H 1

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1997

H D

HOUSE RESOLUTION DRHR2013-RN(1.28)

Sponsors: Representative Daughtry.

Referred to:

A HOUSE RESOLUTION ADOPTING THE PERMANENT RULES OF THE REGULAR SESSIONS OF THE NORTH CAROLINA HOUSE OF REPRESENTATIVES OF THE 1997 GENERAL ASSEMBLY.

Be it resolved by the House of Representatives:

Section 1. The permanent rules of the Regular Sessions of the House of Representatives of the 1997 General Assembly are:

RULES OF THE REGULAR SESSIONS OF THE HOUSE OF REPRESENTATIVES OF THE 1997 GENERAL ASSEMBLY OF NORTH CAROLINA

I. Order of Business, 1-5
II. Conduct of Debate, 6-12
III. Motions, 13-19
IV. Voting, 20-25
V. Committees, 26-30
VI. Handling of Bills, 31-44.1
VII. Legislative Officers and Employees, 45-49
VIII. Privileges of the Hall, 50-53
IX. General Rules, 54-62

I. Order of Business

RULE 1. **Convening Hour, Limitation on Friday, Night, and Sunday Legislative Sessions.** -- The House shall convene each legislative day at the hour fixed by the House. In the event the House adjourns on the preceding legislative day without having fixed an hour for reconvening, the House shall convene on the next legislative day at 1:30 p.m. During January and February of 1997, no sessions may be held on Friday. No session shall continue after 10:00 p.m. on Monday nor after 9:00 p.m. on any other days, and the Speaker shall adjourn the House without motion at

Speaker

1997 HOUSE OF REPRESENTATIVES
ROLL CALL SHEET

Brubaker	Black		Brubaker	Black		Brubaker	Black	
	✓	ADAMS	✓		ELLIS	✓		MITCHELL
✓		ALDRIDGE	✓		ESPOSITO		✓	MOORE
	✓	ALEXANDER		✓	FITCH	✓		MORGAN
✓		ALLRED		✓	FOX	✓		MORRIS
✓		ARNOLD		✓	GAMBLE		✓	MOSLEY
	✓	BADDOUR	✓		GARDNER	✓		NEELY
✓		BAKER		✓	GOODWIN		✓	NESBITT
✓		BARBEE	✓		GRADY	✓		NICHOLS
	✓	BEALL	✓		GRAY		✓	NYE
✓		BERRY	✓		GULLEY		✓	OLDHAM
	✓	BLACK		✓	HACKNEY		✓	OWENS
	✓	BLUE	✓		HALL	✓		PRESTON
	✓	BONNER		✓	HARDAWAY		✓	RAMSEY
✓		BOWIE	✓		HARDY	✓		RAYFIELD
	✓	BOYD-MCINTYRE		✓	HENSLEY		✓	REDWINE
	✓	BRASWELL	✓		HIATT	✓		REYNOLDS
✓		BRAWLEY		✓	HIGHTOWER		✓	ROGERS
✓		BROWN	✓		HILL	✓		RUSSELL
✓		BRUBAKER	✓		HOLMES		✓	SAUNDERS
✓		BUCHANAN	✓		HOWARD	✓		SEXTON
✓		CANSLER		✓	HUNTER, H.	✓		SHERRILL
✓		CAPPS		✓	HUNTER, R.	✓		SHUBERT
✓		CARPENTER		✓	HURLEY		✓	SMITH
✓		CHURCH		✓	INSKO	✓		STARNES
✓		CLARY	✓		IVES		✓	SUTTON
	✓	COLE		✓	JARRELL	✓		TALLENT
✓		CRAWFORD		✓	JEFFUS	✓		THOMPSON
✓		CREECH	✓		JUSTUS		✓	TOLSON
✓		CULP		✓	KINNEY		✓	WAINWRIGHT
	✓	CULPEPPER	✓		KISER		✓	WARWICK
	✓	CUNNINGHAM		✓	LUEBKE		✓	WARNER
✓		DAUGHTRY		✓	MCALLISTER	✓		WATSON
✓		DAVIS	✓		MCCOMAS	✓		WEATHERLY
✓		DECKER	✓		MCCOMBS		✓	WILKINS
	✓	DEDMON		✓	MCCRARY	✓		WILSON, C.
✓		DICKSON	✓		MCMAHAN	✓		WILSON, G.
✓		DOCKHAM		✓	MERCER		✓	WOMBLE
	✓	EARLE		✓	MICHAUX	✓		WOOD
	✓	EASTERLING		✓	MILLER		✓	WRIGHT
✓		EDDINS	✓		MINER		✓	YONGUE
						64	56	

D Weeks 1/29/97

SPEAKER PRO TEMPORE
1/29/97

1997 HOUSE OF REPRESENTATIVES
ROLL CALL SHEET

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

10 ±0 49 60 61

Rep. Braswell changes vote from Russell to Wood.

ΔWelsh

NORTH CAROLINA GENERAL ASSEMBLY
AMENDMENT
House Bill 1

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

H1-ARN-003

Date Jan 29 ,1997

Comm. Sub. []
Amends Title []

Representative DAUGHTRY

moves to amend the bill on page 17, lines 19-20 by deleting the phrase "or the Standing Committee on Ways and Means";

and on page 24, lines 8-9 and page 23, line 43 through page 24, line 1, by deleting the phrase "or the Standing Committee on Ways and Means, at the direction of the Speaker,".

and on page 21, lines 28-29, by deleting the phrase "of the Ways and Means Committee,";

and on page 23, lines 35-36 and page 24, line 4, by deleting the phrase "and the Standing Committee on Ways and Means";

and on page 24, lines 14-15, by rewriting those lines to read:
"Appropriations or the Standing Committee on Finance, the amendment or committee substitute shall be considered and, if".

SIGNED _____
Amendment Sponsor

SIGNED _____
Committee Chair if Senate Committee Amendment

ADOPTED 1/29/97 FAILED _____ TABLED _____

106-12 EV

NORTH CAROLINA
HOUSE OF REPRESENTATIVES
ROLL CALL

EV

. # 2
ISLATIVE DAY 1
HR1
READING 2

1/29/97
2:17 PM
IN CHAIR: SPEAKER

AMEND #1 - Rep. Daughtry

AYES - 106

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

NOES - 12

ALLRED	CANSLER	DECKER	HARDY
ARNOLD	CLARY	DICKSON	MORRIS
BERRY	CREECH	HALL	NEELY

EXCUSED ABSENCE - 0

EXCUSED VOTE - 0

NOT VOTING - 2

SPEAKER	HUNTER, H.

NORTH CAROLINA GENERAL ASSEMBLY AMENDMENT

(Please type or use ballpoint pen)

EDITION No. _____

H. ~~B~~ R. No. 1

DATE Jan. 29, 1997

S. B. No. _____

Amendment No. 2

(to be filled in by Principal Clerk)

COMMITTEE SUBSTITUTE _____

Rep.) Culpepper
Sen.)

1 moves to amend the ~~bill~~ resolution on page 25, line 5 5 and 6

2 ( ) WHICH CHANGES THE TITLE

3 by deleting those lines in their entirety

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19

SIGNED Bill Culpepper

ADOPTED 1/29/97 FAILED _____ TABLED _____

61-57 EV DWeiss

GA-33-A

PRINCIPAL CLERK'S OFFICE (FOR ENGROSSMENT)

NORTH CAROLINA

EV

HOUSE OF REPRESENTATIVES

. # 3
ISLATIVE DAY 1
HR1
READING 2

1/29/97
2:26 PM
IN CHAIR: SPEAKER

ROLL CALL

AMEND #2 - Rep. Culpepper

AYES - 61

ADAMS	DEDMON	JARRELL	OWENS
ALEXANDER	EARLE	JEFFUS	RAMSEY
ALLRED	EASTERLING	JUSTUS	REDWINE
BADDOUR	FITCH	KINNEY	ROGERS
BEALL	FOX	LUEBKE	SAUNDERS
BLACK	GAMBLE	MCALLISTER	SMITH
BLUE	GOODWIN	MCCRARY	SUTTON
BONNER	HACKNEY	MERCER	TOLSON
BOYD-MCINTYRE	HARDAWAY	MICHAUX	WAINWRIGHT
BRASWELL	HENSLEY	MILLER	WARNER
BROWN	HIGHTOWER	MOORE	WARWICK
CHURCH	HILL	MOSLEY	WILKINS
COLE	HUNTER, R.	NESBITT	WOMBLE
CRAWFORD	HURLEY	NYE	WOOD
CULPEPPER	INSKO	OLDHAM	YONGUE
CUNNINGHAM			

NOES - 57

SPEAKER	DAUGHTRY	HIATT	PRESTON
ALDRIDGE	DAVIS	HOLMES	RAYFIELD
ARNOLD	DECKER	HOWARD	REYNOLDS
BAKER	DICKSON	IVES	RUSSELL
BARBEE	DOCKHAM	KISER	SEXTON
BERRY	EDDINS	MCCOMAS	SHERRILL
BOWIE	ELLIS	MCCOMBS	SHUBERT
BRAWLEY	ESPOSITO	MCMAHAN	STARNES
BUCHANAN	GARDNER	MINER	TALLENT
CANSLER	GRADY	MITCHELL	THOMPSON
CAPPS	GRAY	MORGAN	WATSON
CARPENTER	GULLEY	MORRIS	WEATHERLY
CLARY	HALL	NEELY	WILSON, C.
CREECH	HARDY	NICHOLS	WILSON, G.
CULP			

EXCUSED ABSENCE - 0

EXCUSED VOTE - 0

NOT VOTING - 2

HUNTER, H. WRIGHT

~~COPY~~ ORIGINAL

NORTH CAROLINA GENERAL ASSEMBLY
AMENDMENT
House Resolution 1

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

H1-ALB-2

Page 1 of 2

Date Jan 29, 1997

Comm. Sub. [ ]
Amends Title [ ]

Rep. Hensley

moves to amend the bill on page 20, line 36, through page 21, line 6 by rewriting those lines to read:

"(a) Favorable Report. When a standing committee or permanent subcommittee reports a bill with the recommendation that it be passed, the bill shall be placed on the favorable calendar for the next succeeding legislative day; except that committee substitutes for bills shall be placed on the favorable calendar for the second next succeeding legislative day after being reported, and bills on the Public Consent Calendar shall be placed on the favorable calendar as provided by Rule 40. When a committee substitute is adopted and receives a favorable report by the committee or permanent subcommittee, the standing committee or permanent subcommittee Chair shall submit to the standing committee or permanent subcommittee the question of an unfavorable report on the original bill. The standing committee's or permanent subcommittee's action, if any, on the original bill shall be reported at the same time the committee substitute is reported."

further moves to amend the bill on page 25, lines 21 through 27 by rewriting those lines to read:

"RULE 40. Calendars and Schedules of Business. -- (a) The Clerk of the House shall prepare a daily schedule of business, including the Calendar of Bills and Resolutions for consideration and debate that day, in accordance with the Order of Business of the Day (Rule 5). The Clerk shall number all bills and resolutions in the order in which they are introduced. All bills and resolutions shall be taken up as they appear in each category (Rule 5(10)) in the order they were reported by standing committee; but the Standing Committee on Rules, Calendar, and Operations of the House may at any

NORTH CAROLINA GENERAL ASSEMBLY
AMENDMENT
House Resolution 1

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

H1-ALB-2

time arrange the order of precedence in which bills may be considered."

SIGNED _____
Amendment Sponsor

SIGNED _____
Committee Chair if Senate Committee Amendment

ADOPTED _____ FAILED 1/29/97 TABLED _____

60-60 EV

NORTH CAROLINA
HOUSE OF REPRESENTATIVES
ROLL CALL

EV

. # 4
ISLATIVE DAY 1
HR1
READING 2

1/29/97
2:53 PM
IN CHAIR: SPEAKER

AMEND #3 - REP HENSLEY (fails for lack of a majority)

AYES - 60

ADAMS	EARLE	JARRELL	RAMSEY
ALEXANDER	EASTERLING	JEFFUS	REDWINE
BADDOUR	FITCH	KINNEY	ROGERS
BEALL	FOX	LUEBKE	SAUNDERS
BLACK	GAMBLE	MCALLISTER	SMITH
BLUE	GOODWIN	MCCRARY	SUTTON
BONNER	HACKNEY	MERCER	TOLSON
BOYD-MCINTYRE	HARDAWAY	MICHAUX	WAINWRIGHT
BRASWELL	HENSLEY	MILLER	WARNER
CHURCH	HIGHTOWER	MOORE	WARWICK
COLE	HILL	MOSLEY	WATSON
CRAWFORD	HUNTER, H.	NESBITT	WILKINS
CULPEPPER	HUNTER, R.	NYE	WOMBLE
CUNNINGHAM	HURLEY	OLDHAM	WRIGHT
DEDMON	INSKO	OWENS	YONGUE

NOES - 60

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

EXCUSED ABSENCE - 0

EXCUSED VOTE - 0

NOT VOTING - 0

NORTH CAROLINA GENERAL ASSEMBLY
AMENDMENT
House Resolution 1

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

H1-ALB-7A

Date 1/29 ,1997

Comm. Sub. []
Amends Title []

Rep. R. Hunter

moves to amend the bill on page 24, lines 30, by deleting "three-fifths (3/5)", and substituting "a majority".

further moves to amend the bill on page 24, lines 24, by deleting "three-fifths (3/5) of the members of the House", and substituting "a majority of the members present and voting".

further moves to amend the bill on page 25, lines 3, by deleting "two-thirds (2/3) of the members of the House", and substituting "two thirds (2/3) of the members present and voting".

SIGNED Rep Robert Hunter
Amendment Sponsor

SIGNED _____
Committee Chair if Senate Committee Amendment

ADOPTED _____ FAILED 1/29/97 TABLED _____
59-61 EV
DWilkins

NORTH CAROLINA
HOUSE OF REPRESENTATIVES
ROLL CALL

EV

NO. # 5
LEGISLATIVE DAY 1
DAY
READING 2

1/29/97
3:08 PM
IN CHAIR: SPEAKER

AMEND #4 - REP R. HUNTER

AYES - 59

ADAMS	EARLE	JARRELL	RAMSEY
ALEXANDER	EASTERLING	JEFFUS	REDWINE
BADDOUR	FITCH	KINNEY	ROGERS
BEALL	FOX	LUEBKE	SAUNDERS
BLACK	GAMBLE	MCALLISTER	SMITH
BLUE	GOODWIN	MCCRARY	SUTTON
BONNER	HACKNEY	MERCER	TOLSON
BOYD-MCINTYRE	HARDAWAY	MICHAUX	WAINWRIGHT
BRASWELL	HENSLEY	MILLER	WARNER
CHURCH	HIGHTOWER	MOORE	WARWICK
COLE	HILL	MOSLEY	WILKINS
CRAWFORD	HUNTER, H.	NESBITT	WOMBLE
CULPEPPER	HUNTER, R.	NYE	WRIGHT
CUNNINGHAM	HURLEY	OLDHAM	YONGUE
DEDMON	INSKO	OWENS	

NOES - 61

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

EXCUSED ABSENCE - 0

EXCUSED VOTE - 0

NOT VOTING - 0

NORTH CAROLINA GENERAL ASSEMBLY AMENDMENT

(Please type or use ballpoint pen)

EDITION No. _____

H. B. No. House Resolution #1

DATE 1/29/97

S. B. No. _____

Amendment No. 5
(to be filled in by Principal Clerk)

COMMITTEE SUBSTITUTE _____

Rep.)
)
~~Sen.~~) Hightower

moves to amend the bill on page 30, line 30

( ) WHICH CHANGES THE TITLE

by changing the words two-thirds 2/3 to three fifths 3/5.

further amend on line 33 by changing the words two-thirds 2/3 to three fifths 3/5.

SIGNED _____

ADOPTED _____ FAILED 1/29/97 TABLED _____

55-64 EV

GA-33-A

PRINCIPAL CLERK'S OFFICE (FOR ENGROSSMENT)

NORTH CAROLINA
HOUSE OF REPRESENTATIVES
ROLL CALL

EV

. # 6
ISLATIVE DAY 1
HR1
READING 2

1/29/97
3:12 PM
IN CHAIR: SPEAKER

AMEND #5 - REP HIGHTOWER

AYES - 55

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

NOES - 64

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

EXCUSED ABSENCE - 0

EXCUSED VOTE - 0

NOT VOTING - 1

ROGERS

NORTH CAROLINA GENERAL ASSEMBLY
AMENDMENT
House Resolution 1

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

H1-ALB-6

Date 1-29 ,1997

Comm. Sub. []
Amends Title []

Rep Michaux

moves to amend the bill on page 11, lines 14 through 16, by deleting those lines

further moves to amend the bill on page 11, lines 7 through 10 by deleting the sentence beginning on line 7 in its entirety.

SIGNED _____
Amendment Sponsor

SIGNED _____
Committee Chair if Senate Committee Amendment

ADOPTED _____ FAILED 1/29/97 TABLED _____
58-61 EV
DNichs

NORTH CAROLINA
HOUSE OF REPRESENTATIVES
ROLL CALL

EV

. # 7
ISLATIVE DAY 1
HR1
READING 2

1/29/97
3:20 PM
IN CHAIR: SPEAKER

AMEND #6 - REP MICHAUX

AYES - 58

ADAMS	EASTERLING	JEFFUS	RAMSEY
ALEXANDER	FITCH	KINNEY	REDWINE
BADDOUR	FOX	LUEBKE	ROGERS
BEALL	GAMBLE	MCALLISTER	SAUNDERS
BLACK	GOODWIN	MCCRARY	SMITH
BLUE	HACKNEY	MERCER	SUTTON
BONNER	HARDAWAY	MICHAUX	TOLSON
BOYD-MCINTYRE	HENSLEY	MILLER	WAINWRIGHT
BRASWELL	HIGHTOWER	MOORE	WARNER
CHURCH	HILL	MOSLEY	WARWICK
COLE	HUNTER, H.	NESBITT	WILKINS
CULPEPPER	HUNTER, R.	NYE	WOMBLE
CUNNINGHAM	HURLEY	OLDHAM	WRIGHT
DEDMON	INSKO	OWENS	YONGUE
EARLE	JARRELL		

NOES - 61

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

EXCUSED ABSENCE - 0

EXCUSED VOTE - 0

NOT VOTING - 1

CRAWFORD

NORTH CAROLINA GENERAL ASSEMBLY
AMENDMENT
House Resolution 1

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

H1-ALB-9

Date 1-29 ,1997

Comm. Sub. []
Amends Title []

moves to amend the bill on page 11, lines 8 and 14, by inserting immediately after the words "Majority Leader," the words "Minority Leader,".

SIGNED _____
Amendment Sponsor

SIGNED _____
Committee Chair if Senate Committee Amendment

ADOPTED _____ FAILED 1/29/97 TABLED _____

58-60 EV
DWeiss

NORTH CAROLINA
HOUSE OF REPRESENTATIVES
ROLL CALL

EV

. # 8
ISLATIVE DAY 1
HR1
READING 2

1/29/97
3:22 PM
IN CHAIR: SPEAKER

AMEND #7 - REP MICHAUX

AYES - 58

ADAMS	EASTERLING	JEFFUS	RAMSEY
ALEXANDER	FITCH	KINNEY	REDWINE
BADDOUR	FOX	LUEBKE	ROGERS
BEALL	GAMBLE	MCALLISTER	SAUNDERS
BLACK	GOODWIN	MCCRARY	SMITH
BLUE	HACKNEY	MERCER	SUTTON
BONNER	HARDAWAY	MICHAUX	TOLSON
BOYD-MCINTYRE	HENSLEY	MILLER	WAINWRIGHT
BRASWELL	HIGHTOWER	MOORE	WARNER
CHURCH	HILL	MOSLEY	WARWICK
COLE	HUNTER, H.	NESBITT	WILKINS
CULPEPPER	HUNTER, R.	NYE	WOMBLE
CUNNINGHAM	HURLEY	OLDHAM	WRIGHT
DEDMON	INSKO	OWENS	YONGUE
EARLE	JARRELL		

NOES - 60

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

EXCUSED ABSENCE - 0

EXCUSED VOTE - 0

NOT VOTING - 2

CARPENTER	CRAWFORD

NORTH CAROLINA

HOUSE OF REPRESENTATIVES

ROLL CALL

EV

9
LEGISLATIVE DAY 1
HR1
READING 2

1/29/97
3:23 PM
IN CHAIR: SPEAKER

AYES - 64

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

NOES - 54

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

EXCUSED ABSENCE - 0

EXCUSED VOTE - 0

NOT VOTING - 2

CARPENTER	CRAWFORD

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1997

H.B. FILED
0002 JAN 29 97
HOUSE PRINCIPAL CLERK

H D

HOUSE DRH7001-LC012(1.1)

Short Title: Lower Food Tax 2¢ More. (Public)

Sponsors: Representative Luebke.

Referred to:

A BILL TO BE ENTITLED

AN ACT TO REDUCE THE STATE SALES TAX ON FOOD BY AN ADDITIONAL TWO CENTS.

The General Assembly of North Carolina enacts:

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

"(5) The rate of ~~three percent (3%)~~ one percent (1%) applies to the sales price of food that 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. This act becomes effective July 1, 1997.

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1997

FILED
0003 JAN 29 97
HOUSE PRINCIPAL CLERK

H D

HOUSE DRHA107-LB016C(12.5)

Short Title: Full Disclosure Act. (Public)

Sponsors: Representative C. Wilson.

Referred to:

A BILL TO BE ENTITLED

AN ACT TO IMPROVE THE PUBLIC RIGHT TO KNOW ABOUT CAMPAIGNS.

The General Assembly of North Carolina enacts:

Section 1. G.S. 163-278.9(a) reads as rewritten:

"(a) The treasurer of each candidate and of each political committee shall file under verification with the Board the following reports:

(1) Organizational Report. -- The appointment of the treasurer as required by G.S. 163-278.7(a), the statement of organization required by G.S. 163-278.7(b), and a report of all contributions and expenditures not previously reported shall be filed with the Board no later than the tenth day following the day the candidate files his notice of candidacy or the tenth day following the organization of the political committee, whichever occurs first. Any candidate whose campaign is being conducted by a political committee which is handling all contributions and expenditures for his campaign shall file a statement with the Board stating such fact at the time required herein for the organizational report. Thereafter, the candidate's political committee shall be responsible for filing all reports required by law.

~~(2) Preprimary Report. -- The treasurer shall file a report with the Board no later than the tenth day preceding the primary election.~~

~~(3) Postprimary Report(s). -- The treasurer shall file a report with the Board no later than the 30th day after the primary election if the candidate was eliminated in the primary. If there is a second primary, the treasurer shall file a report with the Board no later~~

H.B. FILED
0004 JAN 29 97
HOUSE PRINCIPAL CLERK

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1997

H **D**

HOUSE DRH2010-LM011(1.7)

Short Title: Yadkinville Sewage Treatment Contract. (Local)

Sponsors: Representative Holmes.

Referred to:

A BILL TO BE ENTITLED

AN ACT TO EXEMPT THE TOWN OF YADKINVILLE FROM CERTAIN STATUTORY REQUIREMENTS IN THE EXPANSION AND IMPROVEMENT OF THE TOWN'S SEWAGE TREATMENT PLANT.

The General Assembly of North Carolina enacts:

Section 1. Notwithstanding the provisions of G.S. 143-128, 143-129, 143-131 and 143-132, the Town of Yadkinville may enter into contracts for the expansion and improvement of the town's sewage treatment plant in the manner and upon the terms and conditions the town considers appropriate.

Section 2. This act is effective when it becomes law but only applies to contracts entered into on or before January 1, 1998.

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1997

FILED 0005 JAN 29 97 HOUSE PRINCIPAL CLERK

H D

HOUSE DRH4000-LN006(1.14)

Short Title: Health Coverage/Diabetes. (Public)

Sponsors: Representative Aldridge.

Referred to:

A BILL TO BE ENTITLED

AN ACT TO REQUIRE CERTAIN COVERAGE FOR DIABETES IN HEALTH AND ACCIDENT INSURANCE POLICIES, IN HOSPITAL OR MEDICAL SERVICES PLANS, AND IN HMO PLANS.

The General Assembly of North Carolina enacts:

Section 1. Article 51 of Chapter 58 of the General Statutes is amended by adding the following new section to read:

"**§ 58-51-59A. Coverage for certain treatment for diabetes.**

(a) Every policy or contract of accident or health insurance, and every preferred provider contract, policy, or plan as defined and regulated under G.S. 58-50-50 and G.S. 58-50-55, that is issued, renewed, or amended on or after October 1, 1997, shall provide coverage for medically appropriate and necessary equipment, supplies, and diabetes outpatient self-management training and educational services used to treat diabetes, if the patient's treating physician or a physician who specializes in the treatment of diabetes certifies that such services are medically necessary. Diabetes outpatient self-management training and educational services must be provided under the direct supervision of a certified diabetes educator or a board-certified endocrinologist. Nutrition counseling must be provided by a licensed dietician. The same deductibles, coinsurance, and other limitations as apply to similar services covered under the policy, contract, or plan shall apply to the diabetes coverage required under this section.

(b) The North Carolina Medical Care Commission shall adopt rules establishing standards for diabetes outpatient self-management training and educational services that have been accepted by the American Diabetes Association."

