARTSELL	MILLER	WARREN
		CLARK	HORTON	ODOM	WEBSTER
		COCHRANE	HOYLE	PAGE	WELLONS
		CONDER	JORDAN	PHILLIPS	WINNER
		COOPER			
NO	3	JENKINS	KINNAIRD	WEINSTEIN	

EXCUSED	0	
NOT CAST	1	KINCAID
ABSENT	1	PERDUE
PAIRS	0	
AYE		
NO		

GENERAL ASSEMBLY
SENATE

NORTH CAROLINA
HOUSE OF REPRESENTATIVES
ROLL CALL

EV

SEQ. # 957
LEGISLATIVE DAY 82
H1099SCS #2
PRESTON

6/19/97
10:16 AM
IN CHAIR: SPEAKER

KINDERGARTEN ENTRY/ GIFTED STUDENTS
MOTION #11 - TO CONCUR IN SCS #2

AYES - 107

ADAMS	DAUGHTRY	INSKO	RAYFIELD
ALDRIDGE	DECKER	IVES	REDWINE
ALEXANDER	DEDMON	JARRELL	REYNOLDS
ALLRED	DICKSON	JEFFUS	ROGERS
ARNOLD	DOCKHAM	KINNEY	RUSSELL
BADDOUR	EARLE	KISER	SAUNDERS
BAKER	EASTERLING	LUEBKE	SEXTON
BARBEE	EDDINS	MCALLISTER	SHERRILL
BEALL	ELLIS	MCCOMAS	SHUBERT
BERRY	ESPOSITO	MCCOMBS	SMITH
BLACK	FOX	MCCRARY	STARNES
BLUE	GARDNER	MCMAHAN	SUTTON
BONNER	GOODWIN	MERCER	TALLENT
BOWIE	GRADY	MICHAUX	THOMPSON
BOYD-MCINTYRE	GRAY	MILLER	TOLSON
BRASWELL	GULLEY	MINER	WAINWRIGHT
BRAWLEY	HACKNEY	MITCHELL	WARNER
BUCHANAN	HARDAWAY	MOORE	WARWICK
CANSLER	HARDY	MORGAN	WATSON
CARPENTER	HENSLEY	MORRIS	WEATHERLY
CLARY	HIATT	NEELY	WILKINS
COLE	HIGHTOWER	NICHOLS	WILSON, C.
CRAWFORD	HILL	NYE	WILSON, G.
CREECH	HOLMES	OLDHAM	WOMBLE
CULP	HOWARD	OWENS	WRIGHT
CULPEPPER	HUNTER, H.	PRESTON	YONGUE
CUNNINGHAM	HURLEY	RAMSEY	

NOES - 3

CAPPS	DAVIS	HALL

EXCUSED ABSENCE - 5

GAMBLE	MOSLEY	NESBITT	WOOD
HUNTER, R.			

EXCUSED VOTE - 0

NOT VOTING - 5

SPEAKER	CHURCH	FITCH	JUSTUS
BROWN			

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1997

H.B. FILED 1100 APR 17 97

HOUSE PRINCIPAL CLERK

H D

HOUSE DRH8170-LD176A(4.7)

Short Title: Register of Deeds' Matters. (Public)

Sponsors: Representative Russell.

Referred to:

A BILL TO BE ENTITLED

AN ACT TO CHANGE THE STATUTE OF LIMITATIONS FOR ACTIONS UPON OFFICIAL BONDS FROM SIX YEARS TO THREE YEARS, TO AUTHORIZE THE REMOVAL AND DESTRUCTION OF CERTAIN DEATH AND BIRTH CERTIFICATES, TO IMPROVE THE PROCEDURES FOR RECORDING MAPS AND PLATS, AND TO AUTHORIZE THE STUDY OF LAND TITLE REGISTRATION PROCEDURES.

The General Assembly of North Carolina enacts:

Section 1. G.S. 1-50(a)(1) is repealed.

Section 2. G.S. 1-52 reads as rewritten:

"**§ 1-52. Three years.**

Within three years an action --

(1) Upon a contract, obligation or liability arising out of a contract, express or implied, except those mentioned in the preceding sections or in G.S. 1-53(1).

(2) Upon a liability created by statute, either state or federal, unless some other time is mentioned in the statute creating it.

(3) For trespass upon real property. When the trespass is a continuing one, the action shall be commenced within three years from the original trespass, and not thereafter.

(4) For taking, detaining, converting or injuring any goods or chattels, including action for their specific recovery.

(5) For criminal conversation, or for any other injury to the person or rights of another, not arising on contract and not hereafter enumerated.

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1997

H.B. FILED
1101 APR 17 97
HOUSE PRINCIPAL CLERK

H D

HOUSE JOINT RESOLUTION DRHJR7209-LB225(4.10)

Sponsors: Representative Brawley.

Referred to:

A JOINT RESOLUTION TO LET THE PROFESSIONAL EDUCATORS OF THIS STATE KNOW THAT THEY HAVE THE COMPLETE SUPPORT OF THE GENERAL ASSEMBLY IN THEIR EFFORTS TO MAINTAIN ORDER AND DISCIPLINE IN THE CLASSROOM.

Whereas, the General Assembly recognizes that there is a serious problem with the misbehavior of students in the classrooms of the public schools of this State, which behavior disrupts the classroom, interferes with the learning process, and takes up the time of teachers that could be used more productively;

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

Section 1. The General Assembly wants the professional educators of this State to know that they have the complete support of the General Assembly in their efforts to maintain order and discipline in the classroom as deemed necessary to provide an atmosphere of opportunity to learn for each student and an atmosphere of encouragement of the special talents and interests of each individual student. The General Assembly supports professional educators in any strong, positive efforts they may make, that are in accordance with State law, to improve the educational opportunities available for each and every student in the public schools of this State.

Section 2. This resolution is effective upon ratification.

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1997

FILED
1102
APR 17 97
HOUSE PRINCIPAL CLERK

H D

HOUSE DRHA341-LV063(4.10)

Short Title: Neighbor Child Care Law. (Public)

Sponsors: Representative Brawley.

Referred to:

A BILL TO BE ENTITLED

AN ACT TO PROVIDE AN EXEMPTION FROM ALL CHILD DAY CARE HOME REGULATION FOR NEIGHBORS HELPING NEIGHBORS WITH CHILD CARE.

The General Assembly of North Carolina enacts:

Section 1. G.S. 110-86(4) reads as rewritten:

"(4) Child day care home. Any day care program or child care arrangement wherein any person not excluded in G.S. 110-86(2) provides day care on a regular basis of at least once per week for more than four hours per day for more than two children under 13 years of age, but not to exceed a maximum of eight children at any one time, wherever operated, and whether or not operated for profit. Of the children present at any one time, no more than five children shall be preschool-aged, as defined in rules adopted by the Commission. The four hour limit applies regardless of the time of day and regardless of whether the same or different children attend. Cooperative arrangements among parents to provide care for their own children as a convenience rather than for employment are not included.

To determine whether a child care arrangement is a child day care home, all children shall be counted except the operator's own school-aged children and school-aged children who reside at the location of the day care home.

Notwithstanding the above, no State registration or regulation is required of neighbors who keep four or fewer children in their

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1997

H.B. FILED

1103 APR 17 97

HOUSE PRINCIPAL CLERK

H D

HOUSE DRH1047-LL047(2.4)

Short Title: Lake Norman/Wildlife Officer Funds. (Public)

Sponsors: Representative Brawley.

Referred to:

A BILL TO BE ENTITLED

AN ACT TO APPROPRIATE FUNDS TO ESTABLISH THREE WILDLIFE ENFORCEMENT OFFICERS AT LAKE NORMAN.

The General Assembly of North Carolina enacts:

Section 1. There is appropriated from the General Fund to the Wildlife Resources Commission the sum of two hundred fifteen thousand three hundred ninety-one dollars ($215,391) for the 1997-98 fiscal year and the sum of one hundred fifteen thousand five hundred eighty-four thousand dollars ($115,584) to establish three Wildlife Enforcement Officer positions to be permanently assigned to patrol the Lake Norman area.

Section 2. This act becomes effective July 1, 1997.

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1997

H.B. FILED

1104 APR 17 97

HOUSE PRINCIPAL CLERK

H D

HOUSE DRH1033-RW015(2.5)

Short Title: Right-of-Way Survey Standards. (Public)

Sponsors: Representative Brawley.

Referred to:

A BILL TO BE ENTITLED

AN ACT TO REQUIRE HIGHWAY RIGHT-OF-WAY PLANS RECORDED WITH A REGISTER OF DEEDS TO COMPLY WITH RECOGNIZED LAND SURVEYING STANDARDS.

The General Assembly of North Carolina enacts:

Section 1. G.S. 47-30(l) is repealed.

Section 2. This act becomes effective December 1, 1997, and applies to all plats offered for recordation on or after that date.

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1997

RECEIVED
1105
APR 17 97
HOUSE PRINCIPAL CLERK

H D

HOUSE DRHA342-LV067(4.8)

Short Title: Health Contract Plans. (Public)

Sponsors: Representative Brawley.

Referred to:

A BILL TO BE ENTITLED

AN ACT RELATING TO DIRECT CONTRACT PLANS BETWEEN AN EMPLOYER AND THE HEALTH CARE PROVIDER.

The General Assembly of North Carolina enacts:

Section 1.

Section 2. This act is effective when it becomes law.

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1997

INS. FILED
1106 APR 17 97
HOUSE PRINCIPAL CLERK

H D

HOUSE DRH6209-LJ25(4.8)

Short Title: Forest Product Truck Weight Exemption. (Public)

Sponsors: Representative Culpepper.

Referred to:

A BILL TO BE ENTITLED

AN ACT TO ESTABLISH A HIGHER WEIGHT LIMIT FOR CERTAIN TRUCKS HAULING RAW FOREST PRODUCTS.

The General Assembly of North Carolina enacts:

Section 1. G.S. 20-118(b) is amended by adding a new subdivision to read:

"(13) Subsections (b) and (e) of this section do not apply to a vehicle that is hauling only unprocessed forest products, wood chips, sawdust, or wood mulch, is a five-axle combination, has a length of at least 51 feet between its first and last axles, and has a gross weight of no more than 84,000 pounds. This exception does not apply to a vehicle when it operates on an interstate highway."

Section 2. This act becomes effective July 1, 1997.

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1997

H.B. FILED
1107 APR 17 97
HOUSE PRINCIPAL CLERK

H D

HOUSE DRH6217-LBX242(4.15)

Short Title: Facility Authorities. (Public)

Sponsors: Representative Neely.

Referred to:

A BILL TO BE ENTITLED

AN ACT TO AMEND THE FACILITY AUTHORITY ACT RELATING TO THE COMPOSITION OF FACILITY AUTHORITIES AND THE LEVYING OF TAXES USED TO PAY FOR CAPITAL COSTS.

The General Assembly of North Carolina enacts:

Section 1. This act amends the Facility Authority Act.

Section 2. This act is effective when it becomes law.

NORTH CAROLINA
HOUSE OF REPRESENTATIVES
ROLL CALL

EV

. # 626
ISLATIVE DAY 59
H1107HCS
READING 2
NEELY

5/12/97
7:45 PM
IN CHAIR: SPEAKER

FACILITY AUTHORITIES
MOTION #7 REP CAPPS
TO REREFER TO J1

AYES - 25

ALDRIDGE	CLARY	FOX	REYNOLDS
ALLRED	CREECH	GAMBLE	SHUBERT
BAKER	DAVIS	HARDY	TALLENT
BERRY	DECKER	HIATT	WATSON
BUCHANAN	EDDINS	HOWARD	WILSON, G.
CANSLER	ELLIS	NICHOLS	WOOD
CAPPS			

NOES - 88

ADAMS	EASTERLING	JUSTUS	OWENS
ALEXANDER	ESPOSITO	KINNEY	PRESTON
BADDOUR	FITCH	KISER	RAMSEY
BEALL	GARDNER	LUEBKE	RAYFIELD
BLACK	GOODWIN	MCALLISTER	REDWINE
BLUE	GRADY	MCCOMAS	ROGERS
BONNER	GRAY	MCCOMBS	RUSSELL
BOWIE	GULLEY	MCCRARY	SAUNDERS
BOYD-MCINTYRE	HACKNEY	MCMAHAN	SEXTON
BRASWELL	HALL	MERCER	SHERRILL
BRAWLEY	HARDAWAY	MICHAUX	SMITH
BROWN	HENSLEY	MILLER	STARNES
CARPENTER	HIGHTOWER	MINER	SUTTON
CHURCH	HILL	MITCHELL	THOMPSON
COLE	HOLMES	MOORE	TOLSON
CRAWFORD	HUNTER, H.	MORGAN	WARNER
CULP	HUNTER, R.	MORRIS	WARWICK
CULPEPPER	HURLEY	MOSLEY	WEATHERLY
DAUGHTRY	INSKO	NEELY	WILKINS
DEDMON	IVES	NESBITT	WILSON, C.
DICKSON	JARRELL	NYE	WOMBLE
EARLE	JEFFUS	OLDHAM	YONGUE

EXCUSED ABSENCE - 4

BARBEE	DOCKHAM	WAINWRIGHT	WRIGHT

EXCUSED VOTE - 0

NOT VOTING - 3

SPEAKER	ARNOLD	CUNNINGHAM

NORTH CAROLINA
HOUSE OF REPRESENTATIVES
ROLL CALL

RC

. # 627
ISLATIVE DAY 59
H1107HCS
READING 2
NEELY

5/12/97
7:47 PM
IN CHAIR: SPEAKER

FACILITY AUTHORITIES

AYES - 110

ADAMS	DEDMON	IVES	PRESTON
ALDRIDGE	DICKSON	JARRELL	RAMSEY
ALEXANDER	EARLE	JEFFUS	RAYFIELD
ALLRED	EASTERLING	JUSTUS	REDWINE
BADDOUR	EDDINS	KINNEY	REYNOLDS
BAKER	ELLIS	KISER	ROGERS
BEALL	ESPOSITO	LUEBKE	RUSSELL
BLACK	FITCH	MCALLISTER	SAUNDERS
BLUE	FOX	MCCOMAS	SEXTON
BONNER	GAMBLE	MCCOMBS	SHERRILL
BOWIE	GARDNER	MCCRARY	SHUBERT
BOYD-MCINTYRE	GOODWIN	MCMAHAN	SMITH
BRASWELL	GRADY	MERCER	STARNES
BRAWLEY	GRAY	MICHAUX	SUTTON
BROWN	GULLEY	MILLER	TALLENT
BUCHANAN	HACKNEY	MINER	THOMPSON
CANSLER	HALL	MITCHELL	TOLSON
CAPPS	HARDAWAY	MOORE	WARNER
CARPENTER	HARDY	MORGAN	WARWICK
CHURCH	HENSLEY	MORRIS	WATSON
CLARY	HIATT	MOSLEY	WEATHERLY
COLE	HIGHTOWER	NEELY	WILKINS
CRAWFORD	HILL	NESBITT	WILSON, C.
CREECH	HOLMES	NICHOLS	WILSON, G.
CULP	HUNTER, H.	NYE	WOMBLE
CULPEPPER	HUNTER, R.	OLDHAM	WOOD
DAUGHTRY	HURLEY	OWENS	YONGUE
DECKER	INSKO		

NOES - 3

BERRY	DAVIS	HOWARD

EXCUSED ABSENCE - 4

BARBEE	DOCKHAM	WAINWRIGHT	WRIGHT

EXCUSED VOTE - 0

NOT VOTING - 3

SPEAKER	ARNOLD	CUNNINGHAM

NORTH CAROLINA
HOUSE OF REPRESENTATIVES
ROLL CALL

RC

. # 638
ISLATIVE DAY 60
H1107HCS
READING 3
NEELY

5/13/97
2:25 PM
IN CHAIR: SPEAKER

FACILITY AUTHORITIES

AYES - 115

SPEAKER	CUNNINGHAM	HURLEY	RAMSEY
ADAMS	DECKER	INSKO	RAYFIELD
ALDRIDGE	DEDMON	IVES	REDWINE
ALEXANDER	DICKSON	JARRELL	REYNOLDS
ALLRED	DOCKHAM	JEFFUS	ROGERS
ARNOLD	EARLE	JUSTUS	RUSSELL
BADDOUR	EASTERLING	KINNEY	SAUNDERS
BAKER	EDDINS	KISER	SEXTON
BARBEE	ESPOSITO	LUEBKE	SHERRILL
BEALL	FITCH	MCALLISTER	SHUBERT
BLACK	FOX	MCCOMAS	SMITH
BLUE	GAMBLE	MCCOMBS	STARNES
BONNER	GARDNER	MCCRARY	SUTTON
BOWIE	GOODWIN	MCMAHAN	TALLENT
BOYD-MCINTYRE	GRADY	MERCER	THOMPSON
BRASWELL	GRAY	MICHAUX	TOLSON
BRAWLEY	GULLEY	MILLER	WAINWRIGHT
BROWN	HACKNEY	MITCHELL	WARNER
BUCHANAN	HALL	MOORE	WARWICK
CANSLER	HARDAWAY	MORGAN	WATSON
CAPPS	HARDY	MORRIS	WEATHERLY
CARPENTER	HENSLEY	MOSLEY	WILKINS
CHURCH	HIATT	NEELY	WILSON, C.
CLARY	HIGHTOWER	NESBITT	WILSON, G.
COLE	HILL	NICHOLS	WOMBLE
CRAWFORD	HOLMES	NYE	WOOD
CREECH	HOWARD	OLDHAM	WRIGHT
CULP	HUNTER, H.	OWENS	YONGUE
CULPEPPER	HUNTER, R.	PRESTON	

NOES - 2

BERRY	DAVIS

EXCUSED ABSENCE - 1

DAUGHTRY

EXCUSED VOTE - 0

NOT VOTING - 2

ELLIS	MINER

NORTH CAROLINA GENERAL ASSEMBLY
SENATE

RECORDED VOTE

1997 SESSION

SEQ. 688/8--12:30 PM | MAY 15, 1997 | LEGISLATIVE DAY 62

LT. GOVERNOR WICKER -- Presiding

NEELY
FACILITY AUTHORITIES
2ND EDITION

HOUSE BILL 1107
READING 2

AYE	33	ALBERTSON	GULLEY	MARTIN R.	REEVES
		ALLRAN	HOYLE	MARTIN W.	RUCHO
		BALLANCE	JENKINS	MCDANIEL	SHAW R.
		BASNIGHT	JORDAN	MILLER	SOLES
		CARPENTER	KERR	PERDUE	WARREN
		CARRINGTON	KINNAIRD	PHILLIPS	WEINSTEIN
		CONDER	LEE	PLYLER	WELLONS
		COOPER	LUCAS	RAND	WINNER
		DALTON			
NO	11	BALLANTINE	COCHRANE	FOXX	PAGE
		BLUST	EAST	HARTSELL	WEBSTER
		CLARK	FORRESTER	LEDBETTER	

EXCUSED	0				
NOT CAST	2	ODOM	SHAW L.		
ABSENT	4	DANNELLY	GARWOOD	HORTON	KINCAID
PAIRS	0				
AYE					
NO					

ONTINUED)

GENERAL ASSEMBLY
SENATE

NORTH CAROLINA GENERAL ASSEMBLY
SENATE

RECORDED VOTE

1997 SESSION

SEQ. 689/9--12:30 PM MAY 15, 1997 LEGISLATIVE DAY 62

LT. GOVERNOR WICKER -- Presiding

NEELY
FACILITY AUTHORITIES
2ND EDITION

HOUSE BILL 1107
READING 2

RECORDED
AYE 2 ODOM SHAW L.
ADJUSTED TOTAL
AYE 35
NO 11
NOT CAST 0
ABSENT 4

OPY)

GENERAL ASSEMBLY
SENATE

NORTH CAROLINA GENERAL ASSEMBLY
SENATE

RECORDED VOTE

1997 SESSION

SEQ. 689/9--12:30 PM | MAY 15, 1997 | LEGISLATIVE DAY 62

LT. GOVERNOR WICKER -- Presiding

NEELY
FACILITY AUTHORITIES
2ND EDITION

HOUSE BILL 1107
READING 2

AYE	35	ALBERTSON	GULLEY	MARTIN W.	RUCHO
		ALLRAN	HOYLE	MCDANIEL	SHAW L.
		BALLANCE	JENKINS	MILLER	SHAW R.
		BASNIGHT	JORDAN	ODOM	SOLES
		CARPENTER	KERR	PERDUE	WARREN
		CARRINGTON	KINNAIRD	PHILLIPS	WEINSTEIN
		CONDER	LEE	PLYLER	WELLONS
		COOPER	LUCAS	RAND	WINNER
		DALTON	MARTIN R.	REEVES	
NO	11	BALLANTINE	COCHRANE	FOXX	PAGE
		BLUST	EAST	HARTSELL	WEBSTER
		CLARK	FORRESTER	LEDBETTER	

EXCUSED	0				
NOT CAST	0				
ABSENT	4	DANNELLY	GARWOOD	HORTON	KINCAID
PAIRS	0				
AYE					
NO					

(COPY)

GENERAL ASSEMBLY
SENATE

NORTH CAROLINA GENERAL ASSEMBLY
AMENDMENT
House Bill 1107

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

H1107-ALB-3

Date 5-15 ,1997

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

Sen. Rucho

moves to amend the bill on page 1, line 6, through page 2. line 38 by rewriting those lines to read:

"Section 1. G.S. 160A-480.3(b) reads as rewritten:

"(b) Membership. -- An authority shall have eight or ~~13~~ 21 members. Members shall be chosen for terms as follows:

(1) Four shall be appointed by the General Assembly upon the recommendation of the Speaker of the House of Representatives in accordance with G.S. 120-121, at least one of whom shall be a resident of the territorial jurisdiction of the authority;

(2) Four shall be appointed by the General Assembly upon the recommendation of the President Pro Tempore of the Senate in accordance with G.S. 120-121, at least one of whom shall be a resident of the territorial jurisdiction of the authority; and

(3) If the territorial jurisdiction of the authority is a county where the main campus of a constituent institution of The University of North Carolina is located, then:

a. ~~Two~~ Four members shall be appointed by the board of commissioners of that ~~county;~~ county, one of whom at the time of appointment is a resident of the municipality with the second largest population in the county, according to the most recent decennial federal census;

NORTH CAROLINA GENERAL ASSEMBLY
AMENDMENT
House Bill 1107

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

H1107-ALB-3

b. ~~Two~~ Four members shall be appointed by the city council of the city with the largest population in the county, according to the most recent decennial federal census; ~~and~~

b1. Two members shall be appointed by the Board of Trustees of the constituent institution of The University of North Carolina whose main campus is located within the county; and

c. ~~One member~~ Three members shall be appointed jointly by the mayors of all the cities in that county.

Beginning January 1, 1999, a majority of any executive committee, or other committee however termed having supervisory or management authority over the facility to be constructed by the authority, shall consist of authority members appointed under this subdivision.

The Chancellor and Board of Trustees of the constituent institution of The University of North Carolina whose main campus is located within the county shall make recommendations to the General Assembly no later than April 1 of each odd-numbered year for persons to be appointed under subdivisions (1) and (2) of this section, and the General Assembly may consider such recommendations. ~~The~~ Neither the board of commissioners ~~may not~~ nor the city council may appoint a member of its board to serve on the authority.

NORTH CAROLINA GENERAL ASSEMBLY
AMENDMENT
House Bill 1107

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

H1107-ALB-3 Page 3 of 3

Two of the initial appointments under subdivision (1) of this subsection, two of the initial appointments under subdivision (2) of this subsection, one of the initial appointments under subdivision (3)a. of this subsection, and one of the initial appointments under subdivision (3)b. of this section shall be for terms expiring July 1 of the second year after the year in which the authority is created. The remaining initial appointments shall be for terms expiring July 1 of the fourth year after the year in which the authority is created. The third member appointed by the board of commissioners shall serve a term beginning January 1, 1999 and expiring July 1, 2001, and the fourth member appointed by the board of commissioners shall serve a term beginning January 1, 1999 and expiring July 1, 2003. The third member appointed by the city council shall serve a term beginning January 1, 1999 and expiring July 1, 2001, and the fourth member appointed by the city council shall serve a term beginning January 1, 1999 and expiring July 1, 2003. The second member appointed jointly by the mayors of all the cities in that county shall serve a term beginning January 1, 1999 and expiring July 1, 2001, and the third member appointed jointly by the mayors of all the cities in that county shall serve a term beginning January 1, 1999 and expiring July 1, 2003. Of the initial appointments by the Board of Trustees of the constituent institution of The University of North Carolina whose main campus is located within the county, one shall serve a term beginning January 1, 1999 and expiring July 1, 2001, and the other shall serve a term ~~beginning July~~ 1, 1999 and expiring July 1, 2003. Successors shall be appointed in the same manner for four-year terms. A member may be removed by the appointing authority for cause. Vacancies occurring in the membership of the authority shall be filled by the remaining members."

Emb
January

SIGNED _____
Amendment Sponsor

SIGNED _____
Committee Chair if Senate Committee Amendment

ADOPTED ✓ FAILED _____ TABLED _____

5/15/97 J. Pruitt

Perfecting Amd. #1

NORTH CAROLINA GENERAL ASSEMBLY
AMENDMENT
House Bill 1107

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

H1107-ALB-7

Page 1 of 2

Date 5/19 ,1997

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

moves to amend Senate Amendment #1 on page 1, line 4, by deleting "21", and substituting "17"

further moves to amend Senate Amendment #1 on page 1, lines 10 and 15, by striking through "authority;" on both lines, and adding immediately thereafter "authority, and at least one other of whom shall have been recommended by the Board of Trustees of the constituent institution of The University of North Carolina whose main campus is located within the county;"

further moves to amend Senate amendment #1 on page 2, lines 5 through 8 by deleting those lines.

further moves to amend Senate Amendment #1 on page 2, line 9, by rewriting that line to read:

"c. One member shall be appointed"

further moved to amend Senate Amendment #1 on page 2, lines 16 through 21 by deleting the sentence beginning on line 16 in its entirety

further moves to amend Senate Amendment #1 on page 3, lines 9 through 26, by rewriting those lines to read:

NORTH CAROLINA GENERAL ASSEMBLY
AMENDMENT
House Bill 1107

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

H1107-ALB-7 Page 2 of 2

"created. The third member appointed by the board of commissioners shall serve a term beginning January 1, 1999, and expiring July 1, 2001, and the fourth member appointed by the board of commissioners shall serve a term beginning January 1, 1999, and expiring July 1, 2003. The third member appointed by the city council shall serve a term beginning January 1, 1999, and expiring July 1, 2001, and the fourth member appointed by the city council shall serve a term beginning January 1, 1999, and expiring July 1, 2003. Of the two appointments made by the General Assembly in 1999 and quadrennially thereafter upon the recommendation of the Speaker of the House of Representatives, one shall be the person recommended by the Board of Trustees of the constituent institution of The University of North Carolina whose main campus is located within the county. Of the two appointments made by the General Assembly in 1999 and quadrennially thereafter upon the recommendation of the President Pro Tempore of the Senate, one shall be the person recommended by the Board of Trustees of the constituent institution of The University of North Carolina whose main campus is located within the county. Successors shall".

SIGNED _____
Amendment Sponsor

SIGNED _____
Committee Chair if **Senate** Committee Amendment

ADOPTED V 45-1 FAILED _____ TABLED _____

J. Pruitt 5/19/97

NORTH CAROLINA GENERAL ASSEMBLY
SENATE

RECORDED VOTE

1997 SESSION

SEQ. 691/2-- 7:38 PM MAY 19, 1997 LEGISLATIVE DAY 63

LT. GOVERNOR WICKER -- Presiding

NEELY
FACILITY AUTHORITIES
2ND EDITION

HOUSE BILL 1107

AMEND 2

AYE	45	ALBERTSON	EAST	LEE	RAND
		ALLRAN	FORRESTER	LUCAS	REEVES
		BALLANCE	FOXX	MARTIN R.	RUCHO
		BALLANTINE	GARWOOD	MARTIN W.	SHAW L.
		BASNIGHT	GULLEY	MCDANIEL	SHAW R.
		BLUST	HORTON	MILLER	SOLES
		CARPENTER	JENKINS	ODOM	WARREN
		CARRINGTON	KERR	PAGE	WEBSTER
		COCHRANE	KINCAID	PERDUE	WEINSTEIN
		CONDER	KINNAIRD	PHILLIPS	WELLONS
		COOPER	LEDBETTER	PLYLER	WINNER
		DANNELLY			
NO	1	CLARK			
EXCUSED	0				
NOT CAST	1	JORDAN			
ABSENT	3	DALTON	HARTSELL	HOYLE	
PAIRS	0				
AYE					
NO					

GENERAL ASSEMBLY
SENATE

NORTH CAROLINA GENERAL ASSEMBLY
SENATE

RECORDED VOTE

1997 SESSION

SEQ. 692/3-- 7:38 PM MAY 19, 1997 LEGISLATIVE DAY 63

LT. GOVERNOR WICKER -- Presiding

NEELY
FACILITY AUTHORITIES
2ND EDITION

HOUSE BILL 1107
READING 3

AYE	41	ALBERTSON	FORRESTER	LUCAS	RAND
		ALLRAN	GARWOOD	MARTIN R.	REEVES
		BALLANCE	GULLEY	MARTIN W.	RUCHO
		BALLANTINE	HORTON	MCDANIEL	SHAW L.
		BASNIGHT	JENKINS	MILLER	SHAW R.
		CARPENTER	KERR	ODOM	SOLES
		CARRINGTON	KINCAID	PAGE	WARREN
		COCHRANE	KINNAIRD	PERDUE	WEINSTEIN
		CONDER	LEDBETTER	PHILLIPS	WELLONS
		COOPER	LEE	PLYLER	WINNER
		DANNELLY			
NO	5	BLUST	EAST	FOXX	WEBSTER
		CLARK			
EXCUSED	0				
NOT CAST	1	JORDAN			
ABSENT	3	DALTON	HARTSELL	HOYLE	
PAIRS	0				
AYE					
NO					

GENERAL ASSEMBLY
SENATE

See preceding amendment #2.

109-1 EV

HOUSE CONCURS IN SENATE AMENDMENTS #1
MAY 20 1997
AND ORDERED ENROLLED

H1107-ALB-3

ORDERED SENT TO GOVERNOR

Special Message

NORTH CAROLINA GENERAL ASSEMBLY
AMENDMENT
House Bill 1107

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

Date 5-15 ,1997

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

Sen. Rucho

moves to amend the bill on page 1, line 6, through page 2. line 38 by rewriting those lines to read:

Section 1. G.S. 160A-480.3(b) reads as rewritten:

"(b) Membership. -- An authority shall have eight or ~~13~~ 21 members. Members shall be chosen for terms as follows:

(1) Four shall be appointed by the General Assembly upon the recommendation of the Speaker of the House of Representatives in accordance with G.S. 120-121, at least one of whom shall be a resident of the territorial jurisdiction of the authority;

(2) Four shall be appointed by the General Assembly upon the recommendation of the President Pro Tempore of the Senate in accordance with G.S. 120-121, at least one of whom shall be a resident of the territorial jurisdiction of the authority; and

(3) If the territorial jurisdiction of the authority is a county where the main campus of a constituent institution of The University of North Carolina is located, then:

a. ~~Two~~ Four members shall be appointed by the board of commissioners of that ~~county;~~ county, one of whom at the time of appointment is a resident of the municipality with the second largest population in the county, according to the most recent decennial federal census;

NORTH CAROLINA GENERAL ASSEMBLY
AMENDMENT
House Bill 1107

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

H1107-ALB-3

b. ~~Two~~ Four members shall be appointed by the city council of the city with the largest population in the county, according to the most recent decennial federal census; ~~and~~

b1. Two members shall be appointed by the Board of Trustees of the constituent institution of The University of North Carolina whose main campus is located within the county; and

c. ~~One member~~ Three members shall be appointed jointly by the mayors of all the cities in that county.

Beginning January 1, 1999, a majority of any executive committee, or other committee however termed having supervisory or management authority over the facility to be constructed by the authority, shall consist of authority members appointed under this subdivision.

The Chancellor and Board of Trustees of the constituent institution of The University of North Carolina whose main campus is located within the county shall make recommendations to the General Assembly no later than April 1 of each odd-numbered year for persons to be appointed under subdivisions (1) and (2) of this section, and the General Assembly may consider such recommendations. ~~The~~ Neither the board of commissioners ~~may not~~ nor the city council may appoint a member of its board to serve on the authority.

NORTH CAROLINA GENERAL ASSEMBLY
AMENDMENT
House Bill 1107

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

H1107-ALB-3

Two of the initial appointments under subdivision (1) of this subsection, two of the initial appointments under subdivision (2) of this subsection, one of the initial appointments under subdivision (3)a. of this subsection, and one of the initial appointments under subdivision (3)b. of this section shall be for terms expiring July 1 of the second year after the year in which the authority is created. The remaining initial appointments shall be for terms expiring July 1 of the fourth year after the year in which the authority is created. The third member appointed by the board of commissioners shall serve a term beginning January 1, 1999 and expiring July 1, 2001, and the fourth member appointed by the board of commissioners shall serve a term beginning January 1, 1999 and expiring July 1, 2003. The third member appointed by the city council shall serve a term beginning January 1, 1999 and expiring July 1, 2001, and the fourth member appointed by the city council shall serve a term beginning January 1, 1999 and expiring July 1, 2003. The second member appointed jointly by the mayors of all the cities in that county shall serve a term beginning January 1, 1999 and expiring July 1, 2001, and the third member appointed jointly by the mayors of all the cities in that county shall serve a term beginning January 1, 1999 and expiring July 1, 2003. Of the initial appointments by the Board of Trustees of the constituent institution of The University of North Carolina whose main campus is located within the county, one shall serve a term beginning January 1, 1999 and expiring July 1, 2001, and the other shall serve a term ~~beginning July~~ 1, 1999 and expiring July 1, 2003. Successors shall be appointed in the same manner for four-year terms. A member may be removed by the appointing authority for cause. Vacancies occurring in the membership of the authority shall be filled by the remaining members."

SIGNED _____
Amendment Sponsor

SIGNED _____
Committee Chair if Senate Committee Amendment

ADOPTED 1 FAILED _____ TABLED _____

5/15/97

NORTH CAROLINA
HOUSE OF REPRESENTATIVES
ROLL CALL

EV

. # 672
ISLATIVE DAY 64
H1107HCS

5/20/97
2:11 PM
IN CHAIR: SPEAKER

AMEND #1

MOTION #11 - TO CONCUR ON Senate AMEND. #1 of House Comm. SUB.

AYES - 109

ADAMS	DAVIS	HURLEY	RAYFIELD
ALDRIDGE	DECKER	INSKO	REDWINE
ALLRED	DEDMON	IVES	REYNOLDS
ARNOLD	DICKSON	JARRELL	ROGERS
BADDOUR	DOCKHAM	JEFFUS	RUSSELL
BAKER	EARLE	JUSTUS	SAUNDERS
BARBEE	EASTERLING	KINNEY	SEXTON
BEALL	EDDINS	KISER	SHERRILL
BERRY	ELLIS	LUEBKE	SHUBERT
BLACK	ESPOSITO	MCALLISTER	SMITH
BLUE	FOX	MCCRARY	STARNES
BONNER	GAMBLE	MCMAHAN	SUTTON
BOWIE	GARDNER	MERCER	TALLENT
BOYD-MCINTYRE	GOODWIN	MILLER	THOMPSON
BRASWELL	GRADY	MINER	TOLSON
BRAWLEY	GULLEY	MITCHELL	WAINWRIGHT
BROWN	HACKNEY	MOORE	WARNER
BUCHANAN	HALL	MORGAN	WARWICK
CANSLER	HARDY	MORRIS	WATSON
CARPENTER	HENSLEY	MOSLEY	WEATHERLY
CHURCH	HIATT	NEELY	WILKINS
CLARY	HIGHTOWER	NESBITT	WILSON, C.
COLE	HILL	NICHOLS	WILSON, G.
CRAWFORD	HOLMES	NYE	WOMBLE
CULP	HOWARD	OLDHAM	WOOD
CULPEPPER	HUNTER, H.	OWENS	WRIGHT
CUNNINGHAM	HUNTER, R.	RAMSEY	YONGUE
DAUGHTRY			

NOES - 1

CAPPS

EXCUSED ABSENCE - 1

MCCOMBS

EXCUSED VOTE - 0

NOT VOTING - 9

SPEAKER	FITCH	HARDAWAY	MICHAUX
ALEXANDER	GRAY	MCCOMAS	PRESTON
CREECH			

Perfecting Amd. #1

111-0 EV

HOUSE CONCURS IN SENATE AMENDMENT #2

MAY 20 1997

AND ORDERED ENROLLED

NORTH CAROLINA GENERAL ASSEMBLY
AMENDMENT
House Bill 1107

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

H1107-ALB-7

Date 5/19 ,1997

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

moves to amend Senate Amendment #1 on page 1, line 4, by deleting "21", and substituting "17"

further moves to amend Senate Amendment #1 on page 1, lines 10 and 15, by striking through "authority;" on both lines, and adding immediately thereafter "authority, and at least one other of whom shall have been recommended by the Board of Trustees of the constituent institution of The University of North Carolina whose main campus is located within the county;"

further moves to amend Senate amendment #1 on page 2, lines 5 through 8 by deleting those lines.

further moves to amend Senate Amendment #1 on page 2, line 9, by rewriting that line to read:

"c. One member shall be appointed"

further moved to amend Senate Amendment #1 on page 2, lines 16 through 21 by deleting the sentence beginning on line 16 in its entirety

further moves to amend Senate Amendment #1 on page 3, lines 9 through 26, by rewriting those lines to read:

NORTH CAROLINA GENERAL ASSEMBLY
AMENDMENT
House Bill 1107

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

H1107-ALB-7 Page 2 of 2

"created. The third member appointed by the board of commissioners shall serve a term beginning January 1, 1999, and expiring July 1, 2001, and the fourth member appointed by the board of commissioners shall serve a term beginning January 1, 1999, and expiring July 1, 2003. The third member appointed by the city council shall serve a term beginning January 1, 1999, and expiring July 1, 2001, and the fourth member appointed by the city council shall serve a term beginning January 1, 1999, and expiring July 1, 2003. Of the two appointments made by the General Assembly in 1999 and quadrennially thereafter upon the recommendation of the Speaker of the House of Representatives, one shall be the person recommended by the Board of Trustees of the constituent institution of The University of North Carolina whose main campus is located within the county. Of the two appointments made by the General Assembly in 1999 and quadrennially thereafter upon the recommendation of the President Pro Tempore of the Senate, one shall be the person recommended by the Board of Trustees of the constituent institution of The University of North Carolina whose main campus is located within the county. Successors shall".

SIGNED _____
Amendment Sponsor

SIGNED _____
Committee Chair if **Senate** Committee Amendment

ADOPTED V 45-1 FAILED _____ TABLED _____

J. Pruitt 5/19/97

NORTH CAROLINA
HOUSE OF REPRESENTATIVES
ROLL CALL

EV

. # 671
ISLATIVE DAY 64
H1107HCS

5/20/97
2:11 PM
IN CHAIR: SPEAKER

AMEND #2 -

MOTION #11 - TO CONCUR ON PERFECTING senate AMEND #2 of HOUSE Comm. SUB.

AYES - 111

ADAMS	DAUGHTRY	HURLEY	RAYFIELD
ALDRIDGE	DAVIS	INSKO	REDWINE
ALLRED	DECKER	IVES	REYNOLDS
ARNOLD	DEDMON	JARRELL	ROGERS
BADDOUR	DICKSON	JEFFUS	RUSSELL
BAKER	DOCKHAM	JUSTUS	SAUNDERS
BARBEE	EARLE	KINNEY	SEXTON
BEALL	EASTERLING	KISER	SHERRILL
BERRY	EDDINS	LUEBKE	SHUBERT
BLACK	ELLIS	MCALLISTER	SMITH
BLUE	ESPOSITO	MCCOMAS	STARNES
BONNER	FOX	MCCRARY	SUTTON
BOWIE	GAMBLE	MCMAHAN	TALLENT
BOYD-MCINTYRE	GARDNER	MERCER	THOMPSON
BRASWELL	GOODWIN	MILLER	TOLSON
BRAWLEY	GRADY	MINER	WAINWRIGHT
BROWN	GULLEY	MITCHELL	WARNER
BUCHANAN	HACKNEY	MOORE	WARWICK
CANSLER	HALL	MORGAN	WATSON
CAPPS	HARDY	MORRIS	WEATHERLY
CARPENTER	HENSLEY	MOSLEY	WILKINS
CHURCH	HIATT	NEELY	WILSON, C.
CLARY	HIGHTOWER	NESBITT	WILSON, G.
COLE	HILL	NICHOLS	WOMBLE
CRAWFORD	HOLMES	NYE	WOOD
CULP	HOWARD	OLDHAM	WRIGHT
CULPEPPER	HUNTER, H.	OWENS	YONGUE
CUNNINGHAM	HUNTER, R.	RAMSEY	

NOES - 0

EXCUSED ABSENCE - ~~0~~ 1 SW

McCOMBS Weeks

EXCUSED VOTE - 0

NOT VOTING - ~~9~~ 8 SW

SPEAKER	FITCH	HARDAWAY	MICHAUX
ALEXANDER	GRAY	~~MCCOMBS~~	PRESTON
CREECH		SW	

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1997

H.B. FILED 1108 APR 17 97 HOUSE PRINCIPAL CLERK

H D

HOUSE DRH6205-LKX151(4.10)

Short Title: Brew on Premises Permits. (Public)

Sponsors: Representative McMahan.

Referred to:

A BILL TO BE ENTITLED

AN ACT TO ALLOW THE ALCOHOLIC BEVERAGE CONTROL COMMISSION TO ISSUE PERMITS FOR "BREW ON PREMISES" BUSINESSES.

The General Assembly of North Carolina enacts:

Section 1. G.S. 18B-307 reads as rewritten:

"**§ 18B-307. Manufacturing offenses.**

(a) Offenses. -- It shall be unlawful for any person, except as authorized by this Chapter, to:

(1) Sell or possess equipment ~~or~~ and ingredients intended for use in the manufacture of any alcoholic ~~beverage;~~ beverage, except equipment provided under a Brew on Premises permit; or

(2) Knowingly allow real or personal property owned or possessed by him to be used by another person for the manufacture of any alcoholic ~~beverage.~~ beverage, except pursuant to a Brew on Premises permit.

(b) Unlawful Manufacturing. -- Except as provided in G.S. 18B- 306, it shall be unlawful for any person to manufacture any alcoholic ~~beverage~~ beverage, except pursuant to a Brew on Premises permit, without first obtaining the applicable ABC permit and revenue licenses.

(c) Second Offense of Manufacturing. -- A second offense of unlawful manufacturing of alcoholic beverage shall be a Class I felony."

Section 2. G.S. 18B-902(d) reads as rewritten:

"(d) Fees. -- An application for an ABC permit shall be accompanied by payment of the following application fee:

NORTH CAROLINA
HOUSE OF REPRESENTATIVES
ROLL CALL

RC

. # 926
ISLATIVE DAY 79
H1108HCS #2
READING 2
MCMAHAN

6/16/97
7:07 PM
IN CHAIR: SPEAKER

BREW ON PREMISES PREMITS

AYES - 72

ADAMS	DICKSON	HOLMES	NICHOLS
ALEXANDER	DOCKHAM	HUNTER, H.	OLDHAM
ALLRED	EARLE	INSKO	OWENS
ARNOLD	ESPOSITO	IVES	PRESTON
BADDOUR	FITCH	JEFFUS	RAYFIELD
BERRY	FOX	LUEBKE	ROGERS
BLUE	GAMBLE	MCCOMAS	RUSSELL
BONNER	GOODWIN	MCCOMBS	SAUNDERS
BOWIE	GRADY	MCCRARY	SEXTON
CANSLER	GRAY	MCMAHAN	SHERRILL
CHURCH	GULLEY	MERCER	SMITH
CLARY	HACKNEY	MICHAUX	TOLSON
COLE	HALL	MILLER	WEATHERLY
CRAWFORD	HARDAWAY	MINER	WILSON, C.
CREECH	HARDY	MITCHELL	WILSON, G.
CULP	HENSLEY	MORGAN	WOMBLE
CUNNINGHAM	HIGHTOWER	MORRIS	WRIGHT
DAUGHTRY	HILL	NEELY	YONGUE

NOES - 37

ALDRIDGE	CULPEPPER	JARRELL	REYNOLDS
BAKER	DAVIS	JUSTUS	SHUBERT
BARBEE	DECKER	KINNEY	STARNES
BEALL	DEDMON	KISER	TALLENT
BLACK	GARDNER	MCALLISTER	THOMPSON
BOYD-MCINTYRE	HIATT	MOORE	WARNER
BRAWLEY	HOWARD	MOSLEY	WARWICK
BUCHANAN	HUNTER, R.	NYE	WATSON
CAPPS	HURLEY	RAMSEY	WOOD
CARPENTER			

EXCUSED ABSENCE - 8

EASTERLING	ELLIS	REDWINE	WAINWRIGHT
EDDINS	NESBITT	SUTTON	WILKINS

EXCUSED VOTE - 0

NOT VOTING - 3

SPEAKER	BRASWELL	BROWN

NORTH CAROLINA GENERAL ASSEMBLY
AMENDMENT
House Bill 1108

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

H1108-ALCX-6/17

Date JUN 17 1997 , 199

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

Rep Decker

moves to amend the bill on page 3, lines 8 - 20, by rewriting the lines to read:

" The customer must do all of the following:

a. Select a recipe and kettle.
b. Weigh out the proper ingredients and add them to the kettle.
c. Transfer the wort to the fermenter.
d. Add the yeast.
e. Place the ingredients in a fermentation room.
f. Filter, carbonate, and bottle the malt beverage.
g. Pay to the permittee a tax in an amount equal to the excise tax payable on the sale of malt beverages under G.S. 105-113.80.

The permittee may:

a. Assist the customer in all steps except adding the yeast.
b. Transfer the ingredients from the fermentation room to the cold room.

The permittee must collect the tax and remit it to the State as provided in G.S. 105-113.83.'

Section 4. G.S. 105-113.80 is amended by adding a new subsection to read:

'(a1) On Premises Beer. -- An excise tax at the rate set in subsection (a) of this section is levied on the brewing of malt beverages at an establishment that has a Brew on Premises permit.'

Section 5. G.S. 105-113.83 is amended by adding a new subsection to read:

'(d) On Premises Beer. -- The excise tax on malt beverages levied under G.S. 105-113.80(a1) is payable by the customer to the permittee at the time the beverage is brewed. The permittee shall remit these taxes to the Secretary on or before the 15th day of the month following the month in which they were received. A permittee who fails to collect the tax from the customer is liable for the tax owed by the customer. The permittee shall file with the taxes a report that contains detailed sales records for the month for which the taxes are paid and any information required by the Secretary.

NORTH CAROLINA GENERAL ASSEMBLY
AMENDMENT
House Bill 1108

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

H1108-ALCX-6/17 Page 2 of 2

G.S. 105-113.84, 105-113.85, 105-113.86 do not apply to the excise tax levied under G.S. 105-113.80(a1).'

Section 6. This act is effective when it becomes law."

SIGNED M Decker
Amendment Sponsor

SIGNED _____
Committee Chair if Senate Committee Amendment

ADOPTED _____ FAILED JUN 17 1997 TABLED _____

19-90 EV
D Weeks

NORTH CAROLINA
HOUSE OF REPRESENTATIVES
ROLL CALL

EV

SEQ. # 935
LEGISLATIVE DAY 80
H1108HCS #2
READING 3
MCMAHAN
AMEND #1 · REP. DECKER
BREW ON PREMISES PREMITS

6/17/97
11:13 AM
IN CHAIR: SPEAKER

AYES - 19

BARBEE	DAVIS	HOWARD	STARNES
BEALL	DECKER	KISER	TALLENT
BROWN	ELLIS	LUEBKE	WARNER
CAPPS	GAMBLE	MOORE	WOOD
CARPENTER	HACKNEY	RAMSEY	

NOES - 90

ADAMS	DEDMON	JARRELL	RAYFIELD
ALDRIDGE	DICKSON	JEFFUS	REDWINE
ALEXANDER	DOCKHAM	JUSTUS	REYNOLDS
ALLRED	EARLE	KINNEY	ROGERS
BADDOUR	ESPOSITO	MCALLISTER	RUSSELL
BAKER	FITCH	MCCOMAS	SAUNDERS
BERRY	FOX	MCCOMBS	SEXTON
BLACK	GARDNER	MCCRARY	SHERRILL
BONNER	GOODWIN	MCMAHAN	SHUBERT
BOWIE	GRADY	MERCER	SMITH
BOYD-MCINTYRE	GRAY	MILLER	SUTTON
BRASWELL	GULLEY	MINER	THOMPSON
BRAWLEY	HARDAWAY	MITCHELL	TOLSON
BUCHANAN	HARDY	MORGAN	WARWICK
CANSLER	HENSLEY	MORRIS	WATSON
CHURCH	HIATT	MOSLEY	WEATHERLY
CLARY	HIGHTOWER	NEELY	WILKINS
CRAWFORD	HILL	NICHOLS	WILSON, C.
CREECH	HOLMES	NYE	WILSON, G.
CULP	HUNTER, H.	OLDHAM	WOMBLE
CULPEPPER	HURLEY	OWENS	WRIGHT
CUNNINGHAM	INSKO	PRESTON	YONGUE
DAUGHTRY	IVES		

EXCUSED ABSENCE - 5

ARNOLD	EDDINS	NESBITT	WAINWRIGHT
EASTERLING			

EXCUSED VOTE - 0

NOT VOTING - 6

SPEAKER	COLE	HUNTER, R.	MICHAUX
BLUE	HALL		

NORTH CAROLINA

HOUSE OF REPRESENTATIVES

ROLL CALL

RC

SEQ. # 936
LEGISLATIVE DAY 80
H1108HCS #2
READING 3
MCMAHAN

6/17/97
11:17 AM
IN CHAIR: SPEAKER

BREW ON PREMISES PREMITS

AYES - 73

ALEXANDER	FITCH	IVES	OLDHAM
ALLRED	FOX	JARRELL	OWENS
BADDOUR	GAMBLE	JEFFUS	PRESTON
BERRY	GOODWIN	LUEBKE	RAYFIELD
BLUE	GRADY	MCALLISTER	REDWINE
BONNER	GRAY	MCCOMAS	ROGERS
BOWIE	GULLEY	MCCOMBS	RUSSELL
BOYD-MCINTYRE	HACKNEY	MCCRARY	SAUNDERS
BRASWELL	HALL	MCMAHAN	SHERRILL
CANSLER	HARDAWAY	MERCER	SMITH
CHURCH	HARDY	MILLER	SUTTON
CLARY	HENSLEY	MINER	TOLSON
CREECH	HIGHTOWER	MITCHELL	WEATHERLY
CULP	HILL	MORGAN	WILKINS
CUNNINGHAM	HOLMES	MORRIS	WILSON, C.
DAUGHTRY	HUNTER, H.	MOSLEY	WOMBLE
DICKSON	HURLEY	NEELY	WRIGHT
EARLE	INSKO	NICHOLS	YONGUE
ESPOSITO			

NOES - 39

ADAMS	CARPENTER	HUNTER, R.	SHUBERT
ALDRIDGE	CRAWFORD	JUSTUS	STARNES
BAKER	CULPEPPER	KINNEY	TALLENT
BARBEE	DAVIS	KISER	THOMPSON
BEALL	DECKER	MICHAUX	WARNER
BLACK	DEDMON	MOORE	WARWICK
BRAWLEY	ELLIS	NYE	WATSON
BROWN	GARDNER	RAMSEY	WILSON, G.
BUCHANAN	HIATT	REYNOLDS	WOOD
CAPPS	HOWARD	SEXTON	

EXCUSED ABSENCE - 5

ARNOLD	EDDINS	NESBITT	WAINWRIGHT
EASTERLING			

EXCUSED VOTE - 0

NOT VOTING - 3

SPEAKER	COLE	DOCKHAM

NORTH CAROLINA GENERAL ASSEMBLY
AMENDMENT
House Bill 1108

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

H1108-ALK-5

Date 7/28 ,1997

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

Senator ~~Basnight~~ Odom

moves to amend the bill on page 1, line 7,
by rewriting that line to read:
"Section 1. G.S. 18B-307, as amended by S.L. 1997-134,
reads as rewritten:";
and further moves to amend the bill on page 2, line 41,
by rewriting that line to read:
"(32) Cider and vinegar manufacturer permit -- $100.00.
(33) Brew on premises permit -- $200.00."