NORTH CAROLINA

HOUSE OF REPRESENTATIVES

ROLL CALL

EV

545
ISLATIVE DAY 54
H5 HCS
READING 2
ALDRIDGE

4/30/97
4:13 PM
IN CHAIR: SPEAKER

HEALTH COVERAGE/ DIABETES

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	GARDNER	MCMAHAN	TALLENT
BRASWELL	GOODWIN	MERCER	THOMPSON
BRAWLEY	GRADY	MICHAUX	TOLSON
BROWN	GRAY	MILLER	WAINWRIGHT
BUCHANAN	GULLEY	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.
CRAWFORD	HIGHTOWER	NESBITT	WOMBLE
CREECH	HILL	NICHOLS	WOOD
CULP	HOWARD	NYE	WRIGHT
CULPEPPER	HUNTER, H.	OWENS	YONGUE

NOES - 0

EXCUSED ABSENCE - 1

OLDHAM

EXCUSED VOTE - 0

NOT VOTING - 3

SPEAKER	GAMBLE	HOLMES

NORTH CAROLINA GENERAL ASSEMBLY
SENATE

RECORDED VOTE

1997 SESSION

SEQ. 875/7-- 8:07 PM JUNE 9, 1997 LEGISLATIVE DAY 75

SENATOR BASNIGHT -- Presiding

ALDRIDGE
HEALTH COVERAGE/DIABETES
SENATE COMM. SUB./3RD EDITION

HOUSE BILL 5
READING 2

AYE	45	ALBERTSON	DANNELLY	LEDBETTER	PLYLER
		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	ODOM	WARREN
		COCHRANE	JENKINS	PAGE	WEBSTER
		CONDER	JORDAN	PERDUE	WEINSTEIN
		COOPER	KINNAIRD	PHILLIPS	WELLONS
		DALTON			
NO	2	CLARK	KINCAID		

EXCUSED	0		
NOT CAST	1	KERR	
ABSENT	2	GULLEY	WINNER
PAIRS	0		
AYE			
NO			

GENERAL ASSEMBLY
SENATE

NORTH CAROLINA
HOUSE OF REPRESENTATIVES
ROLL CALL

EV

901
ISLATIVE DAY 78
H5 SCS

6/12/97
12:13 PM
IN CHAIR: SPEAKER

ALDRIDGE

HEALTH COVERAGE/ DIABETES
MOTION #11 - TO CONCUR IN SCS

AYES - 107

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

NOES - 0

EXCUSED ABSENCE - 5

BARBEE	ELLIS	FOX	NICHOLS
BERRY			

EXCUSED VOTE - 0

NOT VOTING - 8

CLARY	KINNEY	NESBITT	WAINWRIGHT
ESPOSITO	MCALLISTER	RUSSELL	WILKINS

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1997

RECEIVED 0006 JAN 29 97
HOUSE PRINCIPAL CLERK

H D

HOUSE DRH2004-LB009B(11.27)

Short Title: Term Limits for Legislature. (Public)

Sponsors: Representative Aldridge.

Referred to:

A BILL TO BE ENTITLED

AN ACT TO AMEND THE CONSTITUTION OF NORTH CAROLINA TO PROVIDE FOR FOUR-YEAR TERMS FOR MEMBERS OF THE LEGISLATURE AND LIMIT THEM TO THREE CONSECUTIVE TERMS IN A HOUSE.

The General Assembly of North Carolina enacts:

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

"**Sec. 25. Limitation of consecutive terms.**

(1) No person shall be eligible for election to more than three consecutive terms as a member of the House of Representatives, nor to more than three consecutive terms as a member of the Senate. If a person is not elected to a full term, service caused by filling of a vacancy shall be considered as a term for the purpose of this section if the person takes office during the first two calendar years of the term.

(2) Terms of office beginning before January 1, 2003, shall not be considered for the purpose of this section.

(3) A person disqualified by this section from election to the next succeeding term as a member of the House of Representatives or Senate may not fill a vacancy in that succeeding term."

Section 2. Section 2 of Article II of the Constitution of North Carolina reads as rewritten:

"**Sec. 2. Number of Senators.**

The Senate shall be composed of 50 Senators, ~~biennially~~ quadrennially chosen by ballot."

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1997

H.B. FILED 0007 JAN 29 97 HOUSE PRINCIPAL CLERK

H D

HOUSE DRH6003-LB009C(11.27)

Short Title: Term Limits/Legislature/Conform. (Public)

Sponsors: Representative Aldridge.

Referred to:

A BILL TO BE ENTITLED

AN ACT TO MAKE STATUTORY CONFORMING CHANGES REQUIRED TO IMPLEMENT AN ACT TO AMEND THE CONSTITUTION OF NORTH CAROLINA TO PROVIDE FOR FOUR-YEAR TERMS FOR MEMBERS OF THE LEGISLATURE AND LIMIT THEM TO THREE CONSECUTIVE TERMS IN A HOUSE.

The General Assembly of North Carolina enacts:

Section 1. G.S. 7A-140 reads as rewritten:

"§ 7A-140. Number; election; term; qualification; oath.

There shall be at least one district judge for each district. Each district judge shall be elected by the qualified voters of the district court district in which he is to serve at the time ~~of the election for members of the General Assembly.~~ specified by Chapter 163 of the General Statutes. The number of judges for each district shall be determined by the General Assembly. Each judge shall be a resident of the district for which elected, and shall serve a term of four years, beginning on the first Monday in December following his election.

Each district judge shall devote his full time to the duties of his office. He shall not practice law during his term, nor shall he during such term be the partner or associate of any person engaged in the practice of law.

Before entering upon his duties, each district judge, in addition to other oaths prescribed by law, shall take the oath of office prescribed for a judge of the General Court of Justice."

Section 2. G.S. 147-4 reads as rewritten:

"§ 147-4. Executive officers -- election; term; induction into office.

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1997

H.B. FILED
0008 JAN 29 97
HOUSE PRINCIPAL CLERK

H D

HOUSE DRH4014-LL010(1.1)

Short Title: Repeal Hunting Restriction. (Local)

Sponsors: Representative Carpenter.

Referred to:

A BILL TO BE ENTITLED

AN ACT TO REPEAL RESTRICTIONS ON HUNTING ON THE LAND OF ANOTHER IN MACON COUNTY.

The General Assembly of North Carolina enacts:

Section 1. Sections 2 and 3 of Chapter 754 of the 1995 Session Laws are repealed.

Section 2. This act applies only to Macon County.

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

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1997

H.B. FILED 0009 JAN 29 97 HOUSE PRINCIPAL CLERK

H D

HOUSE DRH7009-LK014(12.16)

Short Title: Repeal Safety Inspections. (Public)

Sponsors: Representative Carpenter.

Referred to:

A BILL TO BE ENTITLED

AN ACT TO REPEAL THE MOTOR VEHICLE SAFETY INSPECTION.

The General Assembly of North Carolina enacts:

Section 1. G.S. 20-183.2 reads as rewritten:

"**§ 20-183.2. Description of vehicles subject to ~~safety or~~ emissions inspection; definitions.**

~~(a) Safety. -- A motor vehicle is subject to a safety inspection in accordance with this Part if it meets all of the following requirements:~~

~~(1) It is subject to registration with the Division under Article 3 of this Chapter.~~

~~(2) It is not subject to inspection under 49 C.F.R. Part 396, the federal Motor Carrier Safety Regulations.~~

~~(3) It is not a trailer whose gross weight is less than 4,000 pounds or a house trailer.~~

(b) Emissions. -- A motor vehicle is subject to an emissions inspection in accordance with this Part if it meets all of the following requirements:

(1) It is subject to registration with the Division under Article 3 of this Chapter.

(2) It is not a trailer whose gross weight is less than 4,000 pounds, a house trailer, or a motorcycle.

(3) It is a 1975 or later model.

(4) It is powered or designed so that it could be powered by gasoline.

(5) It meets any of the following descriptions:

a. It is required to be registered in an emissions county.

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1997

FILED
JAN 30 97
HOUSE PRINCIPAL CLERK

H D

HOUSE DRH7007-LB030(1.9)

Short Title: No Revolving Door. (Public)

Sponsors: Representative Nichols.

Referred to:

A BILL TO BE ENTITLED

AN ACT TO RESTRICT FORMER LEGISLATORS FROM LOBBYING FOR TWO YEARS.

The General Assembly of North Carolina enacts:

Section 1. Article 9A of Chapter 120 of the General Statutes is amended by adding a new section to read:

"**§ 120-47.12. Lobbying by former State legislators restricted.**

Until two years after a member of either house of the General Assembly has ceased to be a member of either house, that person may not engage in any employment or other activity which would require registration as a lobbyist under this Article."

Section 2. This act is effective when it becomes law, and applies to any person who is a member of either the Senate or House of Representatives on or after that date.

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1997

H.B. FILED
0011 JAN 30 97
HOUSE PRINCIPAL CLERK

H D

HOUSE DRHA105-LE009(1.23)

Short Title: Craven Schools' Snow-Day Flexibility. (Local)

Sponsors: Representative Nichols.

Referred to:

A BILL TO BE ENTITLED

AN ACT TO GIVE THE CRAVEN COUNTY BOARD OF EDUCATION ADDITIONAL FLEXIBILITY IN MAKING UP SCHOOL DAYS LOST DUE TO INCLEMENT WEATHER.

The General Assembly of North Carolina enacts:

Section 1. G.S. 115C-84.1(b) is repealed, as it applies to the Craven County School Administrative Unit.

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

NORTH CAROLINA GENERAL ASSEMBLY AMENDMENT

(Please type or use ballpoint pen)

EDITION No. _____

H. B. No. 11 DATE 2/20/97

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

COMMITTEE SUBSTITUTE _____

Rep.)
) WILKINS
~~Sen.~~)

moves to amend the bill on page 1, line 2

( ) WHICH CHANGES THE TITLE

by adding "AND PERSON" after the word "CRAVEN" and MW

changing the word BOARD to BOARDS

and further amend the bill on line 7 by rewriting MW

that line to read

"and Person County School Administrative Units."

MW

SIGNED MW

ADOPTED (VV) 2/20/97 DWilkins FAILED _____ TABLED _____

GA-33-A

PRINCIPAL CLERK'S OFFICE (FOR ENGROSSMENT)

NORTH CAROLINA
HOUSE OF REPRESENTATIVES
ROLL CALL

EV

[redacted]. # 27
[redacted]ISLATIVE DAY 15
H11
READING 3
NICHOLS

2/24/97
7:17 PM
IN CHAIR: SPEAKER

CRAVEN SCHOOL SNOW-

AYES - 108

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

NOES - 0

EXCUSED ABSENCE - 7

EARLE	HUNTER, R.	REDWINE	WRIGHT
HILL	LUEBKE	ROGERS	

EXCUSED VOTE - 0

NOT VOTING - 5

SPEAKER	ELLIS	NESBITT	WILSON, C.
BLACK			

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1997

H.B. FILED
0012 JAN 30 97
HOUSE PRINCIPAL CLERK

H D

HOUSE DRH1007*-LL028A(1.14)

Short Title: Study Comm./Future of Electric Service. (Public)

Sponsors: Representative Dickson.

Referred to:

A BILL TO BE ENTITLED

AN ACT TO ESTABLISH THE STUDY COMMISSION ON THE FUTURE OF ELECTRIC SERVICE IN NORTH CAROLINA.

The General Assembly of North Carolina enacts:

Section 1. The Study Commission on the Future of Electric Service in North Carolina is created. The Commission shall consist of 20 voting members as follows:

(1) Four members of the Senate to be appointed by the President Pro Tempore of the Senate;

(2) Four members of the House of Representatives to be appointed by the Speaker of the House of Representatives;

(3) The Chief Executive Officer of the North Carolina Electric Membership Corporation or the Chief Executive Officer's designee;

(4) The Chief Executive Officer of ElectriCities of North Carolina or the Chief Executive Officer's designee;

(5) The Chief Executive Officer of Duke Power Company or the Chief Executive Officer's designee;

(6) The Chief Executive Officer of North Carolina Power Company or the Chief Executive Officer's designee;

(7) The Chief Executive Officer of Carolina Power and Light Company or the Chief Executive Officer's designee;

(8) Two residential consumers of electricity to be appointed by the Governor;

H.B. FILED
0013 JAN 30 97
HOUSE PRINCIPAL CLERK

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1997

H **D**

HOUSE DRH7004-LJ009(1.1)(Z) see corrected copy 1/30/97

Short Title: Simplify and Reduce Inheritance Tax. (Public)

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

Referred to:

A BILL TO BE ENTITLED

AN ACT TO SIMPLIFY AND REDUCE INHERITANCE TAXES.

The General Assembly of North Carolina enacts:

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

"**§ 105-6.1. Phaseout of inheritance tax.**

When this Article imposes an inheritance tax on property transferred by a decedent but no state death tax credit is allowed under section 2011 of the Code against federal estate tax due on the transfer of the decedent's estate, the amount of inheritance tax is reduced by the appropriate percentage in the phaseout table set out below. When this Article imposes an inheritance tax on property transferred by a decedent and a state death tax credit is allowed under section 2011 of the Code against federal estate tax due on the transfer of the decedent's estate, the amount of inheritance tax that exceeds the maximum credit for state death taxes is reduced by the appropriate percentage in the following phaseout table:

Calendar Year of Decedent's Death	Percentage Reduction
1998	20%
1999	40%
2000	60%
2001	80%
2002 and after	100%."

Section 2. Effective January 1, 2002, Article 1 of Chapter 105 of the General Statutes is repealed.

13

HB 13

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1997

H D

HOUSE DRH7004-LJ009(1.1)(Z)
Corrected Copy 1/30/97

Short Title: Simplify and Reduce Inheritance Tax. (Public)

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

Referred to:

A BILL TO BE ENTITLED

AN ACT TO SIMPLIFY AND REDUCE INHERITANCE TAXES.

The General Assembly of North Carolina enacts:

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

"**§ 105-6.1. Phaseout of inheritance tax.**

When this Article imposes an inheritance tax on property transferred by a decedent but no state death tax credit is allowed under section 2011 of the Code against federal estate tax due on the transfer of the decedent's estate, the amount of inheritance tax is reduced by the appropriate percentage in the phaseout table set out below. When this Article imposes an inheritance tax on property transferred by a decedent and a state death tax credit is allowed under section 2011 of the Code against federal estate tax due on the transfer of the decedent's estate, the amount of inheritance tax that exceeds the maximum credit for state death taxes is reduced by the appropriate percentage in the following phaseout table:

Calendar Year of Decedent's Death	Percentage Reduction
1998	20%
1999	40%
2000	60%
2001	80%
2002 and after	100%."

Section 2. Effective January 1, 2002, Article 1 of Chapter 105 of the General Statutes is repealed.

NORTH CAROLINA

HOUSE OF REPRESENTATIVES

ROLL CALL

EV

S[redacted] # 81
L[redacted]SLATIVE DAY 22
H13
READING 2
CANSLER

3/06/97
2:21 PM
IN CHAIR: SPEAKER

SIMPLIFY AND REDUCE INHERITANCE TAX
MOTION #7 - TO RE-REFER (REP R. HUNTER)

AYES - 49

ADAMS	GOODWIN	LUEBKE	ROGERS
ALEXANDER	HACKNEY	MCALLISTER	SAUNDERS
BADDOUR	HARDAWAY	MCCRARY	SMITH
BONNER	HENSLEY	MERCER	SUTTON
BOYD-MCINTYRE	HIGHTOWER	MICHAUX	TOLSON
BRASWELL	HUNTER, H.	MILLER	WAINWRIGHT
COLE	HUNTER, R.	MOORE	WARNER
CULPEPPER	HURLEY	MOSLEY	WARWICK
CUNNINGHAM	INSKO	NESBITT	WILKINS
DEDMON	JARRELL	NYE	WOMBLE
EARLE	JEFFUS	OLDHAM	WRIGHT
FITCH	KINNEY	RAMSEY	YONGUE
GAMBLE			

NOES - 63

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

EXCUSED ABSENCE - 4

BRAWLEY	ELLIS	FOX	REDWINE

EXCUSED VOTE - 0

NOT VOTING - 4

SPEAKER	BLACK	BLUE	EASTERLING

NORTH CAROLINA
HOUSE OF REPRESENTATIVES
ROLL CALL

EV

S[redacted] # 82
L[redacted]SLATIVE DAY 22
H13
READING 2
CANSLER

3/06/97
2:30 PM
IN CHAIR: SPEAKER

SIMPLIFY AND REDUCE INHERITANCE TAX
MOTION #3 PREVIOUS QUESTION (REP DAUGHTRY)

AYES - 88

ALDRIDGE	DAVIS	JARRELL	RAYFIELD
ALLRED	DECKER	JEFFUS	REYNOLDS
ARNOLD	DEDMON	JUSTUS	ROGERS
BADDOUR	DICKSON	KINNEY	RUSSELL
BAKER	DOCKHAM	KISER	SAUNDERS
BARBEE	EDDINS	MCALLISTER	SEXTON
BEALL	ESPOSITO	MCCOMAS	SHERRILL
BERRY	GARDNER	MCCOMBS	SHUBERT
BONNER	GOODWIN	MCMAHAN	SMITH
BOWIE	GRADY	MERCER	STARNES
BOYD-MCINTYRE	GRAY	MINER	SUTTON
BROWN	GULLEY	MITCHELL	TALLENT
BUCHANAN	HALL	MOORE	THOMPSON
CANSLER	HARDY	MORGAN	TOLSON
CAPPS	HIATT	MORRIS	WARNER
CARPENTER	HIGHTOWER	MOSLEY	WARWICK
CLARY	HILL	NEELY	WATSON
CRAWFORD	HOLMES	NESBITT	WEATHERLY
CREECH	HOWARD	NICHOLS	WILSON, C.
CULP	HUNTER, R.	NYE	WILSON, G.
CULPEPPER	HURLEY	PRESTON	WOOD
DAUGHTRY	IVES	RAMSEY	YONGUE

NOES - 21

ADAMS	GAMBLE	INSKO	OLDHAM
ALEXANDER	HACKNEY	LUEBKE	OWENS
BRASWELL	HARDAWAY	MCCRARY	WAINWRIGHT
CUNNINGHAM	HENSLEY	MICHAUX	WOMBLE
EARLE	HUNTER, H.	MILLER	WRIGHT
FITCH			

EXCUSED ABSENCE - 4

BRAWLEY	ELLIS	FOX	REDWINE

EXCUSED VOTE - 0

NOT VOTING - 7

SPEAKER	BLUE	COLE	WILKINS
BLACK	CHURCH	EASTERLING	

NORTH CAROLINA

HOUSE OF REPRESENTATIVES

ROLL CALL

EV

[redacted] # 83
[redacted]SLATIVE DAY 22
H13
READING 2
CANSLER

3/06/97
2:31 PM
IN CHAIR: SPEAKER

SIMPLIFY AND REDUCE INHERITANCE TAX

AYES - 95

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

NOES - 15

BRASWELL	GAMBLE	HENSLEY	MICHAUX
CUNNINGHAM	GOODWIN	HUNTER, H.	MILLER
EARLE	HACKNEY	INSKO	WOMBLE
FITCH	HARDAWAY	LUEBKE	

EXCUSED ABSENCE - 4

BRAWLEY	ELLIS	FOX	REDWINE

EXCUSED VOTE - 0

NOT VOTING - 6

BLACK	CHURCH	EASTERLING	WILKINS
BLUE	COLE		

NORTH CAROLINA

HOUSE OF REPRESENTATIVES

ROLL CALL

EV

. # 91
ISLATIVE DAY 23
H13
READING 3
CANSLER

3/10/97
7:42 PM
IN CHAIR: SPEAKER

SIMPLIFY AND REDUCE INHERITANCE TAX

AYES - 101

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

NOES - 11

BOYD-MCINTYRE	HARDAWAY	INSKO	MILLER
EARLE	HENSLEY	LUEBKE	WOMBLE
HACKNEY	HUNTER, H.	MICHAUX	

EXCUSED ABSENCE - 3

BRASWELL	HUNTER, R.	MCMAHAN

EXCUSED VOTE - 0

NOT VOTING - 5

CRAWFORD	GAMBLE	HURLEY	REYNOLDS
FITCH			

HELD TO BE 2nd GERMANE
8/25/97

NORTH CAROLINA GENERAL ASSEMBLY
AMENDMENT
House Bill 13

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

H13-ARB-8/21

Date 8/25 ,1997

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

Senator WEBSTER

moves to amend the bill on page 1, line 2, by inserting the following after the word "TAXES": "AND TO CLARIFY THAT A PERSON WHO CAN PRACTICE BEFORE THE IRS MAY REPRESENT A TAXPAYER BEFORE THE TAX REVIEW BOARD.";

and on page 1, lines 15 and 20, by deleting "This act" and substituting "Section 1 of this act" each time it appears;

and on page 1, line 16, by deleting "this act" and substituting "Section 1 of this act";

and on page 1, lines 19 and 20, by inserting a new section between the lines to read:

"Section 3. G.S. 105-269.2 reads as rewritten:

"**§105-269.2. Tax Review Board.**

The Tax Review Board shall be composed of the following members: (i) the State Treasurer, ex officio, who shall be chairman of the board; (ii) the chairman of the Utilities Commission, ex officio; (iii) a member appointed by the Governor; and (iv) the Secretary of Revenue, ex officio, who shall be a member only for the purposes stated in G.S. 105-122 and 105-130.4. The member whom the Governor shall appoint shall serve for a term of four years and until his successor is appointed and qualified. The first such appointment shall be made for a term beginning on July 1, 1975.

The chairman or any two members, upon five days' notice, may call a meeting of the Board; provided, any member of the Board may waive notice of a meeting and the presence of a member of the Board at any meeting shall constitute a waiver of the notice of said meeting. A

NORTH CAROLINA GENERAL ASSEMBLY
AMENDMENT
House Bill 13

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

H13-ARB-8/21

majority of the members of the Board shall constitute a quorum, and any act or decision of a majority of the members shall constitute an act or decision of the Board, except for the purposes and under the conditions of the provisions of G.S. 105-122 and 105-130.4.

The Tax Review Board may employ a secretary and such clerical assistance as it deems necessary for the proper performance of its duties. All expenses of the Board shall be paid from sums appropriated from the Contingency and Emergency Fund to the use of said Board. If the full time of such secretary and clerical staff should not be needed in connection with the duties of such Board, such secretary and staff can be assigned by the Board to other duties related to the tax program of the State.

The regular sessions of the Tax Review Board shall be held in the City of Raleigh at the offices provided for the Board by the Superintendent of Public Buildings and Grounds. The Board may, in its discretion, hold other meetings at any place in the State.

Notwithstanding G.S. 84-2.1, a person who has the right to practice before the Internal Revenue Service may represent a taxpayer before the Tax Review Board.";

and on page 1, line 20, by deleting "Section 3." and substituting "Section 4.";

and on page 1, line 22, by adding a sentence at the end of that line to read:
"The remainder of this act is effective when it becomes law.".

SIGNED _____
Amendment Sponsor

SIGNED _____
Committee Chair if **Senate** Committee Amendment

ADOPTED _____ FAILED _____ TABLED _____

HELD TO BE not GERMANE
8/25/17

NORTH CAROLINA GENERAL ASSEMBLY
AMENDMENT
House Bill 13

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

H13-ALCF-43

Date 8/25 ,1997

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

Senator Blust

moves to amend the bill on page 1, lines 10 and 14,
by deleting the phrase "nine percent (9%)" each time it appears and
substituting the phrase "twenty percent (20%)";

and on page 1, lines 21-22,
by deleting the sentence that begins on line 21 and ends on line 22.

SIGNED John Blust
Amendment Sponsor

SIGNED _____
Committee Chair if Senate Committee Amendment

ADOPTED V 23-22 FAILED _____ TABLED _____

J. Pruitt 8/25/97

NORTH CAROLINA GENERAL ASSEMBLY
SENATE

RECORDED VOTE

1997 SESSION

SEQ. 1464/4-- 8:04 PM AUGUST 25, 1997 LEGISLATIVE DAY 120

LT. GOVERNOR WICKER -- Presiding

CANSLER
REDUCE INHERITANCE TAX
SENATE COM SUB/2ND EDITION

HOUSE BILL 13

AMEND 2

AYE	23	ALLRAN	COCHRANE	HORTON	PAGE
		BALLANTINE	EAST	JORDAN	RUCHO
		BLUST	FORRESTER	LEDBETTER	SHAW L.
		CARPENTER	FOXX	MARTIN R.	SHAW R.
		CARRINGTON	GARWOOD	MCDANIEL	WEBSTER
		CLARK	HARTSELL	MOORE	
	22	ALBERTSON	GULLEY	MARTIN W.	PURCELL
		BALLANCE	JENKINS	MILLER	RAND
		BASNIGHT	KERR	PERDUE	REEVES
		COOPER	KINNAIRD	PHILLIPS	WELLONS
		DALTON	LEE	PLYLER	WINNER
		DANNELLY	LUCAS		

EXCUSED	0				
NOT CAST	0				
ABSENT	5	HOYLE	SOLES	WARREN	WEINSTEIN
		ODOM			
PAIRS	0				
AYE					
NO					

GENERAL ASSEMBLY
SENATE

NORTH CAROLINA GENERAL ASSEMBLY
SENATE

RECORDED VOTE

1997 SESSION

SEQ. 1465/5-- 8:07 PM AUGUST 25, 1997 LEGISLATIVE DAY 120

LT. GOVERNOR WICKER -- Presiding

CANSLER HOUSE BILL 13
REDUCE INHERITANCE TAX
SENATE COM SUB/2ND EDITION

MOTION 4
TO POSTPONE

AYE	22	ALBERTSON	JENKINS	MARTIN W.	PURCELL
		BALLANCE	JORDAN	MILLER	RAND
		COOPER	KINNAIRD	PERDUE	REEVES
		DALTON	LEE	PHILLIPS	WELLONS
		DANNELLY	LUCAS	PLYLER	WINNER
		GULLEY	MARTIN R.		
	21	ALLRAN	COCHRANE	HARTSELL	PAGE
		BALLANTINE	EAST	HORTON	RUCHO
		BLUST	FORRESTER	LEDBETTER	SHAW L.
		CARPENTER	FOXX	MCDANIEL	SHAW R.
		CARRINGTON	GARWOOD	MOORE	WEBSTER
		CLARK			

EXCUSED	0			
NOT CAST	2	BASNIGHT	KERR	
ABSENT	5	HOYLE	SOLES	WARREN WEINSTEIN
		ODOM		
PAIRS	0			
AYE				
NO				

GENERAL ASSEMBLY
SENATE

NORTH CAROLINA GENERAL ASSEMBLY
SENATE

RECORDED VOTE

1997 SESSION

SEQ. 1468/3--10:38 AM | AUGUST 26, 1997 | LEGISLATIVE DAY 121

LT. GOVERNOR WICKER -- Presiding

CANSLER
REDUCE INHERITANCE TAX
SENATE COM SUB/2ND EDITION

HOUSE BILL 13

MOTION 6
TO RECONSIDER

AYE	28	ALBERTSON	HOYLE	MARTIN R.	PURCELL
		BALLANCE	JENKINS	MARTIN W.	RAND
		BASNIGHT	JORDAN	MILLER	REEVES
		COOPER	KERR	ODOM	SHAW L.
		DALTON	KINNAIRD	PERDUE	WEINSTEIN
		DANNELLY	LEE	PHILLIPS	WELLONS
		GULLEY	LUCAS	PLYLER	WINNER
NO	20	ALLRAN	CLARK	GARWOOD	MOORE
		BALLANTINE	COCHRANE	HARTSELL	PAGE
		BLUST	EAST	HORTON	RUCHO
		CARPENTER	FORRESTER	LEDBETTER	SHAW R.
		CARRINGTON	FOXX	MCDANIEL	WEBSTER

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

GENERAL ASSEMBLY
SENATE

vote RECONSIDERED 8/26/97

NORTH CAROLINA GENERAL ASSEMBLY
AMENDMENT
House Bill 13

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

H13-ALCF-43

Date 8/25 ,1997

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

Senator Blust

moves to amend the bill on page 1, lines 10 and 14, by deleting the phrase "nine percent (9%)" each time it appears and substituting the phrase "twenty percent (20%)";

and on page 1, lines 21-22, by deleting the sentence that begins on line 21 and ends on line 22.

SIGNED John Blust
Amendment Sponsor

SIGNED _____
Committee Chair if Senate Committee Amendment

ADOPTED V 23-22 FAILED _____ TABLED _____

J. Pruitt 8/25/97

Amd #2 failed 20-29 8/26/97

vote on Amd #2 RECONSIDERED 8/26/97. Motion prevailed 28-20.

NORTH CAROLINA GENERAL ASSEMBLY
AMENDMENT
House Bill 769

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

H769-ARH-008.1

Date 8/26 ,1997

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

Senator Winner

moves to amend the bill on page 6, line 7, by adding after "G.S. 20-11" the following:
"and G.S. 20-13.2";

and on page 7, line 44, by adding the following sentence at the end of that line:
"Before defining what is equivalent to a high school diploma for purposes of G.S. 115C-12(27), as amended in Section 3 of this act, the State Board of Education shall consult with the State Board of Community Colleges and with representatives of nonpublic schools as designated by the Division of Nonpublic Education in the Office of the Governor.".

SIGNED Addie Winner
Amendment Sponsor

SIGNED _____
Committee Chair if **Senate** Committee Amendment

ADOPTED V 49-0 FAILED _____ TABLED _____
8/26/97 D. Pruitt

NORTH CAROLINA GENERAL ASSEMBLY
SENATE

RECORDED VOTE

1997 SESSION

SEQ. 1469/4--10:51 AM AUGUST 26, 1997 LEGISLATIVE DAY 121

LT. GOVERNOR WICKER -- Presiding

CANSLER
REDUCE INHERITANCE TAX
SENATE COM SUB/2ND EDITION

HOUSE BILL 13

AFTER RECONSIDERATION

MOTION 1
TO TABLE

AYE	20	ALLRAN	CLARK	GARWOOD	MOORE
		BALLANTINE	COCHRANE	HARTSELL	PAGE
		BLUST	EAST	HORTON	RUCHO
		CARPENTER	FORRESTER	LEDBETTER	SHAW R.
		CARRINGTON	FOXX	MCDANIEL	WEBSTER
	29	ALBERTSON	JENKINS	MARTIN W.	RAND
		BALLANCE	JORDAN	MILLER	REEVES
		BASNIGHT	KERR	ODOM	SHAW L.
		COOPER	KINNAIRD	PERDUE	SOLES
		DALTON	LEE	PHILLIPS	WEINSTEIN
		DANNELLY	LUCAS	PLYLER	WELLONS
		GULLEY	MARTIN R.	PURCELL	WINNER
		HOYLE			

EXCUSED 0

NOT CAST 0

ABSENT 1 WARREN

PAIRS 0
AYE
NO

GENERAL ASSEMBLY
SENATE

NORTH CAROLINA GENERAL ASSEMBLY
SENATE

RECORDED VOTE

1997 SESSION

SEQ. 1470/5--10:51 AM AUGUST 26, 1997 LEGISLATIVE DAY 121

LT. GOVERNOR WICKER -- Presiding

CANSLER
REDUCE INHERITANCE TAX
SENATE COM SUB/2ND EDITION

HOUSE BILL 13

AFTER RECONSIDERATION

MOTION 2
FOR PREVIOUS QUESTION

AYE	29	ALBERTSON	JENKINS	MARTIN W.	RAND
		BALLANCE	JORDAN	MILLER	REEVES
		BASNIGHT	KERR	ODOM	SHAW L.
		COOPER	KINNAIRD	PERDUE	SOLES
		DALTON	LEE	PHILLIPS	WEINSTEIN
		DANNELLY	LUCAS	PLYLER	WELLONS
		GULLEY	MARTIN R.	PURCELL	WINNER
		HOYLE			
NO	20	ALLRAN	CLARK	GARWOOD	MOORE
		BALLANTINE	COCHRANE	HARTSELL	PAGE
		BLUST	EAST	HORTON	RUCHO
		CARPENTER	FORRESTER	LEDBETTER	SHAW R.
		CARRINGTON	FOXX	MCDANIEL	WEBSTER

EXCUSED 0

NOT CAST 0

ABSENT 1 WARREN

PAIRS 0
AYE
NO

GENERAL ASSEMBLY
SENATE

NORTH CAROLINA GENERAL ASSEMBLY
SENATE

RECORDED VOTE

1997 SESSION

SEQ. 1471/6--10:52 AM AUGUST 26, 1997 LEGISLATIVE DAY 121

LT. GOVERNOR WICKER -- Presiding

CANSLER
REDUCE INHERITANCE TAX
SENATE COM SUB/2ND EDITION

AFTER RECONSIDERATION

HOUSE BILL 13

AMEND 2

AYE	20	ALLRAN	CLARK	GARWOOD	MOORE
		BALLANTINE	COCHRANE	HARTSELL	PAGE
		BLUST	EAST	HORTON	RUCHO
		CARPENTER	FORRESTER	LEDBETTER	SHAW R.
		CARRINGTON	FOXX	MCDANIEL	WEBSTER
	29	ALBERTSON	JENKINS	MARTIN W.	RAND
		BALLANCE	JORDAN	MILLER	REEVES
		BASNIGHT	KERR	ODOM	SHAW L.
		COOPER	KINNAIRD	PERDUE	SOLES
		DALTON	LEE	PHILLIPS	WEINSTEIN
		DANNELLY	LUCAS	PLYLER	WELLONS
		GULLEY	MARTIN R.	PURCELL	WINNER
		HOYLE			

EXCUSED 0

NOT CAST 0

ABSENT 1 WARREN

PAIRS 0
AYE
NO

GENERAL ASSEMBLY
SENATE

NORTH CAROLINA GENERAL ASSEMBLY
SENATE

RECORDED VOTE

1997 SESSION

SEQ. 1472/7--10:52 AM AUGUST 26, 1997 LEGISLATIVE DAY 121

LT. GOVERNOR WICKER -- Presiding

CANSLER
REDUCE INHERITANCE TAX
SENATE COM SUB/2ND EDITION

AFTER RECONSIDERATION

HOUSE BILL 13
READING 2

AYE	46	ALBERTSON	DANNELLY	LEE	PLYLER
		ALLRAN	EAST	LUCAS	PURCELL
		BALLANCE	FORRESTER	MARTIN R.	RAND
		BALLANTINE	FOXX	MARTIN W.	REEVES
		BASNIGHT	GARWOOD	MCDANIEL	RUCHO
		BLUST	HARTSELL	MILLER	SHAW L.
		CARPENTER	HORTON	MOORE	SHAW R.
		CARRINGTON	HOYLE	ODOM	SOLES
		CLARK	JENKINS	PAGE	WEBSTER
		COCHRANE	JORDAN	PERDUE	WEINSTEIN
		COOPER	KERR	PHILLIPS	WELLONS
		DALTON	LEDBETTER		
NO	3	GULLEY	KINNAIRD	WINNER	

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

GENERAL ASSEMBLY
SENATE

GENERAL ASSEMBLY OF NORTH CAROLINA H.B. FIL

SESSION 1997 0014 J

H HOUSE PRINCIPA D

HOUSE DRH4003-LJX004(1.4)(Z)

Short Title: Update Custom Computer Software. (Public)

Sponsors: Representatives Cansler, Blue, Capps, Church, and Neely.

Referred to:

A BILL TO BE ENTITLED

AN ACT TO MODIFY THE SALES TAX DEFINITION OF CUSTOM COMPUTER SOFTWARE.

The General Assembly of North Carolina enacts:

Section 1. G.S. 105-164.3(20) reads as rewritten:

"(20) ~~'Tangible personal property' means and includes personal property which~~ Tangible personal property. -- Personal property that may be seen, weighed, measured, ~~felt~~ felt, or touched or is in any other manner perceptible to the senses. The term ~~"tangible personal property" shall~~ does not include stocks, bonds, notes, ~~insurance~~ insurance, or other obligations or securities, nor ~~shall~~ does it include water delivered by or through main lines or pipes either for commercial or domestic use or consumption. The term includes ~~all "canned" or prewritten computer programs, either in the form of written procedures or in the form of storage media on which or in which the program is recorded, held, or existing for general or repeated sale, lease, or license to use or consume. The term does not include the design, development, writing, translation, fabrication, lease, license to use or consume, or transfer for a consideration of title or possession of a custom computer program, other than a basic operational program, either in the form of written procedures or in the form of storage media on which or in which the program is recorded, or any required documentation or manuals designed to facilitate the use of the custom computer program. The term also does not include access to a computer~~

NORTH CAROLINA

HOUSE OF REPRESENTATIVES

ROLL CALL

RC

SEQ. # 1043
LEGISLATIVE DAY 88
H14 HCS
READING 2
CANSLER

7/01/97
10:17 AM
IN CHAIR: SPEAKER

UPDATE CUSTOM COMPUTER SOFTWARE

AYES - 106

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

NOES - 0

EXCUSED ABSENCE - 6

ALEXANDER	BRASWELL	EASTERLING	NESBITT
BADDOUR	CUNNINGHAM		

EXCUSED VOTE - 1

NEELY

NOT VOTING - 7

CRAWFORD	FITCH	HARDAWAY	JARRELL
CREECH	GAMBLE	HOLMES	

NORTH CAROLINA GENERAL ASSEMBLY AMENDMENT

(Please type or use ballpoint pen)

EDITION No. _____

H. B. No. 14 DATE 7/2/97

S. B. No. _____ Amendment No. 1

(to be filled in by Principal Clerk)

COMMITTEE SUBSTITUTE _____

(Rep.) CANSLER

Sen.)

moves to amend the bill on page 3, lines 4 & 5

( ) WHICH CHANGES THE TITLE

by changing those lines to read:

"changes made to configure hardware or software. ~~or to select personal preferences.~~"

SIGNED Pamela Cansler

ADOPTED 7-2-97 FAILED _____ TABLED _____

109-0 EV

NORTH CAROLINA

HOUSE OF REPRESENTATIVES

ROLL CALL

EV

. # 1057
ISLATIVE DAY 89
H14 HCS
READING 3
CANSLER
AMEND #1 - REP CANSLER
UPDATE CUSTOM COMPUTER SOFTWARE

7/02/97
10:18 AM
IN CHAIR: SPEAKER

AYES - 109

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

NOES - 0

EXCUSED ABSENCE - 4

CARPENTER	EASTERLING	MILLER	NESBITT

EXCUSED VOTE - 1

NEELY

NOT VOTING - 6

SPEAKER	HIATT	MCALLISTER	MICHAUX
FITCH	HUNTER, H.		

NORTH CAROLINA

HOUSE OF REPRESENTATIVES

ROLL CALL

RC

. # 1058
ISLATIVE DAY 89
H14 HCS
READING 3
CANSLER

7/02/97
10:19 AM
IN CHAIR: SPEAKER

UPDATE CUSTOM COMPUTER SOFTWARE

AYES - 109

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

NOES - 0

EXCUSED ABSENCE - 4

CARPENTER	EASTERLING	MILLER	NESBITT

EXCUSED VOTE - 1

NEELY

NOT VOTING - 6

FITCH	MCALLISTER	REDWINE	WRIGHT
HUNTER, H.	MICHAUX		

NORTH CAROLINA GENERAL ASSEMBLY
SENATE

RECORDED VOTE

1997 SESSION

SEQ. 1184/9--11:31 AM JULY 23, 1997 LEGISLATIVE DAY 101

LT. GOVERNOR WICKER -- Presiding

CANSLER
UPDATE CUSTOM COMPUTER SOFTWARE
4TH EDITION

HOUSE BILL 14
READING 2

AYE	38	ALBERTSON	GULLEY	LEE	RAND
		BALLANCE	HARTSELL	LUCAS	RUCHO
		BASNIGHT	HORTON	MARTIN R.	SHAW L.
		CARPENTER	HOYLE	MILLER	SHAW R.
		CLARK	JENKINS	ODOM	SOLES
		COCHRANE	JORDAN	PERDUE	WARREN
		COOPER	KERR	PHILLIPS	WEINSTEIN
		DALTON	KINCAID	PLYLER	WELLONS
		DANNELLY	KINNAIRD	PURCELL	WINNER
		FOXX	LEDBETTER		
NO	12	ALLRAN	CARRINGTON	GARWOOD	PAGE
		BALLANTINE	EAST	MARTIN W.	REEVES
		BLUST	FORRESTER	MCDANIEL	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. 1197/3--10:30 AM JULY 24, 1997 LEGISLATIVE DAY 102

LT. GOVERNOR WICKER -- Presiding

CANSLER
UPDATE CUSTOM COMPUTER SOFTWARE
4TH EDITION

HOUSE BILL 14
READING 3

AYE	39	ALBERTSON	DALTON	KERR	PHILLIPS
		ALLRAN	DANNELLY	KINCAID	PURCELL
		BALLANCE	FOXX	KINNAIRD	RAND
		BASNIGHT	GARWOOD	LEDBETTER	SHAW L.
		BLUST	GULLEY	LEE	SHAW R.
		CARPENTER	HARTSELL	LUCAS	SOLES
		CARRINGTON	HORTON	MARTIN R.	WARREN
		CLARK	HOYLE	MILLER	WELLONS
		COCHRANE	JENKINS	ODOM	WINNER
		COOPER	JORDAN	PERDUE	
NO	8	BALLANTINE	FORRESTER	MCDANIEL	REEVES
		EAST	MARTIN W.	PAGE	WEBSTER

EXCUSED	0		
NOT CAST	1	PLYLER	
ABSENT	2	RUCHO	WEINSTEIN
PAIRS	0		
AYE			
NO			

GENERAL ASSEMBLY
SENATE

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1997

H.B. FILED
0015 JAN 30 9
HOUSE PRINCIPAL CLERK

H D

HOUSE DRH2001-LC010B(1.1)(Z)

Short Title: Conform Tax on Restored Income. (Public)

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

Referred to:

A BILL TO BE ENTITLED

AN ACT TO CONFORM TO FEDERAL TAX TREATMENT OF INCOME RESTORED UNDER A CLAIM OF RIGHT.

The General Assembly of North Carolina enacts:

Section 1. Article 9 of Chapter 105 of the General Statutes is amended by adding a new section to read:

"**§ 105-266.2. Refund of tax paid on substantial income later restored.**

This section applies to a taxpayer who is subject to the alternative tax under § 1341(a)(5) of the Code for the current taxable year because the taxpayer restored an item of income that had been included in the taxpayer's gross income for an earlier taxable year. For the purpose of Article 4 of this Chapter, the taxpayer is considered to have made a payment of tax for the current taxable year on the later of the date the return for the current taxable year was filed or the date the return was due to be filed. The amount of this payment of tax is (i) the amount the taxpayer's tax under Article 4 for the earlier taxable year was increased because the item of income was included in gross income for that year minus (ii) the amount the taxpayer's tax under Article 4 for the current taxable year was decreased because the item was deductible for that year. To the extent this payment of tax creates an overpayment, the overpayment is refundable in accordance with G.S. 105-266."

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

NORTH CAROLINA
HOUSE OF REPRESENTATIVES
ROLL CALL

EV

NO. # 33
LEGISLATIVE DAY 16
H15
READING 2
CANSLER

2/25/97
2:26 PM
IN CHAIR: SPEAKER

CONFORM TAX ON RESTORED INCOME

AYES - 114

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

NOES - 0

EXCUSED ABSENCE - 4

BLUE	ROGERS	WILSON, C.	WRIGHT

EXCUSED VOTE - 0

NOT VOTING - 2

SPEAKER	BLACK

NORTH CAROLINA GENERAL ASSEMBLY
AMENDMENT
House Bill 15

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

H15-ALJ-4/3

Date 4/3 ,1997

Comm. Sub. []
Amends Title []

Senator Kerr

moves to amend the bill on page 1, line 21, by rewriting that line to read:

"January 1, 1997."

SIGNED J Kerr
Amendment Sponsor

SIGNED _____
Committee Chair if House Committee Amendment

ADOPTED ✓ FAILED _____ TABLED _____

47-1 adopted
Janet Pruitt

NORTH CAROLINA GENERAL ASSEMBLY
SENATE

RECORDED VOTE

1997 SESSION

SEQ. 180/6--12:12 PM APRIL 3, 1997 LEGISLATIVE DAY 38

LT. GOVERNOR WICKER -- Presiding

CANSLER HOUSE BILL 15
CONFORM TAX ON RESTORED INCOME

AMEND 1

AYE	47	ALBERTSON	DANNELLY	KINNAIRD	RAND
		ALLRAN	EAST	LEDBETTER	REEVES
		BALLANCE	FORRESTER	LEE	RUCHO
		BALLANTINE	FOXX	LUCAS	SHAW L.
		BASNIGHT	GARWOOD	MARTIN R.	SHAW R.
		BLUST	GULLEY	MARTIN W.	SOLES
		CARPENTER	HARTSELL	MCDANIEL	WARREN
		CARRINGTON	HORTON	MILLER	WEBSTER
		COCHRANE	HOYLE	ODOM	WEINSTEIN
		CONDER	JENKINS	PAGE	WELLONS
		COOPER	JORDAN	PHILLIPS	WINNER
		DALTON	KERR	PLYLER	
NO	1	CLARK			

EXCUSED	0		
NOT CAST	0		
ABSENT	2	KINCAID	PERDUE
PAIRS	0		
AYE			
NO			

GENERAL ASSEMBLY
SENATE

NORTH CAROLINA GENERAL ASSEMBLY
SENATE

RECORDED VOTE

1997 SESSION

SEQ. 181/7--12:12 PM APRIL 3, 1997 LEGISLATIVE DAY 38

LT. GOVERNOR WICKER -- Presiding

CANSLER
CONFORM TAX ON RESTORED INCOME

HOUSE BILL 15
READING 2

AYE	48	ALBERTSON	DALTON	KERR	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	JORDAN	PHILLIPS	WINNER
NO	0				
EXCUSED	0				
NOT CAST	0				
ABSENT	2	KINCAID	PERDUE		
PAIRS	0				
AYE					
NO					

GENERAL ASSEMBLY
SENATE

NORTH CAROLINA

HOUSE OF REPRESENTATIVES

ROLL CALL

EV

. # 263
ISLATIVE DAY 41
H15

4/09/97
2:22 PM
IN CHAIR: SPEAKER

CANSLER
AMEND #1
CONFORM TAX ON RE- STORED INCOME
MOTION #11 - MOTION NOT TO CONCUR ON SENATE AMENDMENT #1

AYES - 78

ADAMS	CULPEPPER	HURLEY	REYNOLDS
ALDRIDGE	DAUGHTRY	JUSTUS	ROGERS
ALEXANDER	DAVIS	KISER	RUSSELL
ALLRED	DECKER	MCALLISTER	SEXTON
ARNOLD	DICKSON	MCCOMAS	SHERRILL
BAKER	DOCKHAM	MCCOMBS	SHUBERT
BEALL	EASTERLING	MCMAHAN	SUTTON
BONNER	EDDINS	MERCER	TALLENT
BOWIE	ELLIS	MINER	THOMPSON
BRAWLEY	FOX	MITCHELL	TOLSON
BROWN	GAMBLE	MOORE	WARNER
BUCHANAN	GRADY	MORGAN	WATSON
CANSLER	GRAY	NEELY	WEATHERLY
CAPPS	GULLEY	NICHOLS	WILSON, C.
CARPENTER	HACKNEY	OLDHAM	WILSON, G.
CHURCH	HALL	OWENS	WOMBLE
CLARY	HIATT	PRESTON	WOOD
COLE	HILL	RAMSEY	WRIGHT
CREECH	HOLMES	RAYFIELD	YONGUE
CULP	HOWARD		

NOES - 31

BADDOUR	GOODWIN	KINNEY	NYE
BLACK	HARDAWAY	LUEBKE	REDWINE
BOYD-MCINTYRE	HARDY	MCCRARY	SAUNDERS
BRASWELL	HENSLEY	MICHAUX	SMITH
CUNNINGHAM	HUNTER, R.	MILLER	STARNES
DEDMON	INSKO	MORRIS	WAINWRIGHT
EARLE	JARRELL	MOSLEY	WILKINS
FITCH	JEFFUS	NESBITT	

EXCUSED ABSENCE - 6

BARBEE	BLUE	ESPOSITO	IVES
BERRY	CRAWFORD		

EXCUSED VOTE - 0

NOT VOTING - 5

SPEAKER	HIGHTOWER	HUNTER, H.	WARWICK
GARDNER			

NORTH CAROLINA GENERAL ASSEMBLY
SENATE

RECORDED VOTE

1997 SESSION

SEQ. 880/12-- 8:41 PM JUNE 9, 1997 LEGISLATIVE DAY 75

SENATOR BASNIGHT -- Presiding

CANSLER
CONFORM TAX ON RESTORED INCOME

HOUSE BILL 15

CONFERENCE REPORT

MOTION 7
TO ADOPT

AYE	45	ALBERTSON	DALTON	KERR	PLYLER
		ALLRAN	DANNELLY	KINNAIRD	RAND
		BALLANCE	EAST	LEE	REEVES
		BALLANTINE	FORRESTER	LUCAS	RUCHO
		BASNIGHT	FOXX	MARTIN R.	SHAW L.
		BLUST	GARWOOD	MARTIN W.	SHAW R.
		CARPENTER	HARTSELL	MCDANIEL	SOLES
		CARRINGTON	HORTON	MILLER	WARREN
		CLARK	HOYLE	ODOM	WEBSTER
		COCHRANE	JENKINS	PAGE	WEINSTEIN
		CONDER	JORDAN	PHILLIPS	WELLONS
		COOPER			
NO	0				

EXCUSED	0			
NOT CAST	3	KINCAID	LEDBETTER	PERDUE
ABSENT	2	GULLEY	WINNER	
PAIRS	0			
AYE				
NO				

(COPY)

NORTH CAROLINA GENERAL ASSEMBLY
CONFERENCE REPORT
House Bill 15

H15-CRRB-1

[] Title Change [] For Committee Substitute

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

The conferees appointed to resolve the differences between the Senate and the House of Representatives on House Bill 15, A BILL TO BE ENTITLED AN ACT TO CONFORM TO FEDERAL TAX TREATMENT OF INCOME RESTORED UNDER A CLAIM OF RIGHT, First Edition with an unengrossed Senate Amendment Number 1, submit the following report:

The Senate recedes from Senate Amendment Number 1.

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

Date conferees approved report: ~~May~~ June 5, 1997.

Conferees for the Senate	Conferees for the House of Representatives
Senator John Kerr	Representative Lanier Cansler
Senator John Carrington	Representative Charles Neely
Senator David Hoyle	Representative Constance Wilson

Senate Submitted 6/9/97
ADOPTED 6/9/97 (45/0) Message Received
ADOPTED (/) Ordered Enrolled

Janet Pruitt
JUN 9 1997

NORTH CAROLINA
HOUSE OF REPRESENTATIVES
ROLL CALL

EV

SEQ. # 879
LEGISLATIVE DAY 77
[illegible]
CONFERENCE REPORT
CANSLER

6/11/97
1:17 PM
IN CHAIR: SPEAKER

CONFORM TAX ON RESTORED INCOME

AYES - 116

SPEAKER	CULPEPPER	HUNTER, R.	OWENS
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
BERRY	EDDINS	MCALLISTER	SHERRILL
BLACK	ESPOSITO	MCCOMAS	SHUBERT
BLUE	FITCH	MCCOMBS	SMITH
BONNER	FOX	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	HARDAWAY	MORGAN	WATSON
CARPENTER	HARDY	MORRIS	WEATHERLY
CHURCH	HENSLEY	MOSLEY	WILKINS
CLARY	HIATT	NEELY	WILSON, C.
COLE	HIGHTOWER	NESBITT	WILSON, G.
CRAWFORD	HILL	NICHOLS	WOMBLE
CREECH	HOLMES	NYE	WRIGHT
CULP	HOWARD	OLDHAM	YONGUE

NOES - 0

EXCUSED ABSENCE - 1

WOOD

EXCUSED VOTE - 0

NOT VOTING - 3

ELLIS	GAMBLE	HUNTER, H.

NORTH CAROLINA GENERAL ASSEMBLY
CONFERENCE REPORT
House Bill 15

H15-CRRB-1

[ ] Title Change [ ] For Committee Substitute

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

The conferees appointed to resolve the differences between the Senate and the House of Representatives on House Bill 15, A BILL TO BE ENTITLED AN ACT TO CONFORM TO FEDERAL TAX TREATMENT OF INCOME RESTORED UNDER A CLAIM OF RIGHT, First Edition with an unengrossed Senate Amendment Number 1, submit the following report:

The Senate recedes from Senate Amendment Number 1.

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

Date conferees approved report: ~~May~~ June 5th, 1997.