SIGNED Odom
Amendment Sponsor

SIGNED _____
Committee Chair if Senate Committee Amendment

ADOPTED ✓ 46-0 FAILED _____ TABLED _____

J. Pruitt 7/28/97

NORTH CAROLINA GENERAL ASSEMBLY
SENATE

RECORDED VOTE

1997 SESSION

SEQ. 1212/8-- 7:55 PM JULY 28, 1997 LEGISLATIVE DAY 103

LT. GOVERNOR WICKER -- Presiding

MCMAHAN
B.O.P./SPORTS CLUB PERMITS
SENATE COMM. SUB./5TH EDITION

HOUSE BILL 1108

AMEND 1

AYE	46	ALLRAN	EAST	LEE	PURCELL
		BALLANCE	FORRESTER	LUCAS	RAND
		BALLANTINE	FOXX	MARTIN R.	REEVES
		BASNIGHT	GARWOOD	MARTIN W.	RUCHO
		BLUST	GULLEY	MCDANIEL	SHAW L.
		CARPENTER	HORTON	MILLER	SHAW R.
		CARRINGTON	HOYLE	ODOM	WARREN
		CLARK	JENKINS	PAGE	WEBSTER
		COCHRANE	JORDAN	PERDUE	WEINSTEIN
		COOPER	KERR	PHILLIPS	WELLONS
		DALTON	KINNAIRD	PLYLER	WINNER
		DANNELLY	LEDBETTER		
NO	0				
EXCUSED	0				
NOT CAST	1	SOLES			
ABSENT	2	ALBERTSON	HARTSELL		
PAIRS	0				
AYE					
NO					

GENERAL ASSEMBLY
SENATE

NORTH CAROLINA GENERAL ASSEMBLY
SENATE

RECORDED VOTE

1997 SESSION

SEQ. 1213/9-- 7:59 PM JULY 28, 1997 LEGISLATIVE DAY 103

LT. GOVERNOR WICKER -- Presiding

MCMAHAN
B.O.P./SPORTS CLUB PERMITS
SENATE COMM. SUB./5TH EDITION

HOUSE BILL 1108
READING 2

AYE	33	BALLANCE	HOYLE	MARTIN W.	REEVES
		BASNIGHT	JENKINS	MILLER	RUCHO
		BLUST	JORDAN	ODOM	SHAW L.
		CARRINGTON	KERR	PERDUE	SHAW R.
		COOPER	KINNAIRD	PHILLIPS	WARREN
		DANNELLY	LEE	PLYLER	WEINSTEIN
		GARWOOD	LUCAS	PURCELL	WELLONS
		GULLEY	MARTIN R.	RAND	WINNER
		HORTON			
NO	13	ALLRAN	COCHRANE	FORRESTER	MCDANIEL
		BALLANTINE	DALTON	FOXX	PAGE
		CARPENTER	EAST	LEDBETTER	WEBSTER
		CLARK			

EXCUSED	0		
NOT CAST	1	SOLES	
ABSENT	2	ALBERTSON	HARTSELL
PAIRS	0		
AYE			
NO			

GENERAL ASSEMBLY
SENATE

NORTH CAROLINA GENERAL ASSEMBLY AMENDMENT

(Please type or use ballpoint pen)

EDITION No. _____

H. B. No. 1108 DATE 7-29-97

S. B. No. _____ Amendment No. 2

(to be filled in by Principal Clerk)

COMMITTEE SUBSTITUTE _____

Rep.)
Sen.) Allran

moves to amend the bill on page 3, line 22

( ) WHICH CHANGES THE TITLE

by inserting between the word "the" and "largest" the word "geographically"

SIGNED Allran

ADOPTED ✓ 47-0 FAILED _____ TABLED _____

J. Pruitt 7/29/97

GA-33-A

PRINCIPAL CLERK'S OFFICE (FOR ENGROSSMENT)

NORTH CAROLINA GENERAL ASSEMBLY
SENATE

RECORDED VOTE

1997 SESSION

SEQ. 1222/7--11:45 AM JULY 29, 1997 LEGISLATIVE DAY 104

LT. GOVERNOR WICKER -- Presiding

MCMAHAN
B.O.P./SPORTS CLUB PERMITS
SENATE COMM. SUB./5TH EDITION

HOUSE BILL 1108

AMEND 2

AYE	47	ALBERTSON	DANNELLY	KINNAIRD	PLYLER
		ALLRAN	EAST	LEDBETTER	PURCELL
		BALLANCE	FORRESTER	LEE	RAND
		BALLANTINE	FOXX	LUCAS	REEVES
		BASNIGHT	GARWOOD	MARTIN R.	RUCHO
		BLUST	GULLEY	MARTIN W.	SHAW L.
		CARPENTER	HARTSELL	MCDANIEL	WARREN
		CARRINGTON	HORTON	MILLER	WEBSTER
		CLARK	HOYLE	ODOM	WEINSTEIN
		COCHRANE	JENKINS	PAGE	WELLONS
		COOPER	JORDAN	PERDUE	WINNER
		DALTON	KERR	PHILLIPS	
NO	0				
EXCUSED	0				
NOT CAST	2	SHAW R.	SOLES		
ABSENT	0				
PAIRS	0				
AYE					
NO					

GENERAL ASSEMBLY
SENATE

NORTH CAROLINA GENERAL ASSEMBLY
SENATE

RECORDED VOTE

1997 SESSION

SEQ. 1223/8--11:46 AM JULY 29, 1997 LEGISLATIVE DAY 104

LT. GOVERNOR WICKER -- Presiding

MCMAHAN
B.O.P./SPORTS CLUB PERMITS
SENATE COMM. SUB./5TH EDITION

HOUSE BILL 1108
READING 3

AYE	36	ALBERTSON	GARWOOD	LEE	PURCELL
		ALLRAN	GULLEY	LUCAS	RAND
		BALLANCE	HORTON	MARTIN R.	REEVES
		BASNIGHT	HOYLE	MARTIN W.	RUCHO
		BLUST	JENKINS	MILLER	SHAW L.
		CARPENTER	JORDAN	ODOM	WARREN
		CARRINGTON	KERR	PERDUE	WEINSTEIN
		COOPER	KINNAIRD	PHILLIPS	WELLONS
		DANNELLY	LEDBETTER	PLYLER	WINNER
NO	11	BALLANTINE	DALTON	FOXX	PAGE
		CLARK	EAST	HARTSELL	WEBSTER
		COCHRANE	FORRESTER	MCDANIEL	

EXCUSED	0		
NOT CAST	2	SHAW R.	SOLES
ABSENT	0		
PAIRS	0		
AYE			
NO			

GENERAL ASSEMBLY
SENATE

NORTH CAROLINA
HOUSE OF REPRESENTATIVES
ROLL CALL

EV

SEQ. # 1394
LEGISLATIVE DAY 114
H1108SCS #2

8/14/97
11:45 AM
IN CHAIR: SPEAKER

MCMAHAN

BREW ON PREMISES/ SPORTS CLUB PERMITS
MOTION #11 -TO NOT CONCUR IN SCS

AYES - 100

ADAMS	CULPEPPER	HUNTER, R.	RAMSEY
ALEXANDER	CUNNINGHAM	HURLEY	RAYFIELD
ALLRED	DAVIS	INSKO	REDWINE
ARNOLD	DECKER	IVES	REYNOLDS
BADDOUR	DEDMON	JARRELL	ROGERS
BAKER	DICKSON	JEFFUS	RUSSELL
BARBEE	DOCKHAM	JUSTUS	SAUNDERS
BEALL	EARLE	KISER	SEXTON
BERRY	EASTERLING	LUEBKE	SHERRILL
BLACK	EDDINS	MCALLISTER	SHUBERT
BLUE	ESPOSITO	MCCOMAS	SMITH
BONNER	FITCH	MCCOMBS	STARNES
BOWIE	GARDNER	MCCRARY	SUTTON
BOYD-MCINTYRE	GOODWIN	MCMAHAN	TALLENT
BRASWELL	GRADY	MERCER	THOMPSON
BRAWLEY	GRAY	MILLER	TOLSON
BROWN	GULLEY	MITCHELL	WAINWRIGHT
BUCHANAN	HARDAWAY	MOORE	WARNER
CANSLER	HENSLEY	MORGAN	WARWICK
CARPENTER	HIATT	MORRIS	WILKINS
CHURCH	HIGHTOWER	NESBITT	WILSON, C.
CLARY	HILL	NICHOLS	WILSON, G.
COLE	HOLMES	OLDHAM	WOMBLE
CRAWFORD	HOWARD	OWENS	WOOD
CREECH	HUNTER, H.	PRESTON	WRIGHT

NOES - 7

CULP	MINER	WATSON	YONGUE
FOX	NYE	WEATHERLY	

EXCUSED ABSENCE - 9

ALDRIDGE	GAMBLE	HALL	KINNEY
CAPPS	HACKNEY	HARDY	NEELY
ELLIS			

EXCUSED VOTE - 0

NOT VOTING - 4

SPEAKER	DAUGHTRY	MICHAUX	MOSLEY

NORTH CAROLINA GENERAL ASSEMBLY
CONFERENCE REPORT
House Bill 1108

H1108-CRLK-4

[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 House Bill 1108, A BILL TO BE ENTITLED AN ACT TO ALLOW THE ALCOHOLIC BEVERAGE CONTROL COMMISSION TO ISSUE PERMITS FOR "BREW ON PREMISES" BUSINESSES AND TO CLARIFY THE APPLICABILITY OF CERTAIN REGULATIONS TO SOME SPORTS CLUBS, Sixth Edition Engrossed 7/29/97, submit the following report:

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

The House concurs in the Senate committee substitute with the following amendment:

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"A BILL TO BE ENTITLED AN ACT TO ALLOW THE ALCOHOLIC BEVERAGE CONTROL COMMISSION TO ISSUE PERMITS FOR 'BREW ON PREMISES' BUSINESSES.";

(2) Page 1, line 7 is rewritten to read:

"Section 1. G.S. 18B-307 reads as";

(3) Page 2, line 7 is rewritten to read:

"Section 2. G.S. 18B-902(d), as amended by S.L. 1997-134, reads as rewritten:"; and

(4) Page 3, lines 21 through 27 is rewritten to read:

"Section 4. This act is effective when it becomes law.".

The Senate concurs in the same.

NORTH CAROLINA GENERAL ASSEMBLY
CONFERENCE REPORT
House Bill 1108

H1108-CRLK-4

Date conferees approved report: August 19, 1997.

Conferees for the Senate	Conferees for the House of Representatives
Thomas LaFontine Odom, Chair	N. Leo Daughtry, Chair
Robert A. Rucho	Carolyn B. Russell
Charlie S. Dannelly	James B. Black
	Michael P. Decker, Sr.

House Submitted 8/19/97 placed on calendar for 8/20/97
ADOPTED _____(/) Message Received _____
ADOPTED _____(/) Ordered Enrolled _____

T
G

NORTH CAROLINA GENERAL ASSEMBLY
SENATE

RECORDED VOTE

1997 SESSION

SEQ. 1419/6--10:39 AM AUGUST 20, 1997 LEGISLATIVE DAY 117

LT. GOVERNOR WICKER -- Presiding

MCMAHAN
B.O.P./SPORTS CLUB PERMITS
SENATE COM SUB #2/6TH EDITION

HOUSE BILL 1108

CONFERENCE REPORT

MOTION 7
TO ADOPT

AYE	36	ALBERTSON	DANNELLY	LUCAS	PURCELL
		ALLRAN	HORTON	MARTIN R.	RAND
		BALLANCE	HOYLE	MARTIN W.	REEVES
		BASNIGHT	JENKINS	MILLER	RUCHO
		BLUST	JORDAN	MOORE	SHAW R.
		CARPENTER	KERR	ODOM	SOLES
		CARRINGTON	KINNAIRD	PERDUE	WEINSTEIN
		COCHRANE	LEDBETTER	PHILLIPS	WELLONS
		COOPER	LEE	PLYLER	WINNER
NO	10	BALLANTINE	EAST	HARTSELL	PAGE
		CLARK	FORRESTER	MCDANIEL	WEBSTER
		DALTON	FOXX		

EXCUSED	0			
NOT CAST	1	SHAW L.		
ABSENT	3	GARWOOD	GULLEY	WARREN
PAIRS	0			
AYE				
NO				

(CONTINUED)

NORTH CAROLINA GENERAL ASSEMBLY
SENATE

RECORDED VOTE

1997 SESSION

SEQ. 1420/7--10:51 AM AUGUST 20, 1997 LEGISLATIVE DAY 117

LT. GOVERNOR WICKER -- Presiding

MCMAHAN
B.O.P./SPORTS CLUB PERMITS
SENATE COM SUB #2/6TH EDITION

HOUSE BILL 1108

CONFERENCE REPORT

MOTION 7
TO ADOPT

RECORDED
AYE -3
NO 3 CARPENTER COCHRANE LEDBETTER
ADJUSTED TOTAL
AYE 33
NO 13
NOT CAST 1
ABSENT 3

(...Y)

NORTH CAROLINA GENERAL ASSEMBLY
SENATE

RECORDED VOTE

1997 SESSION

SEQ. 1420/7--10:51 AM AUGUST 20, 1997 LEGISLATIVE DAY 117

LT. GOVERNOR WICKER -- Presiding

MCMAHAN
B.O.P./SPORTS CLUB PERMITS
SENATE COM SUB #2/6TH EDITION

HOUSE BILL 1108

CONFERENCE REPORT

MOTION 7
TO ADOPT

AYE	33	ALBERTSON	HOYLE	MARTIN W.	RAND
		ALLRAN	JENKINS	MILLER	REEVES
		BALLANCE	JORDAN	MOORE	RUCHO
		BASNIGHT	KERR	ODOM	SHAW R.
		BLUST	KINNAIRD	PERDUE	SOLES
		CARRINGTON	LEE	PHILLIPS	WEINSTEIN
		COOPER	LUCAS	PLYLER	WELLONS
		DANNELLY	MARTIN R.	PURCELL	WINNER
		HORTON			
NO	13	BALLANTINE	DALTON	FOXX	MCDANIEL
		CARPENTER	EAST	HARTSELL	PAGE
		CLARK	FORRESTER	LEDBETTER	WEBSTER
		COCHRANE			

EXCUSED	0			
NOT CAST	1	SHAW L.		
ABSENT	3	GARWOOD	GULLEY	WARREN
PAIRS	0			
AYE				
NO				

(CONTINUED)

NORTH CAROLINA GENERAL ASSEMBLY
SENATE

RECORDED VOTE

1997 SESSION

SEQ. 1424/11--12:07 PM AUGUST 20, 1997 LEGISLATIVE DAY 117

LT. GOVERNOR WICKER -- Presiding

MCMAHAN
B.O.P./SPORTS CLUB PERMITS
SENATE COM SUB #2/6TH EDITION

HOUSE BILL 1108

CONFERENCE REPORT

MOTION 7
TO ADOPT

RECORDED		
ABSENT	1	SHAW L.
ADJUSTED TOTAL		
AYE	33	
NO	13	
NOT CAST	0	
ABSENT	4	

(Y)

NORTH CAROLINA GENERAL ASSEMBLY
SENATE

RECORDED VOTE

1997 SESSION

SEQ. 1424/11--12:07 PM AUGUST 20, 1997 LEGISLATIVE DAY 117

LT. GOVERNOR WICKER -- Presiding

MCMAHAN
B.O.P./SPORTS CLUB PERMITS
SENATE COM SUB #2/6TH EDITION

HOUSE BILL 1108

CONFERENCE REPORT

MOTION 7
TO ADOPT

AYE	33	ALBERTSON	HOYLE	MARTIN W.	RAND
		ALLRAN	JENKINS	MILLER	REEVES
		BALLANCE	JORDAN	MOORE	RUCHO
		BASNIGHT	KERR	ODOM	SHAW R.
		BLUST	KINNAIRD	PERDUE	SOLES
		CARRINGTON	LEE	PHILLIPS	WEINSTEIN
		COOPER	LUCAS	PLYLER	WELLONS
		DANNELLY	MARTIN R.	PURCELL	WINNER
		HORTON			
NO	13	BALLANTINE	DALTON	FOXX	MCDANIEL
		CARPENTER	EAST	HARTSELL	PAGE
		CLARK	FORRESTER	LEDBETTER	WEBSTER
		COCHRANE			

EXCUSED	0				
NOT CAST	0				
ABSENT	4	GARWOOD	GULLEY	SHAW L.	WARREN
PAIRS	0				
AYE					
NO					

(COPY)

GENERAL ASSEMBLY
SENATE

NORTH CAROLINA GENERAL ASSEMBLY
CONFERENCE REPORT
House Bill 1108

[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 House Bill 1108, A BILL TO BE ENTITLED AN ACT TO ALLOW THE ALCOHOLIC BEVERAGE CONTROL COMMISSION TO ISSUE PERMITS FOR "BREW ON PREMISES" BUSINESSES AND TO CLARIFY THE APPLICABILITY OF CERTAIN REGULATIONS TO SOME SPORTS CLUBS, Sixth Edition Engrossed 7/29/97, submit the following report:

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NORTH CAROLINA GENERAL ASSEMBLY
CONFERENCE REPORT
House Bill 1108

H1108-CRLK-4

Date conferees approved report: August 19, 1997.

Conferees for the Senate	Conferees for the House of Representatives
Thomas LaFontine Odom, Chair	N. Leo Daughtry, Chair
Robert A. Rucho	Carolyn B. Russell
Charlie S. Dannelly	James B. Black
	Michael P. Decker, Sr.

House Submitted 8/19/97 placed on calendar for 8/20/97
House ADOPTED 8/20/97 (94/12) Message Received
ADOPTED / / (/) Ordered Enrolled

Senate notified

Special Message

T
G

NORTH CAROLINA GENERAL ASSEMBLY
CONFERENCE REPORT
House Bill 1108

H1108-CRLK-4

[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 House Bill 1108, A BILL TO BE ENTITLED AN ACT TO ALLOW THE ALCOHOLIC BEVERAGE CONTROL COMMISSION TO ISSUE PERMITS FOR "BREW ON PREMISES" BUSINESSES AND TO CLARIFY THE APPLICABILITY OF CERTAIN REGULATIONS TO SOME SPORTS CLUBS, Sixth Edition Engrossed 7/29/97, submit the following report:

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NORTH CAROLINA GENERAL ASSEMBLY
CONFERENCE REPORT
House Bill 1108

H1108-CRLK-4

Date conferees approved report: August 19, 1997.

Conferees for the Senate	Conferees for the House of Representatives
Thomas LaFontine Odom, Chair	N. Leo Daughtry, Chair
Robert A. Rucho	Carolyn B. Russell
Charlie S. Dannelly	James B. Black
	Michael P. Decker, Sr.

House Submitted 8/19/97 placed on calendar for 8/20/97
House ADOPTED 8/20/97 (94/12 ov) Message Received 8/20/97
ADOPTED / / (/) Ordered Enrolled 8/20/97

Senate notified
AUG 20 1997
Special Message

ORDERED SENT TO GOVERNOR
AUG 20 1997

T
G

NORTH CAROLINA

HOUSE OF REPRESENTATIVES

ROLL CALL

EV

SEQ. # 1434
LEGISLATIVE DAY 117
H1108
CONFERENCE REPORT
MCMAHAN

8/20/97
10:16 AM
IN CHAIR: SPEAKER

BREW ON PREMISES PERMITS

AYES - 94

ADAMS	CULPEPPER	HURLEY	OWENS
ALDRIDGE	CUNNINGHAM	INSKO	PRESTON
ALEXANDER	DAUGHTRY	IVES	RAMSEY
ALLRED	DICKSON	JARRELL	RAYFIELD
ARNOLD	DOCKHAM	JEFFUS	REDWINE
BADDOUR	EARLE	KINNEY	ROGERS
BAKER	EASTERLING	KISER	RUSSELL
BARBEE	ESPOSITO	MCALLISTER	SAUNDERS
BEALL	FITCH	MCCOMAS	SEXTON
BERRY	FOX	MCCOMBS	SHERRILL
BLACK	GARDNER	MCCRARY	SHUBERT
BONNER	GOODWIN	MERCER	SMITH
BOWIE	GRADY	MICHAUX	SUTTON
BOYD-MCINTYRE	GRAY	MINER	TALLENT
BRASWELL	GULLEY	MITCHELL	THOMPSON
BRAWLEY	HACKNEY	MOORE	TOLSON
BUCHANAN	HALL	MORGAN	WARNER
CARPENTER	HARDAWAY	MORRIS	WATSON
CHURCH	HARDY	MOSLEY	WILKINS
CLARY	HENSLEY	NEELY	WILSON, G.
COLE	HIGHTOWER	NESBITT	WOMBLE
CRAWFORD	HILL	NICHOLS	WRIGHT
CREECH	HOWARD	OLDHAM	YONGUE
CULP	HUNTER, H.		

NOES - 12

BROWN	DECKER	HIATT	REYNOLDS
CAPPS	DEDMON	JUSTUS	STARNES
DAVIS	EDDINS	NYE	WARWICK

EXCUSED ABSENCE - 6

BLUE	MCMAHAN	WEATHERLY	WOOD
LUEBKE	MILLER		

EXCUSED VOTE - 0

NOT VOTING - 8

SPEAKER	ELLIS	HOLMES	WAINWRIGHT
CANSLER	GAMBLE	HUNTER, R.	WILSON, C.

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1997

H.B. FILED
1109 APR 17 97
HOUSE PRINCIPAL CLERK

H D

HOUSE DRH2265-LH189(4.10)

Short Title: Worthless Checks/Commercial Debts. (Public)

Sponsors: Representative McMahan.

Referred to:

A BILL TO BE ENTITLED

AN ACT TO PROVIDE THAT A PERSON, FIRM, CORPORATION, OR AUTHORIZED EMPLOYEE WHO ISSUES A CHECK FOR COMMERCIAL DEBT PAYMENTS ON OPEN OR REVOLVING CREDIT ACCOUNTS MAY BE PROSECUTED FOR A WORTHLESS CHECK VIOLATION.

The General Assembly of North Carolina enacts:

Section 1. G.S. 14-107 reads as rewritten:

"**§ 14-107. Worthless checks.**

It shall be unlawful for any person, firm or corporation, to draw, make, utter or issue and deliver to another, any check or draft on any bank or depository, for the payment of money or its equivalent, including payments for open accounts, knowing at the time of the making, drawing, uttering, issuing and delivering such check or draft as aforesaid, that the maker or drawer thereof has not sufficient funds on deposit in or credit with such bank or depository with which to pay the same upon presentation.

It shall be unlawful for any person, firm or corporation to solicit or to aid and abet any other person, firm or corporation to draw, make, utter or issue and deliver to any person, firm or corporation, any check or draft on any bank or depository for the payment of money or its equivalent, including payments for open accounts, being informed, knowing or having reasonable grounds for believing at the time of the soliciting or the aiding and abetting that the maker or the drawer of the check or draft has not sufficient funds on deposit in, or credit with, such bank or depository with which to pay the same upon presentation.

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1997

H

FILED
1110 APR 17 97
HOUSE PRINCIPAL CLERK

D

HOUSE DRH8165-LMX152(4.4)

Short Title: Landscape Architects. (Public)

Sponsors: Representative McMahan.

Referred to:

A BILL TO BE ENTITLED

AN ACT AMENDING THE STATUTES RELATED TO LANDSCAPE ARCHITECTS.

The General Assembly of North Carolina enacts:

Section 1. G.S. 89A-1 reads as rewritten:

"**§ 89A-1. Definitions.**

The following definitions apply in this Chapter:

~~(a)~~ (1) ~~'Board' shall mean the~~ Board. -- The North Carolina Board of Landscape ~~Architects, established by G.S. 89A-3.~~ Architects.

~~(b)~~ (2) ~~'Landscape architect' shall mean a~~ Landscape architect. -- A person who, on the basis of demonstrated knowledge acquired by professional education or practical experience, or both, has been granted, and holds a current certificate entitling him or her to practice 'landscape architecture' and to use the title 'landscape architect' in North Carolina under the authority of this Chapter.

~~(c)~~ (3) ~~'Landscape architecture,' or the 'practice of landscape architecture' shall mean the preparation of plans and specifications and supervising the execution of projects involving the arranging of land and the elements used thereon for public and private use and enjoyment, embracing drainage, soil conservation, grading and planting plans and erosion control, in accordance with the accepted professional standards of public health, safety and welfare.~~ Landscape architecture or the practice of landscape architecture. -- Planning and designing the use, allocation, and arrangement of land and water resources, through the creative

NORTH CAROLINA GENERAL ASSEMBLY
AMENDMENT
House Bill 1110

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

H1110-ALM-1

Date JUL 14 1997, 1997

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

Representative McMahan

moves to amend the bill on page 2, lines 34-35, by rewriting those lines to read:

"project involved is a single family residential site, or a residential, institutional, or commercial site of one acre or less, or the project involved is a site of more than one".

SIGNED _____
Amendment Sponsor

SIGNED _____
Committee Chair if Senate Committee Amendment

ADOPTED JUL 14 1997 FAILED _____ TABLED _____
105-0 EV

NORTH CAROLINA

HOUSE OF REPRESENTATIVES

ROLL CALL

EV

SEQ. # 1145
LEGISLATIVE DAY 95
H1110HCS #2
READING 2
MCMAHAN
AMEND #1 - REP MCMAHAN
LANDSCAPE ARCHITECTS

7/14/97
6:46 PM
IN CHAIR: SPEAKER

AYES - 105

ADAMS	DECKER	HUNTER, H.	OWENS
ALEXANDER	DEDMON	HUNTER, R.	PRESTON
ALLRED	DICKSON	HURLEY	RAYFIELD
ARNOLD	DOCKHAM	INSKO	REDWINE
BAKER	EARLE	IVES	REYNOLDS
BARBEE	EASTERLING	JARRELL	ROGERS
BEALL	EDDINS	JEFFUS	SAUNDERS
BERRY	ELLIS	JUSTUS	SEXTON
BLACK	ESPOSITO	KINNEY	SHERRILL
BLUE	FITCH	KISER	SHUBERT
BOWIE	FOX	LUEBKE	SMITH
BOYD-MCINTYRE	GAMBLE	MCCOMAS	STARNES
BRAWLEY	GARDNER	MCCOMBS	THOMPSON
BROWN	GOODWIN	MCCRARY	TOLSON
BUCHANAN	GRADY	MCMAHAN	WAINWRIGHT
CANSLER	GRAY	MERCER	WARNER
CAPPS	GULLEY	MICHAUX	WARWICK
CARPENTER	HACKNEY	MILLER	WATSON
CHURCH	HALL	MINER	WEATHERLY
CLARY	HARDAWAY	MITCHELL	WILKINS
COLE	HARDY	MORGAN	WILSON, C.
CRAWFORD	HENSLEY	MOSLEY	WILSON, G.
CREECH	HIATT	NESBITT	WOMBLE
CULP	HILL	NICHOLS	WOOD
CULPEPPER	HOLMES	NYE	WRIGHT
CUNNINGHAM	HOWARD	OLDHAM	YONGUE
DAUGHTRY			

NOES - 0

EXCUSED ABSENCE - 10

ALDRIDGE	DAVIS	MORRIS	RUSSELL
BADDOUR	HIGHTOWER	NEELY	SUTTON
BONNER	MOORE		

EXCUSED VOTE - 0

NOT VOTING - 5

SPEAKER	MCALLISTER	RAMSEY	TALLENT
BRASWELL			

NORTH CAROLINA

HOUSE OF REPRESENTATIVES

ROLL CALL

RC

SEQ. # 1146
LEGISLATIVE DAY 95
H1110HCS #2
READING 2
MCMAHAN

7/14/97
6:49 PM
IN CHAIR: SPEAKER

LANDSCAPE ARCHITECTS

AYES - 97

ADAMS	DEDMON	HUNTER, R.	OLDHAM
ALEXANDER	DICKSON	HURLEY	RAMSEY
ARNOLD	DOCKHAM	INSKO	RAYFIELD
BAKER	EARLE	IVES	REDWINE
BARBEE	EASTERLING	JARRELL	REYNOLDS
BEALL	EDDINS	JEFFUS	ROGERS
BERRY	ELLIS	JUSTUS	SAUNDERS
BOWIE	ESPOSITO	KINNEY	SEXTON
BOYD-MCINTYRE	FOX	KISER	SHERRILL
BRAWLEY	GAMBLE	LUEBKE	SHUBERT
BROWN	GARDNER	MCCOMAS	SMITH
BUCHANAN	GOODWIN	MCCOMBS	STARNES
CANSLER	GRADY	MCCRARY	THOMPSON
CAPPS	GRAY	MCMAHAN	TOLSON
CARPENTER	GULLEY	MERCER	WAINWRIGHT
CHURCH	HACKNEY	MICHAUX	WARNER
CLARY	HALL	MILLER	WARWICK
COLE	HARDAWAY	MINER	WATSON
CRAWFORD	HENSLEY	MITCHELL	WEATHERLY
CREECH	HIATT	MORGAN	WILSON, C.
CULP	HILL	MOSLEY	WILSON, G.
CULPEPPER	HOLMES	NESBITT	WOMBLE
CUNNINGHAM	HOWARD	NICHOLS	WRIGHT
DAUGHTRY	HUNTER, H.	NYE	YONGUE
DECKER			

NOES - 8

ALLRED	BLUE	HARDY	WILKINS
BLACK	FITCH	OWENS	WOOD

EXCUSED ABSENCE - 10

ALDRIDGE	DAVIS	MORRIS	RUSSELL
BADDOUR	HIGHTOWER	NEELY	SUTTON
BONNER	MOORE		

EXCUSED VOTE - 0

NOT VOTING - 5

SPEAKER	MCALLISTER	PRESTON	TALLENT
BRASWELL			

NORTH CAROLINA
HOUSE OF REPRESENTATIVES
ROLL CALL

RC

SEQ. # 1156
LEGISLATIVE DAY 96
H1110HCS #2
READING 3
MCMAHAN

7/15/97
10:59 AM
IN CHAIR: SPEAKER

LANDSCAPE ARCHITECTS

AYES - 103

ADAMS	CULPEPPER	HUNTER, R.	PRESTON
ALDRIDGE	CUNNINGHAM	HURLEY	RAMSEY
ALEXANDER	DAUGHTRY	INSKO	RAYFIELD
ALLRED	DECKER	IVES	REDWINE
ARNOLD	DEDMON	JARRELL	REYNOLDS
BADDOUR	DOCKHAM	JEFFUS	ROGERS
BAKER	EARLE	JUSTUS	SAUNDERS
BARBEE	EASTERLING	KINNEY	SEXTON
BEALL	EDDINS	KISER	SHERRILL
BERRY	ELLIS	LUEBKE	SHUBERT
BLACK	ESPOSITO	MCALLISTER	SMITH
BONNER	FOX	MCCOMAS	STARNES
BOWIE	GARDNER	MCCOMBS	TALLENT
BOYD-MCINTYRE	GOODWIN	MCCRARY	THOMPSON
BRASWELL	GRADY	MCMAHAN	TOLSON
BRAWLEY	GRAY	MERCER	WAINWRIGHT
BUCHANAN	GULLEY	MILLER	WARNER
CANSLER	HACKNEY	MINER	WARWICK
CAPPS	HALL	MITCHELL	WATSON
CARPENTER	HARDAWAY	MORGAN	WEATHERLY
CHURCH	HIATT	MORRIS	WILKINS
CLARY	HIGHTOWER	MOSLEY	WILSON, C.
COLE	HILL	NEELY	WILSON, G.
CRAWFORD	HOLMES	NESBITT	WRIGHT
CREECH	HOWARD	NYE	YONGUE
CULP	HUNTER, H.	OLDHAM	

NOES - 6

BLUE	FITCH	OWENS	WOOD
BROWN	HARDY		

EXCUSED ABSENCE - 5

DAVIS	MOORE	RUSSELL	SUTTON
HENSLEY			

EXCUSED VOTE - 0

NOT VOTING - 6

SPEAKER	GAMBLE	NICHOLS	WOMBLE
DICKSON	MICHAUX		

NORTH CAROLINA GENERAL ASSEMBLY
SENATE

RECORDED VOTE

1997 SESSION

SEQ. 1288/13--10:45 AM AUGUST 5, 1997 LEGISLATIVE DAY 108

SENATOR BASNIGHT -- Presiding

MCMAHAN
LANDSCAPE ARCHITECTS
COM SUB #2/4TH EDITION

HOUSE BILL 1110
READING 2

AYE	45	ALBERTSON	FORRESTER	LEDBETTER	PLYLER
		ALLRAN	FOXX	LEE	PURCELL
		BALLANCE	GARWOOD	LUCAS	RAND
		BALLANTINE	GULLEY	MARTIN R.	REEVES
		BASNIGHT	HARTSELL	MARTIN W.	RUCHO
		BLUST	HORTON	MCDANIEL	SHAW L.
		CARPENTER	HOYLE	MILLER	SHAW R.
		CARRINGTON	JENKINS	ODOM	WARREN
		COCHRANE	JORDAN	PAGE	WEINSTEIN
		COOPER	KERR	PERDUE	WELLONS
		DALTON	KINNAIRD	PHILLIPS	WINNER
		DANNELLY			
NO	3	CLARK	EAST	WEBSTER	

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

GENERAL ASSEMBLY
SENATE

NORTH CAROLINA GENERAL ASSEMBLY
SENATE

RECORDED VOTE

1997 SESSION

SEQ. 1308/13--11:42 AM AUGUST 6, 1997 LEGISLATIVE DAY 109

LT. GOVERNOR WICKER -- Presiding

MCMAHAN
LANDSCAPE ARCHITECTS
COM SUB #2/4TH EDITION

HOUSE BILL 1110
READING 3

AYE	47	ALBERTSON	FORRESTER	LEE	PURCELL
		ALLRAN	FOXX	LUCAS	RAND
		BALLANCE	GARWOOD	MARTIN R.	REEVES
		BALLANTINE	GULLEY	MARTIN W.	RUCHO
		BASNIGHT	HARTSELL	MCDANIEL	SHAW L.
		BLUST	HORTON	MILLER	SHAW R.
		CARPENTER	HOYLE	MOORE	SOLES
		CARRINGTON	JENKINS	ODOM	WARREN
		COCHRANE	JORDAN	PAGE	WEINSTEIN
		COOPER	KERR	PERDUE	WELLONS
		DALTON	KINNAIRD	PHILLIPS	WINNER
		DANNELLY	LEDBETTER	PLYLER	
NO	3	CLARK	EAST	WEBSTER	

EXCUSED	0
NOT CAST	0
ABSENT	0
PAIRS	0
AYE	
NO	

GENERAL ASSEMBLY
SENATE

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1997

H.B. FILED
APR 17 97
HOUSE PRINCIPAL CLERK

H D

HOUSE DRH7247-LL071C(2.28)

Short Title: Amend LEO Retirement Def'n. (Public)

Sponsors: Representative McMahan.

Referred to:

A BILL TO BE ENTITLED

AN ACT TO AMEND THE DEFINITION OF LAW ENFORCEMENT OFFICER FOR PURPOSES OF ELIGIBILITY FOR BENEFITS UNDER THE LOCAL GOVERNMENTAL EMPLOYEES' RETIREMENT SYSTEM.

The General Assembly of North Carolina enacts:

Section 1. G.S. 128-21(11b) reads as rewritten:

"(11b) 'Law Enforcement Officer' means a full-time paid employee of an ~~employer who is actively serving in a position with assigned primary duties and responsibilities for prevention and detection of crime or for the general enforcement of the criminal laws of the State or for serving civil processes, and who possesses the power of arrest by virtue of an oath administered under the authority of the State.~~ employer, who possesses the power of arrest, who has taken the law enforcement oath administered under the authority of the State as prescribed by G.S. 11-11, and who is certified as a law enforcement officer under the provisions of Chapter 17C of the General Statutes or certified as a deputy sheriff under the provisions of Chapter 17E of the General Statutes. 'Law enforcement officer' also means the sheriff of the county. The number of paid personnel employed as law enforcement officers by a law enforcement agency may not exceed the number of law enforcement positions approved by the applicable local governing board."

Section 2. G.S. 143-166.50(a)(3) reads as rewritten:

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1997

H

D

HOUSE DRHA322-LN152(4.9)

Short Title: Surrogate Consent/Health Care. (Public)

Sponsors: Representative Nesbitt.

Referred to:

A BILL TO BE ENTITLED

AN ACT TO ENACT THE SURROGATE CONSENT FOR HEALTH CARE ACT.

The General Assembly of North Carolina enacts:

Section 1. Chapter 90 of the General Statutes is amended by adding the following new Article to read:

"ARTICLE 33.

"Surrogate Consent for Health Care.

"**§ 90-512. Purpose.**

(a) The purpose of this Article is to provide a procedure for determining which person or persons may make health care decisions for adult individuals who lack sufficient understanding or capacity to make or communicate health care decisions, and for whom there is no authorized health care agent, guardian of the person, or attorney-in-fact as described herein or that person is not reasonably available.

(b) This Article is intended and shall be construed to be consistent with the provisions of Article 23 of Chapter 90 of the General Statutes, provided that in the event of a conflict between the provisions of this Article and Article 23 of Chapter 90, the provisions of Article 23 of Chapter 90 control.

(c) This Article is intended and shall be construed to be consistent with the provisions of Article 16 of Chapter 130A of the General Statutes, provided that in the event of a conflict between the provisions of this Article and Article 16 of Chapter 130A, the provisions of Article 16 of Chapter 130A control.

(d) This Article does not authorize an individual's voluntary admission to a 24-hour facility licensed or deemed licensed under Article 2 of Chapter 122C of the General Statutes, nor does it affect the law governing involuntary commitment for

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1997

H D

HOUSE DRH1294-LC185(4.3)

Short Title: Exempt Fire and Rescue Vehicles. (Public)

Sponsors: Representative Hardy.

Referred to:

A BILL TO BE ENTITLED

AN ACT TO EXEMPT FROM THE HIGHWAY USE TAX FIRE TRUCKS AND RESCUE VEHICLES OWNED BY VOLUNTEER FIRE DEPARTMENTS AND VOLUNTEER RESCUE SQUADS.

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.

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1997

H.B. FILED

1114 APR 17 97

HOUSE PRINCIPAL CLERK

H D

HOUSE DRH2283-LH162A(4.8)

Short Title: Bad Check Collections Pilot. (Public)

Sponsors: Representatives Eddins and Sexton (Cosponsors).

Referred to:

A BILL TO BE ENTITLED

AN ACT TO ESTABLISH PILOT PROGRAMS IN WAKE AND ROCKINGHAM COUNTIES IN THE OFFICE OF THE DISTRICT ATTORNEY FOR THE COLLECTION OF WORTHLESS CHECKS.

The General Assembly of North Carolina enacts:

Section 1. The district attorneys' offices in both Wake County and Rockingham County may each develop and implement a pilot program within the district attorney's office for the collection of worthless checks. The program may be part of the deferred prosecution program.

The purposes of the program are to assist worthless check victims in recovering restitution, to decrease the amount of time spent in prosecuting worthless check cases and so better use criminal justice resources, and to require the offender to assist in covering the cost of collecting the worthless check.

Section 2. A fee of up to sixty-five dollars ($65.00) to cover the investigative and administrative costs of the collecting on the worthless check may be assessed by the district attorney's office against any check passer of a worthless check if the acceptor agrees to allow the check to be collected pursuant to the pilot program. The fee shall be paid to the clerk of court. The fees collected under the pilot program shall be remitted to the district attorney's office to be used for the pilot program.

Section 3. This act becomes effective December 1, 1997.

NORTH CAROLINA
HOUSE OF REPRESENTATIVES
ROLL CALL

RC

SEQ. # 1243
LEGISLATIVE DAY 101
H1114HCS
READING 2
EDDINS

7/23/97
11:33 AM
IN CHAIR: SPEAKER

BAD CHECK COLLECTIONS PILOT

AYES - 90

ALDRIDGE	DAUGHTRY	JARRELL	REDWINE
ALEXANDER	DAVIS	JEFFUS	REYNOLDS
ALLRED	DECKER	JUSTUS	RUSSELL
ARNOLD	DEDMON	KISER	SAUNDERS
BADDOUR	DOCKHAM	MCCOMAS	SEXTON
BAKER	EASTERLING	MCCOMBS	SHERRILL
BARBEE	EDDINS	MCCRARY	SHUBERT
BEALL	ELLIS	MCMAHAN	SMITH
BERRY	ESPOSITO	MERCER	STARNES
BLACK	FOX	MINER	TALLENT
BOWIE	GARDNER	MITCHELL	THOMPSON
BRASWELL	GRADY	MOORE	TOLSON
BRAWLEY	GRAY	MORGAN	WAINWRIGHT
BROWN	GULLEY	MORRIS	WARNER
BUCHANAN	HACKNEY	MOSLEY	WARWICK
CANSLER	HALL	NEELY	WATSON
CAPPS	HARDY	NICHOLS	WEATHERLY
CARPENTER	HIGHTOWER	NYE	WILKINS
CHURCH	HILL	OLDHAM	WILSON, C.
CLARY	HOLMES	PRESTON	WILSON, G.
COLE	HUNTER, H.	RAMSEY	WOOD
CREECH	HURLEY	RAYFIELD	YONGUE
CULP	IVES		

NOES - 19

ADAMS	FITCH	KINNEY	NESBITT
BONNER	GAMBLE	LUEBKE	OWENS
BOYD-MCINTYRE	GOODWIN	MCALLISTER	ROGERS
CULPEPPER	HENSLEY	MICHAUX	SUTTON
EARLE	INSKO	MILLER	

EXCUSED ABSENCE - 4

CUNNINGHAM	DICKSON	HIATT	WOMBLE

EXCUSED VOTE - 0

NOT VOTING - 7

SPEAKER	CRAWFORD	HOWARD	WRIGHT
BLUE	HARDAWAY	HUNTER, R.	

NORTH CAROLINA GENERAL ASSEMBLY
AMENDMENT
House Bill 1114

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

H1114-ARB-7/22

Page 1 of 1

Date JUL 24 1997, 1997

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

Representative Eddins

1 moves to amend the bill on page 2, line 13, by deleting "July 1,
2 1997," and inserting "October 1, 1997,".

SIGNED Rep Eddins
Amendment Sponsor

SIGNED _____
Committee Chair if **Senate** Committee Amendment

ADOPTED JUL 24 1997 FAILED _____ TABLED _____

103-0 EV

NORTH CAROLINA
HOUSE OF REPRESENTATIVES
ROLL CALL

EV

. # 1262
GISLATIVE DAY 102
H1114HCS
READING 3
EDDINS
AMEND #1 · REP EDDINS
BAD CHECK COLLECTIONS PILOT

7/24/97
10:54 AM
IN CHAIR: SPEAKER

AYES - 103

ADAMS	CULPEPPER	INSKO	RAMSEY
ALDRIDGE	DAUGHTRY	IVES	RAYFIELD
ALEXANDER	DAVIS	JARRELL	REDWINE
ALLRED	DECKER	JEFFUS	REYNOLDS
ARNOLD	DEDMON	JUSTUS	ROGERS
BADDOUR	DOCKHAM	KISER	RUSSELL
BAKER	EARLE	LUEBKE	SEXTON
BARBEE	EDDINS	MCCOMAS	SHERRILL
BEALL	ELLIS	MCCOMBS	SHUBERT
BERRY	ESPOSITO	MCCRARY	SMITH
BLACK	FOX	MCMAHAN	STARNES
BONNER	GAMBLE	MERCER	TALLENT
BOYD-MCINTYRE	GARDNER	MICHAUX	THOMPSON
BRASWELL	GRADY	MILLER	TOLSON
BRAWLEY	GRAY	MINER	WAINWRIGHT
BROWN	GULLEY	MITCHELL	WARNER
BUCHANAN	HACKNEY	MOORE	WARWICK
CANSLER	HALL	MORGAN	WATSON
CAPPS	HARDAWAY	MORRIS	WEATHERLY
CARPENTER	HARDY	NEELY	WILKINS
CHURCH	HENSLEY	NESBITT	WILSON, C.
CLARY	HIGHTOWER	NICHOLS	WILSON, G.
COLE	HILL	NYE	WOOD
CRAWFORD	HOLMES	OLDHAM	WRIGHT
CREECH	HOWARD	OWENS	YONGUE
CULP	HUNTER, H.	PRESTON	

NOES - 0

EXCUSED ABSENCE - 11

BLUE	DICKSON	HIATT	SUTTON
BOWIE	EASTERLING	HUNTER, R.	WOMBLE
CUNNINGHAM	GOODWIN	MOSLEY	

EXCUSED VOTE - 0

NOT VOTING - 6

SPEAKER	HURLEY	MCALLISTER	SAUNDERS
FITCH	KINNEY		

NORTH CAROLINA
HOUSE OF REPRESENTATIVES
ROLL CALL

RC

. # 1263
GISLATIVE DAY 102
H1114HCS
READING 3
EDDINS

7/24/97
10:54 AM
IN CHAIR: SPEAKER

BAD CHECK COLLECTIONS PILOT

AYES - 95

ALDRIDGE	CULPEPPER	IVES	RAYFIELD
ALEXANDER	DAUGHTRY	JARRELL	REDWINE
ALLRED	DAVIS	JEFFUS	REYNOLDS
ARNOLD	DECKER	JUSTUS	RUSSELL
BADDOUR	DEDMON	KINNEY	SEXTON
BAKER	DOCKHAM	KISER	SHERRILL
BARBEE	EARLE	LUEBKE	SHUBERT
BEALL	EDDINS	MCCOMAS	SMITH
BERRY	ELLIS	MCCOMBS	STARNES
BLACK	ESPOSITO	MCCRARY	TALLENT
BOYD-MCINTYRE	FOX	MCMAHAN	THOMPSON
BRASWELL	GAMBLE	MERCER	TOLSON
BRAWLEY	GARDNER	MINER	WAINWRIGHT
BROWN	GRADY	MITCHELL	WARNER
BUCHANAN	GRAY	MOORE	WARWICK
CANSLER	GULLEY	MORGAN	WATSON
CAPPS	HACKNEY	MORRIS	WEATHERLY
CARPENTER	HALL	NEELY	WILKINS
CHURCH	HARDY	NICHOLS	WILSON, C.
CLARY	HIGHTOWER	NYE	WILSON, G.
COLE	HILL	OLDHAM	WOOD
CRAWFORD	HOLMES	OWENS	WRIGHT
CREECH	HOWARD	PRESTON	YONGUE
CULP	INSKO	RAMSEY	

NOES - 8

ADAMS	HARDAWAY	HUNTER, H.	MILLER
BONNER	HENSLEY	MICHAUX	ROGERS

EXCUSED ABSENCE - 11

BLUE	DICKSON	HIATT	SUTTON
BOWIE	EASTERLING	HUNTER, R.	WOMBLE
CUNNINGHAM	GOODWIN	MOSLEY	

EXCUSED VOTE - 0

NOT VOTING - 6

SPEAKER	HURLEY	NESBITT	SAUNDERS
FITCH	MCALLISTER		

NORTH CAROLINA GENERAL ASSEMBLY
AMENDMENT
House Bill 1114

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

H1114-ALR-2

Date 9/9 ,1998

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

Senator Miller

moves to amend the bill on page 2, lines 15-21, by rewriting the lines to read:

"Section 2. If a jurisdiction affected by this act has an ordinance to effectuate the recommended minimum performance standards for the Swift Creek watershed and the other specific features set forth in the Swift Creek Management Plan, then the jurisdiction may modify its zoning ordinance to further meet or exceed the requirements of the Swift Creek Management Plan. The Swift Creek Management Plan may be modified by interlocal agreement pursuant to Article 20 of Chapter 160A of the General Statutes entered into by all of the affected jurisdictions.".

SIGNED Brad Sl6
Amendment Sponsor

SIGNED _____
Committee Chair if **Senate** Committee Amendment

ADOPTED V 43-0 FAILED _____ TABLED _____

Janet Pruitt 9/9/98

NORTH CAROLINA GENERAL ASSEMBLY
SENATE

RECORDED VOTE

1997 SESSION
SECOND SESSION 1998

SEQ. 2038/5-- 2:31 PM | SEPTEMBER 9, 1998 | LEGISLATIVE DAY 194

LT. GOVERNOR WICKER -- Presiding

EDDINS
SWIFT CREEK MANAGEMENT PLAN
SENATE COM SUB/4TH EDITION

HOUSE BILL 1114

AMEND 1

AYE	43	ALBERTSON	DANNELLY	KINNAIRD	PLYLER
		ALLRAN	EAST	LEDBETTER	PURCELL
		BALLANCE	FORRESTER	LEE	RAND
		BALLANTINE	FOXX	LUCAS	REEVES
		BASNIGHT	GARWOOD	MARTIN R.	SHAW L.
		BLUST	GULLEY	MARTIN W.	SHAW R.
		CARRINGTON	HORTON	MCDANIEL	SOLES
		CLARK	HOYLE	MILLER	WEBSTER
		COCHRANE	JENKINS	MOORE	WEINSTEIN
		COOPER	JORDAN	PERDUE	WELLONS
		DALTON	KERR	PHILLIPS	
NO	0				
EXCUSED	0				
NOT CAST	2	CARPENTER	WINNER		
ABSENT	5	HARTSELL	PAGE	RUCHO	WARREN
		ODOM			
PAIRS	0				
AYE					
NO					

GENERAL ASSEMBLY
SENATE

NORTH CAROLINA GENERAL ASSEMBLY
SENATE

RECORDED VOTE

1997 SESSION
SECOND SESSION 1998

SEQ. 2039/6-- 2:31 PM | SEPTEMBER 9, 1998 | LEGISLATIVE DAY 194

LT. GOVERNOR WICKER -- Presiding

EDDINS
SWIFT CREEK MANAGEMENT PLAN
SENATE COM SUB/4TH EDITION

HOUSE BILL 1114
READING 2

AYE	44	ALBERTSON	DALTON	KERR	PHILLIPS
		ALLRAN	DANNELLY	KINNAIRD	PLYLER
		BALLANCE	EAST	LEDBETTER	PURCELL
		BALLANTINE	FORRESTER	LEE	RAND
		BASNIGHT	FOXX	LUCAS	REEVES
		BLUST	GARWOOD	MARTIN R.	SHAW L.
		CARPENTER	GULLEY	MARTIN W.	SHAW R.
		CARRINGTON	HORTON	MCDANIEL	SOLES
		CLARK	HOYLE	MILLER	WEBSTER
		COCHRANE	JENKINS	MOORE	WEINSTEIN
		COOPER	JORDAN	PERDUE	WELLONS
NO	0				
EXCUSED	0				
NOT CAST	1	WINNER			
ABSENT	5	HARTSELL	PAGE	RUCHO	WARREN
		ODOM			
PAIRS	0				
AYE					
NO					

GENERAL ASSEMBLY
SENATE

NORTH CAROLINA

HOUSE OF REPRESENTATIVES

RC

. # 2135
GISLATIVE DAY 210
H1114SCS
READ 2
EDDINS
RULED MATERIAL
SWIFT CREEK MGMT. PLAN
MOTION #11 - TO NOT CONCUR

10/07/98
2:44 PM
IN CHAIR: SPEAKER

ROLL CALL

AYES - 105

SPEAKER	CULPEPPER	HUNTER, H.	PRESTON
ADAMS	CUNNINGHAM	HURLEY	RAMSEY
ALDRIDGE	DAUGHTRY	INSKO	RAYFIELD
ALEXANDER	DAVIS	JARRELL	REDWINE
ALLRED	DEDMON	JEFFUS	REYNOLDS
ARNOLD	DOCKHAM	JUSTUS	ROGERS
BADDOUR	EARLE	KINNEY	RUSSELL
BAKER	EASTERLING	KISER	SAUNDERS
BARBEE	EDDINS	MCALLISTER	SEXTON
BEALL	ELLIS	MCCOMAS	SHERRILL
BONNER	ESPOSITO	MCCOMBS	SHUBERT
BOWIE	FITCH	MCCRARY	SMITH
BOYD-MCINTYRE	FOX	MCMAHAN	STARNES
BRASWELL	GARDNER	MICHAUX	SUTTON
BRAWLEY	GOODWIN	MILLER	THOMPSON
BROWN	GRADY	MINER	TOLSON
BRYANT	GRAY	MITCHELL	WAINWRIGHT
BUCHANAN	GULLEY	MOORE	WARWICK
CANSLER	HALL	MORGAN	WATSON
CAPPS	HARDAWAY	MORRIS	WEATHERLY
CARPENTER	HARDY	NEELY	WILSON, C.
CHURCH	HENSLEY	NESBITT	WILSON, G.
CLARY	HIATT	NICHOLS	WOMBLE
COLE	HIGHTOWER	NYE	WOOD
CRAWFORD	HOLMES	OLDHAM	WRIGHT
CREECH	HOWARD	OWENS	YONGUE
CULP			

NOES - 2

ALLEN	BLACK

EXCUSED ABSENCE - 7

BAREFOOT	HACKNEY	LUEBKE	WARNER
DICKSON	HILL	MOSLEY	

EXCUSED VOTE - 0

NOT VOTING - 6

BERRY	DECKER	MERCER	TALLENT
BLUE	IVES		

NORTH CAROLINA GENERAL ASSEMBLY
CONFERENCE REPORT
House Bill 1114

H1114-CRRW-002

[ ] Title Change [X] 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 House of Representatives and the Senate on House Bill 1114, A BILL TO BE ENTITLED AN ACT PROVIDING THAT CERTAIN LOCAL GOVERNMENTS MAINTAIN THE SWIFT CREEK MANAGEMENT PLAN AS AGREED TO BY THOSE JURISDICTIONS, Senate Committee Substitute, Fifth Edition Engrossed 9/9/98, submit the following report:

The Senate and the House of Representatives agree to the following amendment to the Senate Committee Substitute, Fifth Edition Engrossed 9/9/98, and the Senate concurs in the Senate Committee Substitute, Fifth Edition Engrossed 9/9/98, with the following amendment:

on page 2, lines 36-37, by deleting the phrase "a date, no later than December 31, 1999, set by the Wake County Board of Elections." and substituting the phrase "November 7, 2000."

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

Date conferees approved report: October 14, 1998.

Conferees for the Senate	Conferees for the House of Representatives
Brad Miller, Chair	J. Sam Ellis, Chair
John H. Carrington	J. Russell Capps
Eric M. Reeves	Bob Hensley

Senate Submitted 10/15/98
Senate ADOPTED 10/15/98 (40 / 0) Message Received
ADOPTED (/) Ordered Enrolled

Placed on Calendar 10/19/98 —
Withdrawn from Calendar 10/19/98 — Placed on Today 10/15/98

NORTH CAROLINA GENERAL ASSEMBLY
SENATE

RECORDED VOTE

1997 SESSION
SECOND SESSION 1998

SEQ. 2167/2--10:30 AM | OCTOBER 15, 1998 | LEGISLATIVE DAY 216

LT. GOVERNOR WICKER -- Presiding

EDDINS
SWIFT CREEK MANAGEMENT PLAN
SENATE COM SUB/4TH EDITION

HOUSE BILL 1114

CONFERENCE REPORT

MOTION 7
TO ADOPT

AYE	40	ALBERTSON	DANNELLY	KINNAIRD	PHILLIPS
		ALLRAN	FORRESTER	LEDBETTER	PLYLER
		BALLANCE	FOXX	LUCAS	PURCELL
		BALLANTINE	GULLEY	MARTIN R.	RAND
		BASNIGHT	HARTSELL	MARTIN W.	REEVES
		BLUST	HORTON	MCDANIEL	RUCHO
		CARPENTER	HOYLE	MILLER	SHAW R.
		COCHRANE	JENKINS	ODOM	WARREN
		COOPER	JORDAN	PAGE	WELLONS
		DALTON	KERR	PERDUE	WINNER
NO	0				
EXCUSED	0				
NOT CAST	3	LEE	SHAW L.	WEBSTER	
ABSENT	7	CARRINGTON	EAST	MOORE	WEINSTEIN
		CLARK	GARWOOD	SOLES	
PAIRS	0				
AYE					
NO					

GENERAL ASSEMBLY
SENATE

NORTH CAROLINA GENERAL ASSEMBLY
CONFERENCE REPORT
House Bill 1114

H1114-CRRW-002

[ ] Title Change [X] 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 House of Representatives and the Senate on House Bill 1114, A BILL TO BE ENTITLED AN ACT PROVIDING THAT CERTAIN LOCAL GOVERNMENTS MAINTAIN THE SWIFT CREEK MANAGEMENT PLAN AS AGREED TO BY THOSE JURISDICTIONS, Senate Committee Substitute, Fifth Edition Engrossed 9/9/98, submit the following report:

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

Date conferees approved report: October 14, 1998.

Conferees for the Senate	Conferees for the House of Representatives
Brad Miller, Chair	J. Sam Ellis, Chair
John H. Carrington	J. Russell Capps
Eric M. Reeves	Bob Hensley

Submitted 10/19/98 - Calendar for 10/20/98
House ADOPTED OCT 20 1998 (94 / 10 EV) Message Received 10/19/98
ADOPTED (/) Ordered Enrolled 10/20/98

Senate notified
Special Message

NORTH CAROLINA
HOUSE OF REPRESENTATIVES
ROLL CALL

EV

SEQ. # 2167
LEGISLATIVE DAY 217
H1114SCS
CONFERENCE REPORT
EDDINS

10/20/98
2:39 PM
IN CHAIR: SPEAKER

SWIFT CREEK MANAGEMENT PLAN - ADOPT CONFERENCE REPORT

AYES - 94

SPEAKER	DECKER	JUSTUS	RAMSEY
ADAMS	DEDMON	KINNEY	RAYFIELD
ALEXANDER	DICKSON	KISER	REDWINE
ALLEN	DOCKHAM	LUEBKE	REYNOLDS
ALLRED	EARLE	MCALLISTER	ROGERS
BADDOUR	EASTERLING	MCCOMAS	RUSSELL
BAKER	EDDINS	MCCOMBS	SAUNDERS
BAREFOOT	ELLIS	MCCRARY	SEXTON
BEALL	GARDNER	MCMAHAN	SHERRILL
BERRY	GOODWIN	MERCER	SHUBERT
BONNER	GRADY	MICHAUX	SMITH
BOWIE	GULLEY	MILLER	SUTTON
BRAWLEY	HALL	MITCHELL	TALLENT
BROWN	HARDAWAY	MOORE	THOMPSON
BRYANT	HARDY	MORGAN	TOLSON
CAPPS	HENSLEY	MORRIS	WAINWRIGHT
CARPENTER	HIATT	NEELY	WARNER
CHURCH	HIGHTOWER	NESBITT	WATSON
CLARY	HILL	NICHOLS	WEATHERLY
COLE	HOWARD	NYE	WILSON, C.
CULP	HUNTER, H.	OLDHAM	WILSON, G.
CULPEPPER	HURLEY	OWENS	WRIGHT
DAUGHTRY	JARRELL	PRESTON	YONGUE
DAVIS	JEFFUS		

NOES - 0

EXCUSED ABSENCE - 17

ARNOLD	CRAWFORD	GRAY	STARNES
BARBEE	CREECH	HACKNEY	WARWICK
BLUE	ESPOSITO	HOLMES	WOMBLE
BUCHANAN	FOX	MOSLEY	WOOD
CANSLER			

EXCUSED VOTE - 0

NOT VOTING - 9

ALDRIDGE	BRASWELL	FITCH	IVES
BLACK	CUNNINGHAM	INSKO	MINER
BOYD-MCINTYRE			

NORTH CAROLINA GENERAL ASSEMBLY
CONFERENCE REPORT
House Bill 1114

H1114-CRRW-002

[ ] Title Change [X] 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 House of Representatives and the Senate on House Bill 1114, A BILL TO BE ENTITLED AN ACT PROVIDING THAT CERTAIN LOCAL GOVERNMENTS MAINTAIN THE SWIFT CREEK MANAGEMENT PLAN AS AGREED TO BY THOSE JURISDICTIONS, Senate Committee Substitute, Fifth Edition Engrossed 9/9/98, submit the following report:

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

Date conferees approved report: October 14, 1998.

Conferees for the Senate

Brad Miller, Chair

John H. Carrington

Eric M. Reeves

Conferees for the House of Representatives

J. Sam Ellis, Chair

J. Russell Capps

Bob Hensley

Senate Submitted 10/15/98
Senate ADOPTED 10/15/98 (40 / 0)
House ADOPTED 10/20/98 (/)

Message Received 10/21/98
Ordered Enrolled 11/24/98

Placed on Calendar 10/19/98 —
Withdrawn from Calendar 10/19/98 — Placed on Today 10/15/98

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1997

H.B. FILED 1115 APR 17 97 HOUSE PRINCIPAL CLERK

H D

HOUSE DRHA302-LT020A(1.28)

Short Title: Church Insurance Coverage. (Public)

Sponsors: Representatives Boyd-McIntyre and Grady (Cosponsors).

Referred to:

A BILL TO BE ENTITLED

AN ACT TO PROHIBIT THE CANCELLATION OF INSURANCE POLICIES THAT PROVIDE COVERAGE FOR CHURCHES FOR LOSSES RESULTING FROM A FIRE.

The General Assembly of North Carolina enacts:

Section 1. Article 43 of Chapter 58 of the General Statutes is amended by adding a new section to read:

"**§ 58-43-40. Cancellation of fire insurance for buildings owned by religious organizations prohibited in certain circumstances.**

(a) An insurer shall not cancel or decline to renew an insurance policy providing coverage for losses resulting from fire for a building owned by a religious organization solely because of:

(1) A previous occurrence of arson, unless the occurrence of arson was the act of an official of the religious organization that owns the building; or

(2) An oral or written statement directed to the religious organization or an official of the religious organization and threatening an act of arson against the religious organization.

(b) As used in this section, 'religious organization' means any church, ecclesiastical, or denominational organization, or any established physical place for worship in this State at which nonprofit religious services and activities are regularly conducted.

(c) The Commissioner may revoke, suspend, or refuse to renew the license of any insurer that violates this section pursuant to G.S. 58-3-100."

NORTH CAROLINA

HOUSE OF REPRESENTATIVES

ROLL CALL

EV

. # 483
ISLATIVE DAY 53
H1115
READING 2
BOYD-MCINTYRE

4/30/97
7:06 PM
IN CHAIR: SPEAKER

CHURCH INSURANCE COVERAGE

AYES - 108

ADAMS	CUNNINGHAM	HOWARD	PRESTON
ALDRIDGE	DAUGHTRY	HUNTER, H.	RAMSEY
ALEXANDER	DAVIS	HUNTER, R.	RAYFIELD
ALLRED	DECKER	INSKO	REDWINE
ARNOLD	DEDMON	IVES	REYNOLDS
BADDOUR	DICKSON	JARRELL	RUSSELL
BAKER	DOCKHAM	JEFFUS	SAUNDERS
BEALL	EARLE	JUSTUS	SEXTON
BERRY	EASTERLING	KINNEY	SHERRILL
BLACK	EDDINS	KISER	SHUBERT
BLUE	ELLIS	LUEBKE	SMITH
BONNER	ESPOSITO	MCALLISTER	SUTTON
BOWIE	FITCH	MCCOMBS	TALLENT
BOYD-MCINTYRE	FOX	MCCRARY	THOMPSON
BRASWELL	GAMBLE	MCMAHAN	TOLSON
BROWN	GARDNER	MICHAUX	WAINWRIGHT
BUCHANAN	GOODWIN	MILLER	WARNER
CANSLER	GRADY	MITCHELL	WARWICK
CAPPS	GRAY	MOORE	WATSON
CARPENTER	GULLEY	MORGAN	WEATHERLY
CHURCH	HACKNEY	MORRIS	WILKINS
CLARY	HALL	MOSLEY	WILSON, C.
COLE	HARDAWAY	NEELY	WILSON, G.
CRAWFORD	HARDY	NICHOLS	WOMBLE
CREECH	HENSLEY	NYE	WOOD
CULP	HIGHTOWER	OLDHAM	WRIGHT
CULPEPPER	HILL	OWENS	YONGUE

NOES - 5

BARBEE	HOLMES	HURLEY	STARNES
BRAWLEY			

EXCUSED ABSENCE - 1

MERCER

EXCUSED VOTE - 0

NOT VOTING - 6

SPEAKER	MCCOMAS	NESBITT	ROGERS
HIATT	MINER		

NORTH CAROLINA GENERAL ASSEMBLY
AMENDMENT
House Bill 1115

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

H1115-ARO-001

Page 1 of 1

Date 8-6 ,1997

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

Senator Ballance

moves to amend the bill on page 1 , line 22,
by rewriting the line to read:

"48 hours of discovery of such event and to the insurer not later than the second business day"

and on page 2, lines 1 and 2, by rewriting the lines to read:

"after the arson threat, arson attempt or act of arson is reported to the appropriate law enforcement agency; and".

SIGNED Senator Ballance
Amendment Sponsor

SIGNED _____
Committee Chair if Senate Committee Amendment

ADOPTED ✓ 47-2 FAILED _____ TABLED _____

8/6/97 J. Pruitt

NORTH CAROLINA GENERAL ASSEMBLY
SENATE

RECORDED VOTE

1997 SESSION

SEQ. 1297/2--11:17 AM AUGUST 6, 1997 LEGISLATIVE DAY 109

LT. GOVERNOR WICKER -- Presiding

BOYD-MCINTYRE
CHURCH INSURANCE COVERAGE
SENATE COMM. SUB./2ND EDITION

HOUSE BILL 1115

AMEND 1

AYE	47	ALBERTSON	FORRESTER	LUCAS	RAND
		ALLRAN	FOXX	MARTIN R.	REEVES
		BALLANCE	GARWOOD	MARTIN W.	RUCHO
		BALLANTINE	GULLEY	MCDANIEL	SHAW L.
		BASNIGHT	HORTON	MILLER	SHAW R.
		BLUST	HOYLE	MOORE	SOLES
		CARPENTER	JENKINS	ODOM	WARREN
		CARRINGTON	JORDAN	PAGE	WEBSTER
		COOPER	KERR	PERDUE	WEINSTEIN
		DALTON	KINNAIRD	PHILLIPS	WELLONS
		DANNELLY	LEDBETTER	PLYLER	WINNER
		EAST	LEE	PURCELL	
NO	2	CLARK	COCHRANE		

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

GENERAL ASSEMBLY
SENATE

NORTH CAROLINA GENERAL ASSEMBLY
SENATE

RECORDED VOTE

1997 SESSION

SEQ. 1298/3--11:19 AM AUGUST 6, 1997 LEGISLATIVE DAY 109

LT. GOVERNOR WICKER -- Presiding

BOYD-MCINTYRE
CHURCH INSURANCE COVERAGE
SENATE COMM. SUB./2ND EDITION

HOUSE BILL 1115
READING 2

AYE	47	ALBERTSON	EAST	LEE	PURCELL
		ALLRAN	FORRESTER	LUCAS	RAND
		BALLANCE	FOXX	MARTIN R.	REEVES
		BALLANTINE	GARWOOD	MARTIN W.	RUCHO
		BASNIGHT	GULLEY	MCDANIEL	SHAW L.
		CARPENTER	HORTON	MILLER	SHAW R.
		CARRINGTON	HOYLE	MOORE	SOLES
		CLARK	JENKINS	ODOM	WARREN
		COCHRANE	JORDAN	PAGE	WEINSTEIN
		COOPER	KERR	PERDUE	WELLONS
		DALTON	KINNAIRD	PHILLIPS	WINNER
		DANNELLY	LEDBETTER	PLYLER	
NO	2	BLUST	WEBSTER		

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

GENERAL ASSEMBLY
SENATE

NORTH CAROLINA
HOUSE OF REPRESENTATIVES
ROLL CALL

EV

[redacted]. # 1413
[redacted]ISLATIVE DAY 115
[redacted]15SCS

8/18/97
4:24 PM
IN CHAIR: SPEAKER

BOYD-MCINTYRE

CHURCH INSURANCE COVERAGE
MOTION #11 - TO CONCUR IN SCS

99 Switch

AYES - ~~98~~

ADAMS	DAVIS	JEFFUS	RAMSEY
ALEXANDER	DECKER	JUSTUS	RAYFIELD
ALLRED	DEDMON	KINNEY	REDWINE
ARNOLD	DOCKHAM	KISER	REYNOLDS
BADDOUR	EASTERLING	LUEBKE	ROGERS
BAKER	EDDINS	MCALLISTER	RUSSELL
BARBEE	ESPOSITO	MCCOMAS	SAUNDERS
BEALL	FOX	MCCOMBS	SEXTON
BLACK	GAMBLE	MCCRARY	SHERRILL
BLUE	GARDNER	MERCER	SHUBERT
BONNER	GOODWIN	MICHAUX	SMITH
BOWIE	GRADY	MILLER	SUTTON
BOYD-MCINTYRE	GRAY	MINER	TALLENT
BRASWELL	GULLEY	MITCHELL	THOMPSON
BROWN	HALL	MOORE	TOLSON
BUCHANAN	HARDY	MORGAN	WARNER
CAPPS	HENSLEY	MORRIS	WARWICK
CARPENTER	HIATT	MOSLEY	WATSON
CHURCH	HIGHTOWER	NEELY	WEATHERLY
CLARY	HILL	NICHOLS	WILKINS
COLE	HOWARD	NYE	WILSON, C.
CRAWFORD	HURLEY	OLDHAM	WILSON, G.
CULP	INSKO	OWENS	WOMBLE
CULPEPPER	IVES	PRESTON	YONGUE
DAUGHTRY	JARRELL		WRIGHT

Switch

NOES - 1

BRAWLEY

EXCUSED ABSENCE - ~~11~~ 10 Switch

CANSLER	ELLIS	HUNTER, R.	WOOD
CREECH	HARDAWAY	MCMAHAN	~~WRIGHT~~
CUNNINGHAM	HOLMES	WAINWRIGHT	

Switch

EXCUSED VOTE - 0

NOT VOTING - 10

SPEAKER	DICKSON	HACKNEY	NESBITT
ALDRIDGE	EARLE	HUNTER, H.	STARNES
BERRY	FITCH		

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1997

RECEIVED

1116 APR 17 97

HOUSE PRINCIPAL CLERK

H D

HOUSE DRH1270-LN138(4.1)

Short Title: Medical Research/Include Women. (Public)

Sponsors: Representative Boyd-McIntyre.

Referred to:

A BILL TO BE ENTITLED

AN ACT TO REQUIRE MEDICAL INSTITUTIONS AND UNIVERSITY HOSPITALS THAT RECEIVE STATE FUNDS TO INCLUDE WOMEN AS SUBJECTS IN MEDICAL RESEARCH PROJECTS, AS APPROPRIATE.

Whereas, in recent decades a number of large-scale medical research projects have been conducted in this country, including longitudinal studies by NIH, as well as major university hospitals, that included men but not women as subjects, thereby resulting in unanswered questions about women's health; and

Whereas, the results of the research on men have been used regularly and widely as a basis for treatment of women; and

Whereas, women and men possess certain biological and chemical differences that influence the approach to meeting their respective medical needs; and

Whereas, the status of a woman's health not only impacts the quality of her life and that of her family, but also impacts the economy of her community and ultimately the State; Now, therefore,

The General Assembly of North Carolina enacts:

Section 1. Every public or private medical center or university hospital in this State that receives State funds and that conducts medical research on human physical or mental health, including diseases affecting humans, shall ensure that any research conducted by the entity on human beings for illnesses, diseases, and other health conditions affecting both men and women, includes a representative sample of adult women as subjects in the testing, studies, and other forms of research conducted.

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1997

H.B. FILED
1117 APR 17 97
HOUSE PRINCIPAL CLERK

H D

HOUSE DRH2274-LE103(4.10)

Short Title: Enhance American English. (Public)

Sponsors: Representative Boyd-McIntyre.

Referred to:

A BILL TO BE ENTITLED

AN ACT TO ENHANCE THE TEACHING OF STANDARD AMERICAN ENGLISH TO AFRICAN-AMERICAN STUDENTS.

The General Assembly of North Carolina enacts:

Section 1. This act is effective when it becomes law.

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1997

H

HOUSE DRH2247-LL122(3.25)

B. FILED
1118 APR 17 97
HOUSE PRINCIPAL CLERK

D

Short Title: Restore Suspended Benefits. (Public)

Sponsors: Representative Miller.

Referred to:

A BILL TO BE ENTITLED

AN ACT TO INCREASE RETIREMENT BENEFITS FOR MEMBERS OF THE CONSOLIDATED JUDICIAL RETIREMENT SYSTEM WHOSE BENEFITS WERE SUSPENDED AS A RESULT OF REEMPLOYMENT.

The General Assembly of North Carolina enacts:

Section 1. G.S. 135-56A is amended by adding a new subsection to read:

"(d) Upon the reinstatement of benefits of any retired member of the Consolidated Judicial Retirement System whose benefits were suspended upon that member's entry into the Teachers' and State Employees' Retirement System, that member's years of service under the applicable provision of G.S. 135-56 shall be increased by the number of years that the member's benefits under the Consolidated Judicial Retirement System were suspended."

Section 2. This act is effective when it becomes law.

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1997

H.B. FILED
1119 APR 17 97
HOUSE PRINCIPAL CLERK

H D

HOUSE DRH4093-LT147A(4.9)

Short Title: Revise Coastal Insurance Coverage. (Public)

Sponsors: Representative McComas.

Referred to:

A BILL TO BE ENTITLED

AN ACT TO AMEND THE INSURANCE STATUTES TO REVISE THE LAW GOVERNING COASTAL INSURANCE COVERAGE.

The General Assembly of North Carolina enacts:

Section 1. This act amends Chapter 58 of the General Statutes to revise coastal insurance coverage.

Section 2. This act is effective when it becomes law.

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1997

FILED
1120 APR 17 97
HOUSE PRINCIPAL CLERK

H D

HOUSE DRH1268-LD178(4.8)

Short Title: Prescribed Burning in Forests. (Public)

Sponsors: Representative McComas.

Referred to:

A BILL TO BE ENTITLED

AN ACT TO ALLOW PRESCRIBED BURNING IN FORESTS BY FOREST LANDOWNERS UNDER CERTAIN CONDITIONS.

The General Assembly of North Carolina enacts:

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

"ARTICLE 4E.

"North Carolina Prescribed Burning Act.

"**§ 113-60.40. Legislative findings.**

The General Assembly finds that prescribed burning of forestlands is a management tool that is beneficial to North Carolina's public safety, forest and wildlife resources, environment, and economy. All of the following are benefits that result from prescribed burning of forestlands:

(1) Prescribed burning reduces the naturally occurring buildup of vegetative fuels on forestlands. Reduction of these fuels by prescribed burning reduces the risk and severity of wildfires, thus lessening the loss of life and property.

(2) The State's ever-increasing population is resulting in urban development directly adjacent to fire prone forestlands. Such an area is referred to as a woodland-urban interface area. The use of prescribed burning in these woodland-urban interface areas substantially reduces the risk of damaging wildfires.

(3) Many of North Carolina's natural ecosystems require periodic fire for their survival. Prescribed burning is essential to the perpetuation, restoration, and management of many plant and

NORTH CAROLINA

HOUSE OF REPRESENTATIVES

ROLL CALL

EV

. # 479
ISLATIVE DAY 53
H1120HCS
READING 2
MCCOMAS

4/30/97
6:29 PM
IN CHAIR: SPEAKER

PRESCRIBED BURNING IN FORESTS

AYES - 116

ADAMS	CUNNINGHAM	HUNTER, R.	PRESTON
ALDRIDGE	DAUGHTRY	HURLEY	RAMSEY
ALEXANDER	DAVIS	INSKO	RAYFIELD
ALLRED	DECKER	IVES	REDWINE
ARNOLD	DEDMON	JARRELL	REYNOLDS
BADDOUR	DICKSON	JEFFUS	ROGERS
BAKER	DOCKHAM	JUSTUS	RUSSELL
BARBEE	EARLE	KINNEY	SAUNDERS
BEALL	EASTERLING	KISER	SEXTON
BERRY	EDDINS	LUEBKE	SHERRILL
BLACK	ELLIS	MCALLISTER	SHUBERT
BLUE	ESPOSITO	MCCOMAS	SMITH
BONNER	FITCH	MCCOMBS	STARNES
BOWIE	FOX	MCCRARY	SUTTON
BOYD-MCINTYRE	GAMBLE	MCMAHAN	TALLENT
BRASWELL	GARDNER	MICHAUX	THOMPSON
BRAWLEY	GOODWIN	MILLER	TOLSON
BROWN	GRADY	MINER	WAINWRIGHT
BUCHANAN	GRAY	MITCHELL	WARNER
CANSLER	GULLEY	MOORE	WARWICK
CAPPS	HALL	MORGAN	WATSON
CARPENTER	HARDAWAY	MORRIS	WEATHERLY
CHURCH	HARDY	MOSLEY	WILKINS
CLARY	HENSLEY	NEELY	WILSON, C.
COLE	HIGHTOWER	NESBITT	WILSON, G.
CRAWFORD	HILL	NICHOLS	WOMBLE
CREECH	HOLMES	NYE	WOOD
CULP	HOWARD	OLDHAM	WRIGHT
CULPEPPER	HUNTER, H.	OWENS	YONGUE

NOES - 1

HACKNEY

EXCUSED ABSENCE - 1

MERCER

EXCUSED VOTE - 0

NOT VOTING - 2

SPEAKER HIATT

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1997

H. FILED 1121 APR 17 97 HOUSE PRINCIPAL CLERK

H D

HOUSE DRH6215-LD161A(3.27)

Short Title: Brownfields Property Reuse Act. (Public)

Sponsors: Representative McComas.

Referred to:

A BILL TO BE ENTITLED

AN ACT TO PROMOTE THE SAFE REUSE OF PROPERTIES WHERE ACTUAL CONTAMINATION, OR THE POSSIBILITY OF CONTAMINATION, HAS IMPEDED REDEVELOPMENT AND TO CREATE THE BROWNFIELDS STUDY COMMISSION.

The General Assembly of North Carolina enacts:

Section 1. Findings. -- The General Assembly makes the following findings:

(1) There are abandoned, idle, and underused properties in North Carolina, often referred to as "brownfields", that may have been or were contaminated by past industrial and commercial activities, but that are attractive locations for redevelopment.

(2) The reuse, development, redevelopment, transfer, financing, and other use of brownfields is impaired by the potential liability associated with the risk of contamination.

(3) The safe redevelopment of brownfields would benefit the citizens of North Carolina in many ways, including improving the tax base of local government and creating job opportunities for citizens in the vicinity of brownfields.

(4) Potential purchasers and developers of brownfields and other parties who have no connection with the contamination of the property, including redevelopment lenders, should be encouraged to provide capital and labor to improve brownfields without undue risk of liability for problems they did not create, so long as the property can be and is made safe for appropriate future use.

NORTH CAROLINA

HOUSE OF REPRESENTATIVES

ROLL CALL

RC

SEQ. # 937
LEGISLATIVE DAY 80
H1121HCS H2
READING 2
MCCOMAS

6/17/97
11:21 AM
IN CHAIR: SPEAKER

BROWNFIELDS PROPERTY REUSE ACT

AYES - 112

SPEAKER	DAUGHTRY	HUNTER, R.	PRESTON
ADAMS	DAVIS	HURLEY	RAMSEY
ALDRIDGE	DECKER	INSKO	RAYFIELD
ALEXANDER	DEDMON	IVES	REDWINE
ALLRED	DICKSON	JARRELL	REYNOLDS
BADDOUR	DOCKHAM	JEFFUS	ROGERS
BAKER	EARLE	KINNEY	RUSSELL
BARBEE	ELLIS	KISER	SAUNDERS
BEALL	ESPOSITO	LUEBKE	SEXTON
BERRY	FITCH	MCALLISTER	SHERRILL
BLACK	FOX	MCCOMAS	SHUBERT
BLUE	GAMBLE	MCCOMBS	SMITH
BONNER	GARDNER	MCCRARY	STARNES
BOWIE	GOODWIN	MCMAHAN	SUTTON
BOYD-MCINTYRE	GRADY	MERCER	TALLENT
BRASWELL	GRAY	MICHAUX	THOMPSON
BRAWLEY	GULLEY	MILLER	TOLSON
BUCHANAN	HACKNEY	MINER	WARNER
CANSLER	HALL	MITCHELL	WARWICK
CAPPS	HARDAWAY	MOORE	WATSON
CARPENTER	HARDY	MORGAN	WEATHERLY
CHURCH	HENSLEY	MORRIS	WILKINS
CLARY	HIATT	MOSLEY	WILSON, C.
CRAWFORD	HIGHTOWER	NEELY	WILSON, G.
CREECH	HILL	NICHOLS	WOMBLE
CULP	HOLMES	NYE	WOOD
CULPEPPER	HOWARD	OLDHAM	WRIGHT
CUNNINGHAM	HUNTER, H.	OWENS	YONGUE

NOES - 2

BROWN	JUSTUS

EXCUSED ABSENCE - 5

ARNOLD	EDDINS	NESBITT	WAINWRIGHT
EASTERLING			

EXCUSED VOTE - 0

NOT VOTING - 1

COLE

NORTH CAROLINA
HOUSE OF REPRESENTATIVES
ROLL CALL

RC

SEQ. # 941
LEGISLATIVE DAY 81
H1121HCS #2
READING 3
MCCOMAS

6/18/97
10:21 AM
IN CHAIR: SPEAKER

BROWNFIELDS PROPERTY REUSE ACT

AYES - 113

ADAMS	CUNNINGHAM	HUNTER, H.	OWENS
ALDRIDGE	DAUGHTRY	HUNTER, R.	PRESTON
ALEXANDER	DAVIS	HURLEY	RAMSEY
ALLRED	DECKER	INSKO	RAYFIELD
ARNOLD	DEDMON	IVES	REDWINE
BADDOUR	DICKSON	JARRELL	REYNOLDS
BAKER	DOCKHAM	JEFFUS	ROGERS
BARBEE	EARLE	JUSTUS	RUSSELL
BEALL	EASTERLING	KINNEY	SAUNDERS
BERRY	EDDINS	KISER	SEXTON
BLACK	ELLIS	LUEBKE	SHERRILL
BLUE	ESPOSITO	MCALLISTER	SHUBERT
BONNER	FOX	MCCOMAS	SMITH
BOWIE	GAMBLE	MCCOMBS	STARNES
BOYD-MCINTYRE	GARDNER	MCCRARY	TALLENT
BRASWELL	GOODWIN	MCMAHAN	THOMPSON
BRAWLEY	GRADY	MICHAUX	WAINWRIGHT
BROWN	GRAY	MILLER	WARNER
BUCHANAN	GULLEY	MINER	WARWICK
CANSLER	HACKNEY	MITCHELL	WATSON
CAPPS	HALL	MOORE	WEATHERLY
CARPENTER	HARDAWAY	MORGAN	WILKINS
CHURCH	HENSLEY	MORRIS	WILSON, C.
CLARY	HIATT	MOSLEY	WILSON, G.
COLE	HIGHTOWER	NEELY	WOMBLE
CRAWFORD	HILL	NICHOLS	WOOD
CREECH	HOLMES	NYE	WRIGHT
CULP	HOWARD	OLDHAM	YONGUE
CULPEPPER			

NOES - 0

EXCUSED ABSENCE - 4

MERCER	NESBITT	SUTTON	TOLSON

EXCUSED VOTE - 0

NOT VOTING - 3

SPEAKER	FITCH	HARDY

NORTH CAROLINA GENERAL ASSEMBLY
SENATE

RECORDED VOTE

1997 SESSION

SEQ. 1169/9-- 8:25 PM JULY 21, 1997 LEGISLATIVE DAY 99

LT. GOVERNOR WICKER -- Presiding

MCCOMAS
BROWNFIELDS PROPERTY REUSE ACT
3RD EDITION

HOUSE BILL 1121
READING 2

AYE	44	ALBERTSON	DALTON	KINNAIRD	PLYLER
		ALLRAN	DANNELLY	LEDBETTER	RAND
		BALLANCE	EAST	LUCAS	REEVES
		BALLANTINE	FORRESTER	MARTIN R.	RUCHO
		BASNIGHT	FOXX	MARTIN W.	SHAW L.
		BLUST	GULLEY	MCDANIEL	SHAW R.
		CARPENTER	HARTSELL	MILLER	SOLES
		CARRINGTON	HORTON	ODOM	WARREN
		CLARK	JENKINS	PAGE	WEBSTER
		COCHRANE	JORDAN	PERDUE	WEINSTEIN
		COOPER	KERR	PHILLIPS	WELLONS
NO	0				
EXCUSED	0				
NOT CAST	1	KINCAID			
ABSENT	4	GARWOOD	HOYLE	LEE	
PAIRS	0				
AYE					
NO					

WINNER

GENERAL ASSEMBLY
SENATE

NORTH CAROLINA GENERAL ASSEMBLY
SENATE

RECORDED VOTE

1997 SESSION

SEQ. 1183/8--11:05 AM JULY 23, 1997 LEGISLATIVE DAY 101

LT. GOVERNOR WICKER -- Presiding

MCCOMAS
BROWNFIELDS PROPERTY REUSE ACT
3RD EDITION

HOUSE BILL 1121
READING 3

AYE	50	ALBERTSON	EAST	LEDBETTER	PURCELL
		ALLRAN	FORRESTER	LEE	RAND
		BALLANCE	FOXX	LUCAS	REEVES
		BALLANTINE	GARWOOD	MARTIN R.	RUCHO
		BASNIGHT	GULLEY	MARTIN W.	SHAW L.
		BLUST	HARTSELL	MCDANIEL	SHAW R.
		CARPENTER	HORTON	MILLER	SOLES
		CARRINGTON	HOYLE	ODOM	WARREN
		CLARK	JENKINS	PAGE	WEBSTER
		COCHRANE	JORDAN	PERDUE	WEINSTEIN
		COOPER	KERR	PHILLIPS	WELLONS
		DALTON	KINCAID	PLYLER	WINNER
		DANNELLY	KINNAIRD		
NO	0				

EXCUSED 0

NOT CAST 0

ABSENT 0

PAIRS 0
AYE
NO

GENERAL ASSEMBLY
SENATE

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1997

H.B. FILED 1122 APR 17 97 HOUSE PRINCIPAL CLERK

H D

HOUSE DRH1310-LR232(4.10)

Short Title: Controlled Substances Evidence. (Public)

Sponsors: Representative Gulley.

Referred to:

A BILL TO BE ENTITLED

AN ACT TO FACILITATE THE TRIAL OF DRUG OFFENSES BY AUTHORIZING THE USE OF LABORATORY REPORTS IN SUPERIOR COURT AND JUVENILE COURT PROCEEDINGS AND BY ELIMINATING THE NEED FOR UNNECESSARY WITNESSES IN ESTABLISHING A CHAIN OF CUSTODY, WHEN THE DEFENDANT DOES NOT TIMELY OBJECT TO THE ADMISSION OF A LABORATORY REPORT OR THE CHAIN OF CUSTODY.

The General Assembly of North Carolina enacts:

Section 1. G.S. 90-95 reads as rewritten:

"**§ 90-95. Violations; penalties.**

(a) Except as authorized by this Article, it is unlawful for any person:

(1) To manufacture, sell or deliver, or possess with intent to manufacture, sell or deliver, a controlled substance;

(2) To create, sell or deliver, or possess with intent to sell or deliver, a counterfeit controlled substance;

(3) To possess a controlled substance.

(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;

(2) A controlled substance classified in Schedule III, IV, V, or VI shall be punished as a Class I felon, but 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).

NORTH CAROLINA
HOUSE OF REPRESENTATIVES
ROLL CALL

EV

SEQ. # 542
LEGISLATIVE DAY 54
H1122
READING 2
GULLEY

4/30/97
3:54 PM
IN CHAIR: SPEAKER

CONTROLLED SUBSTANCE EVIDENCE

AYES - 102

ALDRIDGE	DAUGHTRY	HURLEY	RAYFIELD
ALEXANDER	DAVIS	INSKO	REDWINE
ALLRED	DECKER	IVES	REYNOLDS
ARNOLD	DEDMON	JARRELL	ROGERS
BADDOUR	DICKSON	JEFFUS	RUSSELL
BAKER	DOCKHAM	JUSTUS	SEXTON
BARBEE	EARLE	KINNEY	SHERRILL
BEALL	EASTERLING	KISER	SHUBERT
BERRY	EDDINS	MCALLISTER	SMITH
BLACK	ELLIS	MCCOMAS	STARNES
BONNER	ESPOSITO	MCCOMBS	SUTTON
BOWIE	FOX	MCCRARY	TALLENT
BOYD-MCINTYRE	GARDNER	MCMAHAN	THOMPSON
BRASWELL	GOODWIN	MERCER	TOLSON
BRAWLEY	GRADY	MILLER	WAINWRIGHT
BROWN	GRAY	MINER	WARNER
BUCHANAN	GULLEY	MITCHELL	WARWICK
CANSLER	HACKNEY	MORGAN	WATSON
CAPPS	HALL	MORRIS	WEATHERLY
CARPENTER	HARDY	NEELY	WILKINS
CHURCH	HIATT	NICHOLS	WILSON, G.
CLARY	HIGHTOWER	NYE	WOMBLE
COLE	HILL	OWENS	WOOD
CRAWFORD	HOLMES	PRESTON	WRIGHT
CULPEPPER	HOWARD	RAMSEY	YONGUE
CUNNINGHAM	HUNTER, R.		

NOES - 7

ADAMS	FITCH	HENSLEY	MICHAUX
BLUE	HARDAWAY	LUEBKE	

EXCUSED ABSENCE - 1

OLDHAM

EXCUSED VOTE - 0

NOT VOTING - 10

SPEAKER	GAMBLE	MOSLEY	SAUNDERS
CREECH	HUNTER, H.	NESBITT	WILSON, C.
CULP	MOORE		

NORTH CAROLINA GENERAL ASSEMBLY
SENATE

RECORDED VOTE

1997 SESSION

SEQ. 1095/6--12:24 PM JULY 8, 1997 LEGISLATIVE DAY 92

SENATOR BASNIGHT -- Presiding

GULLEY
CONTROLLED SUBSTANCES EVIDENCE
SENATE COMM. SUB./2ND EDITION

HOUSE BILL 1122
READING 2

AYE	49	ALBERTSON	DANNELLY	KINNAIRD	PLYLER
		ALLRAN	EAST	LEDBETTER	RAND
		BALLANCE	FORRESTER	LEE	REEVES
		BALLANTINE	FOXX	LUCAS	RUCHO
		BASNIGHT	GARWOOD	MARTIN R.	SHAW L.
		BLUST	GULLEY	MARTIN W.	SHAW R.
		CARPENTER	HARTSELL	MCDANIEL	SOLES
		CARRINGTON	HORTON	MILLER	WARREN
		CLARK	HOYLE	ODOM	WEBSTER
		COCHRANE	JENKINS	PAGE	WEINSTEIN
		CONDER	KERR	PERDUE	WELLONS
		COOPER	KINCAID	PHILLIPS	WINNER
		DALTON			
NO	0				

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

GENERAL ASSEMBLY
SENATE

NORTH CAROLINA GENERAL ASSEMBLY
SENATE

RECORDED VOTE

1997 SESSION

SEQ. 1099/10--12:51 PM JULY 8, 1997 LEGISLATIVE DAY 92

SENATOR BASNIGHT -- Presiding

GULLEY
CONTROLLED SUBSTANCES EVIDENCE
SENATE COMM. SUB./2ND EDITION

HOUSE BILL 1122
READING 3

AYE	47	ALBERTSON	DALTON	LEDBETTER	RAND
		ALLRAN	EAST	LEE	REEVES
		BALLANCE	FORRESTER	LUCAS	RUCHO
		BALLANTINE	FOXX	MARTIN R.	SHAW L.
		BASNIGHT	GARWOOD	MARTIN W.	SHAW R.
		BLUST	GULLEY	MCDANIEL	SOLES
		CARPENTER	HARTSELL	MILLER	WARREN
		CARRINGTON	HORTON	ODOM	WEBSTER
		CLARK	HOYLE	PAGE	WEINSTEIN
		COCHRANE	JENKINS	PERDUE	WELLONS
		CONDER	KINCAID	PHILLIPS	WINNER
		COOPER	KINNAIRD	PLYLER	
NO	0				
EXCUSED	0				
NOT CAST	3	DANNELLY	JORDAN	KERR	
ABSENT	0				
PAIRS	0				
AYE					
NO					

GENERAL ASSEMBLY
SENATE

NORTH CAROLINA
HOUSE OF REPRESENTATIVES
ROLL CALL

EY

SEQ. # 1129
LEGISLATIVE DAY 94
H1122SCS

7/10/97
11:18 AM
IN CHAIR: SPEAKER

MOTION #12 - TO SUSPEND RULE 31.1 (d2) in order that bill be properly before the Body
REP DAUGHTRY

AYES - 75

ALDRIDGE	DAUGHTRY	HILL	OLDHAM
ARNOLD	DAVIS	HOLMES	OWENS
BADDOUR	DECKER	HOWARD	PRESTON
BAKER	DICKSON	HURLEY	RAYFIELD
BOYD-MCINTYRE	EDDINS	INSKO	REYNOLDS
BRASWELL	ELLIS	IVES	RUSSELL
BRAWLEY	ESPOSITO	JEFFUS	SEXTON
BROWN	FITCH	JUSTUS	SHUBERT
BUCHANAN	FOX	KISER	STARNES
CANSLER	GAMBLE	LUEBKE	TALLENT
CAPPS	GARDNER	MCALLISTER	THOMPSON
CARPENTER	GRADY	MCCOMAS	WAINWRIGHT
CHURCH	GRAY	MCCOMBS	WARNER
CLARY	GULLEY	MCMAHAN	WATSON
CRAWFORD	HACKNEY	MINER	WEATHERLY
CREECH	HALL	MITCHELL	WILKINS
CULP	HARDY	MORGAN	WILSON, G.
CULPEPPER	HIATT	NEELY	YONGUE
CUNNINGHAM	HIGHTOWER	NICHOLS	

NOES - 26

ADAMS	DEDMON	MILLER	SAUNDERS
ALEXANDER	GOODWIN	MOORE	SMITH
ALLRED	HARDAWAY	MOSLEY	SUTTON
BEALL	HENSLEY	NESBITT	WARWICK
BLUE	HUNTER, H.	NYE	WOMBLE
BONNER	JARRELL	RAMSEY	WOOD
COLE	KINNEY		

EXCUSED ABSENCE - 11

BARBEE	EASTERLING	MORRIS	SHERRILL
BERRY	MCCRARY	REDWINE	WILSON, C.
DOCKHAM	MERCER	ROGERS	

EXCUSED VOTE - 0

NOT VOTING - 8

SPEAKER	BOWIE	HUNTER, R.	TOLSON
BLACK	EARLE	MICHAUX	WRIGHT

NORTH CAROLINA
HOUSE OF REPRESENTATIVES
ROLL CALL

EV

SEQ # 1130
LEGISLATIVE DAY 94
H1122SCS

7/10/97
11:24 AM
IN CHAIR: SPEAKER

MOTION #11 - TO CONCUR IN SCS

AYES - 88

ADAMS	DAVIS	HURLEY	OWENS
ALDRIDGE	DECKER	INSKO	PRESTON
ALLRED	DEDMON	IVES	RAMSEY
ARNOLD	DICKSON	JARRELL	RAYFIELD
BADDOUR	EDDINS	JEFFUS	REYNOLDS
BAKER	ESPOSITO	KINNEY	RUSSELL
BONNER	FOX	KISER	SEXTON
BOYD-MCINTYRE	GAMBLE	MCALLISTER	SHUBERT
BRASWELL	GARDNER	MCCOMAS	SMITH
BRAWLEY	GOODWIN	MCCOMBS	STARNES
BROWN	GRADY	MCMAHAN	TALLENT
BUCHANAN	GRAY	MILLER	THOMPSON
CANSLER	GULLEY	MINER	TOLSON
CAPPS	HACKNEY	MITCHELL	WAINWRIGHT
CARPENTER	HALL	MOORE	WARNER
CHURCH	HARDY	MORGAN	WARWICK
CLARY	HIATT	MOSLEY	WATSON
COLE	HIGHTOWER	NEELY	WEATHERLY
CREECH	HILL	NESBITT	WILKINS
CULP	HOLMES	NICHOLS	WILSON, G.
CULPEPPER	HOWARD	NYE	WRIGHT
DAUGHTRY	HUNTER, R.	OLDHAM	YONGUE

NOES - 16

ALEXANDER	CUNNINGHAM	HUNTER, H.	SAUNDERS
BEALL	FITCH	JUSTUS	SUTTON
BLUE	HARDAWAY	LUEBKE	WOMBLE
CRAWFORD	HENSLEY	MICHAUX	WOOD

EXCUSED ABSENCE - 11

BARBEE	EASTERLING	MORRIS	SHERRILL
BERRY	MCCRARY	REDWINE	WILSON, C.
DOCKHAM	MERCER	ROGERS	

EXCUSED VOTE - 0

NOT VOTING - 5

SPEAKER	BOWIE	EARLE	ELLIS
BLACK			

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1997

H.B. FILED
1123 APR 17 97
HOUSE PRINCIPAL CLERK

H D

HOUSE DRHA345-RT/RP080.01(4.7)

Short Title: State Personnel Grievance Procedure. (Public)

Sponsors: Representative Sherrill.

Referred to:

A BILL TO BE ENTITLED

AN ACT TO STREAMLINE THE REVIEW OF GRIEVANCES FILED BY STATE EMPLOYEES AND APPLICANTS FOR STATE EMPLOYMENT.

The General Assembly of North Carolina enacts:

Section 1. The title to Article 8 of Chapter 126 of the General Statutes reads as rewritten:

"ARTICLE 8.

~~Employee Appeals of Grievances and Disciplinary Action.~~

Resolution of Employment Grievances."

Section 2. Article 8 of Chapter 126 of the General Statutes is amended by adding two new sections to read:

"**§ 126-32. Short title.**

This Article shall be known and may be cited as the State Personnel Act.

"**§ 126-33. Definitions; time.**

(a) Unless a different meaning is required by the context, as used in this Article:

(1) 'Agency' means all authorities, boards, bureaus, commissions, councils, departments, divisions, and offices of the State government; constituent institutions of The University of North Carolina; University of North Carolina Hospitals; and units of local government, but only insofar as the unit of local government employs persons in a county or area social services; public health; mental health, developmental disabilities, or substance abuse department or authority; or a local emergency management agency that receives federal grant-in-aid funds. 'Agency' does not include

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1997

H.B. FILED 1124 APR 17 97 HOUSE PRINCIPAL CLERK

H D

HOUSE DRH6218-LR051(2.21)

Short Title: Fire/Rescue Personnel Records Checks. (Public)

Sponsors: Representative Capps.

Referred to:

A BILL TO BE ENTITLED

AN ACT PROVIDING THAT THE DEPARTMENT OF JUSTICE MAY PERFORM CRIMINAL RECORDS CHECKS TO FACILITATE BACKGROUND INVESTIGATIONS FOR FIREFIGHTER AND RESCUE SQUAD APPLICANTS.

The General Assembly of North Carolina enacts:

Section 1. G.S. 114-19.1 is amended by adding a new subsection to read:

"(e) The Department of Justice may provide to a local or volunteer fire department or rescue squad a criminal history record check of any individual who applies for a position as a volunteer member or career employee of the fire department or rescue squad. The Department of Justice shall process these requests as voluntary noncriminal justice criminal history records checks."

Section 2. This act is effective when it becomes law.

NORTH CAROLINA

HOUSE OF REPRESENTATIVES

ROLL CALL

EV

. # 564
ISLATIVE DAY 54
H1124
READING 2
CAPPS

5/01/97
7:30 PM
IN CHAIR: SPEAKER

FIRE/RESCUE PERSONNEL RECORD CK.

AYES - 110

ADAMS	DAVIS	HURLEY	PRESTON
ALDRIDGE	DECKER	INSKO	RAYFIELD
ALEXANDER	DEDMON	IVES	REDWINE
ALLRED	DICKSON	JARRELL	REYNOLDS
BADDOUR	DOCKHAM	JEFFUS	ROGERS
BAKER	EARLE	JUSTUS	RUSSELL
BARBEE	EASTERLING	KINNEY	SAUNDERS
BERRY	EDDINS	KISER	SEXTON
BLACK	ELLIS	LUEBKE	SHERRILL
BLUE	ESPOSITO	MCALLISTER	SMITH
BONNER	FOX	MCCOMAS	STARNES
BOWIE	GARDNER	MCCOMBS	SUTTON
BOYD-MCINTYRE	GOODWIN	MCCRARY	TALLENT
BRASWELL	GRADY	MCMAHAN	THOMPSON
BRAWLEY	GRAY	MERCER	TOLSON
BROWN	GULLEY	MICHAUX	WAINWRIGHT
BUCHANAN	HACKNEY	MILLER	WARNER
CANSLER	HALL	MINER	WARWICK
CAPPS	HARDAWAY	MITCHELL	WATSON
CARPENTER	HARDY	MOORE	WEATHERLY
CHURCH	HENSLEY	MORGAN	WILKINS
CLARY	HIATT	MORRIS	WILSON, C.
COLE	HIGHTOWER	MOSLEY	WILSON, G.
CRAWFORD	HILL	NEELY	WOMBLE
CREECH	HOLMES	NESBITT	WOOD
CULP	HOWARD	NYE	WRIGHT
CULPEPPER	HUNTER, H.	OWENS	YONGUE
DAUGHTRY	HUNTER, R.		

NOES - 2

CUNNINGHAM	FITCH

EXCUSED ABSENCE - 3

NICHOLS	OLDHAM	SHUBERT

EXCUSED VOTE - 0

NOT VOTING - 5

SPEAKER	BEALL	GAMBLE	RAMSEY
ARNOLD			

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1997

H D

A.B. FILED
1125
APR 17 97
HOUSE PRINCIPAL CLERK

HOUSE DRH7258-LT080(3.18)

Short Title: Mortgage Lenders. (Public)

Sponsors: Representative Miner.

Referred to:

A BILL TO BE ENTITLED

AN ACT TO REVISE THE CLASSIFICATION OF LENDERS WHO MAY CONTRACT FOR THE PAYMENT OF CHARGES IN CERTAIN CIRCUMSTANCES.

The General Assembly of North Carolina enacts:

Section 1. G.S. 24-1.1A(a) reads as rewritten:

"(a) Notwithstanding any other provision of this Chapter, parties to a home loan may contract in writing as follows:

(1) Where the principal amount is ten thousand dollars ($10,000) or more the parties may contract for the payment of interest as agreed upon by the parties;

(2) Where the principal amount is less than ten thousand dollars ($10,000) the parties may contract for the payment of interest as agreed upon by the parties, if the lender is either (i) approved as a mortgagee by the Secretary of Housing and Urban Development, the Federal Housing Administration, the Veterans Administration, a national mortgage association or any federal agency; or (ii) a local or foreign bank, savings and loan association or service corporation wholly owned by one or more savings and loan associations and permitted by law to make home loans, credit union or insurance ~~company;~~ company or a mortgage banker registered pursuant to G.S. 53-233 who is under the common control with a bank, savings and loan association, or insurance company; or (iii) a State or federal agency;

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1997

N.R. FILED
1126 APR 17 97
HOUSE PRINCIPAL CLERK

H D

HOUSE DRHA290-LC194(4.9)

Short Title: No Sales Tax on Pay Phones. (Public)

Sponsors: Representative Miner.

Referred to:

A BILL TO BE ENTITLED

AN ACT TO EXEMPT LOCAL PAY PHONE SERVICES FROM SALES TAX.

The General Assembly of North Carolina enacts:

Section 1. G. S. 105-164.4(a)(4a) reads as rewritten:

"(4a) The rate of three percent (3%) applies to the gross receipts derived by a utility from sales of electricity, piped natural gas, or local telecommunications service as defined by G.S. 105-120(e), other than sales of electricity or piped natural gas subject to tax under another subdivision in this section. Gross receipts from sales of piped natural gas shall not include natural gas expansion surcharges imposed under G.S. 62-158. Gross receipts from sales of local telecommunications service shall not include receipts from service provided by means of public coin-operated pay telephone instruments and paid for by coin. A person who operates a utility is considered a retailer under this Article."

Section 2. This act becomes effective July 1, 1997, and applies to sales made on or after that date.