Conferees for the Senate	Conferees for the House of Representatives
Senator John Kerr	Representative Lanier Cansler
Senator John Carrington	Representative Charles Neely
Senator David Hoyle	Representative Constance Wilson

Submitted 6/10/97 - calendar 6/11/97
House ADOPTED 6/11/97 (116 / 0) Message Received 6/10/97
ADOPTED / / (/) Ordered Enrolled 6/11/97

ORDERED SENT TO GOVERNOR

NORTH CAROLINA GENERAL ASSEMBLY
CONFERENCE REPORT
House Bill 15

H15-CRRB-1

[ ] Title Change [ ] For Committee Substitute

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

The conferees appointed to resolve the differences between the Senate and the House of Representatives on House Bill 15, A BILL TO BE ENTITLED AN ACT TO CONFORM TO FEDERAL TAX TREATMENT OF INCOME RESTORED UNDER A CLAIM OF RIGHT, First Edition with an unengrossed Senate Amendment Number 1, submit the following report:

The Senate recedes from Senate Amendment Number 1.

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

Date conferees approved report: ~~May~~ June 5, 1997.

Conferees for the Senate	Conferees for the House of Representatives
Senator John Kerr	Representative Lanier Cansler
Senator John Carrington	Representative Charles Neely
Senator David Hoyle	Representative Constance Wilson

Submitted 6/9/97
Senate ADOPTED 6/9/97 (45/0) Message Received
House ADOPTED 6/11/97 (/) Ordered Enrolled

Janet Pruitt
JUN 9 1997

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1997

H.B. FILED 0016 JAN 30 97 HOUSE PRINCIPAL CLERK

H D

HOUSE DRH2017-LD028(1.23)

Short Title: No Animal Waste Systems in Floodplains. (Public)

Sponsors: Representative Hall.

Referred to:

A BILL TO BE ENTITLED

AN ACT TO PROHIBIT THE CONSTRUCTION OF (1) NEW ANIMAL WASTE MANAGEMENT SYSTEMS THAT MUST BE PERMITTED AND (2) EXPANSIONS OF SUCH EXISTING SYSTEMS IN A LOCATION THAT IS SUBJECT TO FLOODING BY A ONE-HUNDRED-YEAR FLOOD.

The General Assembly of North Carolina enacts:

Section 1. G.S. 143-215.10C(b) reads as rewritten:

"(b) An animal waste management system shall be designed, constructed, and operated so that the animal operation served by the animal waste management system does not cause pollution in the waters of the State except as may result because of rainfall from a storm event more severe than the 25-year, 24-hour storm. No animal waste management system for which a permit is required under this section shall be constructed on land that is subject to flooding by a 100-year flood."

Section 2. This section is effective when it becomes law and applies to new animal waste management systems for which construction commences on or after that date and to expansions of such existing systems for which construction commences on or after that date.

NORTH CAROLINA
HOUSE OF REPRESENTATIVES
ROLL CALL

EV

. # 128
ISLATIVE DAY 25
H16 HCS
READING 2
HALL

3/12/97
3:12 PM
IN CHAIR: SPEAKER

NO LIQUID ANIMAL WASTE/FLOODPLAINS

AYES - 99

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

NOES - 11

BAKER	BROWN	KISER	WILSON, G.
BEALL	CANSLER	SHERRILL	WRIGHT
BERRY	CARPENTER	STARNES	

EXCUSED ABSENCE - 4

BRASWELL	CRAWFORD	CULP	HARDAWAY

EXCUSED VOTE - 0

NOT VOTING - 6

SPEAKER	MICHAUX	RAMSEY	WARNER
DAUGHTRY	MOSLEY		

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1997

H.B. FILED
0017 JAN 30 97
HOUSE PRINCIPAL CLERK

H D

HOUSE DRH4008-LB047(1.27)

Short Title: Guilford Conflict Repeal. (Local)

Sponsors: Representative Bowie.

Referred to:

A BILL TO BE ENTITLED

AN ACT TO REPEAL AN ACT RELATING TO DISCLOSURE OF BUSINESS INTEREST IN GUILFORD COUNTY.

The General Assembly of North Carolina enacts:

Section 1. Chapter 738 of the 1995 Session Laws is repealed.

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

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1997

H D FILED
0018 JAN 30 97
HOUSE PRINCIPAL CLERK

H D

HOUSE DRH2009*-RKZ001.3(1.27)

Short Title: Job Training Study. (Public)

Sponsors: Representative Howard.

Referred to:

A BILL TO BE ENTITLED

AN ACT TO CREATE A LEGISLATIVE COMMISSION ON JOB TRAINING PROGRAMS TO REORGANIZE THE WORKFORCE DEVELOPMENT SYSTEM IN NORTH CAROLINA.

The General Assembly of North Carolina enacts:

Section 1. (a) The General Assembly intends to reorganize its workforce development system to improve the delivery of job training programs and services in North Carolina.

(b) There is created a Legislative Study Commission on Job Training Programs. The purpose of the Commission is to review State and federally funded job training programs and services currently in existence to determine the feasibility of eliminating or consolidating those which are duplicative, inefficient, or ineffective in carrying out their purposes and activities.

(c) The Commission shall consist of six members appointed by the Speaker of the House of Representatives, at least three of whom shall be members of the House of Representatives, and six members appointed by the President Pro Tempore of the Senate, at least three of whom shall be members of the Senate. The Speaker shall designate one Representative as cochair and the President Pro Tempore shall designate one Senator as cochair. Vacancies on the Commission shall be filled by the same appointing officer who made the initial appointment. The Commission shall expire upon delivering its final report to the 1997 General Assembly (1998 Regular Session).

The Commission, while in the discharge of official duties, may exercise all powers provided for under the provisions of G.S. 120-19 and G.S. 120-19.1 through G.S. 120-19.4. The Commission may meet at any time upon the joint call of

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1997

H.B. FILED
0019 JAN 30 97
HOUSE PRINCIPAL CLERK

H D

HOUSE DRH7014-LC041(1.21)

Short Title: Expand Corporate Charitable Deduction. (Public)

Sponsors: Representative McMahan.

Referred to:

A BILL TO BE ENTITLED

AN ACT TO INCREASE GIVING TO CHARITABLE NONPROFIT ORGANIZATIONS BY EXPANDING THE STATE CORPORATE INCOME TAX DEDUCTION FOR CHARITABLE CONTRIBUTIONS.

The General Assembly of North Carolina enacts:

Section 1. G. S. 105-130.9 reads as rewritten:

"**§ 105-130.9. Contributions.**

~~Contributions shall be allowed as a deduction to the extent and in the manner provided as follows:~~ (a) North Carolina Corporations. -- Corporations that do not allocate a part of their total net income outside this State may deduct the following contributions to the extent allowed in this section:

(1) Most Charitable Contributions. -- Charitable contributions as defined in section 170(c) of the Code, ~~exclusive of~~ other than contributions allowed in subdivision (2) of this section, ~~shall be allowed as a deduction to the extent provided herein. The amount allowed as a deduction hereunder shall be limited to an amount not in excess of five percent (5%)~~ up to a maximum deduction of ten percent (10%) of the corporation's net income as computed without the benefit of this subdivision or subdivision (2) of this section. ~~Provided, that a carryover of contributions shall not be allowed and that contributions made to North Carolina donees by corporations allocating a part of their total net income outside this State shall not be allowed under this subdivision, but shall be allowed under subdivision (3) of this section.~~

NORTH CAROLINA
HOUSE OF REPRESENTATIVES
ROLL CALL

EV

. # 38
ISLATIVE DAY 17
H19
READING 2
MCMAHAN

2/26/97
3:04 PM
IN CHAIR: SPEAKER

EXPAND CORPORATE CHARITABLE DEDUCTION

AYES - 105

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

NOES - 10

BLUE	FITCH	HACKNEY	INSKO
BONNER	GAMBLE	HENSLEY	LUEBKE
BRASWELL	GOODWIN		

EXCUSED ABSENCE - 0

EXCUSED VOTE - 0

NOT VOTING - 5

SPEAKER	CRAWFORD	WEATHERLY	WRIGHT
BLACK			

NORTH CAROLINA
HOUSE OF REPRESENTATIVES
ROLL CALL

EV

. # 42
ISLATIVE DAY 18
H19
READING 3
MCMAHAN

2/27/97
1:59 PM
IN CHAIR: SPEAKER

EXPAND CORPORATE CHARITABLE DEDUCTION

AYES - 99

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

NOES - 10

BEALL	FITCH	HENSLEY	LUEBKE
BRASWELL	GAMBLE	INSKO	RAMSEY
EASTERLING	HACKNEY		

EXCUSED ABSENCE - 5

CLARY	MCALLISTER	NEELY	NESBITT
KINNEY			

EXCUSED VOTE - 0

NOT VOTING - 6

SPEAKER	BLACK	PRESTON	WRIGHT
BARBEE	BLUE		

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1997

H.B. FILED
0020 JAN 30 97
HOUSE PRINCIPAL CLERK

H D

HOUSE DRH2019-LC040(1.21)

Short Title: Increase Nonitemizer Charity Credit. (Public)

Sponsors: Representative McMahan.

Referred to:

A BILL TO BE ENTITLED

AN ACT TO INCREASE THE INCOME TAX CREDIT FOR CHARITABLE CONTRIBUTIONS BY NONITEMIZERS.

The General Assembly of North Carolina enacts:

Section 1. G.S. 105-151.26 reads as rewritten:

"**§ 105-151.26. Credit for charitable contributions by nonitemizers.**

A taxpayer who elects the standard deduction under section 63 of the Code for federal tax purposes is allowed as a credit against the tax imposed by this Division an amount equal to ~~two and three-fourths percent (2.75%)~~ seven percent (7%) of the taxpayer's excess charitable contributions. The taxpayer's excess charitable contributions are the amount by which the taxpayer's charitable contributions for the taxable year that would have been deductible under section 170 of the Code if the taxpayer had not elected the standard deduction exceed two percent (2%) of the taxpayer's adjusted gross income as calculated under the Code.

No credit shall be allowed under this section for amounts deducted from gross income in calculating taxable income under the Code or for contributions for which a credit was claimed under G.S. 105-151.12 or G.S. 105-151.14. A nonresident or part-year resident who claims the credit allowed by this section shall reduce the amount of the credit by multiplying it by the fraction calculated under G.S. 105-134.5(b) or (c), as appropriate. The credit allowed under this section may not exceed the amount of tax imposed by this Division for the taxable year reduced by the sum of all credits allowed, except payments of tax made by or on behalf of the taxpayer."

Section 2. This act is effective for taxable years beginning on or after January 1, 1998.

NORTH CAROLINA

HOUSE OF REPRESENTATIVES

ROLL CALL

EV

. # 39
ISLATIVE DAY 17
H20
READING 2
MCMAHAN

2/26/97
3:11 PM
IN CHAIR: SPEAKER

INCREASE NONITEMIZER CHARITY CREDIT

AYES - 104

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

NOES - 11

BLUE	GAMBLE	INSKO	MICHAUX
CUNNINGHAM	HACKNEY	LUEBKE	MOSLEY
EASTERLING	HENSLEY	MCCRARY	

EXCUSED ABSENCE - 0

EXCUSED VOTE - 0

NOT VOTING - 5

SPEAKER	CRAWFORD	HUNTER, H.	WRIGHT
BLACK			

NORTH CAROLINA
HOUSE OF REPRESENTATIVES
ROLL CALL

EV

. # 60
ISLATIVE DAY 20
H20
READING 3
MCMAHAN

3/04/97
2:29 PM
IN CHAIR: SPEAKER

INCREASE NONITEMIZER CHARITY CREDIT

AYES - 108

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

NOES - 6

FITCH	HENSLEY	INSKO	LUEBKE
HACKNEY	HUNTER, H.		

EXCUSED ABSENCE - 3

CLARY	DOCKHAM	GRADY

EXCUSED VOTE - 0

NOT VOTING - 3

SPEAKER	EASTERLING	MICHAUX

NORTH CAROLINA GENERAL ASSEMBLY
SENATE

RECORDED VOTE

1997 SESSION
SECOND SESSION 1998

SEQ. 2104/5--11:46 AM | SEPTEMBER 29, 1998 | LEGISLATIVE DAY 206

SENATOR BASNIGHT -- Presiding

MCMAHAN
INCREASE NONITEMIZER CHARITY CREDIT
SENATE COM SUB/2ND EDITION

HOUSE BILL 20
READING 2

AYE	42	ALBERTSON	DANNELLY	LUCAS	PLYLER
		ALLRAN	FORRESTER	MARTIN R.	PURCELL
		BALLANCE	FOXX	MARTIN W.	RAND
		BALLANTINE	GARWOOD	MCDANIEL	REEVES
		BASNIGHT	GULLEY	MILLER	RUCHO
		BLUST	HARTSELL	MOORE	SHAW R.
		CARPENTER	HOYLE	ODOM	SOLES
		CARRINGTON	JENKINS	PAGE	WARREN
		CLARK	KERR	PERDUE	WEINSTEIN
		COOPER	KINNAIRD	PHILLIPS	WELLONS
		DALTON	LEE		
NO	0				
EXCUSED	0				
NOT CAST	5	EAST	JORDAN	SHAW L.	WINNER
		HORTON			
ABSENT	3	COCHRANE	LEDBETTER	WEBSTER	
PAIRS	0				
AYE					
NO					

GENERAL ASSEMBLY
SENATE

NORTH CAROLINA
HOUSE OF REPRESENTATIVES
ROLL CALL

EV

. # 2120
GISLATIVE DAY 209
H20 SCS

10/06/98
3:40 PM
IN CHAIR: SPEAKER

MCMAHAN

INCREASE NONITEMIZER CHARITY CREDIT
MOTION #11 - TO CONCUR IN SCS

AYES - 102

SPEAKER	DAUGHTRY	HURLEY	PRESTON
ALDRIDGE	DAVIS	IVES	RAMSEY
ALEXANDER	DECKER	JARRELL	RAYFIELD
ALLEN	DEDMON	JEFFUS	REDWINE
ARNOLD	DOCKHAM	JUSTUS	ROGERS
BAKER	EARLE	KINNEY	RUSSELL
BAREFOOT	EASTERLING	LUEBKE	SAUNDERS
BEALL	EDDINS	MCALLISTER	SEXTON
BERRY	ELLIS	MCCOMAS	SHERRILL
BLACK	ESPOSITO	MCCOMBS	SHUBERT
BLUE	FITCH	MCCRARY	SMITH
BONNER	FOX	MCMAHAN	STARNES
BOWIE	GARDNER	MERCER	SUTTON
BRASWELL	GOODWIN	MICHAUX	THOMPSON
BRAWLEY	GRADY	MILLER	TOLSON
BROWN	GRAY	MINER	WAINWRIGHT
BUCHANAN	GULLEY	MITCHELL	WARNER
CANSLER	HACKNEY	MOORE	WARWICK
CAPPS	HARDAWAY	MORGAN	WATSON
CARPENTER	HARDY	MORRIS	WEATHERLY
CHURCH	HENSLEY	NEELY	WILSON, C.
CLARY	HIATT	NESBITT	WILSON, G.
CRAWFORD	HIGHTOWER	NICHOLS	WOOD
CREECH	HILL	NYE	WRIGHT
CULP	HOLMES	OWENS	YONGUE
CUNNINGHAM	HOWARD		

NOES - 0

EXCUSED ABSENCE - ~~5~~ 6 DWilkins

BOYD-MCINTYRE	DICKSON	KISER	MOSLEY
CULPEPPER			ADAMS DWilkins

EXCUSED VOTE - 0

NOT VOTING - ~~13~~ 12 DWilkins

~~ADAMS~~ DWilkins	BRYANT	HUNTER, H.	REYNOLDS
ALLRED	COLE	INSKO	TALLENT
BADDOUR	HALL	OLDHAM	WOMBLE
BARBEE			

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1997

H.R. FILED
0021
JAN 30 97
HOUSE PRINCIPAL CLERK

H D

HOUSE RESOLUTION DRHR7016-LG007(1.27)

Sponsors: Representative Goodwin.

Referred to:

A HOUSE RESOLUTION HONORING THE LIFE AND MEMORY OF JOHN SHORTRIDGE, FOUNDER OF THE CITY OF HAMLET, ON THE CITY'S ONE HUNDREDTH ANNIVERSARY.

Whereas, on February 9, 1997, the City of Hamlet in Richmond County will be celebrating 100 years of incorporation; and

Whereas, the founding of the City of Hamlet can be traced to John Shortridge, one of the city's earliest settlers; and

Whereas, John Shortridge was born in Carlisle, England, in 1818, and at the age of 20, he and his mother immigrated to the United States, settling in Rhode Island; and

Whereas, John Shortridge married Mary Jane McQuiston in 1838; and

Whereas, John Shortridge moved his family to Rockingham, North Carolina, in 1847, and at that time, John Shortridge became associated with the Richmond Manufacturing Company; and

Whereas, John Shortridge found success in milling and real estate, built a sawmill and a woolen mill; and for the next 25 years, he and his wife raised their children in the Ledbetter Mill area; and

Whereas, following the destruction of his mills in 1865, and the death of his wife in 1868, John Shortridge moved to an area known as the Sandhills, a few miles southeast of the Ledbetter Mill area in 1872; and

Whereas, John Shortridge built a new woolen mill and sawmill and began to regain his losses; and

Whereas, the area where John Shortridge lived came to be known as Shortridge Mills, but in 1873 the area was named Hamlet, a word used to describe a small village; and

Whereas, John Shortridge's notable contributions to the City of Hamlet include enticing the railroad to come directly to the city, donating land for the

NORTH CAROLINA

HOUSE OF REPRESENTATIVES

ROLL CALL

EV

. # 286
ISLATIVE DAY 44
HR21 HCS
READING 2
GOODWIN

4/14/97
7:25 PM
IN CHAIR: SPEAKER

H R HONORING JOHN SHORTRIDGE

AYES - 113

SPEAKER	CUNNINGHAM	HUNTER, H.	OLDHAM
ADAMS	DAUGHTRY	HUNTER, R.	OWENS
ALDRIDGE	DAVIS	HURLEY	PRESTON
ALEXANDER	DECKER	INSKO	RAMSEY
ALLRED	DEDMON	IVES	RAYFIELD
ARNOLD	DICKSON	JARRELL	REYNOLDS
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	MCCOMAS	STARNES
BONNER	GAMBLE	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	HILL	NEELY	WOOD
CREECH	HOLMES	NICHOLS	WRIGHT
CULP	HOWARD	NYE	YONGUE
CULPEPPER			

NOES - 0

EXCUSED ABSENCE - 6

FITCH	NESBITT	ROGERS	SUTTON
HIGHTOWER	REDWINE		

EXCUSED VOTE - 0

NOT VOTING - 1

BOWIE

H.B. FILED
0022
JAN 30 97
HOUSE PRINCIPAL CLERK

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1997

H D

HOUSE DRH1001-LC013(1.1)

Short Title: Lower Food Tax Another 1¢. (Public)

Sponsors: Representative Rayfield.

Referred to:

A BILL TO BE ENTITLED

AN ACT TO REDUCE THE STATE SALES TAX ON FOOD BY AN ADDITIONAL ONE CENT.

The General Assembly of North Carolina enacts:

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

"(5) The rate of ~~three percent (3%)~~ two percent (2%) applies to the sales price of food that 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. This act becomes effective January 1, 1998.

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1997

H.B. FILED
0023 JAN 3C
HOUSE PRINCIPAL CL

H D

HOUSE DRHA108-RRZ002(12.17)

Short Title: Campaign Standards. (Public)

Sponsors: Representative Cansler.

Referred to:

A BILL TO BE ENTITLED

AN ACT TO ESTABLISH A NORTH CAROLINA CAMPAIGN STANDARDS CODE TO BE ENFORCED BY A CAMPAIGN STANDARDS COMMISSION.

The General Assembly of North Carolina enacts:

Section 1. Chapter 163 of the General Statutes is amended by adding a new Article to read:

"ARTICLE 22D.

"Campaign Standards.

"**§ 163-278.60. Purpose of Article.**

The purpose of this Article is to use constitutional means to encourage informative and civil political campaigning in North Carolina elections and to discourage false or misleading attacks.

"**§ 163-278.61. North Carolina Campaign Standards Commission established.**

(a) Establishment of the Commission. -- There is established within the office of the State Board of Elections the North Carolina Campaign Standards Commission.

(b) Appointment of Members. -- The Commission shall consist of six members to be appointed by the Governor. No more than three members shall be affiliated with the same political party. The Governor shall appoint the members from a list of nominees submitted by the State Chair of each of the two political parties having the highest number of registered affiliates as reflected by the latest registration statistics published by the State Board of Elections. Each party Chair shall submit a list of at least six nominees who are affiliated with that party.

(c) Terms of Office. -- By October 1, 1997, and as needed thereafter, the Governor shall appoint the six members of the Commission. Of the initial appointees, two shall be appointed for one-year terms, two shall be appointed for two-year terms,

H.B. FILED
0024 JAN 30 97
HOUSE PRINCIPAL CLERK

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1997

H **D**

HOUSE DRH4012-RRZ001(12.3)

Short Title: Close Runoff Loophole. (Public)

Sponsors: Representative Cansler.

Referred to:

A BILL TO BE ENTITLED

AN ACT TO REMOVE THE EXTRA CONTRIBUTION LIMIT PERIOD FOR THE SECOND PRIMARY FOR CANDIDATES WHO ARE NOT ON THE BALLOT IN A SECOND PRIMARY.

The General Assembly of North Carolina enacts:

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

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

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

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

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

(d) For the purposes of this section, the term 'an election' means any primary, second primary, or general election in which the candidate or political committee may be involved, without regard to whether the candidate is opposed or unopposed in the ~~election.~~ election, except that where a candidate is not on the ballot in a second primary, that second primary is not 'an election' with respect to that candidate.

H.B. FILED
JAN 3

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1997

HOUSE PRINCIPAL CLE

H **D**

HOUSE JOINT RESOLUTION DRHJR6002*-LNZ004(1.02)

Sponsors: Representatives Thompson, Beall, Cunningham, Preston, and Rayfield.

Referred to:

A JOINT RESOLUTION TO AUTHORIZE THE LEGISLATIVE RESEARCH COMMISSION TO STUDY CONSUMER PROTECTION ISSUES.

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

Section 1. The Legislative Research Commission may study consumer protection issues. In conducting this study, the Commission may review the status of recommendations made by the 1995 LRC Study Committee on Consumer Protection Issues, and may also continue its study of issues identified by but not acted upon by the 1995 LRC Study Committee on Consumer Protection Issues.

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 resolution is effective upon ratification.

H.B. FILED
0026 JAN 31
HOUSE PRINCIPAL CLE

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1997

H D

HOUSE DRH8000*-LNZ009A(1.2)

Short Title: Amend LP Gas Code. (Public)

Sponsors: Representatives Thompson, Beall, Cunningham, Preston, and Rayfield.

Referred to:

A BILL TO BE ENTITLED

AN ACT TO MAKE CONFORMING CHANGES TO THE LP GAS STATUTE.

The General Assembly of North Carolina enacts:

Section 1. G.S. 119-58 reads as rewritten:

"**§ 119-58. Unlawful acts.**

(a) It shall be an unlawful act for any person to:

(1) Sell any liquified petroleum gas burning appliance designed or built for domestic use which has not been approved by the American Gas Association, Inc., the Underwriters Laboratory, Inc., or other laboratory approved by the ~~Commissioner of Agriculture.~~ North Carolina Building Code Council. This subdivision shall not apply to appliances regulated under the North Carolina Building Code;

~~(2) Install any unvented space heating appliance in a manufactured home as defined in G.S. 143-145(7)~~

~~(3) Install any unvented space heating appliance in a sleeping room that has an input of over 30 BTU per cubic feet of enclosure;~~

(4) Fill a consumer tank or container in excess of 85 percent (85%) of its water capacity, or to fill a tank or container on the premises of a consumer that is not equipped with a fill tube or gauge; provided, ~~said~~ the tank or container may be filled by weight if the tank or container is weighed before and after filling;

(5) Disconnect an appliance from a gas supply line without capping or plugging ~~said~~ the line before leaving the premises;

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1997

H.B. FILED
0027 JAN 31 97
HOUSE PRINCIPAL CLERK

H D

HOUSE DRH2000*-LNZ005B(1.2)

Short Title: Increase Penalty/Pyramid Schemes. (Public)

Sponsors: Representatives Thompson, Beall, Cunningham, Preston, and Rayfield.

Referred to:

A BILL TO BE ENTITLED

AN ACT TO INCREASE THE PENALTY FOR THE ESTABLISHMENT OF PYRAMID DISTRIBUTION PLANS.

The General Assembly of North Carolina enacts:

Section 1. G.S. 14-291.2 reads as rewritten:

"**§ 14-291.2. Pyramid and chain schemes prohibited.**

(a) ~~Any~~ No person ~~who~~ shall establish, ~~promote, operate or participate in~~ operate, participate in, or otherwise promote any pyramid distribution plan, program, device or scheme whereby a participant pays a valuable consideration for the opportunity or chance to receive a fee or compensation upon the introduction of other participants into the program, whether or not such opportunity or chance is received in conjunction with the purchase of ~~merchandise, shall be deemed to have participated~~ merchandise. A person who establishes or operates a pyramid distribution plan is guilty of a Class H felony. A person who participates in or otherwise promotes a pyramid distribution plan is deemed to participate in a lottery and ~~shall be~~ is guilty of a Class 2 misdemeanor.

(b) 'Pyramid distribution plan' means any program utilizing a pyramid or chain process by which a participant gives a valuable consideration for the opportunity to receive compensation or things of value in return for inducing other persons to become participants in the program; and

'Compensation' does not mean payment based on sales of goods or services to persons who are not participants in the scheme, and who are not purchasing in order to participate in the ~~scheme; and~~ scheme.