NORTH CAROLINA
HOUSE OF REPRESENTATIVES
ROLL CALL

EV

. # 1159
ISLATIVE DAY 96
26HCS
READING 2
MINER

7/15/97
11:15 AM
IN CHAIR: SPEAKER

NO SALES TAX ON PAY PHONES

AYES - 104

ADAMS	CULPEPPER	HUNTER, R.	PRESTON
ALDRIDGE	CUNNINGHAM	HURLEY	RAMSEY
ALEXANDER	DAUGHTRY	INSKO	RAYFIELD
ALLRED	DECKER	IVES	REDWINE
ARNOLD	DEDMON	JARRELL	REYNOLDS
BADDOUR	DOCKHAM	JEFFUS	ROGERS
BAKER	EARLE	JUSTUS	SAUNDERS
BARBEE	EDDINS	KINNEY	SEXTON
BEALL	ELLIS	KISER	SHERRILL
BERRY	ESPOSITO	MCALLISTER	SHUBERT
BLACK	FITCH	MCCOMAS	SMITH
BONNER	GAMBLE	MCCOMBS	STARNES
BOWIE	GARDNER	MCCRARY	TALLENT
BOYD-MCINTYRE	GOODWIN	MCMAHAN	THOMPSON
BRASWELL	GRADY	MERCER	TOLSON
BRAWLEY	GRAY	MILLER	WAINWRIGHT
BROWN	GULLEY	MINER	WARNER
BUCHANAN	HALL	MITCHELL	WARWICK
CANSLER	HARDAWAY	MORGAN	WATSON
CAPPS	HARDY	MORRIS	WEATHERLY
CARPENTER	HIATT	MOSLEY	WILKINS
CHURCH	HIGHTOWER	NESBITT	WILSON, C.
CLARY	HILL	NICHOLS	WILSON, G.
COLE	HOLMES	NYE	WOOD
CRAWFORD	HOWARD	OLDHAM	WRIGHT
CULP	HUNTER, H.	OWENS	YONGUE

NOES - 6

BLUE	HACKNEY	MICHAUX	NEELY
EASTERLING	LUEBKE		

EXCUSED ABSENCE - 5

DAVIS	MOORE	RUSSELL	SUTTON
HENSLEY			

EXCUSED VOTE - 0

NOT VOTING - 5

SPEAKER	DICKSON	FOX	WOMBLE
CREECH			

NORTH CAROLINA

HOUSE OF REPRESENTATIVES

ROLL CALL

EV

SEQ # 1177
LEGISLATIVE DAY 97
H1126HCS
READING 3
MINER

7/16/97
12:20 PM
IN CHAIR: SPEAKER

NO SALES TAX ON PAY PHONES

AYES - 107

ADAMS	CUNNINGHAM	HUNTER, R.	RAMSEY
ALDRIDGE	DAUGHTRY	HURLEY	RAYFIELD
ALEXANDER	DECKER	INSKO	REDWINE
ALLRED	DEDMON	IVES	REYNOLDS
ARNOLD	DICKSON	JARRELL	ROGERS
BADDOUR	DOCKHAM	JEFFUS	RUSSELL
BAKER	EARLE	JUSTUS	SAUNDERS
BARBEE	EASTERLING	KINNEY	SEXTON
BEALL	EDDINS	KISER	SHERRILL
BERRY	ELLIS	MCALLISTER	SHUBERT
BLACK	ESPOSITO	MCCOMAS	SMITH
BLUE	FITCH	MCCOMBS	STARNES
BONNER	FOX	MCCRARY	SUTTON
BOWIE	GAMBLE	MCMAHAN	TALLENT
BOYD-MCINTYRE	GARDNER	MERCER	THOMPSON
BROWN	GOODWIN	MILLER	TOLSON
BUCHANAN	GRADY	MINER	WAINWRIGHT
CANSLER	GRAY	MITCHELL	WARNER
CAPPS	GULLEY	MORGAN	WARWICK
CARPENTER	HALL	MORRIS	WATSON
CHURCH	HARDY	MOSLEY	WEATHERLY
CLARY	HENSLEY	NESBITT	WILKINS
COLE	HIATT	NICHOLS	WILSON, G.
CRAWFORD	HILL	NYE	WOOD
CREECH	HOLMES	OLDHAM	WRIGHT
CULP	HOWARD	OWENS	YONGUE
CULPEPPER	HUNTER, H.	PRESTON	

NOES - 4

HACKNEY	LUEBKE	MICHAUX	NEELY

EXCUSED ABSENCE - 5

BRAWLEY	HARDAWAY	MOORE	WOMBLE
DAVIS			

EXCUSED VOTE - 0

NOT VOTING - 4

SPEAKER	BRASWELL	HIGHTOWER	WILSON, C.

NORTH CAROLINA GENERAL ASSEMBLY
SENATE

RECORDED VOTE

1997 SESSION
SECOND SESSION 1998

SEQ. 2138/2-- 4:11 PM OCTOBER 6, 1998 LEGISLATIVE DAY 210

SENATOR BASNIGHT -- Presiding

MINER
NO SALES TAX ON PAY PHONES
SENATE COM SUB/3RD EDITION

HOUSE BILL 1126
READING 2

AYE	43	ALBERTSON	FORRESTER	LUCAS	REEVES
		BALLANTINE	FOXX	MARTIN R.	RUCHO
		BASNIGHT	GARWOOD	MARTIN W.	SHAW L.
		BLUST	HARTSELL	MCDANIEL	SHAW R.
		CARPENTER	HORTON	MILLER	SOLES
		CLARK	HOYLE	MOORE	WARREN
		COCHRANE	JENKINS	ODOM	WEBSTER
		COOPER	JORDAN	PERDUE	WEINSTEIN
		DALTON	KINNAIRD	PHILLIPS	WELLONS
		DANNELLY	LEDBETTER	PLYLER	WINNER
		EAST	LEE	PURCELL	
NO	1	BALLANCE			
EXCUSED	0				
NOT CAST	1	ALLRAN			
ABSENT	5	CARRINGTON	KERR	PAGE	
		GULLEY			
PAIRS	0				
AYE					
NO					

GENERAL ASSEMBLY
SENATE

NORTH CAROLINA
HOUSE OF REPRESENTATIVES
ROLL CALL

EV

. # 2144
EGISLATIVE DAY 213
H1126SCS

10/13/98
2:10 PM
IN CHAIR: SPEAKER

MINER

NO SALES TAX ON PAY PHONES
MOTION #11 - TO CONCUR IN SCS

AYES - 98

SPEAKER	CHURCH	HILL	PRESTON
ADAMS	CLARY	HOWARD	RAMSEY
ALDRIDGE	CULP	HUNTER, H.	RAYFIELD
ALEXANDER	CULPEPPER	HURLEY	REDWINE
ALLEN	CUNNINGHAM	INSKO	REYNOLDS
ALLRED	DAUGHTRY	JARRELL	RUSSELL
ARNOLD	DAVIS	KINNEY	SAUNDERS
BADDOUR	DECKER	KISER	SEXTON
BAKER	DEDMON	MCCOMAS	SHERRILL
BARBEE	DICKSON	MCCOMBS	SHUBERT
BAREFOOT	EARLE	MCCRARY	SMITH
BEALL	EDDINS	MCMAHAN	SUTTON
BERRY	ELLIS	MERCER	TALLENT
BLACK	FITCH	MICHAUX	TOLSON
BLUE	GARDNER	MINER	WAINWRIGHT
BONNER	GOODWIN	MITCHELL	WARNER
BOWIE	GRADY	MOORE	WARWICK
BOYD-MCINTYRE	GRAY	MORGAN	WATSON
BRAWLEY	GULLEY	MORRIS	WEATHERLY
BROWN	HACKNEY	NESBITT	WILSON, C.
BRYANT	HALL	NICHOLS	WILSON, G.
BUCHANAN	HARDAWAY	NYE	WOOD
CANSLER	HENSLEY	OLDHAM	WRIGHT
CAPPS	HIATT	OWENS	YONGUE
CARPENTER	HIGHTOWER		

NOES - 1

NEELY

EXCUSED ABSENCE - 12

DOCKHAM	FOX	LUEBKE	ROGERS
EASTERLING	IVES	MILLER	THOMPSON
ESPOSITO	JUSTUS	MOSLEY	WOMBLE

EXCUSED VOTE - 0

NOT VOTING - 9

BRASWELL	CREECH	HOLMES	MCALLISTER
COLE	HARDY	JEFFUS	STARNES
CRAWFORD			

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1997

H.B. FILED
1127 APR 17 97
HOUSE PRINCIPAL CLERK

H D

HOUSE DRH7263-LL126F(3.27)

Short Title: Customer Choice in Electricity. (Public)

Sponsors: Representative Miner.

Referred to:

A BILL TO BE ENTITLED

AN ACT TO ENACT THE CUSTOMER CHOICE IN ELECTRICITY ACT, WHICH REQUIRES THE UTILITIES COMMISSION TO INITIATE A PROCEEDING TO RESTRUCTURE THE ELECTRIC UTILITY INDUSTRY, REQUIRES CERTAIN ELECTRIC UTILITIES TO FILE WITH THE UTILITIES COMMISSION RESTRUCTURING PLANS PROVIDING FOR CUSTOMER CHOICE, PROVIDES THAT ALL RETAIL CUSTOMERS SHALL BE PERMITTED TO CHOOSE THEIR ELECTRICITY SUPPLIERS BY A DATE CERTAIN, REQUIRES CERTAIN ELECTRIC UTILITIES TO SEPARATE GENERATION ASSETS AND OPERATIONS FROM TRANSMISSION AND DISTRIBUTION ASSETS AND OPERATIONS, REQUIRES CERTAIN ELECTRIC UTILITIES TO PROVIDE OPEN ACCESS TO THEIR TRANSMISSION AND DISTRIBUTION FACILITIES, REQUIRES THE UTILITIES COMMISSION TO ENSURE THAT RELIABLE AND SAFE ELECTRIC SERVICE IS MAINTAINED OR IMPROVED, PROVIDES FOR A SYSTEM BENEFITS CHARGE TO FUND RENEWABLE ENERGY RESOURCES, ENERGY EFFICIENCY, AND LOW-INCOME ENERGY ASSISTANCE, ALLOWS ELECTRIC UTILITIES TO RECOVER A PORTION OF THEIR STRANDED COSTS, AMENDS THE GENERAL STATUTES TO REMOVE PERSONS GENERATING ELECTRICITY FROM THE DEFINITION OF PUBLIC UTILITIES, AND PROVIDES FOR OTHER RELATED MATTERS.

The General Assembly of North Carolina enacts:

Section 1. The General Statutes are amended by adding a new Chapter to read:

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1997

H.B. FILED

1128 APR 17 97

HOUSE PRINCIPAL CLERK

H D

HOUSE DRH7148*-LM056(2.19)

Short Title: CPA Education Requirements/AB. (Public)

Sponsors: Representative Miner.

Referred to:

A BILL TO BE ENTITLED

AN ACT TO AMEND THE EDUCATION REQUIREMENTS FOR CERTIFIED PUBLIC ACCOUNTANTS.

The General Assembly of North Carolina enacts:

Section 1. G.S. 93-12(5) reads as rewritten:

"(5) To issue certificates of qualification admitting to practice as certified public accountants, each applicant who, having the qualifications herein specified, ~~shall have~~ has passed an examination to the satisfaction of the Board, in 'accounting,' 'auditing,' 'business law,' and other related subjects.

A person is eligible to take the examination given by the Board, or to receive a certificate of qualification to practice as a certified public accountant, ~~who~~ if the person is a citizen of the United States, has declared the intention of becoming a citizen, is a resident alien, or is a citizen of a foreign jurisdiction which extends to citizens of this State like or similar privileges to be examined or certified, is 18 years of age or over, and is of good moral ~~character, and submits evidence satisfactory to the Board that:~~ character.

~~a. He holds a bachelor's degree from a college or university accredited by one of the regional accrediting associations or from a college or university determined by the Board to have standards substantially equivalent to a regionally accredited institution, and~~

~~b. His degree studies included a concentration in accounting as defined by the Board or that he supplemented his degree~~

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1997

H

HOUSE DRHA344-LD190B(4.10)

Short Title: Reimbursement for Low-Level Facility. (Public)

Sponsors: Representatives Miner and Hackney.

Referred to:

A BILL TO BE ENTITLED

AN ACT TO REQUIRE THE REIMBURSEMENT OF FUNDS APPROPRIATED PRIOR TO AND INCLUDING THIS BIENNIUM TO ESTABLISH AND OPERATE THE NORTH CAROLINA LOW-LEVEL RADIOACTIVE WASTE MANAGEMENT AUTHORITY AND FOR THE COSTS TO THE AUTHORITY AND STATE AGENCIES TO SELECT A SITE FOR, AND TO LICENSE, A LOW-LEVEL RADIOACTIVE WASTE DISPOSAL FACILITY AS A CONDITION TO THE AUTHORITY RECEIVING STATE FUNDS.

The General Assembly of North Carolina enacts:

Section 1. (a) Any funds appropriated to or for the North Carolina Low-Level Radioactive Waste Management Authority for the 1997-98 fiscal year or for the 1998-99 fiscal year shall be placed in a reserve.

(b) The Office of State Budget and Management shall not distribute the funds in the reserve under subsection (a) of this section until either the Authority or the Southeast Interstate Low-Level Radioactive Waste Management Commission, or both, credit funds to the General Fund in the amount equal to the total funds that the General Assembly has appropriated to the Authority or to any State agencies for all fiscal years prior to and including the 1998-99 fiscal year for the purpose of establishing or operating the Authority or for the purpose of selecting a site for, or to license, a low-level radioactive waste disposal facility pursuant to Chapter 104G of the General Statutes.

Section 2. This act is effective when it becomes law.

AB-FILED
1129 APR 17 97
HOUSE PRINCIPAL CLERK D

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1997

H

D

HOUSE DRH1306-LR227(4.10)

Short Title: Protect Health Care Whistleblowers. (Public)

Sponsors: Representative Boyd-McIntyre.

Referred to:

A BILL TO BE ENTITLED

AN ACT PROHIBITING DISCRIMINATION OR RETALIATION AGAINST LICENSED HEALTH CARE PROFESSIONALS WHO REPORT, IN GOOD FAITH, INSTANCES OF IMPROPER QUALITY OF PATIENT CARE.

The General Assembly of North Carolina enacts:

Section 1. G.S. 95-241 reads as rewritten:

"**§ 95-241. Discrimination prohibited.**

(a) No person shall discriminate or take any retaliatory action against an employee because the employee in good faith does or threatens to do any of the following:

(1) File a claim or complaint, initiate any inquiry, investigation, inspection, proceeding or other action, or testify or provide information to any person with respect to any of the following:

a. Chapter 97 of the General Statutes.

b. Article 2A or Article 16 of this Chapter.

c. Article 2A of Chapter 74 of the General Statutes.

d. G.S. 95-28.1.

(2) Cause any of the activities listed in subdivision (1) of this subsection to be initiated on an employee's behalf.

(3) Exercise any right on behalf of the employee or any other employee afforded by Article 2A or Article 16 of this Chapter or by Article 2A of Chapter 74 of the General Statutes.

(4) Report, in the case of an employee who is a licensed health care professional, instances of improper quality of patient care.

(b) It shall not be a violation of this Article for a person to discharge or take any other unfavorable action with respect to an employee who has engaged in protected

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1997

H.B. FILED
1131 APR 17 97
HOUSE PRINCIPAL CLERK

H D

HOUSE DRHA347-LB242(4.10)

Short Title: Collection Agency Definition. (Public)

Sponsors: Representative Nesbitt.

Referred to:

A BILL TO BE ENTITLED

AN ACT TO CLARIFY THE DEFINITION OF COLLECTION AGENCY.

The General Assembly of North Carolina enacts:

Section 1. G.S. 58-70-15 is amended by adding a new subdivision to read:

"(3) The designated representatives of programs as defined by G.S. 110-129(5)."

Section 2. This act is effective when it becomes law.

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1997

FILED
1132 APR 17 97
HOUSE PRINCIPAL CLERK

H D

HOUSE DRH7261-LH170(4.9)

Short Title: Date Rape Drugs. (Public)

Sponsors: Representative R. Hunter.

Referred to:

A BILL TO BE ENTITLED

AN ACT TO MAKE IT A CRIMINAL OFFENSE TO CONTAMINATE FOOD OR DRINK WITH ANY SUBSTANCE THAT WOULD RENDER A PERSON MENTALLY INCAPACITATED OR PHYSICALLY HELPLESS WITH THE INTENT OF COMMITTING A CRIME AGAINST THAT PERSON.

The General Assembly of North Carolina enacts:

Section 1. Article 52 of Chapter 14 of the General Statutes is amended by adding a new section to read:

"**§ 14-401.15. Contaminate food or drink to render one mentally incapacitated or physically helpless.**

(a) It is unlawful knowingly to place a controlled substance, chemical, compound, or any foreign substance that would render a person mentally incapacitated or physically helpless into any food, drink, or other edible or potable substance with the intent of causing another person to be mentally incapacitated or physically helpless with the intent of committing a crime against that person.

(b) It is unlawful knowingly to manufacture, sell, deliver, or possess with the intent to manufacture, sell, deliver, or possess a controlled substance, chemical, compound, or any foreign substance for the purpose of violating subsection (a) of this section.

(c) A violation of this section is a Class H felony. However, if a person violates this section with the intent of committing an offense under G.S. 14-27.3 or G.S. 14-27.5, the violation is a Class G felony."

Section 2. This act becomes effective December 1, 1997, and applies to offenses committed on or after that date.

NORTH CAROLINA

HOUSE OF REPRESENTATIVES

ROLL CALL

EN

SEQ. # 568
LEGISLATIVE DAY 54
H1132HCS
READING 2
HUNTER, R.

5/01/97
7:42 PM
IN CHAIR: SPEAKER

DATE RAPE DRUGS

AYES - 114

ADAMS	CUNNINGHAM	HUNTER, H.	OWENS
ALDRIDGE	DAUGHTRY	HUNTER, R.	PRESTON
ALEXANDER	DAVIS	HURLEY	RAYFIELD
ALLRED	DECKER	INSKO	REDWINE
ARNOLD	DEDMON	IVES	REYNOLDS
BADDOUR	DICKSON	JARRELL	ROGERS
BAKER	DOCKHAM	JEFFUS	RUSSELL
BARBEE	EARLE	JUSTUS	SAUNDERS
BEALL	EASTERLING	KINNEY	SEXTON
BERRY	EDDINS	KISER	SHERRILL
BLACK	ELLIS	LUEBKE	SMITH
BLUE	ESPOSITO	MCALLISTER	STARNES
BONNER	FITCH	MCCOMAS	SUTTON
BOWIE	FOX	MCCOMBS	TALLENT
BOYD-MCINTYRE	GARDNER	MCCRARY	THOMPSON
BRASWELL	GOODWIN	MCMAHAN	TOLSON
BRAWLEY	GRADY	MERCER	WAINWRIGHT
BROWN	GRAY	MICHAUX	WARNER
BUCHANAN	GULLEY	MILLER	WARWICK
CANSLER	HACKNEY	MINER	WATSON
CAPPS	HALL	MITCHELL	WEATHERLY
CARPENTER	HARDAWAY	MOORE	WILKINS
CHURCH	HARDY	MORGAN	WILSON, C.
CLARY	HENSLEY	MORRIS	WILSON, G.
COLE	HIATT	MOSLEY	WOMBLE
CRAWFORD	HIGHTOWER	NEELY	WOOD
CREECH	HILL	NESBITT	WRIGHT
CULP	HOLMES	NYE	YONGUE
CULPEPPER	HOWARD		

NOES - 0

EXCUSED ABSENCE - 3

NICHOLS	OLDHAM	SHUBERT

EXCUSED VOTE - 0

NOT VOTING - 3

SPEAKER	GAMBLE	RAMSEY

NORTH CAROLINA GENERAL ASSEMBLY
SENATE

RECORDED VOTE

1997 SESSION

SEQ. 1503/18-- 4:43 PM AUGUST 27, 1997 LEGISLATIVE DAY 122

LT. GOVERNOR WICKER -- Presiding

HUNTER R.
DATE RAPE DRUGS
SENATE COM SUB/3RD EDITION

HOUSE BILL 1132
READING 2

AYE	43	ALBERTSON	DANNELLY	KINNAIRD	PURCELL
		BALLANCE	EAST	LEE	RAND
		BALLANTINE	FORRESTER	LUCAS	REEVES
		BASNIGHT	FOXX	MARTIN R.	RUCHO
		BLUST	GARWOOD	MARTIN W.	SHAW L.
		CARPENTER	GULLEY	MCDANIEL	SHAW R.
		CARRINGTON	HARTSELL	MILLER	WEBSTER
		CLARK	HORTON	MOORE	WEINSTEIN
		COCHRANE	HOYLE	PAGE	WELLONS
		COOPER	JENKINS	PERDUE	WINNER
		DALTON	JORDAN	PHILLIPS	
NO	0				
EXCUSED	0				
NOT CAST	6	ALLRAN	LEDBETTER	PLYLER	SOLES
		KERR	ODOM		
ABSENT	1	WARREN			
PAIRS	0				
AYE					
NO					

GENERAL ASSEMBLY
SENATE

NORTH CAROLINA
HOUSE OF REPRESENTATIVES
ROLL CALL

EV

SEQ. # 1553
LEGISLATIVE DAY 123
H1132SCS

8/28/97
11:46 AM
IN CHAIR: SPEAKER

HUNTER, R.

DATE RAPE DRUGS
MOTION #11 - TO CONCUR IN SCS

AYES - 110

SPEAKER	DAUGHTRY	HURLEY	OWENS
ADAMS	DAVIS	INSKO	PRESTON
ALEXANDER	DECKER	IVES	RAMSEY
ALLRED	DEDMON	JARRELL	REDWINE
ARNOLD	DICKSON	JEFFUS	REYNOLDS
BADDOUR	DOCKHAM	JUSTUS	ROGERS
BAKER	EARLE	KINNEY	SAUNDERS
BARBEE	EASTERLING	KISER	SEXTON
BEALL	EDDINS	LUEBKE	SHERRILL
BLACK	ELLIS	MCALLISTER	SHUBERT
BLUE	ESPOSITO	MCCOMAS	SMITH
BONNER	FITCH	MCCOMBS	STARNES
BOYD-MCINTYRE	FOX	MCCRARY	SUTTON
BRASWELL	GOODWIN	MERCER	TALLENT
BRAWLEY	GRADY	MICHAUX	THOMPSON
BROWN	GRAY	MILLER	TOLSON
BUCHANAN	GULLEY	MINER	WAINWRIGHT
CANSLER	HACKNEY	MITCHELL	WARNER
CAPPS	HALL	MOORE	WARWICK
CARPENTER	HARDY	MORGAN	WEATHERLY
CHURCH	HENSLEY	MORRIS	WILKINS
CLARY	HIATT	MOSLEY	WILSON, C.
COLE	HIGHTOWER	NEELY	WILSON, G.
CRAWFORD	HILL	NESBITT	WOMBLE
CREECH	HOLMES	NICHOLS	WOOD
CULP	HOWARD	NYE	WRIGHT
CULPEPPER	HUNTER, H.	OLDHAM	YONGUE
CUNNINGHAM	HUNTER, R.		

NOES - 0

EXCUSED ABSENCE - 6

BERRY	HARDAWAY	RUSSELL	WATSON
GARDNER	MCMAHAN		

EXCUSED VOTE - 0

NOT VOTING - 4

ALDRIDGE	BOWIE	GAMBLE	RAYFIELD

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1997

H.B. FILED
1133 APR 17 97
HOUSE PRINCIPAL CLERK

H D

HOUSE DRH6216-LM144(3.27)

Short Title: Engineering & Land Surveying. (Public)

Sponsors: Representative Wood (By Request).

Referred to:

A BILL TO BE ENTITLED

AN ACT AMENDING THE NORTH CAROLINA ENGINEERING AND LAND SURVEYING ACT.

The General Assembly of North Carolina enacts:

Section 1. G.S. 89C-3(6) reads as rewritten:

"(6) Practice of engineering. --

a. Any service or creative work, the adequate performance of which requires engineering education, training, and experience, in the application of special knowledge of the mathematical, physical, and engineering sciences to such services or creative work as consultation, investigation, evaluation, planning, and design of engineering works and systems, planning the use of land and water, engineering surveys, and the observation of construction for the purposes of assuring compliance with drawings and specifications, including the consultation, investigation, evaluation, planning, and design for either private or public use, in connection with any utilities, structures, buildings, machines, equipment, processes, work systems, projects, and industrial or consumer products or equipment of a mechanical, electrical, hydraulic, pneumatic or thermal nature, insofar as they involve safeguarding life, health or property, and including such other professional services as may be necessary to the planning, progress and completion of any engineering services.

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1997

H.B. FILED
1134 APR 17 97
HOUSE PRINCIPAL CLERK

H D

HOUSE DRH7262-LD196A(4.10)

Short Title: Low-Level Waste/Utilities. (Public)

Sponsors: Representative Miller.

Referred to:

A BILL TO BE ENTITLED

AN ACT RELATING TO LOW-LEVEL RADIOACTIVE WASTE OR UTILITIES.

The General Assembly of North Carolina enacts:

Section 1. This act is effective when it becomes law.

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1997

H.B. FILED
1135 APR 17 97
HOUSE PRINCIPAL CLERK

H D

HOUSE DRH1308-LR224(4.10)

Short Title: State Employee Incentive Bonus. (Public)

Sponsors: Representative Cansler.

Referred to:

A BILL TO BE ENTITLED

AN ACT AMENDING THE STATE PERSONNEL ACT TO PROVIDE FOR AN INCENTIVE BONUS PROGRAM TO RECOGNIZE AND REWARD THE COST-SAVING INITIATIVE AND INNOVATIONS OF STATE EMPLOYEES.

The General Assembly of North Carolina enacts:

Section 1. G.S. 126-4 reads as rewritten:

"**§ 126-4. Powers and duties of State Personnel Commission.**

Subject to the approval of the Governor, the State Personnel Commission shall establish policies and rules governing each of the following:

(1) Position classification plans which shall provide for the classification and reclassification of all positions subject to this Chapter according to the duties and responsibilities of the positions.

(2) Compensation plans which shall provide for minimum, maximum, and intermediate rates of pay for all employees subject to the provisions of this Chapter.

(3) For each class of positions, reasonable qualifications as to education, experience, specialized training, licenses, certifications, and other job-related requirements pertinent to the work to be performed.

(4) Recruitment programs designed to promote public employment, communicate current hiring activities within State government, and attract a sufficient flow of internal and external applicants; and determine the relative fitness of applicants for the respective positions.

NORTH CAROLINA

HOUSE OF REPRESENTATIVES

ROLL CALL

EV

SEQ. # 575
LEGISLATIVE DAY 54
H1135HCS
READING 2
CANSLER

5/01/97
8:19 PM
IN CHAIR: SPEAKER

STATE EMPLOYEE INCENTIVE BONUS

AYES - 113

SPEAKER	DAUGHTRY	HUNTER, H.	OWENS
ADAMS	DAVIS	HUNTER, R.	PRESTON
ALDRIDGE	DECKER	HURLEY	RAYFIELD
ALEXANDER	DEDMON	INSKO	REDWINE
ALLRED	DICKSON	IVES	REYNOLDS
ARNOLD	DOCKHAM	JARRELL	ROGERS
BADDOUR	EARLE	JEFFUS	RUSSELL
BAKER	EASTERLING	JUSTUS	SAUNDERS
BARBEE	EDDINS	KINNEY	SEXTON
BEALL	ELLIS	KISER	SHERRILL
BERRY	ESPOSITO	LUEBKE	SMITH
BLACK	FITCH	MCALLISTER	STARNES
BLUE	FOX	MCCOMAS	SUTTON
BONNER	GARDNER	MCCOMBS	TALLENT
BOWIE	GOODWIN	MCCRARY	THOMPSON
BOYD-MCINTYRE	GRADY	MCMAHAN	TOLSON
BRASWELL	GRAY	MERCER	WAINWRIGHT
BRAWLEY	GULLEY	MICHAUX	WARNER
BROWN	HACKNEY	MILLER	WARWICK
BUCHANAN	HALL	MINER	WATSON
CANSLER	HARDAWAY	MITCHELL	WEATHERLY
CAPPS	HARDY	MOORE	WILKINS
CARPENTER	HENSLEY	MORGAN	WILSON, C.
CHURCH	HIATT	MORRIS	WILSON, G.
CLARY	HIGHTOWER	MOSLEY	WOMBLE
COLE	HILL	NEELY	WOOD
CREECH	HOLMES	NESBITT	WRIGHT
CULP	HOWARD	NYE	YONGUE
CULPEPPER			

NOES - 0

EXCUSED ABSENCE - 3

NICHOLS	OLDHAM	SHUBERT

EXCUSED VOTE - 0

NOT VOTING - 4

CRAWFORD	CUNNINGHAM	GAMBLE	RAMSEY

NORTH CAROLINA GENERAL ASSEMBLY AMENDMENT

(Please type or use ballpoint pen)

EDITION No. _____

H. B. No. 1135 DATE _____

S. B. No. _____ Amendment No. 1

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

Rep.) Senator Rand
Sen.)

moves to amend the bill on page 5, line 8

( ) WHICH CHANGES THE TITLE

by deleting the quotation mark at the end of the line and by adding after the line the following new section:

"§143-345.15. Effect of decisions regarding bonuses. All suggestions or innovations submitted by State employees pursuant to this Article are the property of the State. Decisions regarding the award of bonuses by the agency coordinator and the Review Committee are final and are NOT subject to review under the contested case procedures of Chapter 150B of the General Statutes."

SIGNED Tony Rand

Adopted by committee w/ appro.

ADOPTED X FAILED _____ TABLED _____

8/12/97 D. Pruitt

GA-33-A

PRINCIPAL CLERK'S OFFICE (FOR ENGROSSMENT)

NORTH CAROLINA GENERAL ASSEMBLY
SENATE

RECORDED VOTE

1997 SESSION

SEQ. 1350/7--11:12 AM | AUGUST 13, 1997 | LEGISLATIVE DAY 113

LT. GOVERNOR WICKER -- Presiding

CANSLER
STATE EMPLOYEE INCENTIVE BONUS
SENATE COM SUB/4TH EDITION

HOUSE BILL 1135
READING 2

AYE	48	ALBERTSON	DANNELLY	LEDBETTER	PURCELL
		ALLRAN	EAST	LEE	RAND
		BALLANCE	FORRESTER	LUCAS	REEVES
		BALLANTINE	FOXX	MARTIN W.	RUCHO
		BASNIGHT	GARWOOD	MCDANIEL	SHAW L.
		BLUST	HARTSELL	MILLER	SHAW R.
		CARPENTER	HORTON	MOORE	SOLES
		CARRINGTON	HOYLE	ODOM	WARREN
		CLARK	JENKINS	PAGE	WEBSTER
		COCHRANE	JORDAN	PERDUE	WEINSTEIN
		COOPER	KERR	PHILLIPS	WELLONS
		DALTON	KINNAIRD	PLYLER	WINNER
NO	0				

EXCUSED	0	
NOT CAST	1	MARTIN R.
ABSENT	1	GULLEY
PAIRS	0	
AYE		
NO		

GENERAL ASSEMBLY
SENATE

NORTH CAROLINA GENERAL ASSEMBLY
SENATE

RECORDED VOTE

1997 SESSION

SEQ. 1373/16--12:27 PM AUGUST 14, 1997 LEGISLATIVE DAY 114

SENATOR BASNIGHT -- Presiding

CANSLER
STATE EMPLOYEE INCENTIVE BONUS
SENATE COM SUB/4TH EDITION

HOUSE BILL 1135

MOTION 1
TO TABLE

AYE	19	ALLRAN	COCHRANE	HARTSELL	PAGE
		BALLANTINE	EAST	HORTON	RUCHO
		BLUST	FORRESTER	LEDBETTER	SHAW L.
		CARPENTER	FOXX	MCDANIEL	SHAW R.
		CARRINGTON	GARWOOD	MOORE	
	26	ALBERTSON	JORDAN	MILLER	RAND
		BASNIGHT	KERR	ODOM	REEVES
		COOPER	KINNAIRD	PERDUE	SOLES
		DALTON	LEE	PHILLIPS	WARREN
		DANNELLY	LUCAS	PLYLER	WEINSTEIN
		HOYLE	MARTIN R.	PURCELL	WELLONS
		JENKINS	MARTIN W.		

EXCUSED	0				
NOT CAST	0				
ABSENT	5	BALLANCE	GULLEY	WEBSTER	WINNER
		CLARK			
PAIRS	0				
AYE					
NO					

(CONTINUED)

NORTH CAROLINA GENERAL ASSEMBLY
SENATE

RECORDED VOTE

1997 SESSION

SEQ. 1374/17--12:28 PM AUGUST 14, 1997 LEGISLATIVE DAY 114

SENATOR BASNIGHT -- Presiding

CANSLER HOUSE BILL 1135
STATE EMPLOYEE INCENTIVE BONUS
SENATE COM SUB/4TH EDITION

MOTION 2
FOR PREVIOUS QUESTION

AYE	27	ALBERTSON	JORDAN	MILLER	REEVES
		BASNIGHT	KERR	ODOM	SHAW L.
		COOPER	KINNAIRD	PERDUE	SOLES
		DALTON	LEE	PHILLIPS	WARREN
		DANNELLY	LUCAS	PLYLER	WEINSTEIN
		HOYLE	MARTIN R.	PURCELL	WELLONS
		JENKINS	MARTIN W.	RAND	
NO	18	ALLRAN	COCHRANE	HARTSELL	MOORE
		BALLANTINE	EAST	HORTON	PAGE
		BLUST	FORRESTER	LEDBETTER	RUCHO
		CARPENTER	FOXX	MCDANIEL	SHAW R.
		CARRINGTON	GARWOOD		

EXCUSED	0				
NOT CAST	0				
ABSENT	5	BALLANCE	GULLEY	WEBSTER	WINNER
		CLARK			
PAIRS	0				
AYE					
NO					

GENERAL ASSEMBLY
SENATE

PENDING - DO NOT REMOVE

NORTH CAROLINA GENERAL ASSEMBLY
AMENDMENT
House Bill 1135

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

H1135-ALR-1

Date 8/13 ,1997

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

moves to amend the bill on page 1, line 5,
by rewriting the line to read:
"AND INNOVATIONS OF STATE EMPLOYEES; AMENDING CHAPTER 126 OF THE GENERAL STATUTES TO PROVIDE FOR THE OPEN, FAIR, AND NONPOLITICAL SELECTION OF THE MOST QUALIFIED PERSONS FOR STATE GOVERNMENT EMPLOYMENT BY LIMITING POLITICAL HIRINGS; RELATING TO THE DESIGNATION OF POLICYMAKING POSITIONS BY THE GOVERNOR AND OTHER MEMBERS OF THE COUNCIL OF STATE; LIMITING THE POLITICAL INVOLVEMENT OF MEMBERS OF THE GENERAL ASSEMBLY IN STATE GOVERNMENT PERSONNEL DECISIONS; EXTENDING BROADER PROTECTIONS TO STATE EMPLOYEES WHO REPORT GROSS MISMANAGEMENT AND IMPROPER GOVERNMENT ACTIVITIES; AND, REQUIRING THE REPORTING OF MONETARY SETTLEMENTS OF STATE GOVERNMENT PERSONNEL MATTERS AND CERTAIN PERSONNEL PRACTICES TO THE STATE PERSONNEL COMMISSION AND TO THE JOINT LEGISLATIVE COMMISSION ON GOVERNMENTAL OPERATIONS";

and further moves to amend the bill on page 5, lines 25-32,
by rewriting those lines to read:
"Section 3. Chapter 126 of the General Statutes is amended by adding the following new sections to read:
'**§ 126-14.2. Political hirings limited.**
(a) It is the policy of this State that State departments, agencies, and institutions select from among the most qualified persons for State government employment based upon job-related qualifications of applicants for employment using fair and valid selection criteria.
(b) All State departments, agencies, and institutions shall select from among the most qualified persons for State government employment without regard to political affiliation or political

influence. For the purposes of this section, the "most qualified persons" shall mean each of the State employees or applicants for initial State employment who:

(1) Have timely applied for a position in State government;

(2) Have the essential qualifications for that position; and

(3) Are determined to be substantially more qualified as compared to other applicants for the position, after applying fair and valid job selection criteria, in accordance with G.S 126-7.1, Articles 6 and 13 of this Chapter, and State personnel policies approved by the State Personnel Commission.

(c) It is a violation of this section giving rise to the remedies set forth in G.S. 126-14.4 if:

(1) The complaining State employee or applicant for initial State employment timely applied for the State government position in question.

(2) The complaining State employee or applicant for initial State employment was not hired into the position.

(3) The complaining State employee or applicant for initial State employment was among the most qualified persons applying for the position as defined in this Chapter.

(4) The successful applicant for the position was not among the most qualified persons applying for the position.

(5) The hiring decision was based upon political affiliation or political influence.

(d) The provisions of this section shall not apply to positions exempt from this Chapter, except that this section does apply to exempt nonpolicymaking positions as defined by G.S. 126-5(b)(2).

'**§ 126-14.3. Open and fair competition.**

The State Personnel Commission shall adopt rules or policies to:

(1) Assure recruitment, selection, and hiring procedures that encourage open and fair competition for positions in State government employment and that encourage the hiring of a diverse State government workforce.

(2) Assure the proper and thorough advertisement of job openings in State government employment and lengthen,

as appropriate, the period for submitting applications for State government employment.

(3) Require that a closing date shall be posted for each job opening, unless an exception has been approved by the State Personnel Commission.

(4) Assure that State departments, agencies, and institutions follow similar selection processes when hiring State employees in accordance with this Chapter.

(5) Assure that State supervisory personnel receive adequate training and continuing education to carry out the State's policy of hiring from among the most qualified persons.

(6) Establish a monitoring system to measure the effectiveness of State agency personnel procedures to promote fairness and reduce adverse impact on all demographic groups in the State government workforce.

(7) Otherwise implement the State's policy of nonpolitical hiring practices in accordance with this Chapter.'

Section 4. Chapter 126 of the General Statutes is amended by adding a new section to read:

'**§ 126-14.4. Remedies.**

(a) A State employee or applicant for initial State employment who has reason to believe that he or she was among the most qualified persons for a position in State government employment and was denied employment or promotion in violation of G.S. 126-14.2 because of political affiliation or political influence may complain directly through the Civil Rights Division of the Office of Administrative Hearings, which shall be responsible for making an initial determination of whether there is probable cause to believe that there has been a violation of G.S. 126-14.2.

The complaining State employee or applicant shall file a complaint with the Civil Rights Division of the Office of Administrative Hearings within 30 days after the complainant receives notice that the position in question has been filled.

The Civil Rights Division of the Office of Administrative Hearings shall promptly make appropriate formal and informal inquiries in its investigatory, fact-finding role and may consider any matter, document, or statement deemed pertinent to the initial determination, including telephone conversations, in determining if there is probable cause to believe there has been a violation of



NORTH CAROLINA GENERAL ASSEMBLY
AMENDMENT
House Bill 1135

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

H1135-ALR-1 Page 4 of 17

G.S. 126-14.2. The Civil Rights Division may apply to an administrative law judge in the Office of Administrative Hearings for the issuance of oaths and subpoenas under G.S. 7A-756. The investigation and fact-finding phase of the complaint shall be completed by the Civil Rights Division within 30 days.

(b) The Civil Rights Division of the Office of Administrative Hearings shall notify the person alleged to have been hired in violation of G.S. 126-14.2 of the appeal, and the person may present any information to the Civil Rights Division that is pertinent to the initial determination of probable cause. The person alleged to have been hired in violation of G.S. 126-14.2 shall be notified of the results of the initial determination and shall have a right to intervene in any administrative proceedings pursuant to G.S. 150B-23(d).

(c) Upon an initial determination that there is probable cause to believe there has been a violation of G.S. 126-14.2, the complainant may file within 15 days a petition for a contested case pursuant to G.S. 126-34.1 and Article 3 of Chapter 150B of the General Statutes.

(d) An initial determination by the Civil Rights Division that there is not probable cause to believe there has been a violation of G.S. 126-14.2 shall be conclusive of any rights under that section, but shall not be admissible or binding in any separate or subsequent civil action or proceeding.

(e) Within 90 days after the filing of a contested case petition, the administrative law judge shall issue a recommended decision to the State Personnel Commission which shall include findings of fact and conclusions of law and, if the administrative law judge has found a violation of G.S. 126-14.2, an appropriate recommended remedy.

(f) Within 60 days of receipt of the official record by the Office of Administrative Hearings, the State Personnel Commission shall make a final written decision as to whether there has been a violation of G.S. 126-14.2. In any case where a violation is found, the State Personnel Commission shall take suitable action to correct the violation, which may include:

(1) Directing the State agency, department, or institution to declare the position vacant, and to hire from among the most qualified State employees or applicants for initial State employment who had applied for the position, or

(2) Requiring that the vacancy be posted pursuant to this Chapter.'

Section 5. G.S. 126-5 reads as rewritten:

'**§ 126-5. Employees subject to Chapter; exemptions.**

(a) The provisions of this Chapter shall apply to:

(1) All State employees not herein exempt, and

(2) To all employees of the following local entities:

a. Area mental health, developmental disabilities, and substance abuse authorities.

b. Local social services departments.

c. Local public health departments.

d. Local emergency management agencies that receive federal grant-in-aid funds.

An employee of a consolidated county human services agency created pursuant to G.S. 153A-77(b) is not considered an employee of an entity listed in this subdivision.

(3) County employees not included under subdivision (2) of this subsection as the several boards of county commissioners may from time to time determine.

(b) As used in this ~~section, 'policymaking posiiton'~~ section:

(1) "Exempt position" means an exempt nonpolicymaking position or an exempt policymaking position.

(2) "Exempt nonpolicymaking position" means a position delegated with significant managerial or programmatic responsibility that is essential to the successful operation of a State department, agency, or division, so that the application of G.S. 126-35 to an employee in the position would cause undue disruption to the operations of the agency, department, institution, or division.

(3) "Exempt policymaking position" means a position delegated with the authority to impose the final decision as to a settled course of action to be followed within a department, agency, or ~~division.~~ division, so that a loyalty to the Governor or other elected department head in their respective offices is reasonably necessary to implement the policies of their offices.

(c) Except as to the policies, rules, and plans established by the Commission pursuant to G.S. 126-4(1), 126-4(2), 126-4(3), 126-

4(4), 126-4(5), 126-4(6), and 126-7, and except as to the provisions of Articles 6 and 7 of this Chapter, the provisions of this Chapter shall not apply to:

(1) A State employee who is not a career State employee as defined by this Chapter.

(2) One confidential assistant and two confidential secretaries for each elected or appointed department head and one confidential secretary for each chief deputy or chief administrative assistant.

(3) Employees in exempt policymaking positions designated ~~as exempt~~ pursuant to G.S. 126-5(d).

(4) The chief deputy or chief administrative assistant to the head of each State department who is designated either by statute or by the department head to act for and perform all of the duties of such department head during his absence or incapacity.

(c1) Except as to the provisions of Articles 6 and 7 of this Chapter, the provisions of this Chapter shall not apply to:

(1) Constitutional officers of the State.

(2) Officers and employees of the Judicial Department.

(3) Officers and employees of the General Assembly.

(4) Members of boards, committees, commissions, councils, and advisory councils compensated on a per diem basis.

(5) Officials or employees whose salaries are fixed by the General Assembly, or by the Governor, or by the Governor and Council of State, or by the Governor subject to the approval of the Council of State.

(6) Employees of the Office of the Governor that the Governor, at any time, in his discretion, exempts from the application of the provisions of this Chapter by means of a letter to the State Personnel Director designating these employees.

(7) Employees of the Office of the Lieutenant Governor, that the Lieutenant Governor, at any time, in his discretion, exempts from the application of the provisions of this Chapter by means of a letter to the State Personnel Director designating these employees.

(8) Instructional and research staff, physicians, and dentists of The University of North Carolina.

(9) Employees whose salaries are fixed under the authority vested in the Board of Governors of The University of

North Carolina by the provisions of G.S. 116-11(4), 116-11(5), and 116-14.

(10) Repealed by Session Laws 1991, c. 84, s. 1.

(11) North Carolina School of Science and Mathematics' employees whose salaries are fixed in accordance with the provisions of G.S. 116-235(c)(1) and G.S. 116-235(c)(2).

(12) Employees of the North Carolina Low-Level Radioactive Waste Management Authority whose salaries are fixed pursuant to G.S. 104G-5(g)(1) and G.S. 104G-5(g)(2).

(13) Employees of the North Carolina Hazardous Waste Management Commission whose salaries are fixed pursuant to G.S. 130B-6(g)(1) and G.S. 130B-6(g)(2).

(14) Employees of the North Carolina State Ports Authority.

(15) Employees of the North Carolina Global TransPark Authority.

(16) The executive director and one associate director of the North Carolina Center for Nursing established under Article 9F of Chapter 90 of the General Statutes.

(c2) The provisions of this Chapter shall not apply to:

(1) Public school superintendents, principals, teachers, and other public school employees.

(2) Recodified as G.S. 126-5(c)(4) by Session Laws 1985 (Regular Session, 1986), c. 1014, s. 41.

(3) Employees of community colleges whose salaries are fixed in accordance with the provisions of G.S. 115D-5 and G.S. 115D-20, and employees of the Department of Community Colleges whose salaries are fixed by the State Board of Community Colleges in accordance with the provisions of G.S. 115D-3.

(c3) Except as to the policies, rules, and plans established by the Commission pursuant to G.S. 126-4(5) and the provisions of Article 6 of this Chapter, the provisions of this Chapter shall not apply to: Teaching and related educational classes of employees of the Department of Correction, the Department of Human Resources, and any other State department, agency or institution, whose salaries shall be set in the same manner as set for corresponding public school employees in accordance with Chapter 115C of the General Statutes.

(c4) Repealed by Session Laws 1993, c. 321, s. 145(b).



NORTH CAROLINA GENERAL ASSEMBLY
AMENDMENT
House Bill 1135

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

(c5) Notwithstanding any other provision of this Chapter, Article 14 of this Chapter shall apply to all State employees, public school employees, and community college employees.

(c6) Except as to the policies, rules, and plans established by the Commission pursuant to G.S. 126-4(1), 126-4(2), 126-4(3), 126-4(4), 126-4(5), 126-4(6), 126-7, 126-14.3, and except as to the provisions of G.S. 126-14.2, G.S. 126-34.1(a)(2), and Articles 6 and 7 of this Chapter, the provisions of this Chapter shall not apply to exempt nonpolicymaking positions.

(d) (1) ~~General.~~ Exempt Positions in Cabinet Departments. -- The Governor may designate ~~as~~ 100 exempt policymaking ~~positions, as provided below, in each of the following departments:~~

~~a. Department of Administration;~~
~~b. Department of Commerce;~~
~~c. Department of Correction;~~
~~d. Department of Crime Control and Public Safety;~~
~~e. Department of Cultural Resources;~~
~~f. Department of Human Resources;~~
~~g. Department of Environment, Health, and Natural Resources;~~
~~h. Department of Revenue; and~~
~~i. Department of Transportation.~~

~~The~~ positions in cabinet departments and may designate exempt nonpolicymaking positions in a number up to one percent (1%) of the total number of full-time positions in each cabinet department, not to exceed 30 positions in each cabinet department. The Secretary of State, the Auditor, the Treasurer, the Attorney General, the Commissioner of Agriculture, the Commissioner of Insurance, and the Labor Commissioner may designate ~~as~~ exempt policymaking positions, as provided below, in their respective offices. The State Board of Education may designate ~~as~~ exempt policymaking positions, as provided below, in the Department of Public Instruction.

(2) ~~Number.~~ Exempt Positions in Council of State Department and Offices. -- The number of exempt policymaking positions designated ~~as exempt~~ in each department or office ~~listed in subsection (d)(1), except the Department of Commerce, shall be limited to~~

NORTH CAROLINA GENERAL ASSEMBLY
AMENDMENT
House Bill 1135

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

H1135-ALR-1

~~one and two-tenths percent (1.2%) of the number of full-time positions in the department or office, or 30 positions, whichever is greater. The Governor may designate 85 policymaking positions as exempt in the Department of Economic and Community Development. Provided, however, that the~~ headed by an elected department head shall be limited to 20 exempt policymaking positions or one percent (1%) of the total number of full-time positions in the department or office, whichever is greater. The number of exempt nonpolicymaking positions shall be limited to 20 exempt nonpolicymaking positions or one percent (1%) of the total number of full-time positions in the department or office, whichever is greater.

(2a) Designation of Additional Positions. -- The Governor, elected department head, or State Board of Education may request that additional ~~policymaking~~ exempt positions be ~~designated as exempt.~~ designated. The request shall be made by sending a list of ~~policymaking~~ exempt positions that exceed the limit imposed by this subsection to the Speaker of the North Carolina House of Representatives and the President of the North Carolina Senate. A copy of the list also shall be sent to the State Personnel Director. The General Assembly may authorize all, or part of, the additional ~~policymaking~~ positions to be designated as ~~exempt.~~ exempt positions. If the General Assembly is in session when the list is submitted and does not act within 30 days after the list is submitted, the list shall be deemed approved by the General Assembly, and the ~~policymaking~~ positions shall be designated as ~~exempt.~~ exempt positions. If the General Assembly is not in session when the list is submitted, the 30-day period shall not begin to run until the next date that the General Assembly convenes or reconvenes, other than for a special session called for a specific purpose not involving the approval of the list of additional positions to be designated as ~~exempt;~~ exempt positions; the ~~policymaking~~ positions shall not be designated as exempt during the interim.

NORTH CAROLINA GENERAL ASSEMBLY
AMENDMENT
House Bill 1135

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

(3) Letter. -- These positions shall be designated in a letter to the State Personnel Director, the Speaker of the House of Representatives, and the President of the Senate by May 1 of the year in which the oath of office is administered to each Governor unless the provisions of subsection (d)(4) apply.

(4) Vacancies. -- In the event of a vacancy in the Office of Governor or in the office of a member of the Council of State, the person who succeeds to or is appointed or elected to fill the unexpired term shall make such designations in a letter to the State Personnel Director, the Speaker of the House of Representatives, and the President of the Senate within 120 days after the oath of office is administered to that person. In the event of a vacancy in the Office of Governor, the State Board of Education shall make these designations in a letter to the State Personnel Director, the Speaker of the House of Representatives, and the President of the Senate within 120 days after the oath of office is administered to the Governor.

(5) Creation, Transfer, or Reorganization. -- The Governor, elected department head, or State Board of Education may designate as exempt a policymaking position that is created or transferred to a different department, or is located in a department in which reorganization has occurred, after May 1 of the year in which the oath of office is administered to the Governor. The designation must be made in a letter to the State Personnel Director, the Speaker of the North Carolina House of Representatives, and the President of the North Carolina Senate within 120 days after such position is created, transferred, or in which reorganization has occurred.

(6) Reversal. -- Subsequent to the designation of a ~~policymaking~~ position as an exempt position as hereinabove provided, the status of the position may be reversed and made subject to the provisions of this Chapter by the Governor, by an elected department head, or by the State Board of Education in a letter to the State Personnel Director, the Speaker of the

North Carolina House of Representatives, and the President of the North Carolina Senate.

(7) Hearing Officers. -- Except as otherwise specifically provided by this section, no employee, by whatever title, whose primary duties include the power to conduct hearings, take evidence, and enter a decision based on findings of fact and conclusions of law based on statutes and legal precedents shall be designated as exempt. This subdivision shall apply beginning July 1, 1985, and no list submitted after that date shall designate as exempt any employee described in this subdivision.

(e) An exempt employee may be transferred, demoted, or separated from his or her position by the department head authorized to designate the exempt position except:

(1) When an employee who has the minimum service requirements described in subsection (c)(1) above but less than 10 years of cumulative service in subject positions prior to placement in an exempt position is removed from an exempt position, for reasons other than just cause, the employee shall have priority to any position that becomes available for which the employee is qualified, according to rules and regulations regulating and defining priority as promulgated by the State Personnel Commission; or

(2) When an employee who has 10 years or more cumulative service, including the immediately preceding 12 months, in subject positions prior to placement in an exempt position is removed from an exempt position, for reasons other than just cause, the employee shall be reassigned to a subject position within the same department or agency, or if necessary within another agency, and within a 35 mile radius of the exempt position, at the same grade and salary, including all across-the-board increases since placement in the position designated as exempt, as his most recent subject position.

(f) A department head is authorized to use existing budgeted positions within his department in order to carry out the provisions of subsection (e) of this section. If it is necessary to meet the

requirements of subsection (e) of this section, a department head may use salary reserve funds authorized for his department.

(g) No employee shall be placed in an exempt position without 10 working days prior written notification that such position is so designated. A person applying for a position that is designated as exempt must be notified in writing at the time he makes the application that the position is designated as exempt.

(h) In case of dispute as to whether an employee is subject to the provisions of this Chapter, the dispute shall be resolved as provided in Article 3 of Chapter 150B.'

Section 6. G.S. 126-34.1 reads as rewritten:

'**§ 126-34.1. Grounds for contested case under the State Personnel Act defined.**

(a) A State employee or former State employee may file in the Office of Administrative Hearings a contested case under Article 3 of Chapter 150B of the General Statutes only as to the following personnel actions or issues:

(1) Dismissal, demotion, or suspension without pay based upon an alleged violation of G.S. 126-35, if the employee is a career State employee.

(2) An alleged unlawful State employment practice constituting discrimination, as proscribed by G.S. 126-36, including:

a. Denial of promotion, transfer, or training, on account of the employee's age, sex, race, color, national origin, religion, creed, political affiliation, or handicapping condition as defined by Chapter 168A of the General Statutes.

b. Demotion, reduction in force, or termination of an employee in retaliation for the employee's opposition to alleged discrimination on account of the employee's age, sex, race, color, national origin, religion, creed, political affiliation, or handicapping condition as defined by Chapter 168A of the General Statutes.

(3) Retaliation against an employee, as proscribed by G.S 126-17, for protesting an alleged violation of G.S. 126-16.

(4) Denial of the veteran's preference granted in accordance with Article 13 of this Chapter in initial State employment or in connection with a reduction in

force, for an eligible veteran as defined by G.S. 126-81.

(5) Denial of promotion for failure to post or failure to give priority consideration for promotion or reemployment, to a career State employee as required by G.S. 126-7.1 and G.S. 126-36.2.

(6) Denial of an employee's request for removal of allegedly inaccurate or misleading information from the employee's personnel file as provided by G.S. 126-25.

(7) Any retaliatory personnel action that violates G.S. 126-85.

(8) Denial of promotion in violation of G.S. 126-14.2, where an initial determination found probable cause to believe there has been a violation of G.S. 126-14-2.