~~'Promotes' shall mean inducing one or more other persons to become a participant.~~

NORTH CAROLINA

HOUSE OF REPRESENTATIVES

ROLL CALL

EV

NO. # 516
LEGISLATIVE DAY 54
H27 HCS
READING 2
THOMPSON

5/01/97
1:58 PM
IN CHAIR: SPEAKER

INCREASE PENALTY/ PYRAMID SCHEMES

AYES - 109

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

NOES - 0

EXCUSED ABSENCE - 1

MILLER

EXCUSED VOTE - 1

WARNER

NOT VOTING - 9

SPEAKER	CREECH	GAMBLE	OLDHAM
ALDRIDGE	DICKSON	MICHAUX	SHERRILL
BOWIE			

NORTH CAROLINA

HOUSE OF REPRESENTATIVES

ROLL CALL

EV

SEQ. # 519
LEGISLATIVE DAY 54
H27 HCS
READING 3
THOMPSON

5/01/97
2:29 PM
IN CHAIR: SPEAKER

INCREASE PENALTY/ PYRAMID SCHEMES

AYES - 114

ADAMS	DAVIS	HURLEY	RAMSEY
ALDRIDGE	DECKER	INSKO	RAYFIELD
ALEXANDER	DEDMON	IVES	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
BONNER	FOX	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	HARDAWAY	MORGAN	WATSON
CARPENTER	HARDY	MORRIS	WEATHERLY
CHURCH	HENSLEY	MOSLEY	WILKINS
CLARY	HIATT	NEELY	WILSON, C.
COLE	HIGHTOWER	NESBITT	WILSON, G.
CRAWFORD	HILL	NICHOLS	WOMBLE
CULP	HOLMES	NYE	WOOD
CULPEPPER	HOWARD	OLDHAM	WRIGHT
CUNNINGHAM	HUNTER, H.	OWENS	YONGUE
DAUGHTRY	HUNTER, R.		

NOES - 0

EXCUSED ABSENCE - 0

EXCUSED VOTE - 0

NOT VOTING - 6

SPEAKER	CREECH	JARRELL	PRESTON
BLUE	GAMBLE		

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1997

H.B. FILED
0028 FEB -3 97
HOUSE PRINCIPAL CLERK

H D

HOUSE DRH6009-LV006(1.23)

Short Title: DSS Board Change. (Public)

Sponsors: Representative Baker.

Referred to:

A BILL TO BE ENTITLED

AN ACT TO ALLOW THE FIFTH MEMBER OF A COUNTY BOARD OF SOCIAL SERVICES TO BE SELECTED BY MAJORITY VOTE OF THE FOUR OTHER MEMBERS.

The General Assembly of North Carolina enacts:

Section 1. G.S. 108A-3(b) reads as rewritten:

"(b) Five-Member Board. -- The procedure set forth in subsection (a) shall be followed, except that both the board of commissioners and the Social Services Commission shall appoint two members each, and the four so appointed shall select the fifth ~~member.~~ by majority vote. If ~~the four~~ a majority of the four are unable to agree upon the fifth member, the senior regular superior court judge of the county shall make the selection."

Section 2. This act is effective when it becomes law and applies to elections taking place on or after this date.

NORTH CAROLINA GENERAL ASSEMBLY
AMENDMENT
House Bill 28

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

H28-ARM-001

Date 3/4 ,1997

Comm. Sub. []
Amends Title []

Representative Insko

moves to amend the bill on page 1, line 10,
by rewriting that line to read:
"the fifth ~~member.~~ by majority vote of the membership. If ~~the four~~
a majority of the ~~four are unable to~~".

SIGNED Vera C Insko
Amendment Sponsor

SIGNED _____
Committee Chair if **Senate** Committee Amendment

ADOPTED 3/4/97 FAILED _____ TABLED _____
114-1 EV

NORTH CAROLINA

HOUSE OF REPRESENTATIVES

EV

. # 64
ISLATIVE DAY 20
H28
READING 2
BAKER
AMEND #1 - COMMITTEE AMEND (INSKO)
DEPT. SOCIAL SVCS. BOARD CHANGE

3/04/97
2:36 PM
IN CHAIR: SPEAKER

ROLL CALL

AYES - 114

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

NOES - 1

ELLIS

EXCUSED ABSENCE - 3

CLARY	DOCKHAM	GRADY

EXCUSED VOTE - 0

NOT VOTING - 2

SPEAKER	EASTERLING

NORTH CAROLINA
HOUSE OF REPRESENTATIVES
ROLL CALL

EV

. # 65
ISLATIVE DAY 20
H28
READING 2
BAKER

3/04/97
2:39 PM
IN CHAIR: SPEAKER

DEPT. SOCIAL SVCS. BOARD CHANGE

AYES - 115

ADAMS	DAUGHTRY	INSKO	RAMSEY
ALDRIDGE	DAVIS	IVES	RAYFIELD
ALEXANDER	DECKER	JARRELL	REDWINE
ALLRED	DEDMON	JEFFUS	REYNOLDS
ARNOLD	DICKSON	JUSTUS	ROGERS
BADDOUR	EARLE	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	GRAY	MICHAUX	THOMPSON
BRASWELL	GULLEY	MILLER	TOLSON
BRAWLEY	HACKNEY	MINER	WAINWRIGHT
BROWN	HALL	MITCHELL	WARNER
BUCHANAN	HARDAWAY	MOORE	WARWICK
CANSLER	HARDY	MORGAN	WATSON
CAPPS	HENSLEY	MORRIS	WEATHERLY
CARPENTER	HIATT	MOSLEY	WILKINS
CHURCH	HIGHTOWER	NEELY	WILSON, C.
COLE	HILL	NESBITT	WILSON, G.
CRAWFORD	HOLMES	NICHOLS	WOMBLE
CREECH	HOWARD	NYE	WOOD
CULP	HUNTER, H.	OLDHAM	WRIGHT
CULPEPPER	HUNTER, R.	OWENS	YONGUE
CUNNINGHAM	HURLEY	PRESTON	

NOES - 0

EXCUSED ABSENCE - 3

CLARY	DOCKHAM	GRADY

EXCUSED VOTE - 0

NOT VOTING - 2

SPEAKER	EASTERLING

NORTH CAROLINA GENERAL ASSEMBLY
SENATE

RECORDED VOTE

1997 SESSION

SEQ. 696/7-- 7:49 PM MAY 19, 1997 LEGISLATIVE DAY 63

LT. GOVERNOR WICKER -- Presiding

BAKER
DSS BOARD CHANGE
SENATE COMM. SUB./3RD EDITION

HOUSE BILL 28
READING 2

AYE	46	ALBERTSON	DANNELLY	LEE	RAND
		ALLRAN	EAST	LUCAS	REEVES
		BALLANCE	FORRESTER	MARTIN R.	RUCHO
		BALLANTINE	FOXX	MARTIN W.	SHAW L.
		BASNIGHT	GARWOOD	MCDANIEL	SHAW R.
		BLUST	GULLEY	MILLER	SOLES
		CARPENTER	HORTON	ODOM	WARREN
		CARRINGTON	JENKINS	PAGE	WEBSTER
		CLARK	KERR	PERDUE	WEINSTEIN
		COCHRANE	KINCAID	PHILLIPS	WELLONS
		CONDER	KINNAIRD	PLYLER	WINNER
		COOPER	LEDBETTER		
NO	0				
EXCUSED	0				
NOT CAST	1	JORDAN			
ABSENT	3	DALTON	HARTSELL	HOYLE	
PAIRS	0				
AYE					
NO					

GENERAL ASSEMBLY
SENATE

NORTH CAROLINA
HOUSE OF REPRESENTATIVES
ROLL CALL

EV

[redacted]. # 709
[redacted]ISLATIVE DAY 67
[redacted] SCS

5/26/97
7:20 PM
IN CHAIR: SPEAKER

BAKER

DEPT OF SOCIAL SVCS. BOARD CHANGE
MOTION #11 - TO CONCUR W/ SCS

AYES - 105

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

NOES - 0

EXCUSED ABSENCE - 7

BONNER	DOCKHAM	HIGHTOWER	WOOD
CREECH	HARDAWAY	HOLMES	

EXCUSED VOTE - 0

NOT VOTING - 8

SPEAKER	BERRY	HOWARD	NESBITT
ALEXANDER	FITCH	HUNTER, H.	WRIGHT

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1997

H.B. FILED
0029 FEB -3 97
HOUSE PRINCIPAL CLERK

H D

HOUSE DRH4005-LK003B(12.3)

Short Title: Raffle Limits Upped. (Public)

Sponsors: Representative Baker.

Referred to:

A BILL TO BE ENTITLED

AN ACT TO INCREASE THE MAXIMUM RAFFLE CASH PRIZES AND THE FAIR MARKET VALUE OF RAFFLE MERCHANDISE PRIZES.

The General Assembly of North Carolina enacts:

Section 1. G.S. 14-309.15(d) reads as rewritten:

"(d) The maximum cash prize that may be offered or paid for any one raffle is ~~five thousand dollars ($5,000)~~ ten thousand dollars ($10,000) and if merchandise is used as a prize, and it is not redeemable for cash, the maximum fair market value of that prize may be ~~twenty-five thousand dollars ($25,000).~~ fifty thousand dollars ($50,000). No real property may be offered as a prize in a raffle. The total cash prizes offered or paid may not exceed ten thousand dollars ($10,000) in any calendar year. The total fair market value of all prizes offered, either in cash or in merchandise that is not redeemable for cash, may not exceed fifty thousand dollars ($50,000) in any calendar year."

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

NORTH CAROLINA GENERAL ASSEMBLY AMENDMENT

(Please type or use ballpoint pen)

H. B. No. 29 C.S. DATE Feb. 25, 1997

S. B. No. _____ Amendment No. 1

(to be filled in by Principal Clerk)

(Rep.) Mitchell
Sen.)

moves to amend the bill on page 1, line 16

by rewriting that line to read:

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

SIGNED W. F. Mitchell

ADOPTED 2/25/97 FAILED _____ TABLED _____

103-10 EV DWeeks

GA-33-A PRINCIPAL CLERK'S OFFICE (FOR ENGROSSMENT)

NORTH CAROLINA
HOUSE OF REPRESENTATIVES
ROLL CALL

EV

NO. # 30
LEGISLATIVE DAY 16
H29 HCS
READING 2
BAKER
AMEND #1 – Rep. Mitchell
RAFFLE LIMITS INCREASED

2/25/97
2:19 PM
IN CHAIR: SPEAKER

AYES - 103

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

NOES - 10

ALDRIDGE	FITCH	HACKNEY	MCALLISTER
BONNER	GAMBLE	HENSLEY	SUTTON
BOYD-MCINTYRE	GOODWIN		

EXCUSED ABSENCE - 4

BLUE	ROGERS	WILSON, C.	WRIGHT

EXCUSED VOTE - 0

NOT VOTING - 3

SPEAKER	BLACK	ELLIS

NORTH CAROLINA
HOUSE OF REPRESENTATIVES
ROLL CALL

EV

NO. # 31
LEGISLATIVE DAY 16
H29 HCS
READING 2
BAKER

2/25/97
2:22 PM
IN CHAIR: SPEAKER

RAFFLE LIMITS INCREASED

AYES - 106

ADAMS	DECKER	HURLEY	OWENS
ALEXANDER	DEDMON	INSKO	PRESTON
ALLRED	DICKSON	IVES	RAMSEY
ARNOLD	DOCKHAM	JARRELL	RAYFIELD
BADDOUR	EARLE	JEFFUS	REDWINE
BAKER	EASTERLING	KINNEY	REYNOLDS
BARBEE	EDDINS	KISER	RUSSELL
BEALL	ESPOSITO	LUEBKE	SAUNDERS
BERRY	FITCH	MCALLISTER	SEXTON
BONNER	FOX	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
CARPENTER	HARDAWAY	MITCHELL	WAINWRIGHT
CHURCH	HARDY	MOORE	WARNER
CLARY	HENSLEY	MORGAN	WARWICK
COLE	HIATT	MORRIS	WATSON
CRAWFORD	HIGHTOWER	MOSLEY	WEATHERLY
CREECH	HILL	NEELY	WILKINS
CULP	HOLMES	NESBITT	WILSON, G.
CULPEPPER	HOWARD	NICHOLS	WOMBLE
CUNNINGHAM	HUNTER, H.	OLDHAM	YONGUE
DAUGHTRY	HUNTER, R.		

NOES - 6

ALDRIDGE	DAVIS	NYE	WOOD
CAPPS	GAMBLE		

EXCUSED ABSENCE - 4

BLUE	ROGERS	WILSON, C.	WRIGHT

EXCUSED VOTE - 0

NOT VOTING - 4

SPEAKER	BLACK	ELLIS	JUSTUS

NORTH CAROLINA GENERAL ASSEMBLY
SENATE

RECORDED VOTE

1997 SESSION

SEQ. 101/6-- 5:50 PM MARCH 17, 1997 LEGISLATIVE DAY 27

LT. GOVERNOR WICKER -- Presiding

BAKER
RAFFLE LIMITS INCREASED
3RD EDITION

HOUSE BILL 29
READING 2

AYE	30	BALLANCE	DANNELLY	LUCAS	REEVES
		BALLANTINE	HORTON	MARTIN W.	SHAW L.
		BLUST	JENKINS	MILLER	SHAW R.
		CARRINGTON	JORDAN	PERDUE	SOLES
		COCHRANE	KERR	PHILLIPS	WARREN
		CONDER	KINNAIRD	PLYLER	WEINSTEIN
		COOPER	LEDBETTER	RAND	WELLONS
		DALTON	LEE		
NO	12	ALBERTSON	CARPENTER	FOXX	PAGE
		ALLRAN	CLARK	MCDANIEL	WEBSTER
		BASNIGHT	FORRESTER	ODOM	WINNER

EXCUSED	0				
NOT CAST	8	EAST	GULLEY	HOYLE	MARTIN R.
		GARWOOD	HARTSELL	KINCAID	RUCHO
ABSENT	0				
PAIRS	0				
AYE					
NO					

GENERAL ASSEMBLY
SENATE

H.B. FILED
0030 FEB -3 97
HOUSE PRINCIPAL CLERK

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1997

H **D**

HOUSE DRH6005-LK002A(12.3)

Short Title: Use of Motorcycle Helmets. (Public)

Sponsors: Representative Baker.

Referred to:

A BILL TO BE ENTITLED

AN ACT TO MODIFY THE REQUIREMENT FOR THE USE OF HELMETS BY OPERATORS AND PASSENGERS ON MOTORCYCLES.

The General Assembly of North Carolina enacts:

Section 1. G.S. 20-140.4(a) reads as rewritten:

"(a) No person shall operate a motorcycle or moped upon a highway or public vehicular area:

(1) When the number of persons upon such motorcycle or moped, including the operator, shall exceed the number of persons which it was designed to carry.

(2) Unless the operator and all passengers thereon wear safety helmets of a type approved by the Commissioner of Motor ~~Vehicles.~~ Vehicles, except that:

a. If the operator is 21 years of age or older and has had a motorcycle license or a motorcycle endorsement for more than 12 months, then the operator may operate the motorcycle without a helmet; and

b. If the operator is allowed to operate a motorcycle without a helmet pursuant to sub-subdivision a. of this subdivision and the passenger is 21 years of age or older, then the passenger may ride without a helmet."

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

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1997

H.B. FILED
0031 FEB -3 97
HOUSE PRINCIPAL CLERK

H D

HOUSE DRH2011-LR014(1.24)

Short Title: Competitive Government Initiative. (Public)

Sponsors: Representative Baker.

Referred to:

A BILL TO BE ENTITLED

AN ACT ESTABLISHING THE NORTH CAROLINA GOVERNMENT COMPETITION COMMISSION TO PROVIDE FOR BETTER GOVERNMENT IN NORTH CAROLINA THROUGH A COMPREHENSIVE STATE GOVERNMENT COMPETITION INITIATIVE.

The General Assembly of North Carolina enacts:

Section 1. The General Statutes are amended by adding a new Chapter to read:

"Chapter 143C.

"North Carolina Government Competition Act of 1997.

"**§ 143C-1. Short title.**

This Chapter shall be known and may be cited as the 'North Carolina Government Competition Act.'

"**§ 143C-2. Definitions.**

As used in this Chapter, unless the context otherwise requires:

(1) 'Commission' means the North Carolina Government Competition Commission.

(2) 'State agency' means any State department, agency, or institution.

"**§ 143C-3. North Carolina Government Competition Commission created; duties.**

(a) There is hereby created the North Carolina Government Competition Commission. The purpose of the Commission is to be the catalyst to cause the use of competition to improve the delivery of State government services, to make State government more effective and more efficient, and to reduce the costs of government to taxpayers.

(b) The Commission shall:

H.B. FILED
0032 FEB -3 97
HOUSE PRINCIPAL CLERK

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1997

H D

HOUSE DRH7011-LG009(1.27)

Short Title: NC A&T Classroom Bldg. Funds. (Public)

Sponsors: Representative Boyd-McIntyre.

Referred to:

A BILL TO BE ENTITLED

AN ACT TO APPROPRIATE FUNDS FOR A NEW CLASSROOM BUILDING 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 thirty-three million dollars ($33,000,000) for the 1997-98 fiscal year for a new classroom building at North Carolina Agricultural and Technical State University. The new building will be part of a three-building complex supporting administrative, instructional, laboratory, and faculty needs for the College of Arts and Sciences, School of Business and Economics, and the Academic Advisory Counsel Center.

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

H.B. FILED
0033 FEB -3 97
HOUSE PRINCIPAL CLERK

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1997

H **D**

HOUSE DRHA110-LG010(1.27)

Short Title: NC A&T Land Acquisition Funds. (Public)

Sponsors: Representative Boyd-McIntyre.

Referred to:

A BILL TO BE ENTITLED

AN ACT TO APPROPRIATE FUNDS FOR LAND ACQUISITION FOR 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 six million three hundred thousand dollars ($6,300,000) for the 1997-98 fiscal year to be used by North Carolina Agricultural and Technical State University for land acquisition.

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

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1997

H.B. FILED
0034 FEB -3 97
HOUSE PRINCIPAL CLERK

H D

HOUSE DRH6013-LMX017(1.22)

Short Title: Catawba Annexations. (Local)

Sponsors: Representative Brawley.

Referred to:

A BILL TO BE ENTITLED

AN ACT CONCERNING VOLUNTARY SATELLITE ANNEXATIONS BY THE TOWN OF CATAWBA.

The General Assembly of North Carolina enacts:

Section 1. G.S. 160A-58.1(b)(5) does not apply to the Town of Catawba.

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

NORTH CAROLINA GENERAL ASSEMBLY
AMENDMENT
House Bill 34

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

H34-ARB-1

Page 1 of 1

Date Feb. 19, 1997

Comm. Sub. []
Amends Title []

Representative GAMBLE

moves to amend the bill on page 1, line 6, by rewriting the line to read:

"Section 2. This act is effective when it becomes law but it applies only to annexation ordinances adopted on or before December 1, 1997.".

SIGNED John R Gamble
Amendment Sponsor

SIGNED _____
Committee Chair if Senate Committee Amendment

ADOPTED 115-0 EV FAILED _____ TABLED _____

2/19/97 DWeeks

NORTH CAROLINA

HOUSE OF REPRESENTATIVES

ROLL CALL

EV

21
ISLATIVE DAY 13
H34
READING 2
BRAWLEY
AMEND #1
CATAWBA ANNEXATIONS

2/19/97
2:15 PM
IN CHAIR: SPEAKER

AYES - 115

ADAMS	DECKER	HURLEY	PRESTON
ALDRIDGE	DEDMON	INSKO	RAMSEY
ALEXANDER	DICKSON	IVES	RAYFIELD
ALLRED	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
BOWIE	FOX	MCCOMAS	SHUBERT
BOYD-MCINTYRE	GAMBLE	MCCOMBS	SMITH
BRASWELL	GARDNER	MCCRARY	STARNES
BRAWLEY	GOODWIN	MCMAHAN	SUTTON
BROWN	GRADY	MERCER	TALLENT
BUCHANAN	GRAY	MICHAUX	THOMPSON
CANSLER	GULLEY	MILLER	TOLSON
CAPPS	HACKNEY	MINER	WAINWRIGHT
CARPENTER	HALL	MITCHELL	WARNER
CHURCH	HARDAWAY	MOORE	WARWICK
CLARY	HARDY	MORGAN	WATSON
COLE	HENSLEY	MORRIS	WEATHERLY
CRAWFORD	HIATT	MOSLEY	WILKINS
CREECH	HIGHTOWER	NEELY	WILSON, C.
CULP	HILL	NESBITT	WILSON, G.
CULPEPPER	HOLMES	NICHOLS	WOMBLE
CUNNINGHAM	HOWARD	NYE	WOOD
DAUGHTRY	HUNTER, H.	OLDHAM	YONGUE
DAVIS	HUNTER, R.	OWENS	

NOES - 0

EXCUSED ABSENCE - 4

ARNOLD	BLUE	BONNER	WRIGHT

EXCUSED VOTE - 0

NOT VOTING - 1

SPEAKER

NORTH CAROLINA

HOUSE OF REPRESENTATIVES

ROLL CALL

RC

22
ISLATIVE DAY 13
H34
READING 2
BRAWLEY

2/19/97
2:18 PM
IN CHAIR: SPEAKER

CATAWBA ANNEXATIONS

AYES - 115

ADAMS	DECKER	HURLEY	PRESTON
ALDRIDGE	DEDMON	INSKO	RAMSEY
ALEXANDER	DICKSON	IVES	RAYFIELD
ALLRED	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
BOWIE	FOX	MCCOMAS	SHUBERT
BOYD-MCINTYRE	GAMBLE	MCCOMBS	SMITH
BRASWELL	GARDNER	MCCRARY	STARNES
BRAWLEY	GOODWIN	MCMAHAN	SUTTON
BROWN	GRADY	MERCER	TALLENT
BUCHANAN	GRAY	MICHAUX	THOMPSON
CANSLER	GULLEY	MILLER	TOLSON
CAPPS	HACKNEY	MINER	WAINWRIGHT
CARPENTER	HALL	MITCHELL	WARNER
CHURCH	HARDAWAY	MOORE	WARWICK
CLARY	HARDY	MORGAN	WATSON
COLE	HENSLEY	MORRIS	WEATHERLY
CRAWFORD	HIATT	MOSLEY	WILKINS
CREECH	HIGHTOWER	NEELY	WILSON, C.
CULP	HILL	NESBITT	WILSON, G.
CULPEPPER	HOLMES	NICHOLS	WOMBLE
CUNNINGHAM	HOWARD	NYE	WOOD
DAUGHTRY	HUNTER, H.	OLDHAM	YONGUE
DAVIS	HUNTER, R.	OWENS	

NOES - 0

EXCUSED ABSENCE - 4

ARNOLD	BLUE	BONNER	WRIGHT

EXCUSED VOTE - 0

NOT VOTING - 1

SPEAKER

NORTH CAROLINA

HOUSE OF REPRESENTATIVES

ROLL CALL

RC

. # 25
ISLATIVE DAY 14
H34
READING 3
BRAWLEY

2/20/97
2:10 PM
IN CHAIR: SPEAKER

CATAWBA ANNEXATIONS

AYES - 111

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

NOES - 0

EXCUSED ABSENCE - 5

BERRY	CULPEPPER	IVES	WRIGHT
CHURCH			

EXCUSED VOTE - 0

NOT VOTING - 4

SPEAKER	HUNTER, H.	MERCER	TALLENT

NORTH CAROLINA GENERAL ASSEMBLY
SENATE

RECORDED VOTE

1997 SESSION

SEQ. 54/2--11:12 AM FEBRUARY 27, 1997 LEGISLATIVE DAY 18

LT. GOVERNOR WICKER -- Presiding

BRAWLEY
CATABWA ANNEXATIONS
2ND EDITION

HOUSE BILL 34
READING 2

AYE	46	ALBERTSON	DANNELLY	LEDBETTER	RAND
		ALLRAN	EAST	LEE	REEVES
		BALLANCE	FORRESTER	LUCAS	RUCHO
		BASNIGHT	FOXX	MARTIN R.	SHAW L.
		BLUST	GARWOOD	MARTIN W.	SHAW R.
		CARPENTER	GULLEY	MILLER	SOLES
		CARRINGTON	HARTSELL	ODOM	WARREN
		CLARK	HORTON	PAGE	WEBSTER
		COCHRANE	HOYLE	PERDUE	WEINSTEIN
		CONDER	JENKINS	PHILLIPS	WELLONS
		COOPER	KINCAID	PLYLER	WINNER
		DALTON	KINNAIRD		
NO	0				
EXCUSED	0				
NOT CAST	3	BALLANTINE	JORDAN	KERR	
ABSENT	1	MCDANIEL			
PAIRS	0				
AYE					
NO					

GENERAL ASSEMBLY
SENATE

NORTH CAROLINA GENERAL ASSEMBLY
SENATE

RECORDED VOTE

1997 SESSION

SEQ. 60/2-- 7:16 PM MARCH 3, 1997 LEGISLATIVE DAY 19

LT. GOVERNOR WICKER -- Presiding

BRAWLEY
CATABWA ANNEXATIONS
2ND EDITION

HOUSE BILL 34
READING 3

AYE	48	ALBERTSON	DALTON	KINCAID	PLYLER
		ALLRAN	DANNELLY	KINNAIRD	RAND
		BALLANCE	EAST	LEDBETTER	REEVES
		BALLANTINE	FORRESTER	LEE	RUCHO
		BASNIGHT	FOXX	LUCAS	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	KERR	PHILLIPS	WINNER
NO	0				
EXCUSED	0				
NOT CAST	2	JORDAN	MARTIN R.		
ABSENT	0				
PAIRS	0				
AYE					
NO					

GENERAL ASSEMBLY
SENATE

H.B. FILED
0035 FEB -3 97
HOUSE PRINCIPAL CLERK

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1997

H D

HOUSE DRHA100-LC022(1.1)(z)

Short Title: Conform Sales Tax Refund Period. (Public)

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

Referred to:

A BILL TO BE ENTITLED

AN ACT TO EXTEND THE TIME ALLOWED GOVERNMENT ENTITIES AND NONPROFIT ENTITIES FOR CLAIMING SALES TAX REFUNDS.

The General Assembly of North Carolina enacts:

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

"(d) Penalties for Late Applications. -- Refunds made pursuant to applications filed after the dates specified in subsections (b) and (c) above are subject to the following penalties for late filing: applications filed within 30 days after the due date, twenty-five percent (25%); applications filed after 30 days but within ~~six months~~ three years after the due date, fifty percent (50%). Refunds applied for more than ~~six months~~ three years after the due date are barred."