(9) Denial of employment in violation of G.S. 126-14.2, where an initial determination found probable cause to believe that there has been a violation of G.S. 126-14.2.

(b) An applicant for initial State employment may file in the Office of Administrative Hearings a contested case under Article 3 of Chapter 150B of the General Statutes based upon:

(1) Alleged denial of employment in violation of G.S. 126-16.

(2) Denial of the applicant's request for removal of allegedly inaccurate or misleading information from the ~~employee's~~ personnel file as provided by G.S. 126-25.

(3) Denial of equal opportunity for employment and compensation on account of the employee's age, sex, race, color, national origin, religion, creed, political affiliation, or handicapping condition as defined by Chapter 168A of the General Statutes. This subsection with respect to equal opportunity as to age shall be limited to persons who are at least 40 years of age. An applicant may not, however, file a contested case where political affiliation was the reason for the person's nonselection for (i) an exempt policymaking position as defined in G.S. 126-5(b)(3) or (ii) a confidential assistant or confidential secretary position under G.S. 125-5(c)(2).

(4) Denial of the veteran's preference in initial State employment provided by Article 13 of this Chapter, for an eligible veteran as defined by G.S. 126-81.
(5) Denial of employment in violation of G.S. 126-14.2, where an initial determination found probable cause to believe that there has been a violation of G.S. 126-14.2.

(c) In the case of a dispute as to whether a State employee's position is properly exempted from the State Personnel Act under G.S. 126-5, the employee may file in the Office of Administrative Hearings a contested case under Article 3 of Chapter 150B of the General Statutes.

(d) A State employee or applicant for State employment may file in the Office of Administrative Hearings a contested case under Article 3 of Chapter 150B of the General Statutes based upon a false accusation regarding, or disciplinary action relating to, the employee's alleged violation of G.S. 126-14 or G.S. 126-14.1.

(e) Any issue for which appeal to the State Personnel Commission through the filing of a contested case under Article 3 of Chapter 150B of the General Statutes has not been specifically authorized by this section shall not be grounds for a contested case under Chapter 126.'

Section 7. G.S. 126-84 reads as rewritten:

'**§ 126-84. Statement of policy.**

(a) It is the policy of this State that State employees shall be encouraged to report verbally or in writing to their supervisor, department head, or other appropriate authority, evidence of activity by a State agency or State employee constituting:
(1) A violation of State or federal law, rule or regulation;
(2) Fraud;
(3) Misappropriation of State Resources; ~~or~~
(4) Substantial and specific danger to the public health and ~~safety.~~ safety; or
(5) Gross mismanagement, a gross waste of monies, or gross abuse of authority.

(b) Further, it is the policy of this State that State employees be free of intimidation or harassment when reporting to public bodies about matters of public concern, including offering testimony to or testifying before appropriate legislative panels.'

Section 8. G.S. 126-85 reads as rewritten:

'**§ 126-85. Protection from retaliation.**

(a) No head of any State department, agency or institution or other State employee exercising supervisory authority shall discharge, threaten or otherwise discriminate against a State employee regarding the State employee's compensation, terms, conditions, location, or privileges of employment because the State employee, or a person acting on behalf of the employee, reports or is about to report, verbally or in writing, any activity described in G.S. 126-84, unless the State employee knows or has reason to believe that the report is inaccurate.

(a1) No State employee shall retaliate against another State employee because the employee, or a person acting on behalf of the employee, reports or is about to report, verbally or in writing, any activity described in G.S. 126-84.

(b) No head of any State department, agency or institution or other State employee exercising supervisory authority shall discharge, threaten or otherwise discriminate against a State employee regarding the employee's compensation, terms, conditions, location or privileges of employment because the State employee has refused to carry out a directive which in fact constitutes a violation of State or federal law, rule or regulation or poses a substantial and specific danger to the public health and safety.

(b1) No State employee shall retaliate against another State employee because the employee has refused to carry out a directive which may constitute a violation of State or federal law, rule or regulation, or poses a substantial and specific danger to the public health and safety.

(c) The protections of this Article shall include State employees who report any activity described in G.S. 126-84 to the State Auditor as authorized by G.S. 147-64.6(c)(16).'

Section 9. Article 13B of Chapter 120 of the General Statutes is amended by adding a new section to read:

'**§ 120-86.1. Personnel-related action unethical.**

It shall be unethical for a legislator to take, promise, or threaten any legislative action, as defined in G.S. 120-47.1(4), for the purpose of influencing or in retaliation for any action regarding State employee hirings, promotions, grievances, or disciplinary actions subject to Chapter 126 of the General Statutes.'

Section 10. (a) Beginning January 1, 1998, and quarterly thereafter, the head of each State agency, department, or



institution employing State employees subject to the State Personnel Act shall report to the Office of State Personnel on the following:

(1) The costs associated with the defense or settlement of administrative grievances and lawsuits filed by current or former State employees and applicants for State employment, including the costs of settlements, attorneys' fees, litigation expenses, damages, or awards incurred by the respective State agencies, departments, and institutions. The report shall include an explanation of the fiscal impact of these costs upon the operations of the State agency, department, or institution.

(2) The modification of position descriptions resulting in changes in position qualifications to allow the use of educational, experience, or other equivalencies in the hiring or promotion of State employees where such equivalencies were not previously used in the position descriptions. The report shall include an explanation of the reasons for the changes in the position descriptions and the bases for the use of the equivalencies.

(b) Beginning May 1, 1998, and annually thereafter, the State Personnel Commission shall report to the Joint Legislative Commission on Governmental Operations on the costs associated with the defense or settlement of lawsuits and on the use of position qualification equivalencies, as compiled in accordance with subsection (a) of this section.

(c) Beginning May 1, 1998, and then annually thereafter, the State Personnel Commission, through the Office of State Personnel, shall report to the Governor and to the Joint Legislative Commission on Governmental Operations on outcomes with respect to State employee hirings, promotions, disciplinary actions, and compensation, based upon demographics.

(d) By December 1, 1997, the State Personnel Commission shall report to the Joint Legislative Commission on Governmental Operations on its development of a systematized approach to State employee recruitment utilizing standards and measures of outcomes across agency lines.

Section 11. This act shall not be construed to obligate the General Assembly to make any appropriation to implement the provisions of this act. Each State agency to which this act applies

NORTH CAROLINA GENERAL ASSEMBLY
AMENDMENT
House Bill 1135

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

H1135-ALR-1 Page 17 of 17

shall implement the provisions of this act from funds otherwise appropriated to that State agency.

Section 12. Sections 1 and 2 of this act become effective July 1, 1997, and applies to all suggestions and innovations pending on that date that were submitted under the former State Employee Suggestion Program as authorized by G.S. 143-340(1) on or before June 30, 1997. The remainder of this act is effective when it becomes law."

SIGNED Brad Sillé
Amendment Sponsor

SIGNED _____
Committee Chair if **Senate** Committee Amendment

ADOPTED ✓ 28-17 FAILED _____ TABLED _____

J Pruitt 8/14/97

NORTH CAROLINA GENERAL ASSEMBLY
SENATE

RECORDED VOTE

1997 SESSION

SEQ. 1375/18--12:29 PM AUGUST 14, 1997 LEGISLATIVE DAY 114

SENATOR BASNIGHT -- Presiding

CANSLER HOUSE BILL 1135
STATE EMPLOYEE INCENTIVE BONUS
SENATE COM SUB/4TH EDITION

AMEND 1

AYE	28	ALBERTSON	JENKINS	MILLER	RAND
		BASNIGHT	JORDAN	ODOM	REEVES
		COOPER	KERR	PAGE	SHAW L.
		DALTON	KINNAIRD	PERDUE	SOLES
		DANNELLY	LEE	PHILLIPS	WARREN
		GARWOOD	LUCAS	PLYLER	WEINSTEIN
		HOYLE	MARTIN R.	PURCELL	WELLONS
NO	17	ALLRAN	COCHRANE	HARTSELL	MCDANIEL
		BALLANTINE	EAST	HORTON	MOORE
		BLUST	FORRESTER	LEDBETTER	RUCHO
		CARPENTER	FOXX	MARTIN W.	SHAW R.
		CARRINGTON			

EXCUSED	0			
NOT CAST	0			
ABSENT	5	BALLANCE	GULLEY	WEBSTER
		CLARK		
PAIRS	0			
AYE				
NO				

WINNER

GENERAL ASSEMBLY
SENATE

NORTH CAROLINA GENERAL ASSEMBLY
SENATE

RECORDED VOTE

1997 SESSION

SEQ. 1376/19--12:29 PM AUGUST 14, 1997 LEGISLATIVE DAY 114

SENATOR BASNIGHT -- Presiding

CANSLER
STATE EMPLOYEE INCENTIVE BONUS
SENATE COM SUB/4TH EDITION

HOUSE BILL 1135
READING 3

AYE	29	ALBERTSON	JORDAN	MILLER	RAND
		BALLANTINE	KERR	ODOM	REEVES
		BASNIGHT	KINNAIRD	PAGE	SHAW L.
		COOPER	LEE	PERDUE	SOLES
		DALTON	LUCAS	PHILLIPS	WARREN
		DANNELLY	MARTIN R.	PLYLER	WEINSTEIN
		HOYLE	MARTIN W.	PURCELL	WELLONS
		JENKINS			
NO	16	ALLRAN	COCHRANE	GARWOOD	MCDANIEL
		BLUST	EAST	HARTSELL	MOORE
		CARPENTER	FORRESTER	HORTON	RUCHO
		CARRINGTON	FOXX	LEDBETTER	SHAW R.

EXCUSED	0				
NOT CAST	0				
ABSENT	5	BALLANCE	GULLEY	WEBSTER	W.	INER
		CLARK			
PAIRS	0				
AYE					
NO					

(COPY)

GENERAL ASSEMBLY
SENATE

NORTH CAROLINA GENERAL ASSEMBLY
SENATE

RECORDED VOTE

1997 SESSION

SEQ. 1383/26-- 1:14 PM AUGUST 14, 1997 LEGISLATIVE DAY 114

SENATOR BASNIGHT -- Presiding

CANSLER
STATE EMPLOYEE INCENTIVE BONUS
SENATE COM SUB/4TH EDITION

HOUSE BILL 1135

MOTION 1
TO TABLE

AYE	18	ALLRAN	COCHRANE	HARTSELL	MOORE
		BALLANTINE	EAST	HORTON	PAGE
		BLUST	FORRESTER	LEDBETTER	RUCHO
		CARPENTER	FOXX	MCDANIEL	SHAW R.
		CARRINGTON	GARWOOD		
NO	27	ALBERTSON	JORDAN	MILLER	REEVES
		BASNIGHT	KERR	ODOM	SHAW L.
		COOPER	KINNAIRD	PERDUE	SOLES
		DALTON	LEE	PHILLIPS	WARREN
		DANNELLY	LUCAS	PLYLER	WEINSTEIN
		HOYLE	MARTIN R.	PURCELL	WELLONS
		JENKINS	MARTIN W.	RAND	

EXCUSED	0				
NOT CAST	0				
ABSENT	5	BALLANCE	GULLEY	WEBSTER	WINNER
		CLARK			
PAIRS	0				
AYE					
NO					

(COPY)

GENERAL ASSEMBLY
SENATE

NORTH CAROLINA GENERAL ASSEMBLY
SENATE

RECORDED VOTE

1997 SESSION

SEQ. 1383/26-- 1:14 PM AUGUST 14, 1997 LEGISLATIVE DAY 114

SENATOR BASNIGHT -- Presiding

CANSLER
STATE EMPLOYEE INCENTIVE BONUS
SENATE COM SUB/4TH EDITION

HOUSE BILL 1135

MOTION 1
TO TABLE

RECORDED
AYE -1
NO 1 SHAW L.
ADJUSTED TOTAL
AYE 18
NO 27
NOT CAST 0
[illegible]ENT 5

([illegible]Y)

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1997

RECEIVED
1136 APR 17 97
HOUSE PRINCIPAL CLERK

H D

HOUSE DRHA346-RC016(4.17)

Short Title: Revise St. Bd. Comm. College Election. (Public)

Sponsors: Representative Rayfield.

Referred to:

A BILL TO BE ENTITLED

AN ACT TO REVISE THE STATE BOARD OF COMMUNITY COLLEGE ELECTION AND TO REVISE THE ELIGIBILITY REQUIREMENTS FOR MEMBERS OF THE LOCAL BOARDS OF TRUSTEES FOR COMMUNITY COLLEGES.

The General Assembly of North Carolina enacts:

Section 1. G.S. 115D-2.1(b) reads as rewritten:

"(b) The State Board of Community Colleges shall consist of 20 members, as follows:

(1) The Lieutenant Governor (or a person designated by the Lieutenant Governor) shall be a member ex officio.

(2) The Treasurer of North Carolina shall be a member ex officio.

(3) The Governor shall appoint to the State Board four members from the State at large and one member from each of the six Trustee Association Regions defined in G.S. 115D-63 [G.S. 115D-62]. The initial appointments by the Governor shall be made effective July 1, 1980, or as soon as feasible thereafter. In order to establish regularly overlapping terms, the initial appointments by the Governor shall be made so that three expire June 30, 1981, three expire June 30, 1983, and four expire June 30, 1985. Each subsequent regular appointment by the Governor shall be for a term of six years and until a successor is appointed and qualifies. Any vacancy occurring among his appointees before the expiration of term shall be filled by appointment of the Governor; the member so appointed shall meet the same residential qualification,

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1997

1137 APR 17 97
HOUSE PRINCIPAL CLERK

H D

HOUSE DRH2285-LK171(4.15)

Short Title: Soil and Water Conservation Plates. (Public)

Sponsors: Representative Culp.

Referred to:

A BILL TO BE ENTITLED

AN ACT TO CREATE A SPECIAL LICENSE PLATE TO PROMOTE WATER AND SOIL CONSERVATION AND TO PROVIDE THAT A PORTION OF THE SALES REVENUE GOES TO FUND WATER QUALITY AND ENVIRONMENTAL EDUCATION.

The General Assembly of North Carolina enacts:

Section 1. G.S. 20-79.4 is amended by adding a new subdivision to read:

"(22a1) Water and Soil Conservation. -- Issuable to the registered owner of a motor vehicle in accordance with G.S. 20-81.12. The plate shall bear a picture appropriate to the subject of water quality and environmental protection in North Carolina and the letters 'WSC'."

Section 2. G.S. 20-79.7(a) reads as rewritten:

"(a) Fees. -- Upon request, the Division shall provide and issue free of charge one registration plate to a recipient of the Congressional Medal of Honor, a 100% disabled veteran, and an ex-prisoner of war. All other special registration plates are subject to the regular motor vehicle registration fee in G.S. 20-87 or G.S. 20-88 plus an additional fee in the following amount:

Special Plate	Additional Fee Amount
Historical Attraction	$30.00
State Attraction	$30.00
Collegiate Insignia	$25.00
Olympic Games	$25.00
Special Olympics	$25.00
Wildlife Resources	$20.00

NORTH CAROLINA
HOUSE OF REPRESENTATIVES
ROLL CALL

RC

SEQ. # 700
LEGISLATIVE DAY 66
H1137HCS #2
READING 2
CULP

5/22/97
1:46 PM
IN CHAIR: SPEAKER

SOIL AND WATER CONSERVATION PLATES

AYES - 104

ADAMS	DECKER	INSKO	RAYFIELD
ALDRIDGE	DEDMON	IVES	REDWINE
ALLRED	DICKSON	JARRELL	REYNOLDS
ARNOLD	DOCKHAM	JEFFUS	ROGERS
BADDOUR	EARLE	JUSTUS	RUSSELL
BAKER	EASTERLING	KISER	SAUNDERS
BARBEE	EDDINS	LUEBKE	SEXTON
BEALL	ESPOSITO	MCCOMAS	SHERRILL
BERRY	FITCH	MCCRARY	SHUBERT
BLACK	FOX	MCMAHAN	SMITH
BLUE	GARDNER	MERCER	SUTTON
BONNER	GOODWIN	MICHAUX	TALLENT
BOYD-MCINTYRE	GRADY	MILLER	THOMPSON
BRASWELL	GRAY	MINER	TOLSON
BRAWLEY	GULLEY	MITCHELL	WAINWRIGHT
BROWN	HACKNEY	MOORE	WARNER
BUCHANAN	HALL	MORGAN	WARWICK
CANSLER	HARDAWAY	MORRIS	WATSON
CAPPS	HIATT	MOSLEY	WEATHERLY
CARPENTER	HIGHTOWER	NEELY	WILKINS
CLARY	HILL	NESBITT	WILSON, C.
COLE	HOLMES	NICHOLS	WILSON, G.
CRAWFORD	HOWARD	NYE	WOMBLE
CULP	HUNTER, H.	OLDHAM	WOOD
CULPEPPER	HUNTER, R.	OWENS	WRIGHT
DAUGHTRY	HURLEY	RAMSEY	YONGUE

NOES - 5

BOWIE	DAVIS	HARDY	HENSLEY
CREECH			

EXCUSED ABSENCE - 7

ALEXANDER	CUNNINGHAM	MCALLISTER	STARNES
CHURCH	KINNEY	MCCOMBS	

EXCUSED VOTE - 0

NOT VOTING - 4

SPEAKER	ELLIS	GAMBLE	PRESTON

NORTH CAROLINA
HOUSE OF REPRESENTATIVES
ROLL CALL

SEQ. # 715
LEGISLATIVE DAY 67
H1137HCS #2
READING 3
CULP

RC

5/26/97
7:30 PM
IN CHAIR: SPEAKER

SOIL AND WATER CONSERVATION PLATES

AYES - 103

ADAMS	DECKER	KINNEY	REDWINE
ALDRIDGE	DEDMON	KISER	REYNOLDS
ALLRED	DICKSON	LUEBKE	ROGERS
ARNOLD	EARLE	MCALLISTER	RUSSELL
BADDOUR	EASTERLING	MCCOMAS	SAUNDERS
BAKER	EDDINS	MCCOMBS	SEXTON
BARBEE	ELLIS	MCCRARY	SHERRILL
BEALL	ESPOSITO	MCMAHAN	SHUBERT
BLACK	FOX	MERCER	SMITH
BLUE	GAMBLE	MICHAUX	STARNES
BOYD-MCINTYRE	GARDNER	MILLER	SUTTON
BRASWELL	GOODWIN	MINER	TALLENT
BRAWLEY	GRADY	MITCHELL	THOMPSON
BROWN	GRAY	MOORE	TOLSON
BUCHANAN	GULLEY	MORGAN	WAINWRIGHT
CANSLER	HACKNEY	MORRIS	WARNER
CAPPS	HALL	MOSLEY	WARWICK
CARPENTER	HIATT	NEELY	WATSON
CHURCH	HILL	NESBITT	WEATHERLY
CLARY	HUNTER, R.	NICHOLS	WILKINS
COLE	HURLEY	NYE	WILSON, C.
CRAWFORD	INSKO	OLDHAM	WILSON, G.
CULP	IVES	OWENS	WOMBLE
CULPEPPER	JARRELL	PRESTON	WRIGHT
CUNNINGHAM	JEFFUS	RAMSEY	YONGUE
DAUGHTRY	JUSTUS	RAYFIELD	

NOES - 4

BOWIE	DAVIS	HARDY	HENSLEY

EXCUSED ABSENCE - 7

BONNER	DOCKHAM	HIGHTOWER	WOOD
CREECH	HARDAWAY	HOLMES	

EXCUSED VOTE - 0

NOT VOTING - 6

SPEAKER	BERRY	HOWARD	HUNTER, H.
ALEXANDER	FITCH		

NORTH CAROLINA GENERAL ASSEMBLY
SENATE

RECORDED VOTE

1997 SESSION

SEQ. 1435/11--11:37 AM AUGUST 21, 1997 LEGISLATIVE DAY 118

SENATOR BASNIGHT -- Presiding

CULP
SOIL AND WATER CONSERVATION PLATES
SENATE COM SUB #2/4TH EDITION

HOUSE BILL 1137
READING 2

AYE	43	ALBERTSON	DANNELLY	LEDBETTER	PLYLER
		ALLRAN	EAST	LEE	PURCELL
		BALLANCE	FORRESTER	LUCAS	RAND
		BALLANTINE	FOXX	MARTIN W.	RUCHO
		BASNIGHT	HARTSELL	MCDANIEL	SHAW L.
		BLUST	HORTON	MILLER	SHAW R.
		CARPENTER	HOYLE	MOORE	SOLES
		CARRINGTON	JENKINS	ODOM	WEBSTER
		COCHRANE	JORDAN	PAGE	WEINSTEIN
		COOPER	KERR	PERDUE	WELLONS
		DALTON	KINNAIRD	PHILLIPS	
NO	0				

EXCUSED	0				
NOT CAST	1	WINNER			
ABSENT	6	CLARK	GULLEY	REEVES	WARREN
		GARWOOD	MARTIN R.		
PAIRS	0				
AYE					
NO					

GENERAL ASSEMBLY
SENATE

NORTH CAROLINA GENERAL ASSEMBLY
SENATE

RECORDED VOTE

1997 SESSION

SEQ. 1449/4--10:35 AM AUGUST 22, 1997 LEGISLATIVE DAY 119

LT. GOVERNOR WICKER -- Presiding

CULP
SOIL AND WATER CONSERVATION PLATES
SENATE COM SUB #2/4TH EDITION

HOUSE BILL 1137
READING 3

AYE	42	ALBERTSON	EAST	LEE	PLYLER
		ALLRAN	FORRESTER	LUCAS	PURCELL
		BALLANCE	FOXX	MARTIN R.	RAND
		BALLANTINE	HARTSELL	MARTIN W.	SHAW L.
		BASNIGHT	HORTON	MILLER	SHAW R.
		BLUST	HOYLE	MOORE	SOLES
		CARPENTER	JENKINS	ODOM	WEBSTER
		COCHRANE	JORDAN	PAGE	WEINSTEIN
		COOPER	KERR	PERDUE	WELLONS
		DALTON	KINNAIRD	PHILLIPS	WINNER
		DANNELLY	LEDBETTER		
NO	0				
EXCUSED	0				
NOT CAST	1	REEVES			
ABSENT	7	CARRINGTON	GARWOOD	MCDANIEL	WARREN
		CLARK	GULLEY	RUCHO	
PAIRS	0				
AYE					
NO					

GENERAL ASSEMBLY
SENATE

NORTH CAROLINA
HOUSE OF REPRESENTATIVES
ROLL CALL

EV

SEQ. # 1481
LEGISLATIVE DAY 120
H1137SCS

8/25/97
6:11 PM
IN CHAIR: SPEAKER

CULP

SOIL AND WATER CONSERVATION PLATES
MOTION #11 - TO CONCUR IN SCS

AYES - 96

ADAMS	CUNNINGHAM	INSKO	PRESTON
ALDRIDGE	DAUGHTRY	IVES	RAMSEY
ALEXANDER	DEDMON	JARRELL	RAYFIELD
ALLRED	DICKSON	JEFFUS	REDWINE
ARNOLD	DOCKHAM	JUSTUS	REYNOLDS
BADDOUR	EASTERLING	KINNEY	RUSSELL
BAKER	EDDINS	KISER	SEXTON
BARBEE	ELLIS	MCALLISTER	SHERRILL
BEALL	ESPOSITO	MCCOMAS	SHUBERT
BERRY	FOX	MCCOMBS	SMITH
BLACK	GAMBLE	MCCRARY	STARNES
BONNER	GARDNER	MCMAHAN	SUTTON
BRAWLEY	GOODWIN	MERCER	TALLENT
BROWN	GRADY	MILLER	THOMPSON
BUCHANAN	GRAY	MINER	TOLSON
CANSLER	GULLEY	MITCHELL	WARNER
CAPPS	HACKNEY	MOORE	WARWICK
CARPENTER	HALL	MORGAN	WEATHERLY
CHURCH	HARDY	MORRIS	WILKINS
CLARY	HIATT	MOSLEY	WILSON, C.
COLE	HILL	NICHOLS	WILSON, G.
CRAWFORD	HOLMES	NYE	WOMBLE
CULP	HOWARD	OLDHAM	WRIGHT
CULPEPPER	HURLEY	OWENS	YONGUE

NOES - 5

BLUE	DAVIS	HENSLEY	HUNTER, H.
CREECH			

EXCUSED ABSENCE - 3

HIGHTOWER	HUNTER, R.	ROGERS

EXCUSED VOTE - 0

NOT VOTING - 16

SPEAKER	DECKER	LUEBKE	SAUNDERS
BOWIE	EARLE	MICHAUX	WAINWRIGHT
BOYD-MCINTYRE	FITCH	NEELY	WATSON
BRASWELL	HARDAWAY	NESBITT	WOOD

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1997

NO. FILED
1138 APR 17 97
HOUSE PRINCIPAL CLERK

H D

HOUSE DRH1302*-LJ26(3.6)

Short Title: Property Tax Interest/Study. (Public)

Sponsors: Representative Dickson.

Referred to:

A BILL TO BE ENTITLED

AN ACT TO ALLOW A TAXPAYER WHO PREVAILS IN A PROPERTY TAX APPEAL TO RECEIVE INTEREST ON ANY OVERPAYMENT OF TAX AND TO AUTHORIZE THE LEGISLATIVE RESEARCH COMMISSION TO STUDY VARIOUS PROPERTY TAX ISSUES.

The General Assembly of North Carolina enacts:

Section 1. G.S. 105-290(b) is amended by adding a new subdivision to read:

"(4) Interest on Overpayments. -- When an order of the Property Tax Commission reduces the valuation of property or removes the property from the tax lists and, based on the order, the taxpayer has paid more tax than is due on the property, the taxpayer is entitled to receive interest on the overpayment in accordance with this subdivision. An overpayment of tax bears interest at an annual rate of nine percent (9%) from the date the interest begins to accrue until a refund is paid. Interest accrues from the later of the date the tax was paid and the date the tax would have been considered delinquent under G.S. 105-360. A refund is considered paid on a date determined by the governing body of the taxing unit that is no sooner than five days after a refund check is mailed."

Section 2. The Legislative Research Commission may study the methods used by counties to develop the schedules of value for a general reappraisal of real property and the appeal process for appeals of the value or listing of property. The Commission may assign these topics to a study committee established to study various tax issues or may create a separate study committee to study these topics. In

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1997

H D

HOUSE DRH7264-LH047(2.4)

H.B. FILED
1139 APR 17 97
HOUSE PRINCIPAL CLERK

Short Title: Clean Water Revolving Loan Funds. (Public)

Sponsors: Representative R. Hunter.

Referred to:

A BILL TO BE ENTITLED

AN ACT TO RESERVE TEN PERCENT OF THE UNRESERVED CREDIT BALANCE IN THE GENERAL FUND AT THE END OF EACH FISCAL YEAR TO THE CLEAN WATER REVOLVING LOAN AND GRANT FUND.

The General Assembly of North Carolina enacts:

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

"**§ 143-15.3C. Funds reserved to the Clean Water Revolving Loan and Grant Fund.**

(a) The Clean Water Revolving Loan and Grant Fund is established in Chapter 159G of the General Statutes. The State Controller shall reserve to the Clean Water Revolving Loan and Grant Fund ten percent (10%) of any unreserved credit balance remaining in the General Fund at the end of each fiscal year. 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 the State Controller to the Savings Reserve Account, the Repairs and Renovations Reserve Account, the Clean Water Management Trust Fund, or the Clean Water Revolving Loan and Grant Fund pursuant to this section, G.S. 143-15.3, 143-15.3A, and 143-15.3B.

(b) The funds in the Clean Water Revolving Loan and Grant Fund shall be used only in accordance with Chapter 159G of the General Statutes."

Section 2. G.S. 159G-4 reads as rewritten:

"**§ 159G-4. Appropriations.**

(a) Of the funds appropriated and reserved to the Clean Water Revolving Loan and Grant Fund, the amount required in each fiscal year to provide the State match of any federal funds deposited into the Water Pollution Control Revolving Fund shall be allocated to that fund.

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1997

H

HOUSE DRH6221-LH071(2.10)

Short Title: Littering/Require Comm. Service. (Public)

Sponsors: Representative R. Hunter.

Referred to:

A BILL TO BE ENTITLED

AN ACT TO PROVIDE THAT COMMUNITY SERVICE BE IMPOSED FOR A CONVICTION OF LITTERING.

The General Assembly of North Carolina enacts:

Section 1. G.S. 14-399 reads as rewritten:

"**§ 14-399. Littering.**

(a) No person, including but not limited to, any firm, organization, private corporation, or governing body, agents or employees of any municipal corporation shall intentionally or recklessly throw, scatter, spill or place or intentionally or recklessly cause to be blown, scattered, spilled, thrown or placed or otherwise dispose of any litter upon any public property or private property not owned by him within this State or in the waters of this State including, but not limited to, any public highway, public park, lake, river, ocean, beach, campground, forest land, recreational area, trailer park, highway, road, street or alley except:

(1) When such property is designated by the State or political subdivision thereof for the disposal of garbage and refuse, and such person is authorized to use such property for such purpose; or

(2) Into a litter receptacle in such a manner that the litter will be prevented from being carried away or deposited by the elements upon any part of such private or public property or waters.

(b) When litter is blown, scattered, spilled, thrown or placed from a vehicle or watercraft, the operator thereof shall be presumed to have committed such offense. This presumption, however, does not apply to a vehicle transporting agricultural products or supplies when the litter from that vehicle is a nontoxic, biodegradable agricultural product or supply.

NORTH CAROLINA

HOUSE OF REPRESENTATIVES

ROLL CALL

EV

489
LEGISLATIVE DAY 53
H1140
READING 2
HUNTER, R.

4/30/97
7:43 PM
IN CHAIR: SPEAKER

LITTERING/REQUIRE COMMUNITY SERVICE

AYES - 111

SPEAKER	DAVIS	HURLEY	PRESTON
ALEXANDER	DECKER	INSKO	RAMSEY
ALLRED	DEDMON	IVES	RAYFIELD
ARNOLD	DICKSON	JARRELL	REDWINE
BADDOUR	DOCKHAM	JEFFUS	REYNOLDS
BAKER	EARLE	JUSTUS	ROGERS
BARBEE	EASTERLING	KINNEY	RUSSELL
BEALL	EDDINS	KISER	SAUNDERS
BERRY	ELLIS	LUEBKE	SEXTON
BLACK	ESPOSITO	MCALLISTER	SHERRILL
BLUE	FITCH	MCCOMAS	SHUBERT
BONNER	FOX	MCCOMBS	SMITH
BOWIE	GAMBLE	MCCRARY	STARNES
BOYD-MCINTYRE	GARDNER	MCMAHAN	TALLENT
BRASWELL	GOODWIN	MICHAUX	THOMPSON
BRAWLEY	GRADY	MILLER	TOLSON
BROWN	GRAY	MINER	WAINWRIGHT
BUCHANAN	GULLEY	MITCHELL	WARNER
CANSLER	HACKNEY	MOORE	WARWICK
CARPENTER	HALL	MORGAN	WATSON
CHURCH	HARDAWAY	MORRIS	WEATHERLY
CLARY	HARDY	MOSLEY	WILKINS
COLE	HENSLEY	NEELY	WILSON, G.
CREECH	HIGHTOWER	NESBITT	WOMBLE
CULP	HILL	NICHOLS	WOOD
CULPEPPER	HOWARD	NYE	WRIGHT
CUNNINGHAM	HUNTER, H.	OLDHAM	YONGUE
DAUGHTRY	HUNTER, R.	OWENS	

NOES - 0

EXCUSED ABSENCE - 1

MERCER

EXCUSED VOTE - 0

NOT VOTING - 8

ADAMS	CAPPS	HIATT	SUTTON
ALDRIDGE	CRAWFORD	HOLMES	WILSON, C.

NORTH CAROLINA GENERAL ASSEMBLY
SENATE

RECORDED VOTE

1997 SESSION

SEQ. 828/9-- 1:21 PM JUNE 5, 1997 LEGISLATIVE DAY 74

LT. GOVERNOR WICKER -- Presiding

HUNTER R.
LITTERING/REQUIRED COMMUNITY

HOUSE BILL 1140
READING 2

SERVICE

AYE	48	ALBERTSON	DALTON	KINCAID	PHILLIPS
		ALLRAN	DANNELLY	KINNAIRD	PLYLER
		BALLANCE	EAST	LEDBETTER	RAND
		BALLANTINE	FORRESTER	LEE	REEVES
		BASNIGHT	FOXX	LUCAS	RUCHO
		BLUST	GARWOOD	MARTIN R.	SHAW L.
		CARPENTER	GULLEY	MARTIN W.	SOLES
		CARRINGTON	HARTSELL	MCDANIEL	WARREN
		CLARK	HORTON	MILLER	WEBSTER
		COCHRANE	HOYLE	ODOM	WEINSTEIN
		CONDER	JENKINS	PAGE	WELLONS
		COOPER	JORDAN	PERDUE	WINNER
NO	2	KERR	SHAW R.		

EXCUSED 0

NOT CAST 0

ABSENT 0

PAIRS 0
AYE
NO

GENERAL ASSEMBLY
SENATE

NORTH CAROLINA GENERAL ASSEMBLY
SENATE

RECORDED VOTE

1997 SESSION

SEQ. 860/41-- 3:27 PM JUNE 5, 1997 LEGISLATIVE DAY 74

SENATOR BASNIGHT -- Presiding

HUNTER R.
LITTERING/REQUIRED COMMUNITY

HOUSE BILL 1140
READING 3

SERVICE

AYE	48	ALBERTSON	DALTON	KERR	PHILLIPS
		ALLRAN	DANNELLY	KINNAIRD	PLYLER
		BALLANCE	EAST	LEDBETTER	RAND
		BALLANTINE	FORRESTER	LEE	REEVES
		BASNIGHT	FOXX	LUCAS	RUCHO
		BLUST	GARWOOD	MARTIN R.	SHAW L.
		CARPENTER	GULLEY	MARTIN W.	SHAW R.
		CARRINGTON	HARTSELL	MCDANIEL	SOLES
		CLARK	HORTON	MILLER	WEBSTER
		COCHRANE	HOYLE	ODOM	WEINSTEIN
		CONDER	JENKINS	PAGE	WELLONS
		COOPER	JORDAN	PERDUE	WINNER
NO	0				

EXCUSED	0	
NOT CAST	1	KINCAID
ABSENT	1	WARREN
PAIRS	0	
AYE		
NO		

GENERAL ASSEMBLY
SENATE

NORTH CAROLINA GENERAL ASSEMBLY AMENDMENT

(Please type or use ballpoint pen)

H. B. No. 1140 DATE 6/5/97

S. B. No. _____ Amendment No. 1

(to be filled in by Principal Clerk)

Rep.) Horton

Sen.)

moves to amend the bill on page 2, line _____,

by deleting the word "shall" on Lines 6, 8, 12, 13, 19 and 21; and substituting in Lieu thereof the word "may".

SIGNED _____

ADOPTED ✓ 32-18 FAILED _____ TABLED _____

6/5/97 g. Pruitt

GA-33-A PRINCIPAL CLERK'S OFFICE (FOR ENGROSSMENT)

NORTH CAROLINA GENERAL ASSEMBLY
SENATE

RECORDED VOTE

1997 SESSION

SEQ. 827/8-- 1:19 PM JUNE 5, 1997 LEGISLATIVE DAY 74

LT. GOVERNOR WICKER -- Presiding

HUNTER R.
LITTERING/REQUIRED COMMUNITY SERVICE

HOUSE BILL 1140

AMEND 1

AYE	32	ALBERTSON	DANNELLY	JORDAN	RAND
		BALLANCE	EAST	KERR	SHAW L.
		BASNIGHT	FORRESTER	LEDBETTER	SHAW R.
		CARRINGTON	GARWOOD	MARTIN R.	SOLES
		CLARK	GULLEY	MARTIN W.	WEBSTER
		COCHRANE	HORTON	PAGE	WEINSTEIN
		CONDER	HOYLE	PERDUE	WELLONS
		DALTON	JENKINS	PLYLER	WINNER
NO	18	ALLRAN	FOXX	LUCAS	PHILLIPS
		BALLANTINE	HARTSELL	MCDANIEL	REEVES
		BLUST	KINCAID	MILLER	RUCHO
		CARPENTER	KINNAIRD	ODOM	WARREN
		COOPER	LEE		

EXCUSED	0
NOT CAST	0
ABSENT	0
PAIRS	0
AYE	
NO	

GENERAL ASSEMBLY
SENATE

NORTH CAROLINA GENERAL ASSEMBLY AMENDMENT

(Please type or use ballpoint pen)

H. B. No. 1140 DATE 6/5/97

S. B. No. _____ Amendment No. 1

(to be filled in by Principal Clerk)

Rep.) Horton

(Sen.)

moves to amend the bill on page 2, line _____,

by deleting the word "shall" on Lines 6, 8, 12, 13, 19 and 21; and substituting in Lieu thereof the word "may".

ON MOTION OF
REP R. Hunter
III-1
JUN 12 1997
HOUSE DOES NOT CONCUR IN SENATE AMENDMENT(S) TO COM. SUB.
CONFERENCE REQUESTED.

SIGNED _____

ADOPTED ✓ 32-18 FAILED _____ TABLED _____

6/5/97 g. Pruitt

PRINCIPAL CLERK'S OFFICE (FOR ENGROSSMENT)

GA-33-A

NORTH CAROLINA
HOUSE OF REPRESENTATIVES
ROLL CALL

EV

. # 910
ISLATIVE DAY 78
H1140

6/12/97
12:27 PM
IN CHAIR: SPEAKER

HUNTER, R.
AMEND #1
LITTERING/REQUIRE COMMUNITY SERVICE
MOTION #11 - TO NOT CONCUR IN SENATE AMEND. #1

AYES - 111

ADAMS	DAVIS	HURLEY	RAMSEY
ALDRIDGE	DECKER	INSKO	RAYFIELD
ALEXANDER	DEDMON	IVES	REDWINE
ALLRED	DICKSON	JARRELL	REYNOLDS
ARNOLD	DOCKHAM	JEFFUS	ROGERS
BADDOUR	EARLE	KINNEY	RUSSELL
BAKER	EASTERLING	KISER	SAUNDERS
BEALL	EDDINS	LUEBKE	SEXTON
BLACK	ESPOSITO	MCALLISTER	SHERRILL
BLUE	FITCH	MCCOMAS	SHUBERT
BONNER	GAMBLE	MCCOMBS	SMITH
BOWIE	GARDNER	MCCRARY	STARNES
BOYD-MCINTYRE	GOODWIN	MCMAHAN	SUTTON
BRASWELL	GRADY	MERCER	TALLENT
BRAWLEY	GRAY	MICHAUX	THOMPSON
BROWN	GULLEY	MILLER	TOLSON
BUCHANAN	HACKNEY	MINER	WAINWRIGHT
CANSLER	HALL	MITCHELL	WARNER
CAPPS	HARDAWAY	MOORE	WARWICK
CARPENTER	HARDY	MORGAN	WATSON
CHURCH	HENSLEY	MORRIS	WEATHERLY
COLE	HIATT	MOSLEY	WILSON, C.
CRAWFORD	HIGHTOWER	NEELY	WILSON, G.
CREECH	HILL	NESBITT	WOMBLE
CULP	HOLMES	NYE	WOOD
CULPEPPER	HOWARD	OLDHAM	WRIGHT
CUNNINGHAM	HUNTER, H.	OWENS	YONGUE
DAUGHTRY	HUNTER, R.	PRESTON	

NOES - 1

JUSTUS

EXCUSED ABSENCE - 5

BARBEE	ELLIS	FOX	NICHOLS
BERRY			

EXCUSED VOTE - 0

NOT VOTING - 3

SPEAKER	CLARY	WILKINS

NORTH CAROLINA GENERAL ASSEMBLY
CONFERENCE REPORT
House Bill 1140

H1140-CRRV-001

[ ] Title Change [ ] For Committee Substitute

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

The conferees appointed to resolve the differences between the Senate and the House of Representatives on House Bill 1140, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT COMMUNITY SERVICE BE IMPOSED FOR A CONVICTION OF LITTERING, 1st Edition, submit the following report:

The Senate recedes from Senate Amendment #1 and the House and Senate agree to the following amendment:

on page 2, lines 6 through 13, rewrite those lines to read:
"dollars ($500.00) for the first offense. In addition, the court may require the violator to perform community service of not less than eight hours nor more than 24 hours. The community service required shall be to pick up litter if feasible, and if not feasible, to perform other labor commensurate with the offense committed. Any second or subsequent offense within three years after the date of a prior offense is punishable by a fine of not less than one hundred dollars ($100.00) nor more than one thousand dollars ($1,000). In addition, the court may require the violator to perform community service of not less than 16 hours nor more than 50 hours. The community service required shall be to pick up".

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

NORTH CAROLINA GENERAL ASSEMBLY
CONFERENCE REPORT
House Bill 1140

H1140-CRRV-001

Date conferees approved report: August 28, 1997.

Conferees for the Senate	Conferees for the House of Representatives
Hamilton C. Horton, Jr., Chairman	Leo Daughtry, Chair
Frank W. Ballance, Jr.	Debbie A. Clary
Allen H. Wellons	Edwin M. Hardy
	Robert C. Hunter
	Margaret M. Jeffus

Placed on Calendar 8/28/97.

Senate Submitted 8/28/97
Senate ADOPTED 8/28/97 (38/0) Message Received 8/28/97
House ADOPTED 8/28/97 (/) Ordered Enrolled 8/29/97

Janet Pruitt

House

J. Pruitt

G
T

NORTH CAROLINA GENERAL ASSEMBLY
CONFERENCE REPORT
House Bill 1140

H1140-CRRV-001

[] Title Change [] For Committee Substitute

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

The conferees appointed to resolve the differences between the Senate and the House of Representatives on House Bill 1140, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT COMMUNITY SERVICE BE IMPOSED FOR A CONVICTION OF LITTERING, 1st Edition, submit the following report:

The Senate recedes from Senate Amendment #1 and the House and Senate agree to the following amendment:

on page 2, lines 6 through 13, rewrite those lines to read:
"dollars ($500.00) for the first offense. In addition, the court may require the violator to perform community service of not less than eight hours nor more than 24 hours. The community service required shall be to pick up litter if feasible, and if not feasible, to perform other labor commensurate with the offense committed. Any second or subsequent offense within three years after the date of a prior offense is punishable by a fine of not less than one hundred dollars ($100.00) nor more than one thousand dollars ($1,000). In addition, the court may require the violator to perform community service of not less than 16 hours nor more than 50 hours. The community service required shall be to pick up".

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

NORTH CAROLINA GENERAL ASSEMBLY
CONFERENCE REPORT
House Bill 1140

H1140-CRRV-001

Date conferees approved report: August 28, 1997.

Conferees for the Senate

Hamilton C. Horton, Jr., Chairman

Frank W. Ballance, Jr.

Allen H. Wellons

Conferees for the House of Representatives

Leo Daughtry, Chair

Debbie A. Clary

Edwin M. Hardy

Robert C. Hunter

Margaret M. Jeffus

House Submitted 8/28/97 w/o objection placed on today's calendar
ADOPTED _____ (/) Message Received _____
ADOPTED _____ (/) Ordered Enrolled _____

G
T

NORTH CAROLINA GENERAL ASSEMBLY
CONFERENCE REPORT
House Bill 1140

H1140-CRRV-001

[] Title Change [] For Committee Substitute

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

The conferees appointed to resolve the differences between the Senate and the House of Representatives on House Bill 1140, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT COMMUNITY SERVICE BE IMPOSED FOR A CONVICTION OF LITTERING, 1st Edition, submit the following report:

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

NORTH CAROLINA GENERAL ASSEMBLY
CONFERENCE REPORT
House Bill 1140

H1140-CRRV-001

Date conferees approved report: August 28, 1997.

Conferees for the Senate	Conferees for the House of Representatives
Hamilton C. Horton, Jr., Chairman	Leo Daughtry, Chair
Frank W. Ballance, Jr.	Debbie A. Clary
Allen H. Wellons	Edwin M. Hardy
	Robert C. Hunter
	Margaret M. Jeffus

Placed on Calendar 8/28/97.

Senate Submitted 8/28/97
Senate ADOPTED 8/28/97 (38/0) Message Received
ADOPTED (/) Ordered Enrolled

Janet Pruitt

G
T

NORTH CAROLINA GENERAL ASSEMBLY
SENATE

RECORDED VOTE

1997 SESSION

SEQ. 1549/27-- 3:03 PM AUGUST 28, 1997 LEGISLATIVE DAY 123

LT. GOVERNOR WICKER -- Presiding

HUNTER R.
LITTERING/REQ'D COMMUNITY SERVICE

HOUSE BILL 1140

CONFERENCE REPORT

MOTION 7
TO ADOPT

AYE	38	ALBERTSON	FORRESTER	LUCAS	PHILLIPS
		ALLRAN	FOXX	MARTIN R.	PLYLER
		BALLANCE	GARWOOD	MARTIN W.	PURCELL
		BALLANTINE	HORTON	MCDANIEL	REEVES
		BASNIGHT	HOYLE	MILLER	SHAW L.
		CARPENTER	JENKINS	MOORE	SHAW R.
		COOPER	JORDAN	ODOM	SOLES
		DALTON	KERR	PAGE	WELLONS
		DANNELLY	KINNAIRD	PERDUE	WINNER
		EAST	LEE		
NO	0				
EXCUSED	0				
NOT CAST	6	BLUST	GULLEY	LEDBETTER	WEBSTER
		COCHRANE	HARTSELL		
ABSENT	6	CARRINGTON	RAND	WARREN	WEINSTEIN
		CLARK	RUCHO		
PAIRS	0				
AYE					
NO					

GENERAL ASSEMBLY
SENATE

NORTH CAROLINA

HOUSE OF REPRESENTATIVES

ROLL CALL

EV

SEQ. # 1579
LEGISLATIVE DAY 123
H.B. 1140
CONFERENCE REPORT
LITTERING/REQUIRE COMMUNITY SERVICE

8/28/97
5:14 PM
IN CHAIR: SPEAKER

AYES - 105

ADAMS	DAVIS	HURLEY	PRESTON
ALEXANDER	DECKER	INSKO	RAMSEY
ALLRED	DEDMON	JARRELL	REDWINE
BAKER	DOCKHAM	JEFFUS	REYNOLDS
BARBEE	EARLE	JUSTUS	ROGERS
BEALL	EASTERLING	KINNEY	RUSSELL
BLACK	EDDINS	KISER	SAUNDERS
BLUE	ELLIS	LUEBKE	SEXTON
BONNER	ESPOSITO	MCCOMAS	SHERRILL
BOWIE	FITCH	MCCOMBS	SHUBERT
BOYD-MCINTYRE	FOX	MCCRARY	SMITH
BRASWELL	GOODWIN	MERCER	STARNES
BRAWLEY	GRADY	MICHAUX	SUTTON
BROWN	GRAY	MILLER	TALLENT
BUCHANAN	GULLEY	MINER	THOMPSON
CANSLER	HACKNEY	MITCHELL	TOLSON
CAPPS	HALL	MOORE	WAINWRIGHT
CARPENTER	HARDY	MORGAN	WARNER
CHURCH	HENSLEY	MORRIS	WARWICK
CLARY	HIATT	MOSLEY	WEATHERLY
COLE	HIGHTOWER	NEELY	WILKINS
CRAWFORD	HILL	NESBITT	WILSON, G.
CREECH	HOLMES	NICHOLS	WOMBLE
CULP	HOWARD	NYE	WOOD
CULPEPPER	HUNTER, H.	OLDHAM	WRIGHT
CUNNINGHAM	HUNTER, R.	OWENS	YONGUE
DAUGHTRY			

NOES - 0

EXCUSED ABSENCE - 8

BADDOUR	DICKSON	GARDNER	MCMAHAN
BERRY	GAMBLE	HARDAWAY	WATSON

EXCUSED VOTE - 0

NOT VOTING - 7

SPEAKER	ARNOLD	MCALLISTER	WILSON, C.
ALDRIDGE	IVES	RAYFIELD	

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1997

H.B. FILED

1141 APR 17 97

HOUSE PRINCIPAL CLERK

H D

HOUSE DRH6219-LN155(4.9)

Short Title: Amend Building/Housing Codes. (Public)

Sponsors: Representative Thompson.

Referred to:

A BILL TO BE ENTITLED

AN ACT TO AUTHORIZE INSTALLATION OF CERTAIN HEATING APPLIANCES IN MANUFACTURED HOUSING AND IN SINGLE FAMILY DWELLINGS.

The General Assembly of North Carolina enacts:

Section 1. (a) G.S. 143-138(b) reads as rewritten:

"(b) Contents of the Code. -- The North Carolina State Building Code, as adopted by the Building Code Council, may include reasonable and suitable classifications of buildings and structures, both as to use and occupancy; general building restrictions as to location, height, and floor areas; rules for the lighting and ventilation of buildings and structures; requirements concerning means of egress from buildings and structures; requirements concerning means of ingress in buildings and structures; rules governing construction and precautions to be taken during construction; rules as to permissible materials, loads, and stresses; rules governing chimneys, heating appliances, elevators, and other facilities connected with the buildings and structures; rules governing plumbing, heating, air conditioning for the purpose of comfort cooling by the lowering of temperature, and electrical systems; and such other reasonable rules pertaining to the construction of buildings and structures and the installation of particular facilities therein as may be found reasonably necessary for the protection of the occupants of the building or structure, its neighbors, and members of the public at large.

In addition, the Code shall include reasonable rules allowing for the installation of unvented gas heating appliances in bedrooms and bathrooms of site-constructed single family dwellings. Appliances shall be those approved for such use by the American Gas Association. Rules adopted shall conform to good engineering

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1997

H.B. FILED 1142 APR 17 97 HOUSE PRINCIPAL CLERK

H D

HOUSE DRH1303-LH137(3.17)

Short Title: Tuition Waivers/Emergency Workers. (Public)

Sponsors: Representative Redwine.

Referred to:

A BILL TO BE ENTITLED

AN ACT TO WAIVE TUITION FOR CHILDREN OR SPOUSES OF CERTAIN EMERGENCY WORKERS KILLED OR DISABLED IN THE LINE OF DUTY.

The General Assembly of North Carolina enacts:

Section 1. The title of Chapter 115B reads as rewritten:

"Tuition ~~Waiver for Senior Citizens.~~ Waivers."

Section 2. G.S. 115B-1 reads as rewritten:

"**§ 115B-1. ~~Definition.~~ Definitions.**

~~As used in this Chapter, "tuition" shall mean the~~ The following definitions apply in this Chapter:

(1) Permanently and totally disabled in the line of duty. -- A person: (i) who as a law enforcement officer, firefighter, or volunteer firefighter suffered a disabling injury while in active service or training for active service, (ii) who at the time of active service or training was a North Carolina resident, and (iii) who has been rated permanently and totally disabled for compensation purposes by any of the following as appropriate: the State of North Carolina, the city or county law enforcement agency that employed the person, the administrative agency for the fire department or fire protection district recognized for funding by the State or the administrative agency having jurisdiction over any paid firefighters of all counties and cities.

(2) Survivor. -- Any person whose parent or spouse: (i) was a law enforcement officer, a firefighter, or a volunteer firefighter, (ii) was killed while in active service or training for active service or died

NORTH CAROLINA

HOUSE OF REPRESENTATIVES

ROLL CALL

EV

543
ISLATIVE DAY 54
H1142HCS
READING 2
REDWINE

4/30/97
3:56 PM
IN CHAIR: SPEAKER

TUITION WAIVERS/ EMERGENCY WORKERS

AYES - 113

ADAMS	DAUGHTRY	HUNTER, R.	PRESTON
ALDRIDGE	DAVIS	HURLEY	RAMSEY
ALEXANDER	DEDMON	INSKO	RAYFIELD
ALLRED	DICKSON	IVES	REDWINE
ARNOLD	DOCKHAM	JARRELL	REYNOLDS
BADDOUR	EARLE	JEFFUS	ROGERS
BAKER	EASTERLING	JUSTUS	RUSSELL
BARBEE	EDDINS	KINNEY	SAUNDERS
BEALL	ELLIS	KISER	SEXTON
BERRY	ESPOSITO	LUEBKE	SHERRILL
BLACK	FITCH	MCALLISTER	SHUBERT
BLUE	FOX	MCCOMAS	SMITH
BONNER	GARDNER	MCCOMBS	STARNES
BOWIE	GOODWIN	MCCRARY	SUTTON
BOYD-MCINTYRE	GRADY	MCMAHAN	TALLENT
BRASWELL	GRAY	MERCER	THOMPSON
BRAWLEY	GULLEY	MICHAUX	TOLSON
BROWN	HACKNEY	MILLER	WAINWRIGHT
BUCHANAN	HALL	MINER	WARNER
CANSLER	HARDAWAY	MITCHELL	WARWICK
CAPPS	HARDY	MOORE	WATSON
CARPENTER	HENSLEY	MORGAN	WEATHERLY
CHURCH	HIATT	MORRIS	WILKINS
CLARY	HIGHTOWER	MOSLEY	WILSON, G.
COLE	HILL	NEELY	WOMBLE
CRAWFORD	HOLMES	NICHOLS	WOOD
CREECH	HOWARD	NYE	WRIGHT
CULPEPPER	HUNTER, H.	OWENS	YONGUE
CUNNINGHAM			

NOES - 0

EXCUSED ABSENCE - 1

OLDHAM

EXCUSED VOTE - 0

NOT VOTING - 6

SPEAKER	DECKER	NESBITT	WILSON, C.
CULP	GAMBLE		

NORTH CAROLINA GENERAL ASSEMBLY
SENATE

RECORDED VOTE

1997 SESSION

SEQ. 1504/19-- 4:45 PM AUGUST 27, 1997 LEGISLATIVE DAY 122

LT. GOVERNOR WICKER -- Presiding

REDWINE
TUITION WAIVERS/EMERGENCY WORKERS
SENATE COM SUB #2/4TH EDITION

HOUSE BILL 1142
READING 2

AYE	44	ALBERTSON	DANNELLY	KERR	PHILLIPS
		BALLANCE	EAST	KINNAIRD	PURCELL
		BALLANTINE	FORRESTER	LEE	RAND
		BASNIGHT	FOXX	LUCAS	REEVES
		BLUST	GARWOOD	MARTIN R.	RUCHO
		CARPENTER	GULLEY	MARTIN W.	SHAW L.
		CARRINGTON	HARTSELL	MCDANIEL	SHAW R.
		CLARK	HORTON	MILLER	SOLES
		COCHRANE	HOYLE	MOORE	WEINSTEIN
		COOPER	JENKINS	PAGE	WELLONS
		DALTON	JORDAN	PERDUE	WINNER
NO	0				
EXCUSED	0				
NOT CAST	5	ALLRAN	ODOM	PLYLER	WEBSTER
		LEDBETTER			
ABSENT	1	WARREN			
PAIRS	0				
AYE					
NO					

GENERAL ASSEMBLY
SENATE

NORTH CAROLINA

HOUSE OF REPRESENTATIVES

ROLL CALL

EV

SEQ. # 1554
LEGISLATIVE DAY 123
H1142SCS #2

8/28/97
11:49 AM
IN CHAIR: SPEAKER

REDWINE

TUITION WAIVERS/ EMERGENCY WORKERS
MOTION #11 - TO CONCUR IN SCS #2

AYES - 111

SPEAKER	CUNNINGHAM	HUNTER, R.	OWENS
ADAMS	DAUGHTRY	HURLEY	PRESTON
ALEXANDER	DAVIS	INSKO	RAMSEY
ALLRED	DECKER	IVES	REDWINE
ARNOLD	DEDMON	JARRELL	REYNOLDS
BADDOUR	DICKSON	JEFFUS	ROGERS
BAKER	DOCKHAM	JUSTUS	SAUNDERS
BARBEE	EARLE	KINNEY	SEXTON
BEALL	EASTERLING	KISER	SHERRILL
BLACK	EDDINS	LUEBKE	SHUBERT
BLUE	ELLIS	MCALLISTER	SMITH
BONNER	ESPOSITO	MCCOMAS	STARNES
BOWIE	FITCH	MCCOMBS	SUTTON
BOYD-MCINTYRE	FOX	MCCRARY	TALLENT
BRASWELL	GOODWIN	MERCER	THOMPSON
BRAWLEY	GRADY	MICHAUX	TOLSON
BROWN	GRAY	MILLER	WAINWRIGHT
BUCHANAN	GULLEY	MINER	WARNER
CANSLER	HACKNEY	MITCHELL	WARWICK
CAPPS	HALL	MOORE	WEATHERLY
CARPENTER	HARDY	MORGAN	WILKINS
CHURCH	HENSLEY	MORRIS	WILSON, C.
CLARY	HIATT	MOSLEY	WILSON, G.
COLE	HIGHTOWER	NEELY	WOMBLE
CRAWFORD	HILL	NESBITT	WOOD
CREECH	HOLMES	NICHOLS	WRIGHT
CULP	HOWARD	NYE	YONGUE
CULPEPPER	HUNTER, H.	OLDHAM	

NOES - 0

EXCUSED ABSENCE - 6

BERRY	HARDAWAY	RUSSELL	WATSON
GARDNER	MCMAHAN		

EXCUSED VOTE - 0

NOT VOTING - 3

ALDRIDGE	GAMBLE	RAYFIELD

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1997

H.B. FILED
1143 APR 17 97
HOUSE PRINCIPAL CLERK

H D

HOUSE DRHA348-LK139A(4.3)

Short Title: Handicapped Plate Recertification. (Public)

Sponsors: Representative Decker.

Referred to:

A BILL TO BE ENTITLED

AN ACT TO PROVIDE THAT PERMANENTLY DISABLED DRIVERS DO NOT HAVE TO BE MEDICALLY RECERTIFIED WHEN RENEWING HANDICAPPED PLACARDS OR REGISTRATION PLATES.

The General Assembly of North Carolina enacts:

Section 1. G.S. 20-37.6(c1) reads as rewritten:

"(c1) Application and Renewal; Physician's Certification. -- The initial application for a permanent distinguishing license plate, removable windshield placard, or temporary removable windshield placard shall be accompanied by a certification of a licensed physician, ophthalmologist, or optometrist or of the Division of Services for the Blind that the applicant is handicapped. The certification shall state whether or not the disability is permanent. The application for a temporary removable windshield placard shall contain additional certification to include the period of time the certifying authority determines the applicant will have the disability. Distinguishing license plates shall be renewed annually, but subsequent applications shall not require a medical certification that the applicant is handicapped. Removable windshield placards shall be renewed every five years, and renewal shall not require a medical recertification that the person is ~~handicapped.~~ handicapped if the disability is permanent. Temporary removable windshield placards shall expire no later than six months after issuance."

Section 2. This act is effective when it becomes law.

NORTH CAROLINA

HOUSE OF REPRESENTATIVES

ROLL CALL

E V

. # 574
ISLATIVE DAY 54
H1143
READING 2
DECKER

5/01/97
8:15 PM
IN CHAIR: SPEAKER

HANDICAPPED PLATE RECERTIFICATION

AYES - 110

SPEAKER	DAVIS	HUNTER, R.	PRESTON
ADAMS	DECKER	HURLEY	RAYFIELD
ALEXANDER	DEDMON	INSKO	REDWINE
ALLRED	DICKSON	IVES	REYNOLDS
ARNOLD	DOCKHAM	JARRELL	ROGERS
BADDOUR	EARLE	JEFFUS	RUSSELL
BAKER	EASTERLING	JUSTUS	SAUNDERS
BARBEE	EDDINS	KINNEY	SEXTON
BEALL	ELLIS	KISER	SHERRILL
BERRY	ESPOSITO	LUEBKE	SMITH
BLACK	FITCH	MCALLISTER	STARNES
BLUE	FOX	MCCOMAS	SUTTON
BOWIE	GARDNER	MCCOMBS	TALLENT
BOYD-MCINTYRE	GOODWIN	MCCRARY	THOMPSON
BRASWELL	GRADY	MCMAHAN	TOLSON
BRAWLEY	GRAY	MERCER	WAINWRIGHT
BROWN	GULLEY	MICHAUX	WARNER
BUCHANAN	HACKNEY	MILLER	WARWICK
CANSLER	HALL	MINER	WATSON
CAPPS	HARDAWAY	MITCHELL	WEATHERLY
CARPENTER	HARDY	MOORE	WILKINS
CHURCH	HENSLEY	MORGAN	WILSON, C.
CLARY	HIATT	MORRIS	WILSON, G.
COLE	HIGHTOWER	NEELY	WOMBLE
CREECH	HILL	NESBITT	WOOD
CULP	HOLMES	NYE	WRIGHT
CULPEPPER	HOWARD	OWENS	YONGUE
DAUGHTRY	HUNTER, H.		

NOES - 0

EXCUSED ABSENCE - 3

NICHOLS	OLDHAM	SHUBERT

EXCUSED VOTE - 0

NOT VOTING - 7

ALDRIDGE	CRAWFORD	GAMBLE	RAMSEY
BONNER	CUNNINGHAM	MOSLEY	

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1997

RECEIVED
1144 APR 17 97
HOUSE PRINCIPAL CLERK

H D

HOUSE DRH8177-LK172(4.10)

Short Title: Speeding in School Zones. (Public)

Sponsors: Representative Wood.

Referred to:

A BILL TO BE ENTITLED

AN ACT TO PROVIDE THAT THE DIVISION OF MOTOR VEHICLES SHALL ENTER RECORDS OF SPEEDING IN SCHOOL ZONES CHARGED AS VIOLATIONS OF LOCAL ORDINANCES.

The General Assembly of North Carolina enacts:

Section 1. G.S. 20-141.1 reads as rewritten:

"**§ 20-141.1. Speed limits in school zones.**

The Board of Transportation or local authorities within their respective jurisdictions may, by ordinance, set speed limits lower than those designated in G.S. 20-141 for areas adjacent to or near a public, private or parochial school. Limits set pursuant to this section shall become effective when signs are erected giving notice of the school zone, the authorized speed limit, and the days and hours when the lower limit is effective, or by erecting signs giving notice of the school zone, the authorized speed limit and which indicate the days and hours the lower limit is effective by an electronic flasher operated with a time clock. Limits set pursuant to this section may be enforced only on days when school is in session, and no speed limit below 20 miles per hour may be set under the authority of this section.

The clerk of court shall send to the Division a record of a conviction for violation of State law or local ordinance prohibiting speeding in a school zone in excess of the posted school zone speed limit. The Division shall enter the conviction on the driving record of the person who is convicted of the violation and shall assign to the record of that person the number of points provided in G.S. 20-16(c) for conviction of that violation."

Section 2. This act becomes effective December 1, 1997.

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1997

H.B. FILED
1145 APR 17 97
HOUSE PRINCIPAL CLERK

H D

HOUSE DRH8178-LB228C(4.8)

Short Title: Judicial Retention. (Public)

Sponsors: Representative Culpepper.

Referred to:

A BILL TO BE ENTITLED

AN ACT TO PROVIDE FOR RETENTION OF APPELLATE JUSTICES AND JUDGES OF THE GENERAL COURT OF JUSTICE BY VOTE OF THE PEOPLE.

The General Assembly of North Carolina enacts:

Section 1. Section 16 of Article IV of the Constitution of North Carolina reads as rewritten:

"**Sec. 16. Terms of office and election of Justices of the Supreme Court, Judges of the Court of Appeals, and Judges of the Superior Court.**

As vacancies occur whether by expiration of term, failure of the voters to retain a Justice or Judge in office, or otherwise, Justices of the Supreme ~~Court,~~ Court and Judges of the Court of ~~Appeals, and regular~~ Appeals shall be appointed by the Governor from a list of three recommendations of qualified nominees submitted by a commission established by law consisting of members of the General Assembly, and shall serve until January following the next statewide general election held at least one year from taking office. The General Assembly may provide by law for the Speaker of the House of Representatives and the President Pro Tempore of the Senate to appoint members of the commission. To continue in office after that time, the Justice or Judge must have been retained in office by a vote of the qualified voters of the State, and shall hold office for terms of eight years. Regular Judges of the Superior Court shall be elected by the qualified voters and shall hold office for terms of eight years and until their successors are elected and qualified. ~~Justices of the Supreme Court and Judges of the Court of Appeals shall be elected by the qualified voters of the State.~~ Regular Judges of the Superior Court may be elected by

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1997

FILED
1146 APR 17 97
HOUSE PRINCIPAL CLERK

H D

HOUSE DRH2281-LB216(4.2)

Short Title: Agency Inspectors General. (Public)

Sponsors: Representative Hardaway.

Referred to:

A BILL TO BE ENTITLED

AN ACT TO CREATE THE POSITION OF INSPECTOR GENERAL IN EACH STATE AGENCY TO REDUCE FRAUD, WASTE, AND ABUSE, AND TO ENACT A WHISTLE-BLOWER STATUTE TO PROTECT STATE EMPLOYEES WHO REPORT FRAUD, WASTE, AND ABUSE.

The General Assembly of North Carolina enacts:

Section 1. Chapter 143 of the General Statutes is amended by adding two new Articles to read:

"ARTICLE 71.

"Inspectors General.

"**§ 143-681. Agency inspectors general.**

(a) For the purposes of this section:

(1) 'State agency' means each department created pursuant to Chapter 143A or 143B of the General Statutes, the Judicial Branch, and The University of North Carolina.

(2) 'Agency head' means the Governor, a Council of State member, a cabinet secretary, the Chief Justice of the Supreme Court, and the President of the University of North Carolina.

(b) The Office of Inspector General is hereby established in each State agency to provide a central point for coordination of and responsibility for activities that promote accountability, integrity, and efficiency in government. It shall be the duty and responsibility of each inspector general, with respect to the State agency in which the office is established, to:

(1) Advise in the development of performance measures, standards, and procedures for the evaluation of State agency programs.

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1997

H.B. FILED
1147 APR 18 97
HOUSE PRINCIPAL CLERK

H D

HOUSE DRHA315-LH174(4.7)

Short Title: Area 3 Soil & Water Funds. (Public)

Sponsors: Representative Insko.

Referred to:

A BILL TO BE ENTITLED

AN ACT TO ESTABLISH A REGIONAL COORDINATOR POSITION FOR AREA THREE OF THE STATE SOIL AND WATER CONSERVATION DISTRICTS.

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 the sum of forty-six thousand six hundred dollars ($46,600) for the 1997-98 fiscal year and the sum of forty-three thousand six hundred dollars ($43,600) for the 1998-99 fiscal year to support a new position and equipment needs of a regional coordinator for Area 3 of the State Soil and Water Conservation districts. Area 3 of the State Soil and Water Conservation districts is comprised of 11 counties and includes the Neuse River Basin.

Section 2. This act becomes effective July 1, 1997.

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1997

H.B. FILED
1148 APR 18 97
HOUSE PRINCIPAL CLERK

H D

HOUSE DRHA332-LT014A(1.8)

Short Title: Teen Court Funds/Guidelines. (Public)

Sponsors: Representative Decker.

Referred to:

A BILL TO BE ENTITLED

AN ACT TO APPROPRIATE FUNDS AND ESTABLISH GUIDELINES FOR TEEN COURT PROGRAMS.

The General Assembly of North Carolina enacts:

Section 1. There is appropriated from the General Fund to the Judicial Department, Administrative Office of the Courts, the sum of seventy-five thousand dollars ($75,000) for the 1997-98 fiscal year to fund the operation of the teen court programs in Buncombe, Cumberland, Durham, and Rockingham Counties established pursuant to Section 40 of Chapter 24 of the Session Laws of the 1994 Extra Session, as amended by Section 80 of Chapter 561 of the 1993 Session Laws.

Section 2. There is appropriated from the General Fund to the Department of Human Resources, Division of Youth Services, the sum of thirty-five thousand dollars ($35,000) for the 1997-98 fiscal year to fund the operation of the teen court programs in Buncombe and Forsyth Counties through community-based alternatives.

Section 3. The teen court programs funded in this act and by the Governor's Crime Commission shall be a voluntary juvenile diversion and education program based on the mutual consent of the juvenile and the juvenile's parent or guardian. The programs shall comply with the confidentiality requirements of juvenile records set forth in Article 54 of Chapter 7A of the General Statutes. The programs shall also meet the following goals and objectives:

(1) Establish procedures for hearing cases of juveniles under the jurisdiction of the juvenile court pursuant to G.S. 7A-523 who are first time juvenile offenders and, pursuant to G.S. 7A-633, have admitted an allegation concerning a driving offense or an offense

H.B. FILED
1149 APR 21 97
HOUSE PRINCIPAL CLERK

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1997

H D

HOUSE DRHA338*-LGQ055(2.18)

Short Title: Home Ownership Funds. (Public)

Sponsors: Representatives Mitchell, Weatherly, Black, and Blue.

Referred to:

A BILL TO BE ENTITLED

AN ACT TO APPROPRIATE FUNDS TO THE CENTER FOR COMMUNITY SELF-HELP TO FURTHER A STATEWIDE PROGRAM OF LENDING FOR HOME OWNERSHIP.

The General Assembly of North Carolina enacts:

Section 1. There is appropriated from the General Fund to the Center for Community Self-Help the sum of ten million dollars ($10,000,000) for the 1997-98 fiscal year to further a statewide program of lending for home ownership throughout North Carolina. These funds will be leveraged on a ten-to-one basis, generating at least ten dollars ($10.00) of nontraditional home loans for every one dollar ($1.00) of State funds. Payments of principal shall be available for further loans or loan guarantees.

Section 2. The Center for Community Self-Help shall submit, within 180 days after the close of its fiscal year, audited financial statements to the State Auditor. All records pertaining to the use of State funds shall be made available to the State Auditor upon request. The Center for Community Self-Help shall make quarterly reports on the use of State funds to the State Auditor, in form and format prescribed by the State Auditor or his designee. The Center for Community Self-Help shall make a written report by May 1 of each year for the next three years to the General Assembly on the use of the funds appropriated by this act.

Section 3. The Center for Community Self-Help shall report to the Joint Legislative Commission on Governmental Operations, the House and Senate Appropriations Committees on Natural and Economic Resources, and the Department of Commerce on a quarterly basis for the next three years.

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1997

H 1150 APR 21 97

HOUSE PRINCIPAL CLERK D

HOUSE DRHA323-LGQ214(4.15)

Short Title: Food Bank of Northwest NC Funds. (Public)

Sponsors: Representatives Brown and Mitchell.

Referred to:

A BILL TO BE ENTITLED

AN ACT TO APPROPRIATE FUNDS TO THE FOOD BANK OF NORTHWEST NORTH CAROLINA, INC., FOR CAPITAL IMPROVEMENTS TO ITS FOOD STORAGE AND DISTRIBUTION FACILITY.

The General Assembly of North Carolina enacts:

Section 1. There is appropriated from the General Fund to The Food Bank of Northwest North Carolina, Inc., a nonprofit corporation, the sum of two hundred fifty thousand dollars ($250,000) for the 1997-98 fiscal year for capital improvements to its food storage and distribution facility that serves the northwest North Carolina Counties of Alamance, Alexander, Alleghany, Ashe, Caldwell, Caswell, Davidson, Davie, Forsyth, Guilford, Iredell, Randolph, Rockingham, Stokes, Surry, Watauga, Wilkes, and Yadkin.

Section 2. This act becomes effective July 1, 1997.

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1997

H D

HOUSE DRH2278-LDQ200(4.8)

Short Title: Eastern NC Livestock Arena Funds-2. (Public)

Sponsors: Representative Arnold.

Referred to:

A BILL TO BE ENTITLED

AN ACT TO APPROPRIATE FUNDS FOR THE CONSTRUCTION OF THE EASTERN NORTH CAROLINA LIVESTOCK ARENA.

The General Assembly of North Carolina enacts:

Section 1. There is appropriated from the General Fund to Edgecombe County the sum of eight hundred thousand dollars ($800,000) for the 1997-98 fiscal year for the construction of a public livestock arena to serve eastern North Carolina.

Section 2. This act becomes effective July 1, 1997.

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1997

H.B. FILED 1152 APR 21 97

HOUSE PRINCIPAL CLERK

H D

HOUSE JOINT RESOLUTION DRHJR7241-RC015.1(4.16)

Sponsors: Representative Rayfield.

Referred to:

A JOINT RESOLUTION SETTING THE DATE FOR THE HOUSE OF REPRESENTATIVES AND SENATE TO ELECT MEMBERS TO THE STATE BOARD OF COMMUNITY COLLEGES.

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

Section 1. Pursuant to G.S. 115D-2.1(b)(4)f., the Senate and the House of Representatives shall elect members to the State Board of Community Colleges during the regular sessions of the two chambers held on Wednesday, May 21, 1997. At that time the House of Representatives shall elect two members to the State Board each for a term of six years beginning July 1, 1997; the Senate shall elect two members to the State Board each for a term of six years beginning July 1, 1997.

Section 2. Each chamber shall follow the procedure set out in G.S. 115D-2.1 for the nomination and election of members of the State Board.

Section 3. This resolution is effective upon ratification.

NORTH CAROLINA
HOUSE OF REPRESENTATIVES
ROLL CALL

EV

SEQ. # 515
LEGISLATIVE DAY 54
HJR1152
READING 2
RAYFIELD

5/01/97
1:46 PM
IN CHAIR: SPEAKER

TO ELECT STATE BD. COMM. COLLEGES

AYES - 106

ADAMS	DAUGHTRY	INSKO	RAYFIELD
ALDRIDGE	DAVIS	IVES	REDWINE
ALEXANDER	DECKER	JUSTUS	REYNOLDS
ALLRED	DEDMON	KINNEY	ROGERS
ARNOLD	DICKSON	KISER	RUSSELL
BADDOUR	DOCKHAM	LUEBKE	SAUNDERS
BAKER	EASTERLING	MCALLISTER	SEXTON
BARBEE	EDDINS	MCCOMAS	SHERRILL
BEALL	ELLIS	MCCOMBS	SHUBERT
BERRY	ESPOSITO	MCCRARY	SMITH
BLACK	FITCH	MCMAHAN	STARNES
BLUE	FOX	MERCER	SUTTON
BONNER	GOODWIN	MICHAUX	TALLENT
BOWIE	GRADY	MINER	THOMPSON
BOYD-MCINTYRE	GRAY	MITCHELL	TOLSON
BRASWELL	GULLEY	MOORE	WAINWRIGHT
BRAWLEY	HACKNEY	MORGAN	WARNER
BROWN	HALL	MORRIS	WARWICK
BUCHANAN	HARDAWAY	MOSLEY	WATSON
CANSLER	HARDY	NEELY	WEATHERLY
CAPPS	HENSLEY	NICHOLS	WILKINS
CARPENTER	HIGHTOWER	NYE	WILSON, C.
CHURCH	HILL	OLDHAM	WILSON, G.
CLARY	HOLMES	OWENS	WOMBLE
COLE	HUNTER, H.	PRESTON	WRIGHT
CULP	HUNTER, R.	RAMSEY	YONGUE
CULPEPPER	HURLEY		

NOES - 0

EXCUSED ABSENCE - 1

MILLER

EXCUSED VOTE - 0

NOT VOTING - 13

SPEAKER	EARLE	HIATT	JEFFUS
CRAWFORD	GAMBLE	HOWARD	NESBITT
CREECH	GARDNER	JARRELL	WOOD
CUNNINGHAM			

NORTH CAROLINA GENERAL ASSEMBLY
SENATE

RECORDED VOTE

1997 SESSION

SEQ. 687/7--12:29 PM MAY 15, 1997 LEGISLATIVE DAY 62

LT. GOVERNOR WICKER -- Presiding

RAYFIELD
RESOLUTION TO SET THE DATE FOR

HOUSE RES. 1152
READING 2

ELEC./ STATE BOARD OF COMM. COLL.

AYE	46	ALBERTSON	DALTON	LEE	RAND
		ALLRAN	EAST	LUCAS	REEVES
		BALLANCE	FORRESTER	MARTIN R.	RUCHO
		BALLANTINE	FOXX	MARTIN W.	SHAW L.
		BASNIGHT	GULLEY	MCDANIEL	SHAW R.
		BLUST	HARTSELL	MILLER	SOLES
		CARPENTER	HOYLE	ODOM	WARREN
		CARRINGTON	JENKINS	PAGE	WEBSTER
		CLARK	JORDAN	PERDUE	WEINSTEIN
		COCHRANE	KERR	PHILLIPS	WELLONS
		CONDER	KINNAIRD	PLYLER	WINNER
		COOPER	LEDBETTER		
NO	0				
EXCUSED	0				
NOT CAST	0				
ABSENT	4	DANNELLY	GARWOOD	HORTON	KINCAID
PAIRS	0				
AYE					
NO					

GENERAL ASSEMBLY
SENATE

H1152

NORTH CAROLINA GENERAL ASSEMBLY
SENATE

RECORDED VOTE

1997 SESSION

SEQ. 712/2-- 2:28 PM MAY 21, 1997 LEGISLATIVE DAY 65

LT. GOVERNOR WICKER -- Presiding

LEE
MOTION TO ELECT STATE BOARD OF

COMMUNITY COLLEGES

MOTION 0
MOTION TO ELECT CC ST BD

AYE	47	ALBERTSON	DALTON	KERR	PERDUE
		ALLRAN	DANNELLY	KINCAID	PHILLIPS
		BALLANCE	EAST	KINNAIRD	PLYLER
		BALLANTINE	FORRESTER	LEDBETTER	RAND
		BASNIGHT	FOXX	LEE	REEVES
		BLUST	GARWOOD	LUCAS	RUCHO
		CARPENTER	GULLEY	MARTIN R.	SOLES
		CARRINGTON	HARTSELL	MARTIN W.	WARREN
		CLARK	HORTON	MCDANIEL	WEINSTEIN
		COCHRANE	HOYLE	MILLER	WELLONS
		CONDER	JENKINS	ODOM	WINNER
		COOPER	JORDAN	PAGE	
NO	0				
EXCUSED	0				
NOT CAST	3	SHAW L.	SHAW R.	WEBSTER	
ABSENT	0				
PAIRS	0				
AYE					
NO					

GENERAL ASSEMBLY
SENATE

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1997

H

HOUSE JOINT RESOLUTION DRHJR7240-LG201(4.9)

Sponsors: Representative Culp.

Referred to:

A JOINT RESOLUTION COMMEMORATING THE ONE HUNDRED FIFTIETH ANNIVERSARY OF THE TOWN OF FRANKLINVILLE AND HONORING THE MEMORY OF JESSE FRANKLIN.

Whereas, the antebellum cotton factories of the Town of Franklinville in Randolph County were among this State's pioneer textile mills, and have caused the Town to be called "the cradle of the Deep River textile industry"; and

Whereas, the Town of Franklinville is home to numerous structures that are included in a historic district listed on the National Register of Historic Places and were built before the Civil War which illustrate all aspects of life in a nineteenth century mill village; and

Whereas, the Town of Franklinville was created by the legislature in 1847, to incorporate the neighboring mill villages of Franklinville, founded in 1838, and Island Ford, founded in 1846; and

Whereas, the chartering of the Town of Franklinville by the legislature was the first incorporation of any North Carolina mill village; and

Whereas, the Town of Franklinville is named for Jesse Franklin, who served as Governor of North Carolina from 1820 to 1821; and

Whereas, the Town of Franklinville is one of the pivotal landmarks of the history of economic and industrial development in the State of North Carolina;

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

Section 1. The General Assembly honors the memory of Jesse Franklin and recognizes the Town of Franklinville as one of the original success stories of domestic manufacturing in the State. The General Assembly further honors the occasion of the Town's 150th Anniversary by designating the Town as the State of North Carolina's first Textile Heritage Village.

NORTH CAROLINA
HOUSE OF REPRESENTATIVES
ROLL CALL

EV

. # 668
ISLATIVE DAY 63
R1153
READING 2
CULP

5/19/97
7:23 PM
IN CHAIR: SPEAKER

HONOR JESSE FRANKLIN

AYES - 111

SPEAKER	DAVIS	HURLEY	RAMSEY
ADAMS	DECKER	INSKO	RAYFIELD
ALDRIDGE	DEDMON	IVES	REDWINE
ALLRED	DICKSON	JARRELL	REYNOLDS
ARNOLD	DOCKHAM	JEFFUS	ROGERS
BADDOUR	EARLE	JUSTUS	RUSSELL
BAKER	EASTERLING	KINNEY	SAUNDERS
BARBEE	EDDINS	KISER	SEXTON
BEALL	ESPOSITO	LUEBKE	SHERRILL
BLACK	FOX	MCALLISTER	SHUBERT
BLUE	GAMBLE	MCCOMAS	SMITH
BONNER	GARDNER	MCCRARY	STARNES
BOWIE	GOODWIN	MCMAHAN	SUTTON
BOYD-MCINTYRE	GRADY	MERCER	TALLENT
BRAWLEY	GRAY	MICHAUX	THOMPSON
BROWN	GULLEY	MINER	TOLSON
BUCHANAN	HACKNEY	MITCHELL	WAINWRIGHT
CANSLER	HALL	MOORE	WARNER
CAPPS	HARDAWAY	MORGAN	WARWICK
CARPENTER	HARDY	MORRIS	WATSON
CHURCH	HENSLEY	MOSLEY	WEATHERLY
CLARY	HIATT	NEELY	WILKINS
COLE	HIGHTOWER	NESBITT	WILSON, C.
CRAWFORD	HILL	NICHOLS	WILSON, G.
CREECH	HOLMES	NYE	WOMBLE
CULP	HOWARD	OLDHAM	WOOD
CULPEPPER	HUNTER, H.	OWENS	YONGUE
DAUGHTRY	HUNTER, R.	PRESTON	

NOES - 0

EXCUSED ABSENCE - 4

ALEXANDER	BERRY	ELLIS	MCCOMBS

EXCUSED VOTE - 0

NOT VOTING - 5

BRASWELL	FITCH	MILLER	WRIGHT
CUNNINGHAM			

NORTH CAROLINA GENERAL ASSEMBLY
SENATE

RECORDED VOTE

1997 SESSION

SEQ. 1086/4-- 7:33 PM JULY 7, 1997 LEGISLATIVE DAY 91

SENATOR BASNIGHT -- Presiding

CULP
COMMEMORATE TOWN OF FRANKLINVILLE

HOUSE RES. 1153
READING 2

AND HONOR JESSE FRANKLIN

AYE	48	ALBERTSON	DALTON	KINNAIRD	PLYLER
		ALLRAN	DANNELLY	LEDBETTER	RAND
		BALLANCE	EAST	LEE	REEVES
		BALLANTINE	FORRESTER	LUCAS	RUCHO
		BASNIGHT	FOXX	MARTIN R.	SHAW L.
		BLUST	GARWOOD	MARTIN W.	SHAW R.
		CARPENTER	GULLEY	MCDANIEL	SOLES
		CARRINGTON	HARTSELL	MILLER	WARREN
		CLARK	HORTON	ODOM	WEBSTER
		COCHRANE	HOYLE	PAGE	WEINSTEIN
		CONDER	JENKINS	PERDUE	WELLONS
		COOPER	KINCAID	PHILLIPS	WINNER
NO	0				

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

GENERAL ASSEMBLY
SENATE

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1997

H.B. FILED 1154 APR 23 97 HOUSE PRINCIPAL CLERK

H D

HOUSE DRHA351-LE091(4.8)

Short Title: Safe School Plans/Accountability. (Public)

Sponsors: Representative Black.

Referred to:

A BILL TO BE ENTITLED

AN ACT TO PROVIDE FOR THE IMPLEMENTATION OF SAFE SCHOOL PLANS AND TO HOLD PRINCIPALS ACCOUNTABLE FOR THE SAFETY OF SCHOOLS.

The General Assembly of North Carolina enacts:

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

"ARTICLE 8C.

"Local Plans for Maintaining Safe and Orderly Schools.

"**§ 115C-105.45. Legislative findings.** The General Assembly finds that all schools should be safe, secure, and orderly. If students are to aim for academic excellence, it is imperative that there is a climate of respect in every school and that every school is free of disruption, drugs, violence, and weapons. All schools must have plans, policies, and procedures for dealing with disorderly and disruptive behavior. All schools and school units must have effective measures for assisting students who are at risk of academic failure or of engaging in disruptive and disorderly behavior.

"**§ 115C-105.46. State Board of Education responsibilities.**

In order to implement this Article, the State Board of Education:

(1) Shall adopt guidelines for developing local plans under G.S. 115C-105.47;

(2) Shall provide, in cooperation with the Board of Governors of The University of North Carolina, ongoing technical assistance to the local school administrative units in the development, implementation, and evaluation of their local plans under G.S. 115C-105.47;

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1997

H.B. FILED 1155 APR 23 97 HOUSE PRINCIPAL CLERK

H D

HOUSE JOINT RESOLUTION DRHJR6226-LG069(2.21)

Sponsors: Representative Thompson.

Referred to:

A JOINT RESOLUTION INVITING THE REVEREND BILLY GRAHAM TO ADDRESS A JOINT SESSION OF THE HOUSE OF REPRESENTATIVES AND THE SENATE AND INVITING GOVERNOR JAMES B. HUNT, JR.

Whereas, Billy Graham has distinguished himself through his contributions to morality, racial equality, family, philanthropy, and religion; and

Whereas, perhaps America's most respected and admired evangelical leader of the past half century, Billy Graham has reached millions of people through crusades and television; and

Whereas, Billy Graham has exemplified the highest ideals of teaching, counseling, ethics, charity, faith, and family; and

Whereas, Billy Graham's daily newspaper column and numerous books have provided spiritual counseling and personal enrichment to millions of people; and

Whereas, Billy Graham and Ruth Graham, his wife of 53 years, have been the driving force to create the Ruth and Billy Graham Children's Health Center at Memorial Mission Hospital in Asheville, North Carolina, whose vision it is to improve the health and well-being of children and to become a new resource for ending the pain and suffering of children; and

Whereas, Billy Graham has received numerous awards and honorary degrees including the Congressional Gold Medal in 1996, the North Carolina Award for Public Service in 1986, the Presidential Medal of Freedom in 1983, the Sylvanus Thayer Award from the United States Military Academy Association of Graduates at West Point in 1972, the International Brotherhood Award from the National Conference of Christians and Jews in 1971, and the Gold Award of the George Washington Carver Memorial Institute in 1964; and

H.B. FILED
1156 APR 23 97
HOUSE PRINCIPAL CLERK

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1997

H **D**

HOUSE DRH1307-LK109(3.5)

Short Title: March of Dimes License Plates. (Public)

Sponsors: Representative Morris.

Referred to:

A BILL TO BE ENTITLED

AN ACT TO CREATE A SPECIAL LICENSE PLATE TO PROMOTE THE "MARCH OF DIMES" TO PROVIDE THAT A PORTION OF THE SALES REVENUE GOES TO MARCH OF DIMES BIRTH DEFECTS FOUNDATION.

The General Assembly of North Carolina enacts:

Section 1. G.S. 20-79.4 is amended by adding a new subdivision to read:

"(14a) 'March of Dimes'. -- Issuable to the registered owner of a motor vehicle in accordance with G.S. 20-81.12. The plate shall bear the words 'March of Dimes' and the letters 'MOD.'"

Section 2. G.S. 20-79.7(a) reads as rewritten:

"(a) Fees. -- Upon request, the Division shall provide and issue free of charge one registration plate to a recipient of the Congressional Medal of Honor, a 100% disabled veteran, and an ex-prisoner of war. All other special registration plates are subject to the regular motor vehicle registration fee in G.S. 20-87 or G.S. 20-88 plus an additional fee in the following amount:

Special Plate	Additional Fee Amount
Historical Attraction	$30.00
State Attraction	$30.00
Collegiate Insignia	$25.00
Olympic Games	$25.00
Special Olympics	$25.00
March of Dimes	$20.00
Wildlife Resources	$20.00
Personalized	$20.00
Active Member of the National Guard	None

NORTH CAROLINA

HOUSE OF REPRESENTATIVES

ROLL CALL

RC

. # 701
ISLATIVE DAY 66
H1156HCS
READING 2
MORRIS

5/22/97
1:48 PM
IN CHAIR: SPEAKER

MARCH OF DIMES PLATES

AYES - 103

ADAMS	DEDMON	IVES	RAYFIELD
ALDRIDGE	DICKSON	JARRELL	REDWINE
ALLRED	DOCKHAM	JEFFUS	REYNOLDS
ARNOLD	EARLE	JUSTUS	ROGERS
BADDOUR	EASTERLING	KISER	RUSSELL
BAKER	EDDINS	LUEBKE	SAUNDERS
BARBEE	ESPOSITO	MCCOMAS	SEXTON
BEALL	FITCH	MCCRARY	SHERRILL
BERRY	FOX	MCMAHAN	SHUBERT
BLACK	GARDNER	MERCER	SMITH
BLUE	GOODWIN	MICHAUX	SUTTON
BONNER	GRADY	MILLER	TALLENT
BOYD-MCINTYRE	GRAY	MINER	THOMPSON
BRASWELL	GULLEY	MITCHELL	TOLSON
BRAWLEY	HACKNEY	MOORE	WAINWRIGHT
BROWN	HALL	MORGAN	WARNER
BUCHANAN	HARDAWAY	MORRIS	WARWICK
CANSLER	HIATT	MOSLEY	WATSON
CAPPS	HIGHTOWER	NEELY	WEATHERLY
CARPENTER	HILL	NESBITT	WILKINS
CLARY	HOLMES	NICHOLS	WILSON, G.
CRAWFORD	HOWARD	NYE	WOMBLE
CULP	HUNTER, H.	OLDHAM	WOOD
CULPEPPER	HUNTER, R.	OWENS	WRIGHT
DAUGHTRY	HURLEY	PRESTON	YONGUE
DECKER	INSKO	RAMSEY	

NOES - 5

BOWIE	DAVIS	HARDY	HENSLEY
CREECH			

EXCUSED ABSENCE - 7

ALEXANDER	CUNNINGHAM	MCALLISTER	STARNES
CHURCH	KINNEY	MCCOMBS	

EXCUSED VOTE - 0

NOT VOTING - 5

SPEAKER	ELLIS	GAMBLE	WILSON, C.
COLE			

NORTH CAROLINA
HOUSE OF REPRESENTATIVES
ROLL CALL

RC

SEQ. # 716
LEGISLATIVE DAY 67
H1156HCS
READING 3
MORRIS

5/26/97
7:31 PM
IN CHAIR: SPEAKER

MARCH OF DIMES PLATES

AYES - 102

ADAMS	DECKER	KISER	REDWINE
ALDRIDGE	DEDMON	LUEBKE	REYNOLDS
ALLRED	DICKSON	MCALLISTER	ROGERS
ARNOLD	EARLE	MCCOMAS	RUSSELL
BADDOUR	EASTERLING	MCCOMBS	SAUNDERS
BAKER	EDDINS	MCCRARY	SEXTON
BARBEE	ELLIS	MCMAHAN	SHERRILL
BEALL	ESPOSITO	MERCER	SHUBERT
BLACK	FOX	MICHAUX	SMITH
BLUE	GARDNER	MILLER	STARNES
BOYD-MCINTYRE	GOODWIN	MINER	SUTTON
BRASWELL	GRADY	MITCHELL	TALLENT
BRAWLEY	GRAY	MOORE	THOMPSON
BROWN	GULLEY	MORGAN	TOLSON
BUCHANAN	HACKNEY	MORRIS	WAINWRIGHT
CANSLER	HALL	MOSLEY	WARNER
CAPPS	HIATT	NEELY	WARWICK
CARPENTER	HILL	NESBITT	WATSON
CHURCH	HUNTER, R.	NICHOLS	WEATHERLY
CLARY	HURLEY	NYE	WILKINS
COLE	INSKO	OLDHAM	WILSON, C.
CRAWFORD	IVES	OWENS	WILSON, G.
CULP	JARRELL	PRESTON	WOMBLE
CULPEPPER	JEFFUS	RAMSEY	WRIGHT
CUNNINGHAM	JUSTUS	RAYFIELD	YONGUE
DAUGHTRY	KINNEY		

NOES - 5

BOWIE	GAMBLE	HARDY	HENSLEY
DAVIS			

EXCUSED ABSENCE - 7

BONNER	DOCKHAM	HIGHTOWER	WOOD
CREECH	HARDAWAY	HOLMES	

EXCUSED VOTE - 0

NOT VOTING - 6

SPEAKER	BERRY	HOWARD	HUNTER, H.
ALEXANDER	FITCH		

NORTH CAROLINA GENERAL ASSEMBLY
SENATE

RECORDED VOTE

1997 SESSION

SEQ. 1289/14--10:46 AM AUGUST 5, 1997 LEGISLATIVE DAY 108

SENATOR BASNIGHT -- Presiding

MORRIS
MARCH OF DIMES/SCH. TECH. PLATES
SENATE COM SUB/3RD EDITION

HOUSE BILL 1156
READING 2

AYE	48	ALBERTSON	DANNELLY	KINNAIRD	PLYLER
		ALLRAN	EAST	LEDBETTER	PURCELL
		BALLANCE	FORRESTER	LEE	RAND
		BALLANTINE	FOXX	LUCAS	REEVES
		BASNIGHT	GARWOOD	MARTIN R.	RUCHO
		BLUST	GULLEY	MARTIN W.	SHAW L.
		CARPENTER	HARTSELL	MCDANIEL	SHAW R.
		CARRINGTON	HORTON	MILLER	WARREN
		CLARK	HOYLE	ODOM	WEBSTER
		COCHRANE	JENKINS	PAGE	WEINSTEIN
		COOPER	JORDAN	PERDUE	WELLONS
		DALTON	KERR	PHILLIPS	WINNER
NO	0				
EXCUSED	0				
NOT CAST	0				
ABSENT	1	SOLES			
PAIRS	0				
AYE					
NO					

GENERAL ASSEMBLY
SENATE

HELD TO BE MATERIAL
CONSTITUTES 1ST RDG

NORTH CAROLINA GENERAL ASSEMBLY
AMENDMENT
House Bill 1156

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

H1156-ALK-2

Date 8/12 ,1997

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

Senator Dalton

moves to amend the bill on page 1, lines 2 through 12, by rewriting those lines to read:

"AN ACT TO AUTHORIZE THE DEVELOPMENT OF SPECIAL REGISTRATION PLATES FOR SUPPORTERS OF THE MARCH OF DIMES, SCHOOL TECHNOLOGY, AND SCENIC RIVERS AND TO AUTHORIZE THE DEVELOPMENT OF A REGISTRATION PLATE FOR WAR VETERANS.";

and further moves to amend the bill on page 2, line 4, by inserting immediately after that line:

"Section 2.1. G.S. 20-79.4(b) is amended by adding a new subdivision, to be inserted by the Revisor of Statutes in the appropriate alphabetical place to read:

'( ) Scenic Rivers. -- Issuable to the registered owner of a motor vehicle in accordance with G.S. 20-81.12. The plate shall bear the words "Scenic Rivers" and a picture representing the unique beauty of the scenic rivers of North Carolina.';

and further moves to amend the bill on page 2, line 38, by inserting immediately after that line:

"Scenic Rivers $20.00";

and further moves to amend the bill on page 3, line 16, by inserting immediately after that line:

"Scenic Rivers $10 $10 0";

and further moves to amend the bill on page 3, line 20, by deleting "two" and substituting "three";

and further moves to amend the bill on page 3, line 37, by inserting immediately after that line:

"(b7) Scenic Rivers Plates. -- The Division must receive 300 or more applications for a Scenic Rivers plate before the plate may be developed. The Division shall transfer quarterly the money in the

NORTH CAROLINA GENERAL ASSEMBLY
AMENDMENT
House Bill 1156

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

H1156-ALK-2

Collegiate and Cultural Attraction Plate Account derived from the sale of Scenic Rivers plates to the Clean Water Management Trust Fund established in G.S. 113-45.3.".

SIGNED Watson H. Dickson
Amendment Sponsor

SIGNED _____
Committee Chair if **Senate** Committee Amendment

ADOPTED ✓ 48-0 FAILED _____ TABLED _____

J. Pruitt 8/12/97

NORTH CAROLINA GENERAL ASSEMBLY
SENATE

RECORDED VOTE

1997 SESSION

SEQ. 1340/9--11:48 AM AUGUST 12, 1997 LEGISLATIVE DAY 112

LT. GOVERNOR WICKER -- Presiding

MORRIS
MARCH OF DIMES. SCH. TECH. PLATES
SENATE COM SUB/3RD EDITION

AMT. 1 RULED MATERIAL

HOUSE BILL 1156

AMEND 1

AYE	48	ALBERTSON	DANNELLY	LEDBETTER	PURCELL
		ALLRAN	EAST	LEE	RAND
		BALLANCE	FORRESTER	LUCAS	REEVES
		BALLANTINE	FOXX	MARTIN R.	RUCHO
		BASNIGHT	GARWOOD	MARTIN W.	SHAW L.
		BLUST	HARTSELL	MCDANIEL	SHAW R.
		CARPENTER	HORTON	MILLER	SOLES
		CARRINGTON	HOYLE	MOORE	WARREN
		CLARK	JENKINS	ODOM	WEBSTER
		COCHRANE	JORDAN	PAGE	WEINSTEIN
		COOPER	KERR	PERDUE	WELLONS
		DALTON	KINNAIRD	PHILLIPS	WINNER
NO	0				
EXCUSED	0				
NOT CAST	0				
ABSENT	2	GULLEY		PLYLER	
PAIRS	0				
AYE					
NO					

GENERAL ASSEMBLY
SENATE

NORTH CAROLINA GENERAL ASSEMBLY
SENATE

RECORDED VOTE

1997 SESSION

SEQ. 1348/5--10:48 AM | AUGUST 13, 1997 | LEGISLATIVE DAY 113

LT. GOVERNOR WICKER -- Presiding

MORRIS
SPECIAL REGISTRATION PLATES
SENATE COM SUB/3RD EDITION

HOUSE BILL 1156
READING 2

AYE	48	ALBERTSON	DANNELLY	LEDBETTER	PURCELL
		ALLRAN	EAST	LEE	RAND
		BALLANCE	FORRESTER	LUCAS	REEVES
		BALLANTINE	FOXX	MARTIN W.	RUCHO
		BASNIGHT	GARWOOD	MCDANIEL	SHAW L.
		BLUST	HARTSELL	MILLER	SHAW R.
		CARPENTER	HORTON	MOORE	SOLES
		CARRINGTON	HOYLE	ODOM	WARREN
		CLARK	JENKINS	PAGE	WEBSTER
		COCHRANE	JORDAN	PERDUE	WEINSTEIN
		COOPER	KERR	PHILLIPS	WELLONS
		DALTON	KINNAIRD	PLYLER	WINNER
NO	0				

EXCUSED	0	
NOT CAST	1	MARTIN R.
ABSENT	1	GULLEY
PAIRS	0	
AYE		
NO		

GENERAL ASSEMBLY
SENATE

NORTH CAROLINA GENERAL ASSEMBLY
SENATE

RECORDED VOTE

1997 SESSION

SEQ. 1360/3--10:32 AM AUGUST 14, 1997 LEGISLATIVE DAY 114

LT. GOVERNOR WICKER -- Presiding

MORRIS
SPECIAL REGISTRATION PLATES
SENATE COM SUB/3RD EDITION

HOUSE BILL 1156
READING 3

AYE	47	ALBERTSON	EAST	LEE	PURCELL
		ALLRAN	FORRESTER	LUCAS	RAND
		BALLANCE	FOXX	MARTIN R.	REEVES
		BALLANTINE	GARWOOD	MARTIN W.	RUCHO
		BASNIGHT	HARTSELL	MCDANIEL	SHAW L.
		BLUST	HORTON	MILLER	SHAW R.
		CARPENTER	HOYLE	MOORE	SOLES
		CARRINGTON	JENKINS	ODOM	WARREN
		COCHRANE	JORDAN	PAGE	WEBSTER
		COOPER	KERR	PERDUE	WEINSTEIN
		DALTON	KINNAIRD	PHILLIPS	WELLONS
		DANNELLY	LEDBETTER	PLYLER	
NO	0				
EXCUSED	0				
NOT CAST	0				
ABSENT	3	CLARK	GULLEY		
PAIRS	0				
AYE					
NO					

WINNER

GENERAL ASSEMBLY
SENATE

NORTH CAROLINA
HOUSE OF REPRESENTATIVES
ROLL CALL

RC

SEQ. # 1497
LEGISLATIVE DAY 121
H1156SCS

8/26/97
1:36 PM
IN CHAIR: SPEAKER

MORRIS

MARCH OF DIMES/ SCHOOL TECH. PLATES
MOTION #11 - TO CONCUR IN SCS - RULED MATERIAL
READING 2

AYES - 88

ADAMS	DEDMON	JEFFUS	RAYFIELD
ALEXANDER	DICKSON	JUSTUS	REDWINE
ALLRED	DOCKHAM	KINNEY	REYNOLDS
ARNOLD	EARLE	KISER	RUSSELL
BADDOUR	EASTERLING	MCALLISTER	SEXTON
BAKER	EDDINS	MCCOMAS	SHERRILL
BARBEE	ELLIS	MCCOMBS	SHUBERT
BLACK	ESPOSITO	MCCRARY	SMITH
BONNER	FOX	MCMAHAN	TALLENT
BOYD-MCINTYRE	GARDNER	MERCER	THOMPSON
BRAWLEY	GOODWIN	MINER	TOLSON
BROWN	GRADY	MITCHELL	WAINWRIGHT
BUCHANAN	GRAY	MOORE	WARNER
CANSLER	GULLEY	MORGAN	WARWICK
CARPENTER	HACKNEY	MORRIS	WATSON
CHURCH	HALL	MOSLEY	WILKINS
CLARY	HIATT	NESBITT	WILSON, C.
COLE	HIGHTOWER	NICHOLS	WILSON, G.
CRAWFORD	HILL	NYE	WOMBLE
CULP	HOLMES	OLDHAM	WOOD
CUNNINGHAM	HUNTER, R.	OWENS	WRIGHT
DECKER	HURLEY	PRESTON	YONGUE

NOES - 20

BEALL	CREECH	HARDY	NEELY
BLUE	DAUGHTRY	HENSLEY	RAMSEY
BOWIE	DAVIS	HUNTER, H.	SAUNDERS
BRASWELL	FITCH	IVES	SUTTON
CAPPS	GAMBLE	LUEBKE	WEATHERLY

EXCUSED ABSENCE - 3

BERRY	HOWARD	MILLER

EXCUSED VOTE - 0

NOT VOTING - 9

SPEAKER	HARDAWAY	JARRELL	ROGERS
ALDRIDGE	INSKO	MICHAUX	STARNES
CULPEPPER			

NORTH CAROLINA

HOUSE OF REPRESENTATIVES

ROLL CALL

EV

. # 1507
ISLATIVE DAY 121
H1156SCS

8/26/97
2:50 PM
IN CHAIR: SPEAKER

MORRIS

MARCH OF DIMES/ SCHOOL TECH. PLATES
MOTION #5 · TO RECONSIDER VOTE TO CONCUR IN SCS

AYES - 104

ADAMS	DECKER	INSKO	OWENS
ALEXANDER	DEDMON	IVES	PRESTON
ALLRED	DICKSON	JARRELL	RAMSEY
ARNOLD	DOCKHAM	JEFFUS	RAYFIELD
BAKER	EARLE	JUSTUS	REDWINE
BARBEE	EASTERLING	KINNEY	RUSSELL
BLACK	EDDINS	KISER	SEXTON
BONNER	ELLIS	LUEBKE	SHERRILL
BOWIE	ESPOSITO	MCALLISTER	SHUBERT
BOYD-MCINTYRE	FOX	MCCOMAS	SMITH
BRASWELL	GAMBLE	MCCOMBS	STARNES
BRAWLEY	GARDNER	MCCRARY	SUTTON
BROWN	GRADY	MCMAHAN	THOMPSON
BUCHANAN	GRAY	MERCER	TOLSON
CANSLER	GULLEY	MICHAUX	WAINWRIGHT
CAPPS	HACKNEY	MINER	WARNER
CARPENTER	HALL	MITCHELL	WARWICK
CHURCH	HARDAWAY	MOORE	WATSON
CLARY	HARDY	MORGAN	WEATHERLY
CRAWFORD	HENSLEY	MORRIS	WILKINS
CREECH	HIATT	MOSLEY	WILSON, C.
CULP	HIGHTOWER	NEELY	WILSON, G.
CULPEPPER	HILL	NESBITT	WOMBLE
CUNNINGHAM	HOLMES	NICHOLS	WOOD
DAUGHTRY	HUNTER, H.	NYE	WRIGHT
DAVIS	HURLEY	OLDHAM	YONGUE

NOES - 1

BEALL

EXCUSED ABSENCE - 5

BADDOUR	GOODWIN	HOWARD	MILLER
BERRY			

EXCUSED VOTE - 0

NOT VOTING - 10

SPEAKER	COLE	REYNOLDS	SAUNDERS
ALDRIDGE	FITCH	ROGERS	TALLENT
BLUE	HUNTER, R.		