Section 2. This act is effective when it becomes law and applies to sales taxes paid on or after January 1, 1994.

NORTH CAROLINA

HOUSE OF REPRESENTATIVES

ROLL CALL

EN

. # 37
ISLATIVE DAY 17
H35
READING 2
CAPPS

2/26/97
2:27 PM
IN CHAIR: SPEAKER

CONFORM SALES TAX REFUND PERIOD

AYES - 115

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

NOES - 0

EXCUSED ABSENCE - 0

EXCUSED VOTE - 0

NOT VOTING - 5

SPEAKER	MCALLISTER	RAMSEY	WRIGHT
BLACK			

NORTH CAROLINA GENERAL ASSEMBLY
SENATE

RECORDED VOTE

1997 SESSION

SEQ. 1210/6-- 7:52 PM JULY 28, 1997 LEGISLATIVE DAY 103

LT. GOVERNOR WICKER -- Presiding

CAPPS
CONFORM SALES & FUEL TAX REFUND
SENATE COMM. SUB./3RD EDITION

PERIOD

HOUSE BILL 35
READING 2

AYE	47	ALLRAN	EAST	LEE	RAND
		BALLANCE	FORRESTER	LUCAS	REEVES
		BALLANTINE	FOXX	MARTIN R.	RUCHO
		BASNIGHT	GARWOOD	MARTIN W.	SHAW L.
		BLUST	GULLEY	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	LEDBETTER	PURCELL	
NO	0				
EXCUSED	0				
NOT CAST	0				
ABSENT	2	ALBERTSON	HARTSELL		
PAIRS	0				
AYE					
NO					

GENERAL ASSEMBLY
SENATE

Amendment Withdrawn by Sen. Foxx. 8/6/97 D. Pruitt

PENDING - DO NOT REMOVE

NORTH CAROLINA GENERAL ASSEMBLY
AMENDMENT
House Bill 35

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

H35-ARB-7/3

Page 1 of 1

Date 8/5 ,1997

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

Senator Foxx

moves to amend the bill on page 3, lines 12 and 13, by inserting a new section between those lines to read:

"Section 5. Notwithstanding G.S. 105-164.14, as amended by this act, a taxpayer's sales tax refund application under G.S. 105-164.14(b) is timely filed if it is filed within four years after the due date and before July 1, 1998.";

and on page 3, line 13, by rewriting the line to read:

"Section 6. Sections 1 and 5 of this act become effective July 1, 1998. Sections".

SIGNED Virginia Foxx
Amendment Sponsor

SIGNED _____
Committee Chair if Senate Committee Amendment

ADOPTED _____ FAILED _____ TABLED _____

Amendment Withdrawn 8/6/97 D. Pruitt by Sen. Foxx

NORTH CAROLINA GENERAL ASSEMBLY
AMENDMENT
House Bill 35

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

H35-ARB-8/5A

Page 1 of 1

Date 8/6 ,1997

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

Senator Foxx

moves to amend the bill on page 3, lines 12 and 13, by inserting a new section between those lines to read:

"Section 5. Notwithstanding G.S. 105-164.14, as amended by this act, a taxpayer's sales tax refund application under G.S. 105-164.14(b) is timely filed if it is filed within four years after the due date and before July 1, 1998.";

and on page 3, line 13, by rewriting the line to read:

"Section 6. Section 5 of this act is effective when it becomes law; the Department of Revenue shall not issue a refund of sales tax under Section 5 until July 1, 1998. Section 1 of this act becomes effective July 1, 1998. Sections".

SIGNED Virginia Foxx
Amendment Sponsor

SIGNED _____
Committee Chair if Senate Committee Amendment

ADOPTED ✓ 50-0 FAILED _____ TABLED _____

J. Pruitt 8/6/97

NORTH CAROLINA GENERAL ASSEMBLY
SENATE

RECORDED VOTE

1997 SESSION

SEQ. 1303/8--11:33 AM AUGUST 6, 1997 LEGISLATIVE DAY 109

LT. GOVERNOR WICKER -- Presiding

CAPPS
CONFORM-SALES/FUEL TAX REF. PERIOD
SENATE COM SUB #2/3RD EDITION

HOUSE BILL 35

AMEND 2

AYE	50	ALBERTSON	EAST	LEE	PURCELL
		ALLRAN	FORRESTER	LUCAS	RAND
		BALLANCE	FOXX	MARTIN R.	REEVES
		BALLANTINE	GARWOOD	MARTIN W.	RUCHO
		BASNIGHT	GULLEY	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
		DANNELLY	LEDBETTER		
NO	0				

EXCUSED 0

NOT CAST 0

ABSENT 0

PAIRS 0
AYE
NO

(COPY)

GENERAL ASSEMBLY
SENATE

NORTH CAROLINA GENERAL ASSEMBLY
SENATE

RECORDED VOTE

1997 SESSION

SEQ. 1304/9--11:34 AM AUGUST 6, 1997 LEGISLATIVE DAY 109

LT. GOVERNOR WICKER -- Presiding

CAPPS
CONFORM-SALES/FUEL TAX REF. PERIOD
SENATE COM SUB #2/3RD EDITION

HOUSE BILL 35
READING 3

AYE	50	ALBERTSON	EAST	LEE	PURCELL
		ALLRAN	FORRESTER	LUCAS	RAND
		BALLANCE	FOXX	MARTIN R.	REEVES
		BALLANTINE	GARWOOD	MARTIN W.	RUCHO
		BASNIGHT	GULLEY	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
		DANNELLY	LEDBETTER		

NO 0

EXCUSED 0

NOT CAST 0

ABSENT 0

PAIRS 0
AYE
NO

(COPY)

GENERAL ASSEMBLY
SENATE

NORTH CAROLINA
HOUSE OF REPRESENTATIVES
ROLL CALL

RC

SEQ. # 1369
LEGISLATIVE DAY 112
SCS #2

8/12/97
10:11 AM
IN CHAIR: SPEAKER

CAPPS

CONFORM SALES & FUEL TAX REFUND PERIOD
MOTION #11 - TO CONCUR IN SCS #2 - RULED MATERIAL

AYES - 107

ADAMS	DAUGHTRY	JARRELL	REDWINE
ALEXANDER	DAVIS	JEFFUS	REYNOLDS
ALLRED	DECKER	JUSTUS	ROGERS
ARNOLD	DEDMON	KINNEY	RUSSELL
BADDOUR	DICKSON	KISER	SAUNDERS
BAKER	DOCKHAM	MCALLISTER	SEXTON
BARBEE	EARLE	MCCOMAS	SHERRILL
BEALL	EASTERLING	MCCOMBS	SHUBERT
BERRY	FITCH	MCCRARY	SMITH
BLACK	FOX	MCMAHAN	STARNES
BLUE	GAMBLE	MERCER	SUTTON
BOWIE	GARDNER	MICHAUX	TALLENT
BOYD-MCINTYRE	GOODWIN	MILLER	THOMPSON
BRASWELL	GRADY	MINER	TOLSON
BRAWLEY	GULLEY	MITCHELL	WAINWRIGHT
BROWN	HARDAWAY	MOORE	WARNER
BUCHANAN	HENSLEY	MORGAN	WARWICK
CANSLER	HIATT	MORRIS	WATSON
CARPENTER	HIGHTOWER	MOSLEY	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	IVES	RAYFIELD	

NOES - 0

EXCUSED ABSENCE - 12

ALDRIDGE	EDDINS	GRAY	HARDY
BONNER	ELLIS	HACKNEY	LUEBKE
CAPPS	ESPOSITO	HALL	NEELY

EXCUSED VOTE - 0

NOT VOTING - 1

SPEAKER

NORTH CAROLINA
HOUSE OF REPRESENTATIVES
ROLL CALL

RC

SEQ. # 1376
LEGISLATIVE DAY 113
SCS #2
READING 3D
CAPPS

8/13/97
10:15 AM
IN CHAIR: ~~NEELY~~ Speaker/dw

CONFORM SALES & FUEL TAX REFUND PERIOD
MOTION #11 - TO CONCUR IN SCS #2. ROLL MATERIAL

AYES - 101

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

NOES - 0

EXCUSED ABSENCE - 14

ALDRIDGE	CAPPS	HALL	KINNEY
BONNER	ELLIS	HARDAWAY	LUEBKE
BRASWELL	GAMBLE	HARDY	NEELY
BUCHANAN	HACKNEY		

EXCUSED VOTE - 0

NOT VOTING - 5

SPEAKER	CREECH	HOLMES	WILSON, C.
BERRY			

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1997

H.B. FILED

0036 FEB -3 97

HOUSE PRINCIPAL CLERK

H D

HOUSE DRH2003-RBZ026A(1.17)

Short Title: Make Use Tax User-Friendly. (Public)

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

Referred to:

A BILL TO BE ENTITLED

AN ACT TO RELIEVE CONSUMERS OF THE REQUIREMENT OF FILING MONTHLY USE TAX RETURNS.

The General Assembly of North Carolina enacts:

Section 1. G.S. 105-164.16 is amended by adding a new subsection to read:

"(d) Use Tax on Out-of-State Purchases. -- Notwithstanding subsection (b), an individual who purchases tangible personal property outside the State for a nonbusiness purpose shall file a use tax return on an annual basis. The annual reporting period ends on the last day of the calendar year. The return is due by the due date, including any approved extensions, for filing the individual's income tax return."

Section 2. This act is effective when it becomes law and applies to purchases made on or after January 1, 1997.

NORTH CAROLINA

EV

55
ISLATIVE DAY 19
H36
READING 2
CAPPS

HOUSE OF REPRESENTATIVES

3/03/97
8:32 PM
IN CHAIR: SPEAKER

ROLL CALL

MAKE USE TAX USER- FRIENDLY

AYES - 114

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

NOES - 0

EXCUSED ABSENCE - 2

CLARY	GRADY

EXCUSED VOTE - 0

NOT VOTING - 4

SPEAKER	COLE	EASTERLING	WAINWRIGHT

NORTH CAROLINA GENERAL ASSEMBLY
SENATE

RECORDED VOTE

1997 SESSION

SEQ. 673/7-- 2:35 PM MAY 14, 1997 LEGISLATIVE DAY 61

SENATOR BASNIGHT -- Presiding

CAPPS
MAKE USE TAX USER FRIENDLY

HOUSE BILL 36
READING 2

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

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

GENERAL ASSEMBLY
SENATE

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1997

H.B. FILED
0037 FEB -3 97
HOUSE PRINCIPAL CLERK

H D

HOUSE DRH1018-LC033B(1.14)

Short Title: Expand Homestead Exemption. (Public)

Sponsors: Representative Allred.

Referred to:

A BILL TO BE ENTITLED

AN ACT TO INCREASE THE HOMESTEAD EXEMPTION AMOUNT AND THE INCOME LIMIT TO TWENTY-FIVE THOUSAND DOLLARS.

The General Assembly of North Carolina enacts:

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

"(a) Exclusion. -- The following class of property is designated a special class of property under Article V, Sec. 2(2) of the North Carolina Constitution and shall be assessed for taxation in accordance with this section. The first ~~twenty thousand dollars ($20,000)~~ twenty-five thousand dollars ($25,000) in appraised value of a permanent residence owned and occupied by a qualifying owner is excluded from taxation. A qualifying owner is an owner who meets all of the following requirements as of January 1 preceding the taxable year for which the benefit is claimed:

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

(2) Has an income for the preceding calendar year of not more than ~~fifteen thousand dollars ($15,000).~~ twenty-five thousand dollars ($25,000).

(3) Is a North Carolina resident.

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

Section 2. G.S. 105-309(f) reads as rewritten:

"(f) The following information shall appear on each abstract or on an information sheet distributed with the abstract. The abstract or sheet must include the address and

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1997

H.B. FILED
0038 FEB -3 97
HOUSE PRINCIPAL CLERK

H D

HOUSE DRH1011-LT017(1.21)

Short Title: No Annual Corp. Report/Fee. (Public)

Sponsors: Representative Allred.

Referred to:

A BILL TO BE ENTITLED

AN ACT TO REPEAL THE REQUIREMENTS THAT CORPORATIONS FILE ANNUAL REPORTS WITH AND PAY ANNUAL REPORT FILING FEES TO THE OFFICE OF THE SECRETARY OF STATE.

The General Assembly of North Carolina enacts:

Section 1. G.S. 55, 55-1-28(b)(4), 55-5-02(c), 55-14-20(2), 55-15-08(c), 55-15-30(1), and 55-16-22 are repealed.

Section 2. G.S. 55-1-21(a) reads as rewritten:

"(a) The Secretary of State may promulgate and furnish on request forms for:

(1) An application for a certificate of existence;

(2) A foreign corporation's application for a certificate of authority to transact business in this State;

(3) A foreign corporation's application for a certificate of withdrawal; ~~and~~

~~(4) The annual report.~~ Designation of Principal Office Address; and

(5) Corporation's Statement of Change of Principal Office.

If the Secretary of State so requires, use of these forms is mandatory."

Section 3. G.S. 55-1-22(a) reads as rewritten:

"(a) The Secretary of State shall collect the following fees when the documents described in this subsection are delivered to him for filing:

	Document	Fee
(1)	Articles of incorporation	$100.00
(2)	Application for reserved name	10.00
(3)	Notice of transfer of reserved name	10.00
(4)	Application for registered name	10.00

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1997

H.B. FILED
0039 FEB -3 97
HOUSE PRINCIPAL CLERK

H D

HOUSE DRH2022-LBX049(1.28)

Short Title: Swepsonville Incorporation. (Local)

Sponsors: Representative Allred.

Referred to:

A BILL TO BE ENTITLED

AN ACT TO PROVIDE FOR THE INCORPORATION OF THE TOWN OF SWEPSONVILLE AND THE SIMULTANEOUS DISSOLUTION OF THE SWEPSONVILLE SANITARY DISTRICT.

The General Assembly of North Carolina enacts:

Section 1. In accordance with G.S. 130A-81(1a), the Town of Swepsonville is incorporated, and the Swepsonville Sanitary District is simultaneously dissolved. Such incorporation and dissolution are not subject to referendum.

Section 2. A Charter for the Town of Swepsonville is enacted to read:

"CHARTER FOR THE TOWN OF SWEPSONVILLE.

"CHAPTER I.

"INCORPORATION AND CORPORATE POWERS.

"Section 1.1. **Incorporation and Corporate Powers.** The inhabitants of the Town of Swepsonville are a body corporate and politic under the name 'Town of Swepsonville'. Under that name they have all the powers, duties, rights, privileges, and immunities conferred and imposed upon cities by the general law of North Carolina.

"CHAPTER II.

"CORPORATE BOUNDARIES.

"Section 2.1. **Town Boundaries.** Until modified in accordance with law, the boundaries of the Town of Swepsonville are as follows:

Tract One:

A certain tract or parcel of land located in Thompson Township, Alamance County, North Carolina, and more particularly described as follows:

NORTH CAROLINA GENERAL ASSEMBLY
AMENDMENT
House Bill 39

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

H39-ARB-1

Date 3-4 ,1997

Comm. Sub. [ ]
Amends Title [ ]

Representative Buchanan

1 moves to amend the bill on page 8, line 31, by adding a sentence at
2 the end of that line to read:
3 "From the effective date of this Charter until the organizational
4 meeting of the Town Council after the 1997 municipal election, the
5 members of the Town Council shall be the members of the board of the
6 Swepsonville Sanitary District.".

SIGNED Charles M. Buchanan
Amendment Sponsor

SIGNED _____
Committee Chair if **Senate** Committee Amendment

ADOPTED MAR 10 1997 FAILED _____ TABLED _____

112-0 EV

NORTH CAROLINA
HOUSE OF REPRESENTATIVES
ROLL CALL

EV

. # 85
ISLATIVE DAY 23
H39
READING 2
ALLRED
AMEND #1
SWEPSONVILLE INCORP.

3/10/97
7:22 PM
IN CHAIR: SPEAKER

AYES - 112

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

NOES - 0

EXCUSED ABSENCE - 3

BRASWELL	HUNTER, R.	MCMAHAN

EXCUSED VOTE - 0

NOT VOTING - 5

SPEAKER	FITCH	GAMBLE	REYNOLDS
CRAWFORD			

NORTH CAROLINA
HOUSE OF REPRESENTATIVES
ROLL CALL

RC

. # 86
ISLATIVE DAY 23
SR3
READING 2

3/10/97
7:23 PM
IN CHAIR: SPEAKER

AYES - 112

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

NOES - 0

EXCUSED ABSENCE - 3

BRASWELL	HUNTER, R.	MCMAHAN

EXCUSED VOTE - 0

NOT VOTING - 5

SPEAKER	FITCH	GAMBLE	REYNOLDS
CRAWFORD			

SHORT ROLL: H39 H65 H105

NORTH CAROLINA
HOUSE OF REPRESENTATIVES
ROLL CALL

RC

100
LEGISLATIVE DAY 24
SR3
READING 3

3/11/97
2:20 PM
IN CHAIR: SPEAKER

AYES - ~~107~~ 108

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

NOES - 0

EXCUSED ABSENCE - ~~1~~ 2

BRASWELL

BLUE

EXCUSED VOTE - 0

NOT VOTING - ~~12~~ 10

SPEAKER	CRAWFORD	GAMBLE	MICHAUX
~~BLUE~~	DAUGHTRY	HARDY	~~WAINWRIGHT~~
CLARY	EASTERLING	HUNTER, R.	WRIGHT

SHORT ROLL: H39 H65 H105

NORTH CAROLINA GENERAL ASSEMBLY
SENATE

RECORDED VOTE

1997 SESSION

SEQ. 1499/14-- 4:35 PM AUGUST 27, 1997 LEGISLATIVE DAY 122

LT. GOVERNOR WICKER -- Presiding

ALLRED
SWEPSONVILLE INCORPORATION
SENATE COM SUB/2ND EDITION

HOUSE BILL 39
READING 2

AYE	36	ALBERTSON	EAST	LUCAS	PURCELL
		BALLANCE	FORRESTER	MARTIN R.	RAND
		BALLANTINE	FOXX	MCDANIEL	RUCHO
		CARPENTER	GARWOOD	MILLER	SHAW L.
		CLARK	GULLEY	MOORE	SOLES
		COCHRANE	HORTON	ODOM	WEBSTER
		COOPER	HOYLE	PERDUE	WEINSTEIN
		DALTON	JORDAN	PHILLIPS	WELLONS
		DANNELLY	KINNAIRD	PLYLER	WINNER
NO	0				
EXCUSED	0				
NOT CAST	13	ALLRAN	HARTSELL	LEDBETTER	PAGE
		BASNIGHT	JENKINS	LEE	REEVES
		BLUST	KERR	MARTIN W.	SHAW R.
		CARRINGTON			
ABSENT	1	WARREN			
PAIRS	0				
AYE					
NO					

GENERAL ASSEMBLY
SENATE

NORTH CAROLINA GENERAL ASSEMBLY
SENATE

RECORDED VOTE

1997 SESSION

SEQ. 1525/3--10:23 AM AUGUST 28, 1997 LEGISLATIVE DAY 123

LT. GOVERNOR WICKER -- Presiding

ALLRED
SWEPSONVILLE INCORPORATION
SENATE COM SUB/3RD EDITION

HOUSE BILL 39
READING 3

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

(CONTINUED)

NORTH CAROLINA GENERAL ASSEMBLY
SENATE

RECORDED VOTE

1997 SESSION

SEQ. 1540/18--11:27 AM AUGUST 28, 1997 LEGISLATIVE DAY 123

LT. GOVERNOR WICKER -- Presiding

ALLRED
SWEPSONVILLE INCORPORATION
SENATE COM SUB/3RD EDITION

HOUSE BILL 39
READING 3

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

Y)

NORTH CAROLINA GENERAL ASSEMBLY
SENATE

RECORDED VOTE

1997 SESSION

SEQ. 1540/18--11:27 AM AUGUST 28, 1997 LEGISLATIVE DAY 123

LT. GOVERNOR WICKER -- Presiding

ALLRED
SWEPSONVILLE INCORPORATION
SENATE COM SUB/3RD EDITION

HOUSE BILL 39
READING 3

AYE	46	ALBERTSON	DANNELLY	LEDBETTER	PHILLIPS
		ALLRAN	EAST	LEE	PLYLER
		BALLANCE	FORRESTER	LUCAS	PURCELL
		BALLANTINE	FOXX	MARTIN R.	RAND
		BASNIGHT	GARWOOD	MARTIN W.	REEVES
		BLUST	GULLEY	MCDANIEL	RUCHO
		CARPENTER	HARTSELL	MILLER	SHAW L.
		CARRINGTON	HORTON	MOORE	SOLES
		CLARK	HOYLE	ODOM	WEBSTER
		COCHRANE	JENKINS	PAGE	WELLONS
		COOPER	JORDAN	PERDUE	WINNER
		DALTON	KINNAIRD		
NO	0				
EXCUSED	0				
NOT CAST	2	KERR	SHAW R.		
ABSENT	2	WARREN	WEINSTEIN		
PAIRS	0				
AYE					
NO					

(COPY)

NORTH CAROLINA
HOUSE OF REPRESENTATIVES
ROLL CALL

EV

SEQ. # 1563
LEGISLATIVE DAY 123
SCS

8/28/97
1:50 PM
IN CHAIR: SPEAKER

ALLRED

SWEPSONVILLE INCORPORATION
MOTION #11 - TO CONCUR IN SCS

AYES - 100

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

NOES - 0

EXCUSED ABSENCE - 7

BERRY	GARDNER	MCMAHAN	WATSON
DICKSON	HARDAWAY	RUSSELL	

EXCUSED VOTE - 1

BLUE

NOT VOTING - 12

ALDRIDGE	GAMBLE	PRESTON	SHERRILL
BOWIE	HUNTER, R.	RAYFIELD	STARNES
CLARY	NEELY	ROGERS	WEATHERLY

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1997

H.B. FILED
0040 FEB -3 97
HOUSE PRINCIPAL CLERK

H D

HOUSE DRH4018-RFZ01(2.3)

Short Title: Continue Water Issues Study. (Public)

Sponsors: Representative Allred.

Referred to:

A BILL TO BE ENTITLED

AN ACT TO AUTHORIZE THE LEGISLATIVE RESEARCH COMMISSION TO CONTINUE ITS STUDY OF WATER ISSUES.

Whereas, the Legislative Research Commission's Study Committee on Water Issues has been diligently addressing the public health concerns and the concerns of the regulated community raised by the federal Safe Drinking Water Act; and

Whereas, the federal Safe Drinking Water Act Amendments of 1996 were enacted into law on August 6, 1996, and those amendments will have a substantial impact on water supply systems in North Carolina; and

Whereas, other issues affecting the State's water supply, including water conservation, water supply system infrastructure needs, and other surface and groundwater issues remain to be studied; Now, therefore,

The General Assembly of North Carolina enacts:

Section 1. The Legislative Research Commission may study issues relating to the Safe Drinking Water Act and the Safe Drinking Water Act Amendments of 1996, water conservation issues, and other water supply and water quality issues relevant to the State's water resources.

Section 2. The Legislative Research Commission may make its recommendations and submit an interim report to the 1997 General Assembly, Regular Session 1998, and may 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.B. FILED
0041 FEB -4 97
HOUSE PRINCIPAL CLERK

H D

HOUSE DRH1012-RBZ2B(1.28)

Short Title: Downtown Loan Guarantee Fund. (Public)

Sponsors: Representatives Davis, Brawley, Fox, and Hill.

Referred to:

A BILL TO BE ENTITLED

AN ACT TO CREATE A DOWNTOWN LOAN GUARANTEE FUND THAT WILL GUARANTEE TWENTY-FIVE PERCENT OF ELIGIBLE LOANS MADE BY PARTICIPATING LENDING INSTITUTIONS FOR DOWNTOWN DEVELOPMENT.

The General Assembly of North Carolina enacts:

Section 1. Article 10 of Chapter 143B of the General Statutes is amended by adding a new Part to read:

"Part 16. Downtown Loan Guarantee Program.

"**§ 143B-472.40. Purpose and intent.**

(a) Downtown Loan Guarantee Fund. -- The Downtown Loan Guarantee Fund is created as a special revenue fund. Revenue in the Fund does not revert at the end of a fiscal year, and interest and other investment income earned by the Fund accrues to the Fund. The Department of Commerce shall administer the Fund or may contract for the administration of the Fund.

(b) Downtown Loan Guarantee Program. -- The Fund shall be used to guarantee a private loan made by a federally insured lending institution for downtown economic development. The guarantee may not exceed twenty-five percent (25%) of the amount of the unpaid balance of the loan or one hundred twenty-five thousand dollars ($125,000), whichever is less. The loan proceeds must be used for building purchase or rehabilitation. The term of the loan may not exceed 20 years and must be callable at up to seven years. The loan applicant must invest equity of at least ten percent (10%) of the project amount. The Fund shall charge a fee of one percent (1%) of the guaranteed amount of a loan.

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1997

H.B. FILED
0042 FEB -4 97
HOUSE PRINCIPAL CLERK

H D

HOUSE DRHA111-LM019(1.23)

Short Title: Extend Sunset for Carolina Trace. (Local)

Sponsors: Representatives Davis and Hall.

Referred to:

A BILL TO BE ENTITLED

AN ACT TO EXTEND AN ACT TO PROVIDE THAT THE LAWS RELATING TO MOTOR VEHICLES APPLY WITHIN THE CAROLINA TRACE COMMUNITY IN LEE COUNTY.

The General Assembly of North Carolina enacts:

Section 1. Section 5 of Chapter 96 of the 1995 Session Laws reads as rewritten:

"Sec. 5. This act is effective upon ratification and shall expire ~~July 1, 1997.~~ July 1, 1999."