NORTH CAROLINA

HOUSE OF REPRESENTATIVES

ROLL CALL

RC

. # 1508
ISLATIVE DAY 121
H1156SCS

8/26/97
2:51 PM
IN CHAIR: SPEAKER

MORRIS

MARCH OF DIMES/ SCHOOL TECH. PLATES
MOTION #11 - TO NOT CONCUR IN SCS - RULED MATERIAL
READING 2

AYES - 105

ADAMS	DECKER	INSKO	PRESTON
ALEXANDER	DEDMON	IVES	RAMSEY
ALLRED	DICKSON	JARRELL	RAYFIELD
ARNOLD	DOCKHAM	JEFFUS	REDWINE
BAKER	EARLE	JUSTUS	RUSSELL
BARBEE	EDDINS	KINNEY	SAUNDERS
BEALL	ELLIS	KISER	SEXTON
BLACK	ESPOSITO	LUEBKE	SHERRILL
BONNER	FITCH	MCALLISTER	SHUBERT
BOWIE	FOX	MCCOMAS	SMITH
BOYD-MCINTYRE	GAMBLE	MCCOMBS	STARNES
BRASWELL	GARDNER	MCCRARY	SUTTON
BRAWLEY	GRADY	MCMAHAN	THOMPSON
BROWN	GRAY	MERCER	TOLSON
BUCHANAN	GULLEY	MICHAUX	WAINWRIGHT
CANSLER	HACKNEY	MINER	WARNER
CAPPS	HALL	MITCHELL	WARWICK
CARPENTER	HARDAWAY	MOORE	WATSON
CHURCH	HARDY	MORRIS	WEATHERLY
CLARY	HENSLEY	MOSLEY	WILKINS
CRAWFORD	HIATT	NEELY	WILSON, C.
CREECH	HIGHTOWER	NESBITT	WILSON, G.
CULP	HILL	NICHOLS	WOMBLE
CULPEPPER	HOLMES	NYE	WOOD
CUNNINGHAM	HUNTER, H.	OLDHAM	WRIGHT
DAUGHTRY	HURLEY	OWENS	YONGUE
DAVIS			

NOES - 0

EXCUSED ABSENCE - 5

BADDOUR	GOODWIN	HOWARD	MILLER
BERRY			

EXCUSED VOTE - 0

NOT VOTING - 10

SPEAKER	COLE	MORGAN	ROGERS
ALDRIDGE	EASTERLING	REYNOLDS	TALLENT
BLUE	HUNTER, R.		

NORTH CAROLINA GENERAL ASSEMBLY
CONFERENCE REPORT
House Bill 1156

H1156-CRRB-8/27

[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 House Bill 1156, AN ACT TO AUTHORIZE THE DEVELOPMENT OF SPECIAL REGISTRATION PLATES FOR SUPPORTERS OF THE MARCH OF DIMES, SCHOOL TECHNOLOGY, AND SCENIC RIVERS AND TO AUTHORIZE THE DEVELOPMENT OF A REGISTRATION PLATE FOR WAR VETERANS, Fourth Edition Engrossed 8/14/97, submit the following report:

The House and Senate agree to the following amendments to the Fourth Edition Engrossed 8/14/97 and the House concurs in the Fourth Edition Engrossed 8/14/97 as amended:

on page 1, line 5, by deleting "WAR" and substituting "COMBAT";

and on page 2, lines 7 through 13, by rewriting those lines to read:

"(6b) Combat Veteran. -- Issuable to a veteran of the armed forces who served in a combat zone, or in waters adjacent to a combat zone, during a period of war and who was separated from the armed forces under honorable conditions. The Division may not issue the plate authorized by this subdivision unless it receives at least 300 applications for the plate. A 'period of war' is any of the following:";

and on page 4, line 7, by deleting that line;

and on page 4, line 8, by deleting "Section 9." and substituting Section 8.".

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

NORTH CAROLINA GENERAL ASSEMBLY
CONFERENCE REPORT
House Bill 1156

H1156-CRRB-8/27

Date conferees approved report: August 27, 1997.

Conferees for the Senate	Conferees for the House of Representatives
John H. Kerr, III, Chairman	Amelia A.H. Morris, Chair
Austin Murphy Allran	Jerry Braswell
David W. Hoyle	Ronnie N. Sutton

House Submitted 8/27/97 placed on calendar 8/28/97
ADOPTED (/) Message Received
ADOPTED (/) Ordered Enrolled

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NORTH CAROLINA
HOUSE OF REPRESENTATIVES
ROLL CALL

RC

SEQ. # 1540
LEGISLATIVE DAY 123
H1156
CONFERENCE REPORT
MORRIS

8/28/97
11:25 AM
IN CHAIR: SPEAKER

MARCH OF DIMES/ SCHOOL TECH. PLATES
READING 2

AYES - 101

SPEAKER	DAVIS	IVES	OWENS
ADAMS	DECKER	JARRELL	PRESTON
ALEXANDER	DEDMON	JEFFUS	RAMSEY
ALLRED	DICKSON	JUSTUS	REDWINE
ARNOLD	DOCKHAM	KINNEY	REYNOLDS
BADDOUR	EASTERLING	KISER	ROGERS
BAKER	EDDINS	LUEBKE	RUSSELL
BARBEE	ELLIS	MCALLISTER	SAUNDERS
BEALL	FITCH	MCCOMAS	SEXTON
BLACK	FOX	MCCOMBS	SHERRILL
BONNER	GOODWIN	MCCRARY	SHUBERT
BOYD-MCINTYRE	GRADY	MERCER	SMITH
BRAWLEY	GRAY	MICHAUX	SUTTON
BROWN	GULLEY	MILLER	TALLENT
BUCHANAN	HACKNEY	MINER	THOMPSON
CANSLER	HARDY	MITCHELL	TOLSON
CAPPS	HIATT	MOORE	WAINWRIGHT
CARPENTER	HIGHTOWER	MORGAN	WARNER
CHURCH	HILL	MORRIS	WARWICK
CLARY	HOLMES	MOSLEY	WILKINS
COLE	HOWARD	NEELY	WILSON, C.
CRAWFORD	HUNTER, H.	NESBITT	WILSON, G.
CULP	HUNTER, R.	NICHOLS	WOMBLE
CULPEPPER	HURLEY	NYE	WRIGHT
CUNNINGHAM	INSKO	OLDHAM	YONGUE
DAUGHTRY			

NOES - 4

BLUE	CREECH	HENSLEY	WEATHERLY

EXCUSED ABSENCE - 5

BERRY	HARDAWAY	MCMAHAN	WATSON
GARDNER			

EXCUSED VOTE - 0

NOT VOTING - 10

ALDRIDGE	EARLE	HALL	STARNES
BOWIE	ESPOSITO	RAYFIELD	WOOD
BRASWELL	GAMBLE		

NORTH CAROLINA
HOUSE OF REPRESENTATIVES
ROLL CALL

RC

. # 1541
ISLATIVE DAY 123
H1156
CONFERENCE REPORT
MORRIS

8/28/97
11:25 AM
IN CHAIR: SPEAKER

MARCH OF DIMES/ SCHOOL TECH. PLATES
READING 3

AYES - 104

SPEAKER	DAUGHTRY	INSKO	OWENS
ADAMS	DAVIS	IVES	PRESTON
ALEXANDER	DECKER	JARRELL	REDWINE
ALLRED	DEDMON	JEFFUS	REYNOLDS
ARNOLD	DICKSON	JUSTUS	ROGERS
BADDOUR	DOCKHAM	KINNEY	RUSSELL
BAKER	EARLE	KISER	SAUNDERS
BARBEE	EASTERLING	LUEBKE	SEXTON
BEALL	EDDINS	MCALLISTER	SHERRILL
BLACK	ELLIS	MCCOMAS	SHUBERT
BONNER	ESPOSITO	MCCOMBS	SMITH
BOYD-MCINTYRE	FITCH	MCCRARY	STARNES
BRASWELL	FOX	MERCER	SUTTON
BRAWLEY	GOODWIN	MICHAUX	TALLENT
BROWN	GRADY	MILLER	THOMPSON
BUCHANAN	GRAY	MINER	TOLSON
CANSLER	GULLEY	MITCHELL	WAINWRIGHT
CAPPS	HACKNEY	MOORE	WARNER
CARPENTER	HALL	MORGAN	WARWICK
CHURCH	HIATT	MORRIS	WEATHERLY
CLARY	HIGHTOWER	MOSLEY	WILKINS
COLE	HILL	NEELY	WILSON, C.
CRAWFORD	HOLMES	NESBITT	WILSON, G.
CULP	HOWARD	NICHOLS	WOMBLE
CULPEPPER	HUNTER, R.	NYE	WRIGHT
CUNNINGHAM	HURLEY	OLDHAM	YONGUE

NOES - 6

BLUE	HARDY	HUNTER, H.	RAMSEY
CREECH	HENSLEY		

EXCUSED ABSENCE - 5

BERRY	HARDAWAY	MCMAHAN	WATSON
GARDNER			

EXCUSED VOTE - 0

NOT VOTING - 5

ALDRIDGE	GAMBLE	RAYFIELD	WOOD
BOWIE			

NORTH CAROLINA GENERAL ASSEMBLY
SENATE

RECORDED VOTE

1997 SESSION

SEQ. 1537/15--11:01 AM AUGUST 28, 1997 LEGISLATIVE DAY 123

LT. GOVERNOR WICKER -- Presiding

MORRIS
MARCH OF DIMES. SCH. TECH. PLATES
SENATE COM SUB/4TH EDITION

HOUSE BILL 1156

CONFERENCE REPORT

MOTION 7
TO ADOPT

AYE	46	ALBERTSON	DANNELLY	LEDBETTER	PHILLIPS
		ALLRAN	EAST	LEE	PLYLER
		BALLANCE	FORRESTER	LUCAS	PURCELL
		BALLANTINE	FOXX	MARTIN R.	RAND
		BASNIGHT	GULLEY	MARTIN W.	REEVES
		BLUST	HARTSELL	MCDANIEL	SHAW L.
		CARPENTER	HORTON	MILLER	SHAW R.
		CARRINGTON	HOYLE	MOORE	SOLES
		CLARK	JENKINS	ODOM	WEBSTER
		COCHRANE	JORDAN	PAGE	WELLONS
		COOPER	KERR	PERDUE	WINNER
		DALTON	KINNAIRD		
NO	0				
EXCUSED	0				
NOT CAST	1	GARWOOD			
ABSENT	3	RUCHO	WARREN	WEINSTEIN	
PAIRS	0				
AYE					
NO					

NORTH CAROLINA GENERAL ASSEMBLY
CONFERENCE REPORT
House Bill 1156

H1156-CRRB-8/27

[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 House Bill 1156, AN ACT TO AUTHORIZE THE DEVELOPMENT OF SPECIAL REGISTRATION PLATES FOR SUPPORTERS OF THE MARCH OF DIMES, SCHOOL TECHNOLOGY, AND SCENIC RIVERS AND TO AUTHORIZE THE DEVELOPMENT OF A REGISTRATION PLATE FOR WAR VETERANS, Fourth Edition Engrossed 8/14/97, submit the following report:

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and on page 2, lines 7 through 13, by rewriting those lines to read:
"(6b) Combat Veteran. -- Issuable to a veteran of the armed forces who served in a combat zone, or in waters adjacent to a combat zone, during a period of war and who was separated from the armed forces under honorable conditions. The Division may not issue the plate authorized by this subdivision unless it receives at least 300 applications for the plate. A 'period of war' is any of the following:";

and on page 4, line 7, by deleting that line;

and on page 4, line 8, by deleting "Section 9." and substituting Section 8.".

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

NORTH CAROLINA GENERAL ASSEMBLY
CONFERENCE REPORT
House Bill 1156

H1156-CRRB-8/27

Date conferees approved report: August 27, 1997.

Conferees for the Senate	Conferees for the House of Representatives
John H. Kerr, III, Chairman	Amelia A.H. Morris, Chair
Austin Murphy Allran	Jerry Braswell
David W. Hoyle	Ronnie N. Sutton

Placed on Calendar for 8/28/97.

Senate Submitted 8/27/97
Senate ADOPTED 8/28/97 (46/0) Message Received _____
ADOPTED _____ (/) Ordered Enrolled _____

House notified 8/28/97 J. Pruitt

Ruled non roll-call 8/28/97.

NORTH CAROLINA GENERAL ASSEMBLY
CONFERENCE REPORT
House Bill 1156

H1156-CRRB-8/27

[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 House Bill 1156, AN ACT TO AUTHORIZE THE DEVELOPMENT OF SPECIAL REGISTRATION PLATES FOR SUPPORTERS OF THE MARCH OF DIMES, SCHOOL TECHNOLOGY, AND SCENIC RIVERS AND TO AUTHORIZE THE DEVELOPMENT OF A REGISTRATION PLATE FOR WAR VETERANS, Fourth Edition Engrossed 8/14/97, submit the following report:

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TITLE CHANGE

NORTH CAROLINA GENERAL ASSEMBLY
CONFERENCE REPORT
House Bill 1156

H1156-CRRB-8/27

Date conferees approved report: August 27, 1997.

Conferees for the Senate	Conferees for the House of Representatives
John H. Kerr, III, Chairman	Amelia A.H. Morris, Chair
Austin Murphy Allran	Jerry Braswell
David W. Hoyle	Ronnie N. Sutton

House Submitted 8/27/97 placed on calendar 8/28/97
House ADOPTED 2nd 8/28/97 (101/4 RC) Message Received
House ADOPTED 3rd 8/28/97 (104/6 RC) Ordered Enrolled

Senate notified

Special Message

TITLE CHANGE

AUG 28 1997

NORTH CAROLINA GENERAL ASSEMBLY
CONFERENCE REPORT
House Bill 1156

H1156-CRRB-8/27

[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 House Bill 1156, AN ACT TO AUTHORIZE THE DEVELOPMENT OF SPECIAL REGISTRATION PLATES FOR SUPPORTERS OF THE MARCH OF DIMES, SCHOOL TECHNOLOGY, AND SCENIC RIVERS AND TO AUTHORIZE THE DEVELOPMENT OF A REGISTRATION PLATE FOR WAR VETERANS, Fourth Edition Engrossed 8/14/97, submit the following report:

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and on page 4, line 8, by deleting "Section 9." and substituting Section 8.".

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TITLE CHANGE

NORTH CAROLINA GENERAL ASSEMBLY
CONFERENCE REPORT
House Bill 1156

H1156-CRRB-8/27

Date conferees approved report: August 27, 1997.

Conferees for the Senate

John H. Kerr, III, Chairman

Austin Murphy Allran

David W. Hoyle

Conferees for the House of Representatives

Amelia A.H. Morris, Chair

Jerry Braswell

Ronnie N. Sutton

House Submitted 8/27/97 placed on calendar 8/28/97
House ADOPTED 2nd 8/28/97 (101/4 RC) Message Received 8/28/97
House ADOPTED 3rd 8/28/97 (104/6 RC) Ordered Enrolled 8/28/97

Senate notified

Special Message

TITLE CHANGE

AUG 2 8 1997

ORDERED SENT TO GOVERNOR

Special Message

T
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GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1997

H.B. FILED

1157 APR 23 97

HOUSE PRINCIPAL CLERK

H D

HOUSE DRH1279-LC161(3.25)

Short Title: Various State Tax Law Changes. (Public)

Sponsors: Representative Morris.

Referred to:

A BILL TO BE ENTITLED

AN ACT TO EXTEND THE STATUTES OF LIMITATIONS FOR TAX REFUNDS, TO CLARIFY THE CORPORATE INCOME TAX ON CERTAIN TAX-EXEMPT OBLIGATIONS, AND TO DELETE THE CAP ON CORPORATE INCOME TAX DEDUCTIONS OF DIVIDENDS RECEIVED FROM REGULATED INVESTMENT COMPANIES.

The General Assembly of North Carolina enacts:

Section 1. G.S. 105-267 reads as rewritten:

"**§ 105-267. Taxes to be paid; suits for recovery of taxes.**

No court of this State shall entertain a suit of any kind brought for the purpose of preventing the collection of any tax ~~imposed in this Subchapter.~~ to which this Article applies. Whenever a person has a valid defense to the enforcement of the collection of a tax, the person shall pay the tax to the proper officer, and that payment shall be without prejudice to any defense of rights the person may have regarding the tax. At any time within the applicable protest period, the taxpayer may demand a refund of the tax paid in writing from the Secretary and if the tax is not refunded within 90 days thereafter, may sue the Secretary in the courts of the State for the amount demanded. The protest period for a tax levied in Article 2A, 2B, 2C, or 2D of this Chapter is 30 days after payment. The protest period for all other taxes is ~~one year after payment.~~ the period set by the statute of limitations in G.S. 105-266(c).

The suit may be brought in the Superior Court of Wake County, or in the Superior Court of the county in which the taxpayer resides at any time within three years after the expiration of the 90-day period allowed for making the refund. If upon the trial it is determined that all or part of the tax was levied or assessed for an illegal or unauthorized purpose, or was for any reason invalid or excessive, judgment shall

NORTH CAROLINA
HOUSE OF REPRESENTATIVES
ROLL CALL

EV

[redacted] # 750
[redacted]ISLATIVE DAY 69
H1157
READING 2
MORRIS

5/27/97
4:40 PM
IN CHAIR: SPEAKER

VARIOUS STATE TAX LAW CHANGES

AYES - 100

ALDRIDGE	DAUGHTRY	JARRELL	REYNOLDS
ALLRED	DAVIS	JEFFUS	ROGERS
ARNOLD	DECKER	JUSTUS	RUSSELL
BADDOUR	DEDMON	KINNEY	SAUNDERS
BAKER	DICKSON	KISER	SEXTON
BARBEE	DOCKHAM	MCCOMAS	SHERRILL
BEALL	EARLE	MCCOMBS	SHUBERT
BERRY	EASTERLING	MCCRARY	SMITH
BLACK	EDDINS	MCMAHAN	STARNES
BONNER	ELLIS	MERCER	SUTTON
BOWIE	ESPOSITO	MINER	TALLENT
BOYD-MCINTYRE	FOX	MITCHELL	THOMPSON
BRASWELL	GAMBLE	MOORE	TOLSON
BRAWLEY	GARDNER	MORGAN	WAINWRIGHT
BROWN	GOODWIN	MORRIS	WARNER
BUCHANAN	GRADY	MOSLEY	WARWICK
CANSLER	GULLEY	NEELY	WATSON
CAPPS	HALL	NESBITT	WEATHERLY
CARPENTER	HARDY	NYE	WILKINS
CHURCH	HIATT	OLDHAM	WILSON, C.
CLARY	HIGHTOWER	OWENS	WILSON, G.
COLE	HILL	PRESTON	WOMBLE
CRAWFORD	HOLMES	RAMSEY	WOOD
CULP	HUNTER, R.	RAYFIELD	WRIGHT
CULPEPPER	IVES	REDWINE	YONGUE

NOES - 6

HACKNEY	HENSLEY	LUEBKE	MICHAUX
HARDAWAY	INSKO		

EXCUSED ABSENCE - 6

ALEXANDER	CREECH	GRAY	NICHOLS
BLUE	CUNNINGHAM		

EXCUSED VOTE - 0

NOT VOTING - 8

SPEAKER	FITCH	HUNTER, H.	MCALLISTER
ADAMS	HOWARD	HURLEY	MILLER

NORTH CAROLINA GENERAL ASSEMBLY
AMENDMENT
House Bill 1157

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

H1157-ARB-7/30

Date 7/30 ,1997

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

Senator Kerr

moves to amend the bill on page 1, line 3, by deleting "OBLIGATIONS AND" and substituting "OBLIGATIONS,";

and on page 1, line 5, by deleting "COMPANIES." and substituting "COMPANIES, AND TO ALLOW THE DEPARTMENT OF REVENUE TO DEDUCT ITS COST OF ADMINISTERING THE DISTRIBUTION OF GROSS RECEIPTS TO CITIES.";

and on page 2, line 23 and 24, by adding a new section between those lines to read:

"Section 3. G.S. 105-116.1(b), as enacted by Section 1 of Session Law 97-118, reads as rewritten:

"(b) Distribution. -- The Secretary must distribute to the cities part of the taxes collected under this Article on electric power companies, natural gas companies, and telephone companies. Each city's share for a calendar quarter is the percentage distribution amount for that city for that quarter minus one-fourth of the city's hold-back ~~amount.~~ amount and one-fourth of the city's proportionate share of the annual cost to the Department of administering the distribution. The Secretary must make the distribution within 75 days after the end of each calendar quarter.";

NORTH CAROLINA GENERAL ASSEMBLY
AMENDMENT
House Bill 1157

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

H1157-ARB-7/30

and on page 2, lines 24 and 25, by rewriting the lines to read:
"Section 4. Sections 1 and 2 of this act are effective for taxable years beginning on or after January 1, 1997. The remainder of this act is effective when it becomes law.".

SIGNED J Kerr
Amendment Sponsor

SIGNED _____
Committee Chair if **Senate** Committee Amendment

ADOPTED V 48-1 FAILED _____ TABLED _____

Janet Pruitt 9/30/97

NORTH CAROLINA GENERAL ASSEMBLY
SENATE

RECORDED VOTE

1997 SESSION

SEQ. 1256/14--11:55 AM JULY 30, 1997 LEGISLATIVE DAY 105

LT. GOVERNOR WICKER -- Presiding

MORRIS
VARIOUS CORPORATE TAX LAW CHANGES
SENATE COMM. SUB./2ND EDITION

HOUSE BILL 1157

AMEND 1

AYE	48	ALBERTSON	DANNELLY	KINNAIRD	PLYLER
		ALLRAN	EAST	LEDBETTER	PURCELL
		BALLANCE	FORRESTER	LEE	RAND
		BALLANTINE	FOXX	LUCAS	REEVES
		BASNIGHT	GARWOOD	MARTIN R.	RUCHO
		BLUST	GULLEY	MARTIN W.	SHAW L.
		CARPENTER	HARTSELL	MCDANIEL	SHAW R.
		CARRINGTON	HORTON	MILLER	SOLES
		CLARK	HOYLE	ODOM	WARREN
		COCHRANE	JENKINS	PAGE	WEINSTEIN
		COOPER	JORDAN	PERDUE	WELLONS
		DALTON	KERR	PHILLIPS	WINNER
NO	1	WEBSTER			

EXCUSED	0
NOT CAST	0
ABSENT	0
PAIRS	0
AYE	
NO	

GENERAL ASSEMBLY
SENATE

NORTH CAROLINA GENERAL ASSEMBLY
SENATE

RECORDED VOTE

1997 SESSION

SEQ. 1257/15--12:01 PM JULY 30, 1997 LEGISLATIVE DAY 105

LT. GOVERNOR WICKER -- Presiding

MORRIS
VARIOUS CORPORATE TAX LAW CHANGES
SENATE COMM. SUB./2ND EDITION

HOUSE BILL 1157
READING 2

AYE	49	ALBERTSON	EAST	LEDBETTER	PURCELL
		ALLRAN	FORRESTER	LEE	RAND
		BALLANCE	FOXX	LUCAS	REEVES
		BALLANTINE	GARWOOD	MARTIN R.	RUCHO
		BASNIGHT	GULLEY	MARTIN W.	SHAW L.
		BLUST	HARTSELL	MCDANIEL	SHAW R.
		CARPENTER	HORTON	MILLER	SOLES
		CARRINGTON	HOYLE	ODOM	WARREN
		CLARK	JENKINS	PAGE	WEBSTER
		COCHRANE	JORDAN	PERDUE	WEINSTEIN
		COOPER	KERR	PHILLIPS	WELLONS
		DALTON	KINNAIRD	PLYLER	WINNER
		DANNELLY			
NO	0				

EXCUSED 0

NOT CAST 0

ABSENT 0

PAIRS 0
AYE
NO

GENERAL ASSEMBLY
SENATE

NORTH CAROLINA GENERAL ASSEMBLY
SENATE

RECORDED VOTE

1997 SESSION

SEQ. 1268/7--10:37 AM JULY 31, 1997 LEGISLATIVE DAY 106

LT. GOVERNOR WICKER -- Presiding

MORRIS
VARIOUS CORPORATE TAX LAW CHANGES
SENATE COMM. SUB./2ND EDITION

HOUSE BILL 1157
READING 3

AYE	46	ALBERTSON	EAST	LEDBETTER	PLYLER
		ALLRAN	FORRESTER	LEE	PURCELL
		BALLANCE	FOXX	LUCAS	RAND
		BALLANTINE	GARWOOD	MARTIN R.	RUCHO
		BASNIGHT	GULLEY	MARTIN W.	SHAW L.
		BLUST	HARTSELL	MCDANIEL	SHAW R.
		CARPENTER	HORTON	MILLER	SOLES
		CARRINGTON	HOYLE	ODOM	WARREN
		COCHRANE	JENKINS	PAGE	WEINSTEIN
		COOPER	JORDAN	PERDUE	WELLONS
		DALTON	KERR	PHILLIPS	WINNER
		DANNELLY	KINNAIRD		
NO	1	WEBSTER			

EXCUSED	0	
NOT CAST	1	REEVES
ABSENT	1	CLARK
PAIRS	0	
AYE		
NO		

GENERAL ASSEMBLY
SENATE

NORTH CAROLINA GENERAL ASSEMBLY
SENATE

RECORDED VOTE

1997 SESSION

SEQ. 1268/7--10:37 AM JULY 31, 1997 LEGISLATIVE DAY 106

LT. GOVERNOR WICKER -- Presiding

MORRIS
VARIOUS CORPORATE TAX LAW CHANGES
SENATE COMM. SUB./2ND EDITION

HOUSE BILL 1157
READING 3

AYE	46	ALBERTSON	EAST	LEDBETTER	PLYLER
		ALLRAN	FORRESTER	LEE	PURCELL
		BALLANCE	FOXX	LUCAS	RAND
		BALLANTINE	GARWOOD	MARTIN R.	RUCHO
		BASNIGHT	GULLEY	MARTIN W.	SHAW L.
		BLUST	HARTSELL	MCDANIEL	SHAW R.
		CARPENTER	HORTON	MILLER	SOLES
		CARRINGTON	HOYLE	ODOM	WARREN
		COCHRANE	JENKINS	PAGE	WEINSTEIN
		COOPER	JORDAN	PERDUE	WELLONS
		DALTON	KERR	PHILLIPS	WINNER
		DANNELLY	KINNAIRD		
NO	1	WEBSTER			

EXCUSED	0	
NOT CAST	1	REEVES
ABSENT	1	CLARK
PAIRS	0	
AYE		
NO		

GENERAL ASSEMBLY
SENATE

NORTH CAROLINA
HOUSE OF REPRESENTATIVES
ROLL CALL

EV

1414
ISLATIVE DAY 115
H1157SCS

8/18/97
4:26 PM
IN CHAIR: SPEAKER

MORRIS

VARIOUS CORPORATE TAX LAW CHANGES
MOTION #11 - TO CONCUR IN SCS

AYES - 96

ADAMS	DAUGHTRY	JUSTUS	RAYFIELD
ALEXANDER	DAVIS	KINNEY	REDWINE
ALLRED	DECKER	KISER	REYNOLDS
ARNOLD	DEDMON	LUEBKE	ROGERS
BADDOUR	DOCKHAM	MCALLISTER	RUSSELL
BAKER	EASTERLING	MCCOMAS	SAUNDERS
BARBEE	EDDINS	MCCOMBS	SEXTON
BEALL	ESPOSITO	MCCRARY	SHERRILL
BLACK	FOX	MERCER	SHUBERT
BLUE	GARDNER	MICHAUX	SMITH
BONNER	GOODWIN	MILLER	SUTTON
BOYD-MCINTYRE	GRADY	MINER	TALLENT
BRASWELL	GULLEY	MITCHELL	THOMPSON
BRAWLEY	HALL	MOORE	TOLSON
BROWN	HARDY	MORGAN	WARNER
BUCHANAN	HENSLEY	MORRIS	WARWICK
CAPPS	HIATT	MOSLEY	WATSON
CARPENTER	HIGHTOWER	NEELY	WEATHERLY
CHURCH	HILL	NICHOLS	WILKINS
CLARY	HURLEY	NYE	WILSON, C.
COLE	INSKO	OLDHAM	WILSON, G.
CRAWFORD	IVES	OWENS	WOMBLE
CULP	JARRELL	PRESTON	WRIGHT
CULPEPPER	JEFFUS	RAMSEY	YONGUE

NOES - 1

GAMBLE

EXCUSED ABSENCE - 10

CANSLER	ELLIS	HUNTER, R.	WAINWRIGHT
CREECH	HARDAWAY	MCMAHAN	WOOD
CUNNINGHAM	HOLMES		

EXCUSED VOTE - 0

NOT VOTING - 13

SPEAKER	DICKSON	GRAY	HUNTER, H.
ALDRIDGE	EARLE	HACKNEY	NESBITT
BERRY	FITCH	HOWARD	STARNES
BOWIE			

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1997

H.B. FILED 1158 APR 23 97 HOUSE PRINCIPAL CLERK

H D

HOUSE DRHA321-RB415(3.27)

Short Title: Reduce Property Tax for Antique Planes. (Public)

Sponsors: Representative R. Hunter.

Referred to:

A BILL TO BE ENTITLED

AN ACT TO PROVIDE THAT ANTIQUE AIRPLANES SHALL BE VALUED AT NO MORE THAN FIVE THOUSAND DOLLARS FOR PROPERTY TAX PURPOSES.

The General Assembly of North Carolina enacts:

Section 1. Article 12 of Chapter 105 of the General Statutes is amended by adding a new section to read:

"**§ 105-277.12. Antique airplanes.**

(a) For the purpose of this section, the term 'antique airplane' means an airplane that meets all of the following conditions:

(1) It is registered with the Federal Aviation Administration and is a model year 1954 or older.

(2) It is maintained primarily for use in exhibitions, club activities, air shows, and other public interest functions.

(3) It is used only occasionally for other purposes.

(4) It is owned by an individual.

(5) It is used by the owner for a purpose other than the production of income and is not used in connection with a business.

(b) Antique airplanes are 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. An antique airplane shall be assessed at the lower of its true value or five thousand dollars ($5,000)."

Section 2. This act is effective for taxes imposed for taxable years beginning on or after July 1, 1998.

NORTH CAROLINA
HOUSE OF REPRESENTATIVES
ROLL CALL

EV

[redacted] # 661
[redacted]ISLATIVE DAY 62
H1158HCS
READING 2
HUNTER, R.

5/15/97
1:25 PM
IN CHAIR: SPEAKER

REDUCE PROPERTY TAX FOR ANTIQUE PLANES

AYES - 100

ADAMS	CULPEPPER	IVES	REDWINE
ALLRED	CUNNINGHAM	JARRELL	REYNOLDS
ARNOLD	DAUGHTRY	JEFFUS	ROGERS
BADDOUR	DECKER	JUSTUS	RUSSELL
BAKER	DEDMON	KINNEY	SAUNDERS
BARBEE	DOCKHAM	KISER	SEXTON
BEALL	EARLE	MCALLISTER	SHERRILL
BERRY	EASTERLING	MCCOMAS	SHUBERT
BLACK	EDDINS	MCCOMBS	SMITH
BONNER	FITCH	MCCRARY	STARNES
BOWIE	FOX	MCMAHAN	SUTTON
BOYD-MCINTYRE	GARDNER	MERCER	TALLENT
BRASWELL	GOODWIN	MICHAUX	THOMPSON
BRAWLEY	GRADY	MINER	TOLSON
BROWN	GRAY	MITCHELL	WAINWRIGHT
BUCHANAN	GULLEY	MOORE	WARNER
CANSLER	HARDAWAY	MORGAN	WARWICK
CAPPS	HARDY	MORRIS	WATSON
CARPENTER	HENSLEY	NEELY	WILKINS
CHURCH	HIGHTOWER	NESBITT	WILSON, C.
CLARY	HILL	NICHOLS	WILSON, G.
COLE	HOLMES	NYE	WOMBLE
CRAWFORD	HOWARD	PRESTON	WOOD
CREECH	HUNTER, H.	RAMSEY	WRIGHT
CULP	HURLEY	RAYFIELD	YONGUE

NOES - 5

DAVIS	INSKO	LUEBKE	OWENS
ELLIS			

EXCUSED ABSENCE - 11

ALDRIDGE	ESPOSITO	HIATT	OLDHAM
BLUE	GAMBLE	MILLER	WEATHERLY
DICKSON	HALL	MOSLEY	

EXCUSED VOTE - 0

NOT VOTING - 4

SPEAKER	ALEXANDER	HACKNEY	HUNTER, R.

NORTH CAROLINA GENERAL ASSEMBLY
SENATE

RECORDED VOTE

1997 SESSION

SEQ. 1172/12-- 8:37 PM JULY 21, 1997 LEGISLATIVE DAY 99

LT. GOVERNOR WICKER -- Presiding

HUNTER R.
REDUCE PROPERTY TAX FOR ANTIQUE
2ND EDITION

HOUSE BILL 1158
READING 2

PLANES

AYE	42	ALBERTSON	DALTON	LEDBETTER	RAND
		ALLRAN	DANNELLY	LUCAS	REEVES
		BALLANCE	EAST	MARTIN R.	RUCHO
		BALLANTINE	FORRESTER	MARTIN W.	SHAW L.
		BASNIGHT	FOXX	MILLER	SHAW R.
		BLUST	HARTSELL	ODOM	SOLES
		CARPENTER	HORTON	PAGE	WARREN
		CARRINGTON	JENKINS	PERDUE	WEBSTER
		CLARK	JORDAN	PHILLIPS	WEINSTEIN
		COCHRANE	KERR	PLYLER	WELLONS
		COOPER	KINNAIRD		
NO	1	GULLEY			

EXCUSED	0			
NOT CAST	2	KINCAID	MCDANIEL	
ABSENT	4	GARWOOD	HOYLE	LEE
PAIRS	0			
AYE				
NO				

WINNER

GENERAL ASSEMBLY
SENATE

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1997

H.B. FILED
1159 APR 23 97
HOUSE PRINCIPAL CLERK

H D

HOUSE DRH7271*-LR233(4.22)

Short Title: Mosquito Control Funds. (Public)

Sponsors: Representative Smith.

Referred to:

A BILL TO BE ENTITLED

AN ACT TO APPROPRIATE FUNDS TO SUPPORT LOCAL MOSQUITO CONTROL DISTRICTS AND OTHER UNITS OF LOCAL GOVERNMENT ENGAGED IN MOSQUITO CONTROL.

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 the sum of one million dollars ($1,000,000) for the 1997-98 fiscal year and the sum of one million dollars ($1,000,000) for the 1998-99 fiscal year to aid mosquito control districts and other units of local government engaged in mosquito control, as authorized by G.S. 130A-347.

Section 2. This act becomes effective July 1, 1997.

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1997

H.B. FILED
1160 APR 23 97
HOUSE PRINCIPAL CLERK

H D

HOUSE RESOLUTION DRHR2291-RC017(4.18)

Sponsors: Representative Gray.

Referred to:

A HOUSE RESOLUTION TO ESTABLISH THE PROCEDURE FOR FILLING A VACANCY ON THE BOARD OF GOVERNORS.

Be it resolved by the House of Representatives:

Section 1. The House of Representatives shall adopt procedures for filling a vacancy in the membership of the Board of Governors of The University of North Carolina.

Section 2. This resolution is effective upon adoption.

H.B. FILED
1161
HOUSE PRINCIPAL

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1997

H D

HOUSE DRH1321-RT/SB075.01(4.23)

Short Title: Fisheries Reform Act Appropriations. (Public)

Sponsors: House Environment Committee.

Referred to:

A BILL TO BE ENTITLED

AN ACT TO APPROPRIATE FUNDS TO IMPLEMENT THE FISHERIES REFORM ACT OF 1997.

The General Assembly of North Carolina enacts:

Section 1. There is appropriated from the General Fund to the Office of the State Auditor the sum of twenty-five thousand dollars ($25,000) for the 1997-98 fiscal year to be used for expenses incurred in connection with a performance audit of the Division of Marine Fisheries of the Department of Environment, Health, and Natural Resources. Notwithstanding the provisions of Article 3C of Chapter 143 of the General Statutes, the Office of the State Auditor may hire consultants to assist in conducting the work required by this section. If, in conducting the audit required by this section, the Office of the State Auditor incurs expenses prior to 1 July 1997, the Office of the State Auditor may pay or reimburse those expenses from funds appropriated by this section. The performance audit report shall be delivered to the Joint Legislative Commission on Seafood and Aquaculture no later than 1 March 1998.

Section 2. There is appropriated to the Department of Environment, Health, and Natural Resources the sum of two hundred ninety-four thousand eight hundred forty-six dollars ($294,846) for the 1997-98 fiscal year and the sum of two hundred seventy-seven thousand three hundred forty-six dollars ($277,346) for the 1998-99 fiscal year to establish five positions and for administrative and other costs associated with development of Coastal Habitat Protection Plans.

Section 3. There is appropriated to the Department of Environment, Health, and Natural Resources the sum of one million two hundred fifteen thousand four hundred sixty-seven dollars ($1,215,467) for the 1997-98 fiscal year and the sum

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1997

H.B. FILED

1162 APR 24 97

HOUSE PRINCIPAL CLERK

H D

HOUSE DRH1077-LV002(1.1)

Short Title: CON Modifications. (Public)

Sponsors: Representative C. Wilson.

Referred to:

A BILL TO BE ENTITLED

AN ACT TO AMEND THE CERTIFICATE OF NEED LAW TO CHANGE THE DETERMINATIVE EFFECT OF THE STATE MEDICAL FACILITIES PLAN'S NEED DETERMINATIONS TO PRESUMPTIVE EFFECTS AND TO REQUIRE CONSIDERATION OF ANY SPECIFIC NEED THAT MAY REBUT THE PRESUMPTION AND TO CLARIFY THAT THE STATE MEDICAL FACILITIES PLAN MUST BE ADOPTED AS RULES PURSUANT TO THE NORTH CAROLINA ADMINISTRATIVE PROCEDURE ACT AND MAY BE CHALLENGED IN CONTESTED CASES.

The General Assembly of North Carolina enacts:

Section 1. G.S. 131E-177 reads as rewritten:

" **§ 131E-177. Department of Human Resources is designated State Health Planning and Development Agency; powers and duties.**

The Department of Human Resources is designated as the State Health Planning and Development Agency for the State of North Carolina, and ~~is empowered to~~ shall exercise the following powers and duties:

~~(1) To establish standards and criteria or plans required to carry out the provisions and purposes of this Article and to adopt rules pursuant to Chapter 150B of the General Statutes, to carry out the purposes and provisions of this Article;~~

(2) Adopt, amend, and repeal such rules and regulations, consistent with the laws of this State, as may be required by the federal government for grants-in-aid for health service facilities and health planning which may be made available by the federal government.

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1997

H.B. FILED

1163 APR 24 97

HOUSE PRINCIPAL CLERK

H D

HOUSE DRH8187*-LG156(3.27)

Short Title: Wake's DOTF Funds. (Public)

Sponsors: Representative Hensley.

Referred to:

A BILL TO BE ENTITLED

AN ACT TO APPROPRIATE FUNDS TO SUPPORT THE DANGEROUS OFFENDER TASK FORCE IN WAKE COUNTY.

The General Assembly of North Carolina enacts:

Section 1. There is appropriated from the General Fund to the Judicial Department the sum of two hundred eighty thousand dollars ($280,000) for the 1997-98 fiscal year for the Dangerous Offender Task Force (DOTF) in Wake County, a program that targets violent and repeat offenders, resulting in faster prosecutions and sentencing of those offenders.

Section 2. This act becomes effective July 1, 1997.

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1997

H.B. FILED

1164 APR 24 97

HOUSE PRINCIPAL CLERK

H D

HOUSE DRH7253-LR228(4.10)

Short Title: OSHA Ergonomic Standards Funds. (Public)

Sponsors: Representative Luebke.

Referred to:

A BILL TO BE ENTITLED

AN ACT TO APPROPRIATE FUNDS FOR THE ADOPTION OF AN ERGONOMICS STANDARD BY THE NORTH CAROLINA LABOR COMMISSIONER.

The General Assembly of North Carolina enacts:

Section 1. There is appropriated from the General Fund to the Department of Labor the sum of two hundred fifty thousand dollars ($250,000) for the 1997-98 fiscal year to fund the adoption, on or before July 1, 1998, of an Occupational Safety and Health Standard by the North Carolina Commissioner of Labor designed to minimize instances of injury from repetitive motion.

Section 2. This act becomes effective July 1, 1997.

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1997

H.B. FILED

1165 APR 24 97

HOUSE PRINCIPAL CLERK

H D

HOUSE JOINT RESOLUTION DRHJR2305-LG220(4.22)

Sponsors: Representative Bowie.

Referred to:

A JOINT RESOLUTION TO AUTHORIZE THE LEGISLATIVE RESEARCH COMMISSION TO STUDY CONFLICT OF INTEREST ISSUES RELATING TO PUBLIC OFFICIALS.

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

Section 1. The Legislative Research Commission may study conflict of interest issues relating to public officials, including appointed and elected officials of municipal, county, or State offices, and any related issues.

Section 2. The Commission may make an interim report to the 1998 Regular Session of the 1997 General Assembly and a final report, including any legislative proposals, to the 1999 General Assembly.

Section 3. This resolution is effective upon ratification.

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1997

H.B. FILED

1166 APR 24 97

HOUSE PRINCIPAL CLERK

H D

HOUSE DRH4099-LMX164(4.10)

Short Title: Auctioneer Education Requirements. (Public)

Sponsors: Representative Black.

Referred to:

A BILL TO BE ENTITLED

AN ACT TO AMEND THE EDUCATIONAL REQUIREMENTS FOR AUCTIONEERS, APPRENTICE AUCTIONEERS, AND PRINCIPALS IN AN AUCTION FIRM.

The General Assembly of North Carolina enacts:

Section 1. G.S. 85B-4 reads as rewritten:

"**§ 85B-4. Licenses required.**

(a) No person who is not exempt under G.S. 85B-2, shall sell, or offer to sell, goods or real estate at auction in this State or perform any act for which an auction firm license is required unless the person holds a currently valid license issued under this Chapter.

(b) No person shall be licensed as an apprentice auctioneer, auctioneer, or receive an auction firm license if the person:

(1) Is under 18 years of ~~age;~~ age.

(1a) Is not a high school graduate or the equivalent.

(2) Repealed by Session Laws 1983, c. 751, s. 6.

(3) Has within the preceding five years pleaded guilty to, entered a plea of nolo contendere or been convicted of any felony, or committed or been convicted of any act involving fraud or moral ~~turpitude;~~ turpitude.

(4) Has had an auctioneer or apprentice auctioneer or auction firm license ~~revoked; or~~ revoked.

(5) Has, within the preceding five years, committed any act ~~which~~ that constitutes grounds for license suspension or revocation under this Chapter or a Commission rule.

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1997

H.B. FILED 1167 APR 24 97 HOUSE PRINCIPAL CLERK

H D

HOUSE DRH8175-LR215(4.8)

Short Title: Making it UPSTREAM Funds. (Public)

Sponsors: Representative Adams.

Referred to:

A BILL TO BE ENTITLED

AN ACT TO APPROPRIATE FUNDS TO THE MAKING IT UPSTREAM PROGRAM FOR RESIDENTIAL REHABILITATIVE SERVICES TO MALE YOUTHS WHO HAVE BEEN ENGAGED IN SERIOUS CRIMINAL ACTIVITY, MAJOR DRUG ADDICTION, OR HIGHLY DESTRUCTIVE BEHAVIORS.

Whereas, Making It UPSTREAM, Inc., ("UPSTREAM") is a nonprofit corporation located in Guilford County, with a mission that includes a successful nonresidential program for male youthful offenders referred by juvenile court counselors and alternative sentencing centers from across the State; and

Whereas, the program targets males between the ages of 14 to 17 who are in significant trouble with the law, illegal drugs, and other pathologies except mental illness; and

Whereas, UPSTREAM's mission also includes establishment of a residential program for the target population that uses the residential strategy to provide a comprehensive approach in which all aspects of living are subject to instruction and learning and where educational and interpersonal skills development may be addressed; and

Whereas, it is in the best interest of the State to support UPSTREAM in carrying out its expanded residential rehabilitative mission; Now, therefore,

The General Assembly of North Carolina enacts:

Section 1. There is appropriated from the General Fund to Making It UPSTREAM, Inc., a nonprofit corporation, the sum of one hundred twenty-five thousand dollars ($125,000) for the 1997-98 fiscal year and the sum of one hundred twenty-five thousand dollars ($125,000) for the 1998-99 fiscal year for operating

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1997

H.B. FILED
1168 APR 25 97
HOUSE PRINCIPAL CLERK

H D

HOUSE DRH7279-LG218(4.22)

Short Title: Indian Comn. & Ctr. Funds. (Public)

Sponsors: Representative Sutton.

Referred to:

A BILL TO BE ENTITLED

AN ACT TO APPROPRIATE FUNDS TO THE DEPARTMENT OF ADMINISTRATION FOR THE INDIAN CULTURAL CENTER AND THE NORTH CAROLINA STATE COMMISSION OF INDIAN AFFAIRS.

The General Assembly of North Carolina enacts:

Section 1. There is appropriated from the General Fund to the Department of Administration the sum of seventy-five thousand dollars ($75,000) for the 1997-98 fiscal year to be allocated to the North Carolina State Commission of Indian Affairs as follows:

(1) $50,000 for Indian education materials for schools and the general public; and

(2) $25,000 for continuing professional development programs for staff.

Section 2. There is appropriated from the General Fund to the Department of Administration the sum of forty thousand dollars ($40,000) for the 1997-98 fiscal year to be allocated to North Carolina Indian Cultural Center as follows:

(1) $15,000 for maintenance and supplies; and

(2) $25,000 for operating expenses.

Section 3. There is appropriated from the General Fund to the Department of Administration the sum of ninety-three thousand five hundred dollars ($93,500) for the 1997-98 fiscal year and the sum of ninety-three thousand five hundred dollars ($93,500) for the 1998-99 fiscal year to be allocated to the North Carolina Indian Cultural Center for personnel needs.

Section 4. This act becomes effective July 1, 1997.

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1997

H.B. FILED 1169 APR 25 97 HOUSE PRINCIPAL CLERK

H D

HOUSE DRHA360-LG219(4.22)

Short Title: Pembroke Library Funds. (Public)

Sponsors: Representative Sutton.

Referred to:

A BILL TO BE ENTITLED

AN ACT TO APPROPRIATE FUNDS FOR THE CONSTRUCTION OF A PUBLIC LIBRARY IN THE TOWN OF PEMBROKE.

The General Assembly of North Carolina enacts:

Section 1. There is appropriated from the General Fund to the Robeson County Library the sum of one hundred twenty-five thousand dollars ($125,000) for the 1997-98 fiscal year for the construction of a public library in the Town of Pembroke.

Section 2. This act becomes effective July 1, 1997.

H.B. FILED

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1997

1170 APR 25 97
HOUSE PRINCIPAL CLERK

H D

HOUSE DRH2296-LC213(4.9)

Short Title: Exempt Severance Pay. (Public)

Sponsors: Representative Buchanan.

Referred to:

A BILL TO BE ENTITLED

AN ACT TO EXPAND THE INCOME TAX EXCLUSION FOR SEVERANCE PAY TO INCLUDE SEVERANCE PAY DUE TO AN EMPLOYEE'S INVOLUNTARY TERMINATION THROUGH NO FAULT OF THE EMPLOYEE.

The General Assembly of North Carolina enacts:

Section 1. G. S. 105-134.6(b)(11) reads as rewritten:

"(11) The amount paid to the taxpayer as severance wages during the taxable year as the result of the ~~permanent closure of a manufacturing or processing plant,~~ taxpayer's permanent, involuntary termination from employment through no fault of the employee, not to exceed a maximum of thirty-five thousand dollars ($35,000) ~~for the taxable year.~~ when added to the amount of severance wages paid to the taxpayer by the same employer during the two preceding taxable years."

Section 2. This act is effective for taxable years beginning on or after January 1, 1998.

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1997

H.B. FILED
1171 APR 25 97
HOUSE PRINCIPAL CLERK

H D

HOUSE DRHA361-LG221A(4.22)

Short Title: Blue Ridge Destination Ctr. Funds. (Public)

Sponsors: Representatives Sherrill, Nesbitt, Ives, and Cansler.

Referred to:

A BILL TO BE ENTITLED

AN ACT TO APPROPRIATE FUNDS TO THE DEPARTMENT OF COMMERCE FOR THE CONSTRUCTION OF THE BLUE RIDGE REGIONAL DESTINATION CENTER.

The General Assembly of North Carolina enacts:

Section 1. There is appropriated from the General Fund to the Department of Commerce the sum of three million five hundred thousand dollars ($3,500,000) for the 1997-98 fiscal year for the construction of the Blue Ridge Regional Destination Center to be located next to the Blue Ridge Parkway Headquarters Building in Buncombe County. The Center will house a Basic Visitors' Service, a Visitors' Information Gallery, a Visitors' Interpretive Gallery, and a giant screen theatre to maximize tourism development along the Blue Ridge Parkway and in Western North Carolina.

Section 2. This act becomes effective July 1, 1997.

H.B. FILED
1172 APR 28 97
HOUSE PRINCIPAL CLERK

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1997

H D

HOUSE DRH2275-LG193(4.8)

Short Title: Hines Hall Capital Funds. (Public)

Sponsors: Representative Boyd-McIntyre.

Referred to:

A BILL TO BE ENTITLED

AN ACT TO APPROPRIATE FUNDS TO THE BOARD OF GOVERNORS OF THE UNIVERSITY OF NORTH CAROLINA FOR CAPITAL IMPROVEMENTS TO THE HINES HALL COMPLEX AT NORTH CAROLINA AGRICULTURAL AND TECHNICAL STATE UNIVERSITY.

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 eleven million four hundred eighty-two thousand dollars ($11,482,000) for the 1997-98 fiscal year for capital improvements to the Hines Hall Complex, the oldest science classroom and laboratory facility on the campus of North Carolina Agricultural and Technical State University.

Section 2. This act becomes effective July 1, 1997.

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1997

H.B. FILED

1173

APR 28 97

HOUSE PRINCIPAL CLERK

H D

HOUSE DRH1299-LC201(4.10)

Short Title: Construction Worker Training Credit. (Public)

Sponsors: Representative Dedmon.

Referred to:

A BILL TO BE ENTITLED

AN ACT TO PROVIDE TAX CREDITS FOR CONSTRUCTION EMPLOYERS WHO PROVIDE CRAFTWORKER TRAINING TO EMPLOYEES AND WHO HIRE WELFARE RECIPIENTS.

The General Assembly of North Carolina enacts:

Section 1. G.S. 105-129.2 reads as rewritten:

"**§ 105-129.2. (Repealed effective January 1, 2002 -- see note) Definitions.**

The following definitions apply in this Article:

(1) Construction. -- Any of the following businesses as defined in Major Groups 15, 16, and 17 of the Standard Industrial Classification Manual issued by the United States Bureau of the Census:

a. Construction.

b. Heavy construction.

c. Building-related special trades.

(1a) Cost. -- Defined in section 179 of the Code.

(2) Data processing. -- Defined in the Standard Industrial Classification Manual issued by the United States Bureau of the Census.

(3) Enterprise tier. -- The classification assigned to an area pursuant to G.S. 105-129.3.

(4) Full-time job. -- A position that requires at least 1,600 hours of work per year and is intended to be held by one employee during the entire year. A full-time employee is an employee who holds a full-time job.

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1997

H.B. FILED 1174 APR 28 97 HOUSE PRINCIPAL CLERK

H D

HOUSE DRH1341-LKQ173(4.22)

Short Title: Wilson Farmer Market Funds. (Public)

Sponsors: Representative Fitch.

Referred to:

A BILL TO BE ENTITLED

AN ACT TO DIRECT THE USE OF UNEXPENDED FUNDS FOR THE CAPITAL COSTS OF CONSTRUCTING A FARMER'S MARKET IN WILSON COUNTY.

The General Assembly of North Carolina enacts:

Section 1. Section 94 of Chapter 561 of the 1993 Session Laws reads as rewritten:

"Sec. 94. ~~(a)~~ The seven hundred thousand dollars ($700,000) appropriated in Section 4 of Chapter 1014 of the 1985 Session Laws and allocated in Section 158(b) of Chapter 1014 of the 1985 Session Laws, as amended by Section 137(a) of Chapter 738 of the 1987 Session Laws, Section 154 of Chapter 1086 of the 1987 Session Laws, and Section 34 of Chapter 1100 of the 1987 Session Laws, to the Rocky Mount Business Development Authority for the agricultural complex located at Fountain ~~Park in Section 137(a) of Chapter 738 of the 1987 Session Laws, as amended by Section 154 of Chapter 1086 of the 1987 Session Laws and Section 34 of Chapter 1100 of the 1987 Session Laws, the sum of seven hundred thousand dollars ($700,000) may be loaned to a city which is located in two counties so as to allow that city to establish a Farmer's Market in the vicinity of the old Fenner's Warehouse No. 1 on the North Church Street corridor.~~

~~(b) This no-interest loan shall be repaid by the city to the Rocky Mount Business Development Authority (RMBDA) over the next seven years at the rate of one hundred thousand dollars ($100,000) per year or at a rate necessary to support the cash flow requirement for planning and constructing a processing facility at Fountain Park.~~

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1997

H.B. FILED
1175 APR 28 97
HOUSE PRINCIPAL CLERK

H D

HOUSE JOINT RESOLUTION DRHJR1324-LG216(4.16)

Sponsors: Representative Carpenter.

Referred to:

A JOINT RESOLUTION DECLARING THE MONTH OF NOVEMBER TO BE AGRICULTURE AWARENESS MONTH.