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

NORTH CAROLINA GENERAL ASSEMBLY
AMENDMENT
House Bill 42

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

H42-ALB-1

Page 1 of 2

Date 6/26 ,1997

Comm. Sub. []
Amends Title [YES]

Senator Wellons

moves to amend the bill on page 1, line 4, by adding the following to the end of the sentence immediately before the period: "AND TO EXTEND THE APPLICATION OF THAT ACT TO THE LAKE ROYALE COMMUNITY IN FRANKLIN AND NASH COUNTIES."

further moves to amend the bill on page 1, line 9, by adding the following between lines 9 and 10:

"Section 1.1. Chapter 96 of the 1995 Session Laws is amended by adding new sections to read:

'Section 3.1. (a) The provisions of Chapter 20 of the General Statutes relating to the use of the highways of the State and the operation of motor vehicles are applicable to the streets, roadways, and alleys on the properties owned by or under the control of the Lake Royale Property Owners Association, Inc., or the members of the Lake Royale Property Owners Association, Inc. For purposes of this act, streets, roadways, and alleys in the Lake Royale Community shall have the same meaning as highways and public vehicular areas pursuant to G.S. 20-4.01. A violation of any of those laws is punishable as prescribed by those laws.

(b) This section is enforceable by any company policeman appointed under Chapter 74E of the General Statutes, certified by the North Carolina Criminal Justice Education and Training Standards Commission, and employed by the Lake Royale Property Owners Association, Inc.

NORTH CAROLINA GENERAL ASSEMBLY
AMENDMENT
House Bill 42

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

H42-ALB-1

(c) This section shall not be construed as in any way interfering with the ownership and control of the streets, roadways, and alleys of the Lake Royale Property Owners Association, Inc., or its members as is now vested by law in that association or its members. The speed limits within the Lake Royale Community shall be the same as those in effect at the time of ratification of this act. Any proposed change in the speed limit shall be submitted to and approved by the Boards of Commissioners of Franklin or Nash County, whichever has jurisdiction. Pursuant to G.S. 20-141, the Franklin and Nash County Boards of Commissioners may authorize by ordinance higher or lower speeds.

(d) This section applies only to the Lake Royale Community in Franklin and Nash Counties.

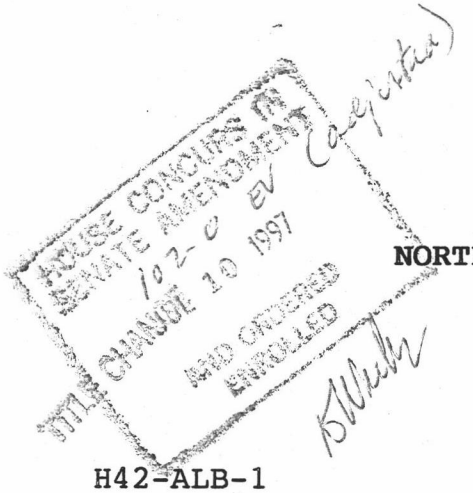
Section 3.2. Sections 3 and 4 of Chapter 96 of the 1995 Session Laws are amended by deleting "This act", and substituting "Sections 1 through 3 of this act'".

SIGNED _____
Amendment Sponsor

SIGNED _____
Committee Chair if Senate Committee Amendment

ADOPTED ✓ 50-0 FAILED _____ TABLED _____
6/26/97 J. Pruitt





NORTH CAROLINA GENERAL ASSEMBLY
AMENDMENT
House Bill 42

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

H42-ALB-1

Page 1 of 2

Date 6/26 ,1997

Comm. Sub. []
Amends Title [YES]

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NORTH CAROLINA GENERAL ASSEMBLY
AMENDMENT
House Bill 42

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

H42-ALB-1 Page 2 of 2

(c) This section shall not be construed as in any way interfering with the ownership and control of the streets, roadways, and alleys of the Lake Royale Property Owners Association, Inc., or its members as is now vested by law in that association or its members. The speed limits within the Lake Royale Community shall be the same as those in effect at the time of ratification of this act. Any proposed change in the speed limit shall be submitted to and approved by the Boards of Commissioners of Franklin or Nash County, whichever has jurisdiction. Pursuant to G.S. 20-141, the Franklin and Nash County Boards of Commissioners may authorize by ordinance higher or lower speeds.

(d) This section applies only to the Lake Royale Community in Franklin and Nash Counties.

Section 3.2. Sections 3 and 4 of Chapter 96 of the 1995 Session Laws are amended by deleting "This act", and substituting "Sections 1 through 3 of this act'".

SIGNED _____
Amendment Sponsor

SIGNED _____
Committee Chair if Senate Committee Amendment

ADOPTED ✓ 50-0 FAILED _____ TABLED _____
6/26/97 J. Pruitt

NORTH CAROLINA
HOUSE OF REPRESENTATIVES
ROLL CALL

SEQ. # 1123
LEGISLATIVE DAY 94

EV
7/10/97
10:20 AM
IN CHAIR: SPEAKER

AMEND #1

MOTION #11 TO CONCUR IN AMEND #1

AYES - ~~100~~ 102

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

NOES - 1

FITCH

EXCUSED ABSENCE - 11

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

EXCUSED VOTE - 0

NOT VOTING - ~~8~~ 6

SPEAKER	CREECH	ELLIS	~~SHUBERT~~
~~BADDOUR~~	EARLE	HALL	STARNES

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1997

0043 FEB -4 97
HOUSE PRINCIPAL CLERK

H D

HOUSE DRH2015-RBZ3(1.28)

Short Title: Main Street Incentive Fund. (Public)

Sponsors: Representatives Davis, Brawley, Fox, and Hill.

Referred to:

A BILL TO BE ENTITLED

AN ACT TO RECAPITALIZE THE MAIN STREET FINANCIAL INCENTIVE FUND.

The General Assembly of North Carolina enacts:

Section 1. There is appropriated from the General Fund to the Department of Commerce the sum of five million dollars ($5,000,000) for the fiscal year 1997-98 for the Main Street Financial Incentive Fund.

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

H.B. FILED
3044 FEB -4 97
HOUSE PRINCIPAL CLERK

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1997

H D

HOUSE DRH7012-RBZ1A(1.28)

Short Title: Reinvestment Tax Credits. (Public)

Sponsors: Representatives Davis, Brawley, Fox, and Hill.

Referred to:

A BILL TO BE ENTITLED

AN ACT TO ALLOW AN INCOME TAX CREDIT FOR EXPENDITURES TO REHABILITATE HISTORIC STRUCTURES AND BUILDINGS THAT WERE BUILT BEFORE 1936.

The General Assembly of North Carolina enacts:

Section 1. G.S. 105-130.42 reads as rewritten:

"**§ 105-130.42. Credit for rehabilitating an historic structure.**

(a) Income-Producing Historic Structure. -- ~~A taxpayer who makes qualifying rehabilitation expenditures as defined in section 47 of the Code with respect to a certified historic structure located in this State is allowed as a credit against the tax imposed by this Division an amount equal to one-fourth of the federal income tax credit under the Code for which the taxpayer is eligible for those rehabilitation expenditures.~~ A taxpayer who is allowed a credit against federal income tax under section 47(a)(2) of the Code with respect to a certified historic structure located in this State is allowed a credit against the tax imposed by this Division. For the purposes of this subsection, the term 'qualifying rehabilitation expenditure' has the same meaning as defined in section 47 of the Code.

(b) Nonincome-Producing Historic Structure. -- A taxpayer who makes qualifying rehabilitation expenditures with respect to a certified historic structure located in this State is allowed a credit against the tax imposed by this Division. To claim the credit allowed by this subsection, the taxpayer must attach to the return a copy of the certification obtained from the State Historic Preservation Officer verifying that the historic structure has been rehabilitated in accordance with this subsection. The following definitions apply in this subsection:

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1997

H.B. FILED
0045 FEB - 7 97
HOUSE PRINCIPAL CLERK

H D

HOUSE DRH8003-RGZ002(1.2)

Short Title: Membership/Building Code Council. (Public)

Sponsors: Representatives Davis, Brawley, Fox, and Hill.

Referred to:

A BILL TO BE ENTITLED

AN ACT TO ADD A DOWNTOWN DEVELOPMENT REPRESENTATIVE TO THE MEMBERSHIP OF THE BUILDING CODE COUNCIL.

The General Assembly of North Carolina enacts:

Section 1. G.S. 143-136(a) reads as rewritten:

"(a) Creation; Membership; Terms. -- There is hereby created a Building Code Council, which shall be composed of ~~15~~ 16 members appointed by the Governor, consisting of one registered architect, one licensed general contractor, one registered architect or licensed general contractor specializing in residential design or construction, one registered engineer practicing structural engineering, one registered engineer practicing mechanical engineering, one registered engineer practicing electrical engineering, one licensed plumbing and heating contractor, one municipal or county building inspector, one licensed liquid petroleum gas dealer/contractor involved in the design of natural and liquid petroleum gas systems who has expertise and experience in natural and liquid petroleum gas piping, venting and appliances, a representative of the public who is not a member of the building construction industry, a licensed electrical contractor, a registered engineer on the engineering staff of a State agency charged with approval of plans of State-owned buildings, a municipal elected official or city manager, a county commissioner or county manager, a representative of a downtown development group or association, and an active member of the North Carolina fire service with expertise in fire safety. In selecting the municipal and county members, preference should be given to members who qualify as either a registered architect, registered engineer, or licensed general contractor. Of the members initially appointed by the Governor, three shall serve for terms of two years each, three shall serve for terms of four years each, and three shall

H.B. FILED
0046 FEB -
HOUSE PRINCIPAL C

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1997

H **D**

HOUSE DRH7008-RGZ005(1.2)

Short Title: Housing Trust Fund/Downtowns. (Public)

Sponsors: Representatives Davis, Brawley, Fox, and Hill.

Referred to:

A BILL TO BE ENTITLED

AN ACT TO DIRECT THE HOUSING FINANCE AGENCY TO EXAMINE THE USE OF FUNDS FROM THE HOUSING TRUST FUND IN DOWNTOWN AREAS.

The General Assembly of North Carolina enacts:

Section 1. The Housing Finance Agency shall examine the use of funds from the Housing Trust Fund in downtown areas. The Housing Finance Agency shall report to the Joint Legislative Commission on Governmental Operations on or before July 1, 1998, on the allocation of funds to downtown areas including the number and location of projects financed from the Fund in downtowns.

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

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1997

0047 FEB -4 97

HOUSE PRINCIPAL CLERK

H D

HOUSE DRH6008-RGZ004(1.2)

Short Title: Building Code Study. (Public)

Sponsors: Representatives Davis, Brawley, Fox, and Hill.

Referred to:

A BILL TO BE ENTITLED

AN ACT TO PROVIDE FOR A STUDY BY THE LEGISLATIVE RESEARCH COMMISSION OF ISSUES RELATED TO THE ENFORCEMENT OF THE BUILDING CODE AND QUALIFICATIONS OF CODE ENFORCEMENT OFFICIALS.

The General Assembly of North Carolina enacts:

Section 1. The Legislative Research Commission is authorized to study issues related to the North Carolina State Building Code including the requirements for initial certification of Code-enforcement officials, the imposition of requirements for annual recertification of Code-enforcement officials, possible suspension and other penalties for Code-enforcement officials who fail to correctly apply the Code, increased penalties for builders and others who violate the Code, and coordination between the Building Code Council and the Code Officials Qualification Board on changes to the Code and the enforcement of those changes.

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

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1997

H.B. FILED
0048 FEB -4
HOUSE PRINCIPAL CLE

H D

HOUSE DRH6007-RGZ001(1.2)

Short Title: Downtown Database. (Public)

Sponsors: Representatives Davis, Brawley, Fox, and Hill.

Referred to:

A BILL TO BE ENTITLED

AN ACT TO REQUIRE THE DEPARTMENT OF COMMERCE TO MAINTAIN A DATABASE OF DOWNTOWN PROPERTIES AVAILABLE FOR INDUSTRIAL RECRUITMENT.

The General Assembly of North Carolina enacts:

Section 1. G.S. 143B-431 is amended by adding a new subsection (c1) to read:

"(c1) The Department of Commerce shall maintain a computerized database of downtown properties available for industrial recruitment and shall make information contained in the database available to the public including industry, municipalities, and counties."

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

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1997

H.B. FILED
0049 FEB -4
HOUSE PRINCIPAL CLERK

H D

HOUSE DRH4006-RGZ003(1.2)

Short Title: Building Code Officials/Training. (Public)

Sponsors: Representatives Davis, Brawley, Fox, and Hill.

Referred to:

A BILL TO BE ENTITLED

AN ACT TO PROVIDE TRAINING FOR BUILDING CODE ENFORCEMENT OFFICIALS IN THE INSPECTION AND REVIEW OF EXISTING BUILDINGS AND HISTORIC STRUCTURES.

The General Assembly of North Carolina enacts:

Section 1. The Department of Insurance, Engineering Division, shall conduct training of Code-enforcement officials in the renovation of old and historic structures, federal standards imposed for rehabilitation of historic buildings, and the use of Volume IX of the North Carolina Building Code dealing with existing buildings.

Section 2. There is appropriated from the General Fund to the Department of Insurance, Engineering Division, the sum of twenty-five thousand dollars ($25,000) for the 1997-98 fiscal year and the sum of twenty-five thousand dollars ($25,000) for the 1998-99 fiscal year to implement the provisions of this act.

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

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1997

H.B. FILED
0050 FEB -4 97
HOUSE PRINCIPAL CLERK

H D

HOUSE DRH2005-RGZ006(1.2)

Short Title: Downtown Revitalization Study. (Public)

Sponsors: Representatives Davis, Brawley, Fox, and Hill.

Referred to:

A BILL TO BE ENTITLED

AN ACT TO AUTHORIZE THE LEGISLATIVE RESEARCH COMMISSION TO STUDY DOWNTOWN REVITALIZATION.

The General Assembly of North Carolina enacts:

Section 1. The Legislative Research Commission is authorized to continue its study of ways to encourage the revitalization of downtown areas. This study may include the following:

(1) Tax credits and incentives to encourage commercial and residential investments in downtown areas, including the use of enterprise zones.

(2) A constitutional amendment to allow counties and cities to provide reduced property tax values and lower property tax rates for property located in a downtown area.

(3) Tax increment financing.

(4) Increased local input in ABC licensing decisions.

(5) Regulation of abandoned buildings.

(6) The role of municipalities in the future needs of the State.

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

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1997

FILED
0051
FEB -4 97
HOUSE PRINCIPAL CLERK

H D

HOUSE DRHA113-LB050(1.30)

Short Title: Buncombe Municipal Development. (Local)

Sponsors: Representative Cansler.

Referred to:

A BILL TO BE ENTITLED

AN ACT TO GIVE MUNICIPALITIES IN BUNCOMBE COUNTY GENERAL LAW POWERS AS TO DOWNTOWN DEVELOPMENT PROJECTS.

The General Assembly of North Carolina enacts:

Section 1. Chapter 721 of the Session Laws of 1985, Chapter 569 of the Session Laws of 1989, and Section 2 of Chapter 619 of the Session Laws of 1987 are repealed.

Section 2. Nothing in this act affects any contracts or projects previously entered into or undertaken under the provisions of Chapter 721 of the Session Laws of 1985.

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

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1997

H.B. FILED
0052 FEB -4 97
HOUSE PRINCIPAL CLERK

H D

HOUSE DRH1010-RRYZ003(12.3)

Short Title: Independent Redistricting Commission. (Public)

Sponsors: Representative Weatherly.

Referred to:

A BILL TO BE ENTITLED

AN ACT TO ESTABLISH AN INDEPENDENT REDISTRICTING COMMISSION TO HANDLE REDISTRICTING MATTERS AND TO DIRECT THE LEGISLATIVE RESEARCH COMMISSION TO STUDY PREPARATION FOR THE 2001 REDISTRICTING.

The General Assembly of North Carolina enacts:

Section 1. Section 3 of Article II of the Constitution of North Carolina reads as rewritten:

"**Sec. 3. Senate districts; apportionment of Senators.**

The Senators shall be elected from districts. ~~The General Assembly, at the first regular session convening~~ The Independent Redistricting Commission, beginning as soon as practical after the return of every decennial census of population taken by order of Congress, shall revise the senate districts and the apportionment of Senators among those districts, subject to the following requirements:

(1) Each Senator shall represent, as nearly as may be, an equal number of inhabitants, ~~the number of inhabitants that each Senator represents being determined for this purpose by dividing the population of the District that he represents by the number of Senators apportioned to that district~~ and each district shall elect one Senator;

(2) Each senate district shall at all times consist of compact and contiguous territory;

~~(3) No county shall be divided in the formation of a senate district;~~

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1997

H.B. FILED
0053 FEB -4 97
HOUSE PRINCIPAL CLERK

H D

HOUSE DRH6012-LK021(1.14)

Short Title: 82nd Airborne Division Plates. (Public)

Sponsors: Representative Warner.

Referred to:

A BILL TO BE ENTITLED

AN ACT TO AUTHORIZE THE DIVISION OF MOTOR VEHICLES TO ISSUE 82ND AIRBORNE DIVISION ASSOCIATION SPECIAL REGISTRATION PLATES.

The General Assembly of North Carolina enacts:

Section 1. G.S. 20-79.4(a) is amended by adding a new subdivision that reads:

"(9a) 82nd Airborne Division Association Member. -- Issuable to a member of the 82nd Airborne Division Association. The plate shall bear the insignia of the 82nd Airborne Division Association, Inc. The Division may not issue the plate authorized by this subdivision unless it receives at least 500 applications for the plate."

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

NORTH CAROLINA
HOUSE OF REPRESENTATIVES
ROLL CALL

RC

. # 299
ISLATIVE DAY 44

4/15/97
2:30 PM
IN CHAIR: SPEAKER

READING 2
WARNER

82ND AIRBORNE DIV. PLATES

AYES - 114

ADAMS	DAVIS	INSKO	PRESTON
ALDRIDGE	DECKER	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	FOX	MCCOMBS	SHUBERT
BLUE	GAMBLE	MCCRARY	SMITH
BONNER	GARDNER	MCMAHAN	STARNES
BOWIE	GOODWIN	MERCER	TALLENT
BOYD-MCINTYRE	GRADY	MICHAUX	THOMPSON
BRASWELL	GRAY	MILLER	TOLSON
BRAWLEY	GULLEY	MINER	WAINWRIGHT
BROWN	HACKNEY	MITCHELL	WARNER
BUCHANAN	HALL	MOORE	WARWICK
CANSLER	HARDAWAY	MORGAN	WATSON
CAPPS	HARDY	MORRIS	WEATHERLY
CARPENTER	HIATT	MOSLEY	WILKINS
CHURCH	HIGHTOWER	NEELY	WILSON, C.
CLARY	HILL	NESBITT	WILSON, G.
COLE	HOLMES	NICHOLS	WOMBLE
CULP	HOWARD	NYE	WOOD
CULPEPPER	HUNTER, H.	OLDHAM	WRIGHT
CUNNINGHAM	HUNTER, R.	OWENS	YONGUE
DAUGHTRY	HURLEY		

NOES - 2

CREECH	HENSLEY

EXCUSED ABSENCE - 2

FITCH	SUTTON

EXCUSED VOTE - 0

NOT VOTING - 2

SPEAKER	CRAWFORD

NORTH CAROLINA

HOUSE OF REPRESENTATIVES

ROLL CALL

RC

. # 306
ISLATIVE DAY 45
H53
READING 3
WARNER

4/16/97
2:19 PM
IN CHAIR: SPEAKER

82ND AIRBORNE DIV. PLATES

AYES - 114

SPEAKER	DECKER	INSKO	RAMSEY
ADAMS	DEDMON	IVES	RAYFIELD
ALDRIDGE	DICKSON	JARRELL	REDWINE
ALEXANDER	DOCKHAM	JEFFUS	REYNOLDS
ALLRED	EARLE	JUSTUS	ROGERS
ARNOLD	EASTERLING	KINNEY	RUSSELL
BADDOUR	EDDINS	KISER	SAUNDERS
BAKER	ELLIS	LUEBKE	SEXTON
BARBEE	ESPOSITO	MCALLISTER	SHERRILL
BEALL	FITCH	MCCOMAS	SHUBERT
BERRY	FOX	MCCOMBS	SMITH
BLACK	GAMBLE	MCCRARY	STARNES
BONNER	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	HARDAWAY	MORGAN	WATSON
CARPENTER	HARDY	MORRIS	WEATHERLY
CHURCH	HIATT	NEELY	WILKINS
CLARY	HIGHTOWER	NESBITT	WILSON, C.
COLE	HILL	NICHOLS	WILSON, G.
CRAWFORD	HOLMES	NYE	WOMBLE
CULP	HOWARD	OLDHAM	WOOD
CUNNINGHAM	HUNTER, H.	OWENS	WRIGHT
DAUGHTRY	HUNTER, R.	PRESTON	YONGUE
DAVIS	HURLEY		

NOES - 2

CREECH	HENSLEY

EXCUSED ABSENCE - 2

CULPEPPER	MOSLEY

EXCUSED VOTE - 0

NOT VOTING - 2

BLUE	BOWIE

NORTH CAROLINA GENERAL ASSEMBLY
SENATE

RECORDED VOTE

1997 SESSION

SEQ. 702/3-- 4:46 PM MAY 20, 1997 LEGISLATIVE DAY 64

LT. GOVERNOR WICKER -- Presiding

WARNER
EIGHTY-SECOND AIRBORNE DIV. PLATES
SENATE COMM. SUB./2ND EDITION

HOUSE BILL 53
READING 2

AYE	47	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
		DALTON	KINCAID	PHILLIPS	
NO	0				
EXCUSED	0				
NOT CAST	2	KERR	WARREN		
ABSENT	1	ALBERTSON			
PAIRS	0				
AYE					
NO					

(COPY)

GENERAL ASSEMBLY
SENATE

NORTH CAROLINA GENERAL ASSEMBLY
SENATE

RECORDED VOTE

1997 SESSION

SEQ. 716/6-- 3:11 PM MAY 21, 1997 LEGISLATIVE DAY 65

LT. GOVERNOR WICKER -- Presiding

WARNER
EIGHTY-SECOND AIRBORNE DIV. PLATES
SENATE COMM. SUB./2ND EDITION

HOUSE BILL 53
READING 3

AYE	48	ALBERTSON	DANNELLY	KINNAIRD	PLYLER
		ALLRAN	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	WARREN
		COCHRANE	HOYLE	ODOM	WEBSTER
		CONDER	JENKINS	PAGE	WEINSTEIN
		COOPER	KERR	PERDUE	WELLONS
		DALTON	KINCAID	PHILLIPS	WINNER
NO	0				

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

GENERAL ASSEMBLY
SENATE

NORTH CAROLINA
HOUSE OF REPRESENTATIVES
ROLL CALL

EV

S[illegible] # 731
[illegible]SLATIVE DAY 69
H53 SCS

5/28/97
2:20 PM
IN CHAIR: SPEAKER

WARNER

82ND AIRBORNE DIVISION PLATES
MOTION #11 - TO CONCUR IN SCS

AYES - 109

ADAMS	DEDMON	IVES	RAMSEY
ALDRIDGE	DICKSON	JARRELL	RAYFIELD
ALLRED	DOCKHAM	JEFFUS	REDWINE
ARNOLD	EARLE	JUSTUS	REYNOLDS
BADDOUR	EASTERLING	KINNEY	ROGERS
BAKER	EDDINS	KISER	RUSSELL
BARBEE	ELLIS	LUEBKE	SAUNDERS
BERRY	ESPOSITO	MCALLISTER	SEXTON
BLACK	FITCH	MCCOMAS	SHERRILL
BLUE	FOX	MCCOMBS	SHUBERT
BONNER	GARDNER	MCCRARY	SMITH
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	HIATT	MORRIS	WEATHERLY
CHURCH	HIGHTOWER	MOSLEY	WILKINS
CLARY	HOLMES	NEELY	WILSON, C.
COLE	HOWARD	NESBITT	WILSON, G.
CRAWFORD	HUNTER, H.	NYE	WOMBLE
CULP	HUNTER, R.	OLDHAM	WOOD
CULPEPPER	HURLEY	OWENS	WRIGHT
DAUGHTRY	INSKO	PRESTON	YONGUE
DECKER			

NOES - 2

DAVIS	HENSLEY

EXCUSED ABSENCE - 5

ALEXANDER	CUNNINGHAM	HILL	NICHOLS
CREECH			

EXCUSED VOTE - 0

NOT VOTING - 4

SPEAKER	BEALL	GAMBLE	STARNES

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1997

H.B. FILED
0054 FEB -4 97
HOUSE PRINCIPAL CLERK

H D

HOUSE DRH4007-LK020(1.14)

Short Title: Purple Heart Spouse Plates. (Public)

Sponsors: Representative Warner.

Referred to:

A BILL TO BE ENTITLED

AN ACT TO PROVIDE THAT SPOUSES OF PURPLE HEART PLATE HOLDERS MAY CONTINUE TO BE ISSUED THOSE PLATES.

The General Assembly of North Carolina enacts:

Section 1. G.S. 20-79.4(b)(22) reads as rewritten:

"(22) Purple Heart Recipient. -- Issuable to a recipient of the Purple Heart award. Also issuable to the surviving spouse of a Purple Heart recipient plate holder who has not remarried and who continues to annually renew the plate. The plate shall bear the phrase 'Purple Heart Veteran, Combat Wounded' and the letters 'PH'."