Whereas, agriculture is North Carolina's number one industry; and

Whereas, North Carolina's farm families produced agricultural products in excess of 6.99 billion dollars in 1995; and

Whereas, North Carolina is currently ranked second nationally in net farm income; and

Whereas, North Carolina's agriculture industry, including food, fiber, and forestry contributes over 45 billion dollars annually to the State's economy, accounting for over 27 percent of the State's income and 21 percent of the State's workforce; and

Whereas, North Carolina's economy and families are strengthened by this large stable income; and

Whereas, North Carolina's population demographics are consistently changing from rural to suburban and urban populations resulting in a significant number of people who are unfamiliar with agriculture's economic impact and way of life;

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

Section 1. The General Assembly declares the month of November to be Agriculture Awareness Month and urges both public and private schools to recognize the important role agriculture plays in our daily lives.

Section 2. This resolution is effective upon ratification.

H.B. FILED
1176 APR 28 9
HOUSE PRINCIPAL CLERK

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1997

H **D**

HOUSE DRH7288-LG223(4.22)

Short Title: Granville Cemetery Funds. (Public)

Sponsors: Representative Crawford.

Referred to:

A BILL TO BE ENTITLED

AN ACT TO APPROPRIATE FUNDS TO GRANVILLE COUNTY FOR THE MAINTENANCE AND CARE OF THE HISTORICAL CEMETERIES.

Whereas, in the early 1940s when Camp Butner was located in Granville County, families and churches were required to leave their church and family cemeteries containing the graves of more than 1400 persons behind; and

Whereas, following World War II, the State of North Carolina purchased Camp Butner but did not provide for the maintenance of the cemeteries; and

Whereas, in 1992, Butner celebrated its fiftieth anniversary by beginning the reclamation of these cemeteries, some with the graves of pioneers and of the Revolutionary War period, and determined the need for a new cemetery in Butner; and

Whereas, the State has granted to Granville County 11.3 acres and $30,000 for the construction of the South Granville Memorial Gardens; Now, therefore,

The General Assembly of North Carolina enacts:

Section 1. There is appropriated from the General Fund to Granville County the sum of one hundred thousand dollars ($100,000) for the 1997-98 fiscal year as a grant-in-aid for the maintenance and care of the historical cemeteries of the Camp Butner Reservation and of the South Granville Memorial Gardens.

Section 2. This act becomes effective July 1, 1997.

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1997

H.B. FILED
1177 APR 28 97
HOUSE PRINCIPAL CLERK

H D

HOUSE DRH6222-LT140B(4.9)

Short Title: Small Business Dev. Study Commission. (Public)

Sponsors: Representative Shubert.

Referred to:

A BILL TO BE ENTITLED

AN ACT TO ESTABLISH A LEGISLATIVE STUDY COMMISSION ON SMALL BUSINESS DEVELOPMENT.

The General Assembly of North Carolina enacts:

Section 1. The Small Business Development Study Commission is established. The purpose of the commission is to improve the coordination of services provided by State agencies to small businesses and to reduce the regulatory impact of government on small businesses.

Section 2. Small Business Development Study Commission may:

(1) Evaluate the services provided to small business by the various State agencies and determine ways to assure that the needs of small businesses are met in an efficient and effective manner by, in part, coordinating the efforts of the State agencies that serve small businesses.

(2) Evaluate the impact of regulations imposed on small businesses by the State and determine ways to eliminate unnecessary regulations and to minimize the negative impact of other necessary regulations on the businesses.

(3) Make recommendations to the General Assembly regarding legislative proposals that will facilitate the development of small businesses in the State and assure that the needs of existing businesses are met.

(4) Conduct any other studies or evaluations the commission considers necessary to effectuate its purpose.

H.B. FILED
1178 APR 28 9
HOUSE PRINCIPAL CLER

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1997

H **D**

HOUSE DRH7285-LG231(4.24)

Short Title: Winton Museum Funds. (Public)

Sponsors: Representative H. Hunter.

Referred to:

A BILL TO BE ENTITLED

AN ACT TO APPROPRIATE FUNDS TO COMPLETE THE RESTORATION OF THE CENTURY POST OFFICE MUSEUM IN THE TOWN OF WINTON.

The General Assembly of North Carolina enacts:

Section 1. There is appropriated from the General Fund to the Department of Cultural Resources the sum of eighty-five thousand dollars ($85,000) for the 1997-98 fiscal year for the purpose of completing the restoration of the Century Post Office Museum in the Town of Winton in Hertford County.

Section 2. This act becomes effective July 1, 1997.

HB-1179

H.B. FILED

APR 28 97

HOUSE PRINCIPAL CLERK

GENERAL ASSEMBLY OF NORTH CAROLINA 1997 9

SESSION 1997

H **D**

HOUSE DRH1343-LG232(4.24)

Short Title: Economic Development Funds. (Public)

Sponsors: Representative H. Hunter.

Referred to:

A BILL TO BE ENTITLED

AN ACT TO APPROPRIATE FUNDS TO THE LAND LOSS PREVENTION PROJECT, INC., TO PROVIDE LEGAL ASSISTANCE TO FINANCIALLY DISTRESSED FAMILY FARMERS.

The General Assembly of North Carolina enacts:

Section 1. There is appropriated from the General Fund to the Department of Commerce, the sum of four hundred thousand dollars ($400,000) for the 1997-97 fiscal year and the sum of four hundred thousand dollars ($400,00) for the 1998-99 fiscal year to be allocated to the Land Loss Prevention Project, Inc., to provide free legal assistance to financially distressed family farmers. The Land Loss Prevention Project, Inc., shall not use these funds to represent farmers who have income and assets that would make them financially ineligible for legal services pursuant to Title 45, Part 1611 of the Code of Federal Regulations. The Land Loss Prevention Project, Inc., shall report to the Joint Legislative Commission on Governmental Operations on October 1 and March 1 of each fiscal year, and more frequently as requested by the Commission, on the use of these funds.

Section 2. This act becomes effective July 1, 1997.

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1997

H.B. FILED 1180 APR 28 97 HOUSE PRINCIPAL CLERK

H D

HOUSE DRH6235*-LH172(4.8)

Short Title: FSU/Pembroke Teacher Ed. Consortium. (Public)

Sponsors: Representative McAllister.

Referred to:

A BILL TO BE ENTITLED

AN ACT TO EXPAND THE MODEL TEACHER EDUCATION CONSORTIUM TO INCLUDE CUMBERLAND, ROBESON, AND HOKE COUNTIES, FAYETTEVILLE STATE UNIVERSITY, THE UNIVERSITY OF NORTH CAROLINA AT PEMBROKE, ROBESON COMMUNITY COLLEGE, AND FAYETTEVILLE TECHNICAL COMMUNITY COLLEGE.

The General Assembly of North Carolina enacts:

Section 1. The Model Teacher Education Consortium shall be expanded to include the following: Cumberland County, Robeson County, and Hoke Counties in collaboration with Fayetteville State University, the University of North Carolina at Pembroke, Robeson Community College, and Fayetteville Technical Community College.

The initial thrust of the program expansion shall be to provide qualified teacher assistants in Cumberland, Robeson, and Hoke Counties with broader access to existing teacher education programs, and to provide practicing teacher assistants with broader access to existing teacher assistant certification programs. Special emphasis shall be placed on recruiting minority teacher assistant participants and those interested in subject areas with critical teacher shortages, such as early childhood, mathematics, science, and exceptional children.

The program shall offer up to 300 teacher assistants, an educational grant of up to five hundred dollars ($500.00) each for tuition and book costs as an incentive to enroll in and complete a qualified teacher education program or teacher assistant certification program. The local school administrative units shall enter into an agreement with each participant in accordance with policies set by the Model Teacher Education Consortium's Policy Board.

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1997

H.B. FILED
1181 APR 28 97
HOUSE PRINCIPAL CLERK

H D

HOUSE DRH1333-LGQ224(4.23)

Short Title: Hiddenite Center Funds. (Public)

Sponsors: Representative Starnes.

Referred to:

A BILL TO BE ENTITLED

AN ACT TO APPROPRIATE FUNDS TO HIDDENITE CENTER, INC., FOR CAPITAL IMPROVEMENTS TO ITS FACILITY.

The General Assembly of North Carolina enacts:

Section 1. There is appropriated from the General Fund to the Hiddenite Center, Inc., a nonprofit corporation, the sum of forty thousand dollars ($40,000) for the 1997-98 fiscal year to paint the exterior of its center providing exhibits of historical and cultural interests to the citizens of Alexander County.

Section 2. This act becomes effective July 1, 1997.

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1997

H.B. FILED
1182 APR 28 97
HOUSE PRINCIPAL CLERK

H D

HOUSE DRH4108-LE109(4.15)

Short Title: Teachers' Nonteaching Duties/Study. (Public)

Sponsors: Representative Moore.

Referred to:

A BILL TO BE ENTITLED

AN ACT TO APPROPRIATE FUNDS FOR A STUDY OF THE NONINSTRUCTIONAL DUTIES OF TEACHERS.

The General Assembly of North Carolina enacts:

Section 1. There is appropriated from the General Fund to the General Assembly the sum of twenty thousand dollars ($20,000) for the 1997-98 fiscal year. The Joint Legislative Education Oversight Committee shall use these funds to study issues relating to the noninstructional duties of teachers. The study should include, but not be limited to, noninstructional duties during the workday; noninstructional duties outside of the workday; pay for noninstructional duties; and the relationship between athletic duties and other duties such as club advisors and equitable pays.

The Joint Legislative Education Oversight Committee shall report the results of this study to the General Assembly prior to the beginning of the Regular 1998 Session of the General Assembly.

Section 2. This act becomes effective July 1, 1997.

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1997

H.B. FILED
1183 APR 28 97
HOUSE PRINCIPAL CLERK

H D

HOUSE DRH1350-LE110(4.15)

Short Title: Civic Education Program Funds. (Public)

Sponsors: Representative Moore.

Referred to:

A BILL TO BE ENTITLED

AN ACT TO APPROPRIATE FUNDS FOR A CIVIC EDUCATION PROGRAM FOR MIDDLE SCHOOL CLASSES.

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, Center for the Prevention of School Violence, the sum of twenty thousand dollars ($20,000) for the 1997-98 fiscal year to support the North Carolina We The People...Project Citizen civic education program. The purpose of the program is to teach middle school classes how to identify and address State and local community public policy issues. The funds shall be used to provide for classroom sets of texts, teacher in-service training, and an annual We The People...Project Citizen competition of simulated legislative hearings for participating middle school classes to be held in the State capitol.

Section 2. This act becomes effective July 1, 1997.

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1997

H.B. FILED
1184 APR 28 97
HOUSE PRINCIPAL CLERK

H D

HOUSE DRH2307(4.24)

Short Title: Restore Yates Mill Funds. (Public)

Sponsors: Representative Hensley.

Referred to:

A BILL TO BE ENTITLED

AN ACT TO APPROPRIATE FUNDS FOR THE RESTORATION OF THE YATES MILL HISTORICAL SITE.

The General Assembly of North Carolina enacts:

Section 1. There is appropriated from the General Fund to Yates Mill Associates, Inc., a nonprofit corporation, the sum of one hundred thousand dollars ($100,000) for the 1997-98 fiscal year for restoration of the Yates Mill historical site.

Section 2. This act becomes effective July 1, 1997.

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1997

H.B. FILED
1185 APR 29 97
HOUSE PRINCIPAL CLERK

H D

HOUSE DRH1349-LVQ068(4.21)

Short Title: Orange Teen Court Funds. (Public)

Sponsors: Representative Insko.

Referred to:

A BILL TO BE ENTITLED

AN ACT TO APPROPRIATE FUNDS TO ESTABLISH A TEEN COURT PROGRAM IN ORANGE COUNTY.

The General Assembly of North Carolina enacts:

Section 1. (a) There is appropriated from the General Fund to the Administrative Office of the Courts the sum of twenty thousand dollars ($20,000) for the 1997-98 fiscal year to develop and implement a Teen Court program in Orange County.

(b) The Teen Court program in Orange County shall be developed after consideration of, and shall be modeled after, the teen court programs established pursuant to Section 80 of Chapter 561 of the 1993 Session Laws and Section 40 of Chapter 24 of the Session Laws of the 1994 Extra Session. Specifically, the program shall:

(1) Establish fair and equitable procedures for hearing cases of juveniles under the jurisdiction of the juvenile court in the district pursuant to G.S. 7A-523 who are alleged to be (i) undisciplined or (ii) delinquent for an offense that would constitute an infraction or misdemeanor if committed by an adult. The procedures shall provide for "trial" and "sentencing" of teens by a jury of the juveniles' peers. Courts, district attorneys, law enforcement, school personnel, and Juvenile Intake Services may refer cases to the teen court programs;

(2) Provide community resources and dispositional alternatives for juveniles adjudicated undisciplined or delinquent, including counseling, substance abuse assessment and treatment, and

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1997

H.B. FILED

1186 APR 29 97

HOUSE PRINCIPAL CLERK

H D

HOUSE DRHA326-LVQ009(2.4)

Short Title: In-Home Assistance Project/Funds. (Public)

Sponsors: Representative Earle.

Referred to:

A BILL TO BE ENTITLED

AN ACT TO ESTABLISH AND APPROPRIATE FUNDS FOR A STATE-COUNTY IN-HOME SPECIAL ASSISTANCE DEMONSTRATION PROJECT.

The General Assembly of North Carolina enacts:

Section 1. (a) Notwithstanding any law to the contrary, the Department of Human Resources, Division of Social Services, in consultation with the Department of Human Resources, Division of Aging, shall develop and implement an In-Home Special Assistance Demonstration Project. The purpose of the project is to determine the feasibility of using State and county funds to provide financial assistance to low-income elderly or disabled adults who are otherwise eligible for Special Assistance under G.S. 108A-41(b) but who would rather live at home than in an adult care home and whose daily care needs can be adequately met through in-home services.

(b) The Department shall select five counties to participate in the project. Counties desiring to participate shall apply to the Department for selection. The Department shall provide information to all counties about the scope and duration of the project, the procedure for applying to be a participating county, and what will be required of participating counties. The counties selected to participate in the project shall be representative of the State as a whole. In selecting the participating counties, the Department shall consider each applicant county's:

(1) Total population;

(2) Regional location;

(3) Urban or rural composition;

(4) Percentage of county population eligible for Special Assistance services;

GENERAL ASSEMBLY OF NORTH CAROLINA H.B. FILED

SESSION 1997 1187 APR 30 97

H HOUSE PRINCIPAL CLERK D

HOUSE DRH2303-LC207(4.10)

Short Title: County/City Sales Tax Exemption. (Public)

Sponsors: Representative Decker.

Referred to:

A BILL TO BE ENTITLED

AN ACT TO EXEMPT CERTAIN COUNTY AND CITY PURCHASES FROM STATE AND LOCAL SALES TAX.

The General Assembly of North Carolina enacts:

Section 1. G.S. 105-164.13 is amended by adding a new subdivision to read:

"(43) Tangible personal property purchased by a city as defined in G.S. 160A-1 or a county for use by the city or county, if the purchase is made by city or county check or credit account and accompanied by a local government exemption certificate signed by the finance officer of the city or county and describing the property purchased."

Section 2. Division V of Article 5 of Chapter 105 of the General Statutes is amended by adding a new section to read:

"**§ 105-164.29A. Local government exemption.**

(a) Local Government Unit Defined. -- As used in this section, the term 'local government unit' means a city as defined in G.S. 160A-1 or a county.

(b) Registration. -- To be eligible for the exemption provided in G.S. 105-164.13(43), a local government unit must register with the Department of Revenue. The application for registration must be in the form required by the Secretary, be signed by the finance officer, and contain any information required by the Secretary. Upon registration, the Secretary shall assign a registration number to the local government unit.

(c) Local Government Exemption Certificate. -- To obtain the exemption provided in G.S. 105-164.13(43) for a purchase, a local government unit must make the

NORTH CAROLINA

HOUSE OF REPRESENTATIVES

ROLL CALL

EV

SEQ. # 1142
LEGISLATIVE DAY 95
H1187HCS
READING 2
DECKER

7/14/97
6:36 PM
IN CHAIR: SPEAKER

COUNTY/CITY SALES TAX EXEMPTION

AYES - 104

ADAMS	DAUGHTRY	HUNTER, R.	PRESTON
ALEXANDER	DECKER	HURLEY	RAMSEY
ALLRED	DEDMON	INSKO	RAYFIELD
ARNOLD	DICKSON	IVES	REDWINE
BAKER	DOCKHAM	JARRELL	REYNOLDS
BARBEE	EARLE	JEFFUS	ROGERS
BEALL	EASTERLING	JUSTUS	SAUNDERS
BERRY	EDDINS	KINNEY	SEXTON
BLACK	ELLIS	KISER	SHERRILL
BLUE	ESPOSITO	LUEBKE	SHUBERT
BOWIE	FOX	MCCOMAS	SMITH
BOYD-MCINTYRE	GARDNER	MCCOMBS	STARNES
BRAWLEY	GOODWIN	MCCRARY	THOMPSON
BROWN	GRADY	MCMAHAN	TOLSON
BUCHANAN	GRAY	MERCER	WAINWRIGHT
CANSLER	GULLEY	MICHAUX	WARNER
CAPPS	HACKNEY	MILLER	WARWICK
CARPENTER	HALL	MINER	WATSON
CHURCH	HARDAWAY	MITCHELL	WEATHERLY
CLARY	HARDY	MORGAN	WILKINS
COLE	HENSLEY	MOSLEY	WILSON, C.
CRAWFORD	HIATT	NESBITT	WILSON, G.
CREECH	HILL	NICHOLS	WOMBLE
CULP	HOLMES	NYE	WOOD
CULPEPPER	HOWARD	OLDHAM	WRIGHT
CUNNINGHAM	HUNTER, H.	OWENS	YONGUE

NOES - 2

FITCH	GAMBLE

EXCUSED ABSENCE - 10

ALDRIDGE	DAVIS	MORRIS	RUSSELL
BADDOUR	HIGHTOWER	NEELY	SUTTON
BONNER	MOORE		

EXCUSED VOTE - 0

NOT VOTING - 4

SPEAKER	BRASWELL	MCALLISTER	TALLENT

NORTH CAROLINA GENERAL ASSEMBLY
AMENDMENT
House Bill 1187

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

H1187-ALC-7/10

Date JUL 15 1997, 199

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

Rep. Shubert

moves to amend the bill on page 3, lines 16 - 17, by adding the following new section between the lines and renumbering the remaining section accordingly:
"Section 6. G.S. 105-236 is amended by adding a new subdivision to read:

'(5c) Misuse of Local Government Exemption Certificate. -- For misuse of a local government exemption certificate by a purchaser, the Secretary shall assess an additional tax, as a penalty, of two hundred fifty dollars ($250.00) or ten times the sales price of the property purchased, whichever is greater.'"

SIGNED Jean H Shubert Jean H Shubert
Amendment Sponsor

SIGNED _____
Committee Chair if Senate Committee Amendment

ADOPTED JUL 15 1997 FAILED _____ TABLED _____

109-1 RC DWuhr

Ruled material constituting 1st reading

NORTH CAROLINA
HOUSE OF REPRESENTATIVES
ROLL CALL

RC

SEQ. # 1158
LEGISLATIVE DAY 96
H1187HCS
READING 3
DECKER
AMEND #2 - REP. SHUBERT
COUNTY/CITY SALES TAX EXEMPTION

7/15/97
11:03 AM
IN CHAIR: SPEAKER

AYES - 109

ADAMS	CULPEPPER	HUNTER, R.	OWENS
ALDRIDGE	CUNNINGHAM	HURLEY	PRESTON
ALEXANDER	DECKER	INSKO	RAMSEY
ALLRED	DEDMON	JARRELL	RAYFIELD
ARNOLD	DOCKHAM	JEFFUS	REDWINE
BADDOUR	EARLE	JUSTUS	REYNOLDS
BAKER	EASTERLING	KINNEY	ROGERS
BARBEE	EDDINS	KISER	SAUNDERS
BEALL	ELLIS	LUEBKE	SEXTON
BERRY	ESPOSITO	MCALLISTER	SHERRILL
BLACK	FITCH	MCCOMAS	SHUBERT
BLUE	FOX	MCCOMBS	SMITH
BONNER	GAMBLE	MCCRARY	STARNES
BOWIE	GARDNER	MCMAHAN	TALLENT
BOYD-MCINTYRE	GOODWIN	MERCER	THOMPSON
BRASWELL	GRADY	MICHAUX	TOLSON
BRAWLEY	GRAY	MILLER	WAINWRIGHT
BROWN	GULLEY	MINER	WARNER
BUCHANAN	HACKNEY	MITCHELL	WARWICK
CANSLER	HALL	MORGAN	WATSON
CAPPS	HARDAWAY	MORRIS	WEATHERLY
CARPENTER	HARDY	MOSLEY	WILKINS
CHURCH	HIATT	NEELY	WILSON, C.
CLARY	HIGHTOWER	NESBITT	WILSON, G.
COLE	HOLMES	NICHOLS	WOOD
CRAWFORD	HOWARD	NYE	WRIGHT
CREECH	HUNTER, H.	OLDHAM	YONGUE
CULP			

NOES - 1

HILL

EXCUSED ABSENCE - 5

DAVIS	MOORE	RUSSELL	SUTTON
HENSLEY			

EXCUSED VOTE - 0

NOT VOTING - 5

SPEAKER	DICKSON	IVES	WOMBLE
DAUGHTRY			

NORTH CAROLINA GENERAL ASSEMBLY
AMENDMENT
House Bill 1187

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

H1187-ALCF-24

Page 1 of 1

Date JUL 16 1997 ,1997

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

Representative Decker

moves to amend the bill on page 2, lines 15-18, by rewriting the lines to read:

"'(d1) Tax-Exempt Purchases. -- The finance officer of a county or city is the official responsible for registering the county or city for sales tax exemption in accordance with G.S. 105-164.29A, signing local government exemption certificates for exempt purchases, and verifying that all property purchased with a local government exemption certificate"

SIGNED M. Decker Jr.
Amendment Sponsor

SIGNED _____
Committee Chair if Senate Committee Amendment

ADOPTED JUL 16 1997 FAILED _____ TABLED _____

112-0 EV

NORTH CAROLINA

HOUSE OF REPRESENTATIVES

ROLL CALL

EV

SEQ. # 1174
LEGISLATIVE DAY 97
H1187HCS
READING 2
DECKER
AMEND #4 - REP JECITER
COUNTY/CITY SALES TAX EXEMPTION

7/16/97
11:46 AM
IN CHAIR: SPEAKER

AYES - 112

ADAMS	CUNNINGHAM	HUNTER, H.	OWENS
ALDRIDGE	DAUGHTRY	HURLEY	PRESTON
ALEXANDER	DECKER	INSKO	RAMSEY
ALLRED	DEDMON	IVES	RAYFIELD
ARNOLD	DICKSON	JARRELL	REDWINE
BADDOUR	DOCKHAM	JEFFUS	REYNOLDS
BAKER	EARLE	JUSTUS	ROGERS
BARBEE	EASTERLING	KINNEY	RUSSELL
BEALL	EDDINS	KISER	SAUNDERS
BERRY	ELLIS	LUEBKE	SEXTON
BLACK	ESPOSITO	MCALLISTER	SHERRILL
BLUE	FITCH	MCCOMAS	SHUBERT
BONNER	FOX	MCCOMBS	SMITH
BOWIE	GAMBLE	MCCRARY	STARNES
BOYD-MCINTYRE	GARDNER	MCMAHAN	SUTTON
BRAWLEY	GOODWIN	MERCER	TALLENT
BROWN	GRADY	MICHAUX	THOMPSON
BUCHANAN	GRAY	MILLER	TOLSON
CANSLER	GULLEY	MINER	WAINWRIGHT
CAPPS	HACKNEY	MITCHELL	WARWICK
CARPENTER	HALL	MORGAN	WATSON
CHURCH	HARDY	MORRIS	WEATHERLY
CLARY	HENSLEY	MOSLEY	WILKINS
COLE	HIATT	NEELY	WILSON, C.
CRAWFORD	HIGHTOWER	NESBITT	WILSON, G.
CREECH	HILL	NICHOLS	WOOD
CULP	HOLMES	NYE	WRIGHT
CULPEPPER	HOWARD	OLDHAM	YONGUE

NOES - 0

EXCUSED ABSENCE - 4

DAVIS	HARDAWAY	MOORE	WOMBLE

EXCUSED VOTE - 0

NOT VOTING - 4

SPEAKER	BRASWELL	HUNTER, R.	WARNER

NORTH CAROLINA

HOUSE OF REPRESENTATIVES

ROLL CALL

EV

SEQ. # 1175
LEGISLATIVE DAY 97
H1187HCS
READING 2
DECKER
AMEND #5 - REP FITCH
COUNTY/CITY SALES TAX EXEMPTION
MOTION #12 - TO SUSPEND THE RULES (RULE 31(d)) IN ORDER TO ALLOW AMEND #5, WHICH CHANGES THE TITLE.

7/16/97
12:09 PM
IN CHAIR: SPEAKER

AYES - 50

ADAMS	FITCH	LUEBKE	REDWINE
ALEXANDER	FOX	MCALLISTER	ROGERS
BADDOUR	GAMBLE	MCCRARY	SAUNDERS
BEALL	GOODWIN	MERCER	SMITH
BLACK	HACKNEY	MICHAUX	SUTTON
BLUE	HENSLEY	MILLER	TOLSON
BONNER	HIGHTOWER	MOSLEY	WAINWRIGHT
BOYD-MCINTYRE	HUNTER, H.	NESBITT	WARNER
COLE	HUNTER, R.	NYE	WARWICK
CUNNINGHAM	INSKO	OLDHAM	WILKINS
DEDMON	JARRELL	OWENS	WRIGHT
EARLE	JEFFUS	RAMSEY	YONGUE
EASTERLING	KINNEY		

NOES - 59

ALDRIDGE	CREECH	HILL	PRESTON
ARNOLD	DAUGHTRY	HOLMES	RAYFIELD
BAKER	DECKER	HOWARD	REYNOLDS
BARBEE	DICKSON	IVES	RUSSELL
BERRY	DOCKHAM	JUSTUS	SEXTON
BOWIE	EDDINS	KISER	SHERRILL
BRAWLEY	ELLIS	MCCOMAS	SHUBERT
BROWN	ESPOSITO	MCCOMBS	STARNES
BUCHANAN	GARDNER	MCMAHAN	TALLENT
CANSLER	GRADY	MINER	THOMPSON
CAPPS	GRAY	MITCHELL	WATSON
CARPENTER	GULLEY	MORGAN	WILSON, C.
CHURCH	HALL	MORRIS	WILSON, G.
CLARY	HARDY	NEELY	WOOD
CRAWFORD	HIATT	NICHOLS	

EXCUSED ABSENCE - 4

DAVIS	HARDAWAY	MOORE	WOMBLE

EXCUSED VOTE - 0

NOT VOTING - 7

SPEAKER	BRASWELL	CULPEPPER	WEATHERLY
ALLRED	CULP	HURLEY	

NORTH CAROLINA
HOUSE OF REPRESENTATIVES
ROLL CALL

RC

SEQ. # 1176
LEGISLATIVE DAY 97
H1187HCS
READING 2
DECKER

7/16/97
12:19 PM
IN CHAIR: SPEAKER

COUNTY/CITY SALES TAX EXEMPTION

AYES - 111

ADAMS	DECKER	INSKO	RAMSEY
ALDRIDGE	DEDMON	IVES	RAYFIELD
ALEXANDER	DICKSON	JARRELL	REDWINE
ALLRED	DOCKHAM	JEFFUS	REYNOLDS
ARNOLD	EARLE	JUSTUS	ROGERS
BADDOUR	EASTERLING	KINNEY	RUSSELL
BAKER	EDDINS	KISER	SAUNDERS
BARBEE	ELLIS	LUEBKE	SEXTON
BEALL	ESPOSITO	MCALLISTER	SHERRILL
BERRY	FITCH	MCCOMAS	SHUBERT
BLACK	FOX	MCCOMBS	SMITH
BLUE	GAMBLE	MCCRARY	STARNES
BONNER	GARDNER	MCMAHAN	SUTTON
BOWIE	GOODWIN	MERCER	TALLENT
BOYD-MCINTYRE	GRADY	MICHAUX	THOMPSON
BROWN	GRAY	MILLER	TOLSON
BUCHANAN	GULLEY	MINER	WAINWRIGHT
CANSLER	HACKNEY	MITCHELL	WARNER
CAPPS	HALL	MORGAN	WARWICK
CARPENTER	HARDY	MORRIS	WATSON
CHURCH	HENSLEY	MOSLEY	WEATHERLY
CLARY	HIATT	NEELY	WILKINS
COLE	HILL	NESBITT	WILSON, C.
CRAWFORD	HOLMES	NICHOLS	WILSON, G.
CREECH	HOWARD	NYE	WOOD
CULP	HUNTER, H.	OLDHAM	WRIGHT
CULPEPPER	HUNTER, R.	OWENS	YONGUE
DAUGHTRY	HURLEY	PRESTON	

NOES - 0

EXCUSED ABSENCE - 5

BRAWLEY	HARDAWAY	MOORE	WOMBLE
DAVIS			

EXCUSED VOTE - 0

NOT VOTING - 4

SPEAKER	BRASWELL	CUNNINGHAM	HIGHTOWER

NORTH CAROLINA

HOUSE OF REPRESENTATIVES

ROLL CALL

RC

SE[illegible] # 1193
[illegible]SLATIVE DAY 99
H[illegible]87HCS
READING 3
DECKER

7/17/97
11:29 AM
IN CHAIR: SPEAKER

COUNTY/CITY SALES TAX EXEMPTION

AYES - 106

ADAMS	DECKER	HURLEY	PRESTON
ALDRIDGE	DEDMON	INSKO	RAMSEY
ALEXANDER	DICKSON	IVES	RAYFIELD
ALLRED	DOCKHAM	JARRELL	REDWINE
ARNOLD	EARLE	JEFFUS	REYNOLDS
BAKER	EASTERLING	JUSTUS	ROGERS
BARBEE	EDDINS	KINNEY	RUSSELL
BEALL	ELLIS	KISER	SAUNDERS
BERRY	ESPOSITO	LUEBKE	SEXTON
BLACK	FITCH	MCALLISTER	SHERRILL
BLUE	FOX	MCCOMAS	SHUBERT
BONNER	GARDNER	MCCOMBS	SMITH
BOWIE	GOODWIN	MCCRARY	SUTTON
BOYD-MCINTYRE	GRADY	MERCER	TALLENT
BRASWELL	GRAY	MILLER	THOMPSON
BRAWLEY	GULLEY	MINER	TOLSON
BROWN	HACKNEY	MITCHELL	WAINWRIGHT
BUCHANAN	HALL	MORGAN	WARNER
CAPPS	HARDAWAY	MORRIS	WARWICK
CARPENTER	HARDY	MOSLEY	WATSON
CHURCH	HENSLEY	NEELY	WEATHERLY
CLARY	HIATT	NESBITT	WILSON, C.
CRAWFORD	HILL	NICHOLS	WILSON, G.
CREECH	HOLMES	NYE	WOOD
CULP	HOWARD	OLDHAM	WRIGHT
CULPEPPER	HUNTER, H.	OWENS	YONGUE
CUNNINGHAM	HUNTER, R.		

NOES - 1

HIGHTOWER

EXCUSED ABSENCE - ~~8~~ 9 DW

BADDOUR	DAUGHTRY	MCMAHAN	DAVIS STARNES
CANSLER	GAMBLE	MOORE	WOMBLE

EXCUSED VOTE - 0

NOT VOTING - ~~5~~ 4 DW

SPEAKER	~~DAVIS~~	MICHAUX	WILKINS
COLE			

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1997

H

D

HOUSE DRH6223-LC212(4.15)

Short Title: School District Sales Tax Refunds. (Public)

Sponsors: Representative Decker.

Referred to:

A BILL TO BE ENTITLED

AN ACT TO ALLOW LOCAL BOARDS OF EDUCATION TO OBTAIN REFUNDS OF SALES AND USE TAXES PAID ON PURCHASES MADE WITH THE PROCEEDS OF LOCAL VOTER-APPROVED BONDS AND TO REQUIRE THE REFUNDS TO BE USED ONLY FOR THE PURPOSES FOR WHICH THE BONDS WERE APPROVED.

The General Assembly of North Carolina enacts:

Section 1. G.S. 105-164.14(c) reads as rewritten:

"(c) Certain Governmental Entities. -- A governmental entity listed in this subsection is allowed an annual refund of sales and use ~~tax~~ taxes paid by it under this Article, except under G.S. 105-164.4(a)(4a) and G.S. 105-164.4(a)(4c), on direct purchases of tangible personal property. Sales and use tax liability indirectly incurred by a governmental entity on building materials, supplies, fixtures, and equipment that become a part of or annexed to any building or structure that is owned or leased by the governmental entity and is being erected, altered, or repaired for use by the governmental entity is considered a sales or use tax liability incurred on direct purchases by the governmental entity for the purpose of this subsection. A request for a refund must be in writing and must include any information and documentation required by the Secretary. A request for a refund is due within six months after the end of the governmental entity's fiscal year.

This subsection applies only to the following governmental entities:

(1) A county.

(2) A city as defined in G.S. 160A-1.

(2a) A consolidated city-county as defined in G.S. 160B-2.

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1997

H.B. FILED

1189 APR 30 97

HOUSE PRINCIPAL CLERK

H D

HOUSE DRHA359-LCX184(4.3)

Short Title: Food Tax Down/Alcohol Tax Up. (Public)

Sponsors: Representative Decker.

Referred to:

A BILL TO BE ENTITLED

AN ACT TO INCREASE TAXES ON BEER AND WINE, TO DISTRIBUTE THE RESULTING REVENUES TO LOCAL GOVERNMENTS FOR SUBSTANCE ABUSE TREATMENT, MEDICAID COSTS, INFRASTRUCTURE, AND EDUCATION, AND TO REDUCE THE FOOD TAX BY ONE CENT.

The General Assembly of North Carolina enacts:

Section 1. G.S. 105-113.80 reads as rewritten:

"**§ 105-113.80. Excise taxes on beer, wine, and liquor.**

(a) Beer. -- An excise tax is levied on the sale of malt beverages at the rate of:

(1) ~~Forty-eight and three hundred eighty-seven one thousandths cents (48.387¢)~~ One dollar and sixty and six hundred forty-five thousandths cents ($1.60.645) per gallon on malt beverages in barrels holding at least seven and three-fourths gallons; and

(2) ~~Fifty-three and three hundred seventy-six one thousandths cents (53.376¢)~~ One dollar and seventy-seven and two hundred eight thousandths cents ($1.77.208) per gallon on malt beverages in cans, bottles, barrels, or other containers holding less than seven and three-fourths gallons.

(b) Wine. -- An excise tax of ~~twenty-one cents (21¢)~~ forty-two cents (42¢) per liter is levied on the sale of unfortified wine, and an excise tax of ~~twenty-four cents (24¢)~~ forty-eight cents (48¢) per liter is levied on the sale of fortified wine.

(c) Liquor. -- An excise tax of twenty-eight percent (28%) is levied on liquor sold in ABC stores. Pursuant to G.S. 18B-804(b), the price of liquor on which this tax is computed is the distiller's price plus (i) the State ABC warehouse freight and bailment charges, and (ii) a markup for local ABC boards. This tax is in lieu of sales

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1997

H.B. FILED

1190 APR 30 97

HOUSE PRINCIPAL CLERK

H D

HOUSE DRH7296-LVQ069(4.24)

Short Title: Voc. Rehab. Facilities Funds. (Public)

Sponsors: Representative Nye.

Referred to:

A BILL TO BE ENTITLED

AN ACT TO APPROPRIATE FUNDS TO THE DEPARTMENT OF HUMAN RESOURCES, DIVISION OF VOCATIONAL REHABILITATION, FOR COMMUNITY REHABILITATION PROGRAMS FACILITIES AND EQUIPMENT IMPROVEMENTS.

The General Assembly of North Carolina enacts:

Section 1. There is appropriated from the General Fund to the Department of Human Resources, Division of Vocational Rehabilitation, the sum of one million six hundred thousand dollars ($1,600,000) for the 1997-98 fiscal year to renovate and construct new buildings, purchase computer equipment to better track clients, purchase vehicles to transport clients, and to purchase equipment utilized in procuring new work and upgrading existing contracts in the Community Rehabilitation Programs in priority order as provided by the North Carolina Association of Rehabilitation Facilities.

Section 2. This act becomes effective July 1, 1997.

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1997

H.B. FILED

1191

APR 30 97

HOUSE PRINCIPAL CLERK

H D

HOUSE JOINT RESOLUTION DRHJR1346-LG143A(3.25)

Sponsors: Representatives Warner, McAllister, Morris, Hurley, Kinney, and Yongue.

Referred to:

A JOINT RESOLUTION HONORING THE LIFE AND MEMORY OF LOYD EDWARD AUMAN.

Whereas, Loyd Edward Auman, a lifelong resident of Cumberland County, was born on September 23, 1916; and

Whereas, Loyd Edward Auman received a bachelors degree in agricultural education from North Carolina State University in 1937, and a principal's certificate from the University of North Carolina at Chapel Hill in 1946; and

Whereas, Loyd Edward Auman began his 23-year career in public education as a teacher at 71st High School, where he taught from 1937 to 1942; and

Whereas, Loyd Edward Auman proudly served his country during World War II as a member of the United States Army Air Corps; and

Whereas, after his military service, Loyd Edward Auman returned to Cumberland County, where he served as principal of 71st High School from December of 1945 to June of 1968, and as principal of J.W. Coon Elementary School from July of 1968 to June of 1977; and

Whereas, Loyd Edward Auman's interest in education was evident by his memberships on the Cumberland County Library Board and the Cumberland County Unit of the North Carolina Association of Educators, of which he also served as president; and

Whereas, Loyd Edward Auman served as coach for both boys and girls sports from 1946 to 1948, and continued to coach girls basketball until 1955; and

Whereas, Loyd Edward Auman was a member of the 71st Athletic Council and initiated a fund drive to build an athletic field at 71st High School; and

Whereas, as a tribute to Loyd Edward Auman's service to education, an elementary school and the 71st High School Athletic Field bear his name; and

NORTH CAROLINA GENERAL ASSEMBLY
SENATE

RECORDED VOTE

1997 SESSION

SEQ. 971/2-- 7:41 PM JUNE 23, 1997 LEGISLATIVE DAY 83

LT. GOVERNOR WICKER -- Presiding

WARNER
HONOR LIFE AND MEMORY OF LOYD

HOUSE RES. 1191
READING 2

EDWARD AUMAN

AYE	48	ALBERTSON	EAST	KINNAIRD	PLYLER
		ALLRAN	FORRESTER	LEDBETTER	RAND
		BALLANCE	FOXX	LEE	REEVES
		BALLANTINE	GARWOOD	LUCAS	RUCHO
		BASNIGHT	GULLEY	MARTIN R.	SHAW L.
		BLUST	HARTSELL	MARTIN W.	SHAW R.
		CARPENTER	HORTON	MCDANIEL	SOLES
		CARRINGTON	HOYLE	MILLER	WARREN
		CLARK	JENKINS	ODOM	WEBSTER
		COCHRANE	JORDAN	PAGE	WEINSTEIN
		DALTON	KERR	PERDUE	WELLONS
		DANNELLY	KINCAID	PHILLIPS	WINNER
NO	0				
EXCUSED	0				
NOT CAST	2	CONDER	COOPER		
ABSENT	0				
PAIRS	0				
AYE					
NO					

GENERAL ASSEMBLY
SENATE

NORTH CAROLINA
HOUSE OF REPRESENTATIVES
ROLL CALL

EV

SEQ. # 975
LEGISLATIVE DAY 83
HJR 1191
READING 2
WARNER

6/23/97
6:36 PM
IN CHAIR: SPEAKER

HONOR LOYD EDWARD AUMAN

AYES - 108

SPEAKER	CREECH	HOWARD	NYE
ADAMS	CULP	HUNTER, H.	OLDHAM
ALDRIDGE	CULPEPPER	HUNTER, R.	OWENS
ALEXANDER	CUNNINGHAM	HURLEY	PRESTON
ALLRED	DAUGHTRY	INSKO	RAMSEY
ARNOLD	DAVIS	IVES	RAYFIELD
BADDOUR	DEDMON	JARRELL	REDWINE
BAKER	DICKSON	JEFFUS	REYNOLDS
BARBEE	DOCKHAM	JUSTUS	SAUNDERS
BEALL	EARLE	KINNEY	SEXTON
BERRY	EDDINS	KISER	SHERRILL
BLACK	ELLIS	MCALLISTER	SHUBERT
BLUE	ESPOSITO	MCCOMAS	SMITH
BONNER	FOX	MCCOMBS	STARNES
BOWIE	GAMBLE	MCCRARY	TALLENT
BOYD-MCINTYRE	GOODWIN	MCMAHAN	THOMPSON
BRASWELL	GRADY	MERCER	TOLSON
BRAWLEY	GRAY	MICHAUX	WARNER
BROWN	GULLEY	MILLER	WARWICK
BUCHANAN	HALL	MINER	WATSON
CANSLER	HARDAWAY	MITCHELL	WEATHERLY
CAPPS	HARDY	MOORE	WILKINS
CARPENTER	HENSLEY	MORGAN	WILSON, C.
CHURCH	HIATT	MORRIS	WILSON, G.
CLARY	HIGHTOWER	MOSLEY	WOMBLE
COLE	HILL	NEELY	WRIGHT
CRAWFORD	HOLMES	NICHOLS	YONGUE

NOES - 0

EXCUSED ABSENCE - 9

EASTERLING	LUEBKE	ROGERS	WAINWRIGHT
GARDNER	NESBITT	SUTTON	WOOD
HACKNEY			

EXCUSED VOTE - 0

NOT VOTING - 3

DECKER	FITCH	RUSSELL

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1997

H

D

HOUSE JOINT RESOLUTION DRHJR2311-LB229A(4.10)

Sponsors: Representatives Daughtry, Neely, and Baddour.

Referred to:

A JOINT RESOLUTION AUTHORIZING THE LEGISLATIVE RESEARCH COMMISSION TO STUDY THE FUTURE OF THE COURTS IN NORTH CAROLINA.

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

Section 1. The Legislative Research Commission may study the recommendations of the Commission for the future of justice and the courts in North Carolina, and propose legislation, including constitutional amendments if necessary, to modify the structure of the court system and the method of choosing judges in North Carolina.

Section 2. The Commission shall submit an interim report of its findings and recommendations to the 1997 General Assembly prior to its reconvening in 1998, and shall submit a final report of its findings and recommendations to the General Assembly on or before the first day of the 1999 Session of the General Assembly by filing the report with the President Pro Tempore of the Senate and the Speaker of the House of Representatives. Upon filing its final report, the Commission shall terminate.

Section 3. This resolution is effective upon ratification.

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1997

H.B. FILED

1193 APR 30 97

HOUSE PRINCIPAL CLERK

H D

HOUSE DRH7287-LDQ201(4.17)

Short Title: Agricultural Fairs Committee/Funds. (Public)

Sponsors: Representatives Brown, Mitchell, and McCrary.

Referred to:

A BILL TO BE ENTITLED

AN ACT TO CREATE AN AGRICULTURAL FAIRS ADVISORY COMMITTEE IN THE DEPARTMENT OF AGRICULTURE AND TO APPROPRIATE FUNDS FOR LOCAL AGRICULTURAL FAIRS.

The General Assembly of North Carolina enacts:

Section 1. Article 45 of Chapter 106 of the General Statutes is amended by adding a new Part to read:

"Part 5. Agricultural Fairs Advisory Committee.

"**§ 106-520.12. North Carolina Agricultural Fairs Advisory Committee.**

(a) The North Carolina Agricultural Fairs Advisory Committee is created within the Department of Agriculture.

(b) The Committee shall consist of five members as follows:

(1) The President of the North Carolina Association of Agricultural Fairs, as appointed by that association.

(2) Four county agricultural fair managers, to be appointed by the Commissioner of Agriculture.

The Commissioner of Agriculture or the Commissioner's designee, shall serve as an ex officio member. The members of the Advisory Committee appointed under subdivision (2) of this subsection shall serve for a term of four years. In the event of a vacancy, the Commissioner shall appoint a replacement in the same manner as for the original appointment to serve for the remainder of the unfinished term.

(c) The Commissioner of Agriculture or the Commissioner's designee shall serve as chairman. A majority of the members shall constitute a quorum for the purpose of transacting business.

"**§ 106-520.13. Advisory duties.**

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1997

H

HOUSE DRH7250-RBX4/16(4.9)

Short Title: Rental Car User Surcharge. (Public)

Sponsors: Representative McMahan.

Referred to:

A BILL TO BE ENTITLED

AN ACT TO IMPOSE A USER SURCHARGE ON CERTAIN SHORT-TERM CAR RENTALS, TO USE THE PROCEEDS OF THE TAX TO COMPENSATE RENTAL CAR COMPANIES FOR THE AMOUNT OF VEHICLE REGISTRATION FEES AND PROPERTY TAXES PAID ON THEIR RENTAL CARS, AND TO DISTRIBUTE ANY REMAINING PROCEEDS TO THE HIGHWAY FUND AND THE HIGHWAY TRUST FUND.

The General Assembly of North Carolina enacts:

Section 1. The heading to Article 5A of Chapter 105 of the General Statutes reads as rewritten:

"North Carolina Highway Use ~~Tax.~~ Tax and Rental User Surcharge."

Section 2. G.S. 105-187.1 reads as rewritten:

"**§ 105-187.1. Definitions.**

The following definitions and the definitions in G.S. 105-164.3 apply to this Article:

(1) ~~'Commissioner' means the~~ Commissioner. -- The Commissioner of Motor Vehicles.

(2) ~~'Division' means the~~ Division. -- The Division of Motor Vehicles, Department of Transportation.

(3) ~~'Long-term lease or rental' means a~~ Long-term lease or rental. -- A lease or rental made under a written agreement to lease or rent property to the same person for a period of at least 365 continuous days.

(4) ~~'Short-term lease or rental' means a~~ Short-term lease or rental. -- A lease or rental that is not a long-term lease or rental.

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1997

H.B. FILED

1195 APR 30 97

HOUSE PRINCIPAL CLERK

H D

HOUSE DRH1335-LDQ199E(4.15)

Short Title: Environmental Impacts Study/Funds. (Public)

Sponsors: Representatives Warwick, Yongue, Black, Blue, Brown, Culpepper, Daughtry, Mitchell, Nesbitt, Preston, Russell, and G. Wilson.

Referred to:

A BILL TO BE ENTITLED

AN ACT TO ASSIST BUSINESS, INDUSTRY, AGRICULTURE, AND LOCAL GOVERNMENT IN ATTAINING CLEANER AIR, WATER, AND LAND RESOURCES BY CREATING AND FUNDING THE ENVIRONMENTAL IMPACTS STUDY COMMISSION, WHICH SHALL IDENTIFY AND PRIORITIZE SOURCES OF ENVIRONMENTAL POLLUTION AND IDENTIFY TECHNOLOGIES AND METHODOLOGIES TO REDUCE THE ADVERSE ENVIRONMENTAL IMPACTS OF ACTIVITIES OF THESE SECTORS.

The General Assembly of North Carolina enacts:

Section 1. Chapter 120 of the General Statutes is amended by adding a new Article to read:

"ARTICLE 24.

"Environmental Impacts Study Commission.

"**§ 120-210. Environmental Impacts Study Commission established; membership; terms.**

(a) The Environmental Impacts Study Commission is established. The Environmental Impacts Study Commission shall consist of 24 members, to be appointed as follows:

(1) Seven members to be appointed by the Speaker of the House of Representatives, all of whom shall be members of the House of Representatives and at least three of whom shall be members of the minority party of the House of Representatives.

GENERAL ASSEMBLY OF NORTH CAROLINA H.B. FILED

SESSION 1997 1196 APR 30 97

H HOUSE PRINCIPAL CLERK D

HOUSE DRHA368-LGQ228(4.24)

Short Title: Transylvania Vocational Funds. (Public)

Sponsors: Representative Ives.

Referred to:

A BILL TO BE ENTITLED

AN ACT TO APPROPRIATE FUNDS TO ASSIST THE TRANSYLVANIA VOCATIONAL SERVICES, INC., IN CONSTRUCTING A NEW FACILITY.

The General Assembly of North Carolina enacts:

Section 1. There is appropriated from the General Fund to the Transylvania Vocational Services, Inc., a nonprofit corporation, the sum of two hundred fifty thousand dollars ($250,000) for the 1997-98 fiscal year to assist with the construction of a new facility.

Section 2. This act becomes effective July 1, 1997.

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1997

FILED
1197
APR 30 97
HOUSE PRINCIPAL CLERK

H D

HOUSE DRH2314-LN164(4.15)

Short Title: Living Will/Organ Don. Registry. (Public)

Sponsors: Representative Fox.

Referred to:

A BILL TO BE ENTITLED

AN ACT TO AUTHORIZE A STUDY OF THE ESTABLISHMENT OF A STATEWIDE REGISTRY OF PERSONS WHO HAVE EXECUTED LIVING WILLS AND WHO HAVE CONSENTED TO BE ORGAN DONORS, AND TO APPROPRIATE FUNDS THEREFOR.

The General Assembly of North Carolina enacts:

Section 1. (a) There is established the Legislative Study Commission on Living Will/Organ Donation State Registry. The purpose of the Commission is to study the feasibility of establishing a statewide registry of persons who have executed documents pertaining to declarations of a desire for a natural death, commonly referred to as "living wills", and pertaining to human organ donation.

(b) The Commission shall consist of 12 members as follows:

(1) Four Representatives, appointed by the Speaker of the House of Representatives.

(2) Four Senators, appointed by the President Pro Tempore of the Senate.

(3) One practicing attorney and one medical doctor appointed by the Speaker of the House of Representatives.

(4) One practicing attorney and one medical doctor appointed by the President Pro Tempore of the Senate.

The President Pro Tempore of the Senate and the Speaker of the House of Representatives shall appoint as cochairs of the Commission from the General Assembly membership to serve on this Commission. All members shall serve at the will of their appointing officer. Unless removed or unless resigning, members shall

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1997

H.B. FILED
1198 APR 30 97
HOUSE PRINCIPAL CLERK

H D

HOUSE DRH8211-LH192(4.25)

Short Title: Savings Reserve/School Tech. Fund. (Public)

Sponsors: Representatives Reynolds and Shubert.

Referred to:

A BILL TO BE ENTITLED

AN ACT TO TRANSFER THE INTEREST ACCUMULATED EACH QUARTER BY THE SAVINGS RESERVE ACCOUNT TO THE SCHOOL TECHNOLOGY FUND AND TO APPROPRIATE FUNDS FOR THE SCHOOL TECHNOLOGY FUND.

The General Assembly of North Carolina enacts:

Section 1. G.S. 143-15.3 is amended by adding a new subsection to read:

"(c) At the end of each fiscal quarter, the State Controller shall transfer the interest accumulated by the Savings Reserve Account to the School Technology Fund established by G.S. 115C-102.6D."

Section 2. There is appropriated from the General Fund to the School Technology Fund established by G.S. 115C-102.6D the sum of two million dollars ($2,000,000) for the 1997-98 fiscal year.

Section 3. This act becomes effective July 1, 1997.

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1997

H.B. FILED
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HOUSE PRINCIPAL CLERK

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HOUSE DRH1309-LH164C(4.8)

Short Title: Monetary Incentive/Acad. Excellence. (Public)

Sponsors: Representative Shubert.

Referred to:

A BILL TO BE ENTITLED

AN ACT TO PROVIDE MONETARY INCENTIVES FOR ACADEMIC EXCELLENCE.

The General Assembly of North Carolina enacts:

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

"ARTICLE 35A.

"State Funds to Encourage Academic Excellence.

"§ 115C-496. State funds to pay advancement costs.

Since it is the desire of the State to encourage academic excellence and to encourage high school students to take more demanding classes, the Department of Public Instruction shall pay the cost of the Advanced Placement exam for any student who takes and completes an Advanced Placement class with a passing grade, unless the Advanced Placement instructor indicates that the student cannot be expected to pass the test.

"§ 115C-496.1. Funds prorated for part-time students attending high school.

The Department of Public Instruction shall use funds available from the Public School Fund to pay any high school who has students who are enrolled in a class at the school, but who are not full time students, an appropriate prorata amount for the students based on the period of time the students are attending the high school.

"§ 115C-496.2. State pays tuition for high school student taking college classes.

Notwithstanding any other provision of law, if a student who is eligible to attend a public high school completes the student's high school course requirements prior to completing 12 years of schooling (plus kindergarten and prekindergarten if applicable) and enrolls in a college level class at an institution of higher education,

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1997

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HOUSE DRHA371*-LG104(3.5)

Short Title: CMAST Capital Funds. (Public)

Sponsors: Representative Smith.

Referred to:

A BILL TO BE ENTITLED

AN ACT TO APPROPRIATE FUNDS FOR THE CENTER FOR MARINE SCIENCE AND TECHNOLOGY.

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 two million three hundred sixty-three thousand dollars ($2,363,000) for the 1997-98 fiscal year for capital costs in expanding the Center for Marine Science and Technology (CMAST) Building.

Section 2. This act becomes effective July 1, 1997.