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. Upon request, the Division shall issue, upon the payment of a one-time ten-dollar ($10.00) fee, one registration plate to a recipient of the Purple Heart award. 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
Special Olympics	$25.00
Wildlife Resources	$20.00

NORTH CAROLINA
HOUSE OF REPRESENTATIVES
ROLL CALL

EV

SEQ. # 1299
LEGISLATIVE DAY 105
H54 HCS #2
READING 2
WARNER

7/30/97
10:37 AM
IN CHAIR: SPEAKER

NO ADD'L. FEE LEGION OF VAL..PEARL HARBOR

109 DWeeks

AYES - ~~108~~

SPEAKER	CULPEPPER	HUNTER, R.	OLDHAM
ADAMS	DAUGHTRY	HURLEY	OWENS
ALDRIDGE	DAVIS	INSKO	PRESTON
ALEXANDER	DECKER	IVES	RAMSEY
ALLRED	DEDMON	JARRELL	RAYFIELD
ARNOLD	DICKSON	JEFFUS	REDWINE
BADDOUR	EARLE	JUSTUS	REYNOLDS
BAKER	EASTERLING	KINNEY	ROGERS
BEALL	ELLIS	KISER	RUSSELL
BERRY	ESPOSITO	LUEBKE	SAUNDERS
BLACK	FITCH	MCALLISTER	SEXTON
BLUE	FOX	MCCOMAS	SHERRILL
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	HALL	MINER	WARNER
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	WOOD
CREECH	HOWARD	NESBITT	WRIGHT
CULP	HUNTER, H.	NYE	YONGUE WOMBLE DWeeks

NOES - 0

EXCUSED ABSENCE - 7

BARBEE	HACKNEY	SHUBERT	WARWICK
EDDINS	NICHOLS	WAINWRIGHT	

EXCUSED VOTE - 0

NOT VOTING - ~~5~~ 4 DWeeks

BRASWELL	DOCKHAM	HOLMES	~~WOMBLE~~ DW
CUNNINGHAM			

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1997

H.B. FILED
0055 FEB -4 97
HOUSE PRINCIPAL CLERK

H D

HOUSE DRH1019-LKX020A(1.14)

Short Title: Purple Heart Special Plates. (Public)

Sponsors: Representative Warner.

Referred to:

A BILL TO BE ENTITLED

AN ACT TO PROVIDE THAT SPECIAL PURPLE HEART AWARD REGISTRATION PLATES SHALL BE ISSUED WITHOUT A FEE.

The General Assembly of North Carolina enacts:

Section 1. 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 recipient of the Purple Heart award, 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
Special Olympics	$25.00
Wildlife Resources	$20.00
Personalized	$20.00
Active Member of the National Guard	None
All Other Special Plates	$10.00."

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

NORTH CAROLINA

EV

HOUSE OF REPRESENTATIVES

ROLL CALL

NO. # 301
LEGISLATIVE DAY 44
H55 HCS #2
READING 2
WARNER

4/15/97
2:34 PM
IN CHAIR: SPEAKER

PURPLE HEART/SILVER STAR PLATES

AYES - 114

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

NOES - 2

CREECH	HENSLEY

EXCUSED ABSENCE - 2

FITCH	SUTTON

EXCUSED VOTE - 0

NOT VOTING - 2

CRAWFORD	CULP

NORTH CAROLINA GENERAL ASSEMBLY
SENATE

RECORDED VOTE

1997 SESSION
SECOND SESSION 1998

SEQ. 1982/2-- 7:17 PM AUGUST 24, 1998 LEGISLATIVE DAY 184

LT. GOVERNOR WICKER -- Presiding

WARNER
NO FEE FOR PURPLE HEART PLATES
SENATE COM SUB/4TH EDITION

HOUSE BILL 55
READING 2

AYE	44	ALBERTSON	EAST	LEE	PURCELL
		BALLANTINE	FORRESTER	LUCAS	RAND
		BASNIGHT	FOXX	MARTIN W.	REEVES
		BLUST	GARWOOD	MCDANIEL	RUCHO
		CARPENTER	GULLEY	MILLER	SHAW L.
		CARRINGTON	HORTON	MOORE	SHAW R.
		CLARK	HOYLE	ODOM	SOLES
		COCHRANE	JENKINS	PAGE	WARREN
		COOPER	KERR	PERDUE	WEBSTER
		DALTON	KINNAIRD	PHILLIPS	WEINSTEIN
		DANNELLY	LEDBETTER	PLYLER	WELLONS
NO	0				
EXCUSED	0				
NOT CAST	1	JORDAN			
ABSENT	5	ALLRAN	HARTSELL	MARTIN R	WINNER
		BALLANCE			
PAIRS	0				
AYE					
NO					

GENERAL ASSEMBLY
SENATE

NORTH CAROLINA
HOUSE OF REPRESENTATIVES
ROLL CALL

EV

SEQ. # 1957
LEGISLATIVE DAY 189
H55 SCS

9/01/98
2:14 PM
IN CHAIR: SPEAKER

WARNER

NO FEE FOR PURPLE HEART PLATES
MOTION #11 - DO NOT CONCUR IN SCS

AYES - 111

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

NOES - 1

BRYANT

EXCUSED ABSENCE - 2

MCMAHAN MOSLEY

EXCUSED VOTE - 0

NOT VOTING - 6

FITCH	HENSLEY	REYNOLDS	WRIGHT
HALL	MCALLISTER		

NORTH CAROLINA

HOUSE OF REPRESENTATIVES

ROLL CALL

RC

SEQ. # 2045
LEGISLATIVE DAY 198
SCS
CONFERENCE REPORT
WARNER
READING 2 - RULES MATERIAL
SPECIAL LICENSE PLATE CHANGES - ADOPTION

9/16/98
1:43 PM
IN CHAIR: SPEAKER

AYES - 100

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

NOES - 2

CREECH	HENSLEY

EXCUSED ABSENCE - 13

BARBEE	DICKSON	IVES	LUEBKE
CAPPS	EDDINS	JUSTUS	SUTTON
COLE	HARDY	KISER	WOMBLE
DAVIS			

EXCUSED VOTE - 0

NOT VOTING - 5

BRASWELL	FITCH	HUNTER, H.	REYNOLDS
BRYANT			

NORTH CAROLINA GENERAL ASSEMBLY
SENATE

RECORDED VOTE

1997 SESSION
SECOND SESSION 1998

SEQ. 2065/7-- 2:44 PM SEPTEMBER 16, 1998 LEGISLATIVE DAY 198

LT. GOVERNOR WICKER -- Presiding

WARNER
NO FEE FOR PURPLE HEART PLATES
SENATE COM SUB/4TH EDITION

HOUSE BILL 55
READING 2
CONFERENCE REPORT

MOTION 7
TO ADOPT

AYE	49	ALBERTSON	FORRESTER	LEE	PURCELL
		ALLRAN	FOXX	LUCAS	RAND
		BALLANCE	GARWOOD	MARTIN R.	REEVES
		BALLANTINE	GULLEY	MARTIN W.	RUCHO
		BLUST	HARTSELL	MCDANIEL	SHAW L.
		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	PLYLER	WINNER
		EAST			
NO	0				

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

GENERAL ASSEMBLY
SENATE

NORTH CAROLINA GENERAL ASSEMBLY
CONFERENCE REPORT
House Bill 55

H55-CRRBX-9/9

[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 55, AN ACT TO ELIMINATE THE FEE FOR PURPLE HEART REGISTRATION PLATES, TO REQUIRE THE DIVISION OF MOTOR VEHICLES TO REDESIGN THE PURPLE HEART PLATE, AND TO AUTHORIZE THE DIVISION OF MOTOR VEHICLES TO ISSUE A SPECIAL REGISTRATION PLATE TO A RECIPIENT OF THE SILVER STAR AND TO A RECIPIENT OF THE BRONZE STAR., Senate Finance Committee Substitute Adopted 8/20/98, submit the following report:

The House and Senate agree to the following amendments to the Senate Committee Substitute, Senate Finance Committee Substitute Adopted 8/20/98, and the House concurs in the Senate Committee Substitute as amended:

on page 1, lines 6 and 7, by rewriting the lines to read:
"PLATE TO A RECIPIENT OF THE SILVER STAR, TO A RECIPIENT OF THE BRONZE STAR, AND TO A RECIPIENT OF THE DISTINGUISHED FLYING CROSS.";

and on page 2, line 24, by rewriting the line to read:
"Section 5. G.S. 20-79.4(b) is amended by adding a new subdivision to read:
'(12a) Distinguished Flying Cross. -- Issuable to a recipient of the Distinguished Flying Cross. The plate shall bear the emblem of the Distinguished Flying Cross and the words "Distinguished Flying Cross".'
Section 6. This act is effective when it becomes law.".

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

NORTH CAROLINA GENERAL ASSEMBLY
CONFERENCE REPORT
House Bill 55

H55-CRRBX-9/9

Date conferees approved report: September 10, 1998.

Conferees for the Senate	Conferees for the House of Representatives
Sen. Tony Rand	Rep. John Rayfield
Sen. John Carrington	Rep. Walter Dickson
Sen. David Hoyle	Rep. Charlotte Gardner
Sen. John Kerr	Rep. Alex Warner
Sen. Beverly Perdue	
Sen. Larry Shaw	

Submitted SEP 1 5 1998
SEP 1 6 1998 ADOPTED 2nd reading roll call (100 /2 RC) Message Received
SEP 1 7 1998 ADOPTED 3rd Reading roll call (92 /2 RC) Ordered Enrolled

Placed on Calendar 9/16/98

SEP 1 5 1998

CHAIR RULES ~~AMENDMENT/COM. SUB.~~ Conference Report DSkeeks cwc
MATERIAL CONSTITUTING 1st READING.
REMAINS ON CALENDAR.

SEP 1 5 1998

TJS

Senate notified

Special Message DSkeeks cwc

NORTH CAROLINA

HOUSE OF REPRESENTATIVES

ROLL CALL

RC

SEQ. # 2066
LEGISLATIVE DAY 199
SCS
CONFERENCE REPORT
WARNER
READ 3 - RULED MATERIAL
SPECIAL LICENSE PLATE CHANGES - ADOPT CONFERENCE REPORT

9/17/98
9:13 AM
IN CHAIR: SPEAKER

AYES - 92

SPEAKER	CULP	HUNTER, H.	RAMSEY
ALEXANDER	CULPEPPER	HURLEY	RAYFIELD
ALLRED	CUNNINGHAM	JARRELL	REDWINE
BADDOUR	DAUGHTRY	JEFFUS	REYNOLDS
BAKER	DAVIS	JUSTUS	ROGERS
BAREFOOT	DECKER	KINNEY	RUSSELL
BEALL	DEDMON	LUEBKE	SAUNDERS
BLACK	DOCKHAM	MCCOMAS	SEXTON
BLUE	EARLE	MCCOMBS	SHERRILL
BONNER	EASTERLING	MCCRARY	SHUBERT
BOWIE	EDDINS	MCMAHAN	SMITH
BOYD-MCINTYRE	ELLIS	MERCER	STARNES
BRASWELL	ESPOSITO	MICHAUX	THOMPSON
BROWN	GARDNER	MILLER	WAINWRIGHT
BRYANT	GOODWIN	MITCHELL	WARNER
BUCHANAN	GRADY	MORGAN	WARWICK
CANSLER	GULLEY	MORRIS	WEATHERLY
CAPPS	HACKNEY	NEELY	WILSON, C.
CARPENTER	HARDAWAY	NESBITT	WILSON, G.
CHURCH	HIGHTOWER	NICHOLS	WOMBLE
CLARY	HILL	NYE	WOOD
COLE	HOLMES	OLDHAM	WRIGHT
CRAWFORD	HOWARD	OWENS	YONGUE

NOES - 2

CREECH	HENSLEY

EXCUSED ABSENCE - 18

ADAMS	DICKSON	IVES	PRESTON
ALDRIDGE	FOX	KISER	SUTTON
ALLEN	GRAY	MCALLISTER	TOLSON
ARNOLD	HALL	MOSLEY	WATSON
BRAWLEY	HIATT		

EXCUSED VOTE - 0

NOT VOTING - 8

BARBEE	FITCH	INSKO	MOORE
BERRY	HARDY	MINER	TALLENT

NORTH CAROLINA GENERAL ASSEMBLY
SENATE

RECORDED VOTE

1997 SESSION
SECOND SESSION 1998

SEQ. 2073/5--11:40 AM | SEPTEMBER 17, 1998 | LEGISLATIVE DAY 199

LT. GOVERNOR WICKER -- Presiding

WARNER
NO FEE FOR PURPLE HEART PLATES
SENATE COM SUB/4TH EDITION

HOUSE BILL 55
READING 3
CONFERENCE REPORT

MOTION 7
TO ADOPT

AYE	45	ALLRAN	FORRESTER	LEE	PLYLER
		BALLANCE	FOXX	LUCAS	PURCELL
		BALLANTINE	GARWOOD	MARTIN R.	RAND
		BASNIGHT	GULLEY	MARTIN W.	REEVES
		BLUST	HARTSELL	MCDANIEL	SHAW L.
		CARPENTER	HORTON	MILLER	SHAW R.
		CARRINGTON	JENKINS	MOORE	SOLES
		CLARK	JORDAN	ODOM	WARREN
		COCHRANE	KERR	PAGE	WEBSTER
		COOPER	KINNAIRD	PERDUE	WELLONS
		DANNELLY	LEDBETTER	PHILLIPS	WINNER
		EAST			
NO	0				
EXCUSED	0				
NOT CAST	0				
ABSENT	5	ALBERTSON	HOYLE	RUCHO	WEINSTEIN
		DALTON			
PAIRS	0				
AYE					
NO					

GENERAL ASSEMBLY
SENATE

NORTH CAROLINA GENERAL ASSEMBLY
CONFERENCE REPORT
House Bill 55

H55-CRRBX-9/9

[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 55, AN ACT TO ELIMINATE THE FEE FOR PURPLE HEART REGISTRATION PLATES, TO REQUIRE THE DIVISION OF MOTOR VEHICLES TO REDESIGN THE PURPLE HEART PLATE, AND TO AUTHORIZE THE DIVISION OF MOTOR VEHICLES TO ISSUE A SPECIAL REGISTRATION PLATE TO A RECIPIENT OF THE SILVER STAR AND TO A RECIPIENT OF THE BRONZE STAR., Senate Finance Committee Substitute Adopted 8/20/98, submit the following report:

The House and Senate agree to the following amendments to the Senate Committee Substitute, Senate Finance Committee Substitute Adopted 8/20/98, and the House concurs in the Senate Committee Substitute as amended:

on page 1, lines 6 and 7, by rewriting the lines to read:
"PLATE TO A RECIPIENT OF THE SILVER STAR, TO A RECIPIENT OF THE BRONZE STAR, AND TO A RECIPIENT OF THE DISTINGUISHED FLYING CROSS.";

and on page 2, line 24, by rewriting the line to read:
"Section 5. G.S. 20-79.4(b) is amended by adding a new subdivision to read:
'(12a) Distinguished Flying Cross. -- Issuable to a recipient of the Distinguished Flying Cross. The plate shall bear the emblem of the Distinguished Flying Cross and the words "Distinguished Flying Cross".'
Section 6. This act is effective when it becomes law.".

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

NORTH CAROLINA GENERAL ASSEMBLY
CONFERENCE REPORT
House Bill 55

H55-CRRBX-9/9

Date conferees approved report: September 10, 1998.

Conferees for the Senate	Conferees for the House of Representatives
Sen. Tony Rand	Rep. John Rayfield
Sen. John Carrington	Rep. Walter Dickson
Sen. David Hoyle	Rep. Charlotte Gardner
Sen. John Kerr	Rep. Alex Warner
Sen. Beverly Perdue	
Sen. Larry Shaw	

Submitted SEP 15 1998
SEP 16 1998 ADOPTED 2nd reading roll call (100 /2 RC) Message Received SEP 18 1998
SEP 17 1998 ADOPTED 3rd Reading roll call (92 /2 RC) Ordered Enrolled SEP 1[illegible] 1998

Placed on Calendar 9/16/98

SEP 15 1998

Conference Report
CHAIR RULES ~~AMENDMENT/COM. SUB~~
MATERIAL CONSTITUTING 1st READING.
REMAINS ON CALENDAR.

SEP 15 1998

TJS

Senate notified

Special Message

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1997

H.B. FILED
0056 FEB -4 97
HOUSE PRINCIPAL CLERK

H D

HOUSE DRH7015*-LN036(1.29)

Short Title: Extend DHR Reorg. Study. (Public)

Sponsors: Representative Gardner.

Referred to:

A BILL TO BE ENTITLED

AN ACT TO EXTEND THE STUDY COMMISSION ON THE REORGANIZATION OF THE DEPARTMENT OF HUMAN RESOURCES.

The General Assembly of North Carolina enacts:

Section 1. Subsections (n) and (o) of Section 24.20 of Chapter 18 of the 1995 Session Laws, 2nd Extra Session 1996, read as rewritten:

"(n) The independent management consultant that is awarded the contract shall report to the Commission as the Commission considers appropriate and shall submit a final report to the Commission by ~~March 1, 1997.~~ March 17, 1997. While conducting its work, the independent management consultant shall devise a means of obtaining confidential input from managerial and nonmanagerial human services personnel, such as through the establishment of a confidential, temporary hotline.

(o) The Commission shall report its findings and recommendations, including any legislative proposals, to the General Assembly by ~~April 1, 1997,~~ May 1, 1997, at which time the Commission shall terminate."

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

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1997

H.B. FILED
0057 FEB -4 97
HOUSE PRINCIPAL CLERK

H D

HOUSE DRH4002-LCX003(1.1)(Z)

Short Title: Withholding for Nonresidents. (Public)

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

Referred to:

A BILL TO BE ENTITLED

AN ACT TO REQUIRE WITHHOLDING FROM CERTAIN PAYMENTS TO NONRESIDENTS IN ORDER TO PREVENT NONRESIDENTS FROM AVOIDING NORTH CAROLINA INCOME TAXES.

The General Assembly of North Carolina enacts:

Section 1. G.S. 105-163.1(15) reads as rewritten:

"(15) Wages. -- The term has the same meaning as in section 3401 of the Code except it does not include ~~remuneration paid by a farmer for services performed on the farmer's farm in producing or harvesting agricultural products or in transporting the agricultural products to market.~~ either of the following:

a. Remuneration paid by a farmer for services performed on the farmer's farm in producing or harvesting agricultural products or in transporting the agricultural products to market.

b. The first thirty-five thousand dollars ($35,000) of severance wages paid to an employee during the taxable year as the result of the permanent closure of a manufacturing or processing plant."

Section 2. Article 4A of Chapter 105 of the General Statutes, as amended by Section 1 of this act, reads as rewritten:

"ARTICLE 4A.

"~~Withholding of Income Taxes from Wages and Payment of Income Tax by~~ Withholding; Estimated Income Tax for Individuals.

"**§ 105-163.1. Definitions.**

NORTH CAROLINA
HOUSE OF REPRESENTATIVES
ROLL CALL

RC

[redacted] # 102
[redacted]ISLATIVE DAY 24
H57 HCS
READING 2
NEELY

3/11/97
2:23 PM
IN CHAIR: SPEAKER

WITHHOLDING FOR NON- RESIDENTS

AYES - 113

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

NOES - 0

EXCUSED ABSENCE - ~~1~~ 2

BRASWELL

BLUE DW

EXCUSED VOTE - 0

NOT VOTING - ~~6~~ 5 DW

SPEAKER	CRAWFORD	ESPOSITO	MICHAUX
~~BLUE~~ DW	DAUGHTRY		

H57 HCS

NORTH CAROLINA GENERAL ASSEMBLY
AMENDMENT
House Bill 57

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

H57-ARB-3

Date MAR 12 1997 ,1997

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

Representative Cole

moves to amend the bill on page 1, lines 8 through 19, by rewriting the lines to read:

"Code except it does not include ~~remuneration paid by a farmer for services performed on the farmer's farm in producnig or harvesting agricultural products or in transporting th agricultural products to market.~~ the amount of severance wages paid to an employee during the taxable year that is exempt from State income tax for that taxable year under G.S. 105-134.6(b)(11).";

NORTH CAROLINA GENERAL ASSEMBLY
AMENDMENT
House Bill 57

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

H57-ARB-3

and on page 3, lines 13 through 25, by rewriting those lines to read:

"Code except it does not include either of the following:

a. The amount of severance wages paid to an employee during the taxable year that is exempt from State income tax for that taxable year under G.S. 105-134.6(b)(11).

b. The amount an employer pays an employee as reimbursement for ordinary and necessary expenses incurred by the employee on behalf of the employer and in the furtherance of the business of the employer.".

SIGNED _____
Amendment Sponsor

SIGNED _____
Committee Chair if Senate Committee Amendment

ADOPTED MAR 12 1997 FAILED _____ TABLED _____

107-4 RD

CHAIR RULES AMENDMENT ~~FOR SUB~~ MATERIAL CONSTITUTING 1st READING. REMAINS ON CALENDAR.

NORTH CAROLINA

HOUSE OF REPRESENTATIVES

ROLL CALL

RC

. # 120
ISLATIVE DAY 25
H57 HCS
READING 3
NEELY
AMEND #1 REP. COLE (ruled material)
WITHHOLDING FOR NON- RESIDENTS

3/12/97
2:14 PM
IN CHAIR: SPEAKER

AYES - 107

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

NOES - 4

BAKER	CARPENTER	HARDY	KISER

EXCUSED ABSENCE - 4

BRASWELL	CRAWFORD	CULP	HARDAWAY

EXCUSED VOTE - 0

NOT VOTING - 5

SPEAKER	GRAY	MORRIS	WRIGHT
BLUE			

NORTH CAROLINA GENERAL ASSEMBLY
AMENDMENT
House Bill 57

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

H57-ARBX-1

Page 1 of 1

Date 3/17 ,1997

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

Representative Luebke

moves to amend the bill on page 1, line 6, by rewriting the line to read:

"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, not to exceed a maximum of thirty-five thousand dollars ($35,000) ~~for the taxable year.~~ when added to the amount of such severance wages paid to the taxpayer during the two preceding taxable years.'

Section 2. G. S. 105-163.1(15) reads as rewritten:";

and by renumbering the remaining sections accordingly.

SIGNED [signature]
Amendment Sponsor

SIGNED _____
Committee Chair if Senate Committee Amendment

ADOPTED MAR 17 1997 FAILED _____ TABLED _____

87-24 RC
DWuehr

CHAIR RULES AMENDMENT/~~COM. SUB.~~
MATERIAL CONSTITUTING 1st READING.
REMAINS ON CALENDAR.

NORTH CAROLINA

HOUSE OF REPRESENTATIVES

ROLL CALL

RC

. # 136
ISLATIVE DAY 27
H57 HCS
READING 2
NEELY
AMEND #2 REP LUEBKE - ruled material
WITHHOLDING FOR NON-RESIDENTS

3/17/97
7:39 PM
IN CHAIR: SPEAKER

AYES - 87

ADAMS	DAVIS	JARRELL	REDWINE
ALDRIDGE	FITCH	JEFFUS	ROGERS
ALEXANDER	FOX	KINNEY	RUSSELL
BADDOUR	GAMBLE	LUEBKE	SAUNDERS
BAKER	GOODWIN	MCALLISTER	SEXTON
BARBEE	GRADY	MCCOMAS	SHERRILL
BEALL	GRAY	MCCOMBS	SMITH
BLUE	GULLEY	MCCRARY	SUTTON
BONNER	HACKNEY	MERCER	TALLENT
BOYD-MCINTYRE	HALL	MICHAUX	TOLSON
BRASWELL	HARDAWAY	MILLER	WAINWRIGHT
CANSLER	HENSLEY	MITCHELL	WARNER
CAPPS	HIATT	MOORE	WARWICK
CHURCH	HIGHTOWER	MOSLEY	WATSON
CLARY	HILL	NEELY	WEATHERLY
COLE	HOLMES	NESBITT	WILKINS
CRAWFORD	HOWARD	NYE	WILSON, G.
CREECH	HUNTER, H.	OLDHAM	WOMBLE
CULP	HUNTER, R.	OWENS	WOOD
CULPEPPER	HURLEY	PRESTON	WRIGHT
CUNNINGHAM	INSKO	RAMSEY	YONGUE
DAUGHTRY	IVES	RAYFIELD	

NOES - 24

BERRY	DEDMON	HARDY	MORRIS
BRAWLEY	DICKSON	JUSTUS	REYNOLDS
BROWN	DOCKHAM	KISER	SHUBERT
BUCHANAN	EDDINS	MCMAHAN	STARNES
CARPENTER	ELLIS	MINER	THOMPSON
DECKER	ESPOSITO	MORGAN	WILSON, C.

EXCUSED ABSENCE - 2

EASTERLING	NICHOLS

EXCUSED VOTE - 0

NOT VOTING - 7

SPEAKER	ARNOLD	BOWIE	GARDNER
ALLRED	BLACK	EARLE	

NORTH CAROLINA

HOUSE OF REPRESENTATIVES

ROLL CALL

EV

. # 144
ISLATIVE DAY 28
H57 HCS
READING 2
NEELY
AMEND #3 - REP SHUBERT
WITHHOLDING FOR NON- RESIDENTS
MOTION #6 - POSTPONE BILL WITH PENDING AMENDMENT (REP BRAWLEY) TO MARCH 19

3/18/97
3:01 PM
IN CHAIR: SPEAKER

AYES - 57

ADAMS	FOX	JUSTUS	REDWINE
ALLRED	GAMBLE	KINNEY	SMITH
ARNOLD	GOODWIN	MCALLISTER	SUTTON
BADDOUR	GULLEY	MCCOMBS	TALLENT
BARBEE	HALL	MERCER	TOLSON
BEALL	HARDAWAY	MITCHELL	WAINWRIGHT
BRASWELL	HARDY	MOORE	WARNER
BRAWLEY	HENSLEY	MOSLEY	WARWICK
BUCHANAN	HIATT	NESBITT	WATSON
CHURCH	HILL	NYE	WEATHERLY
CRAWFORD	HUNTER, R.	OLDHAM	WOMBLE
CULPEPPER	HURLEY	OWENS	WOOD
CUNNINGHAM	INSKO	RAMSEY	WRIGHT
DECKER	JEFFUS	RAYFIELD	YONGUE
EARLE			

NOES - 54

ALDRIDGE	DAVIS	HUNTER, H.	NICHOLS
BAKER	DICKSON	IVES	REYNOLDS
BERRY	DOCKHAM	KISER	ROGERS
BLACK	EASTERLING	LUEBKE	RUSSELL
BLUE	EDDINS	MCCOMAS	SAUNDERS
BOWIE	ELLIS	MCCRARY	SEXTON
BROWN	ESPOSITO	MCMAHAN	SHERRILL
CANSLER	FITCH	MICHAUX	SHUBERT
CAPPS	GARDNER	MILLER	STARNES
CARPENTER	GRADY	MINER	THOMPSON
CLARY	HACKNEY	MORGAN	WILKINS
COLE	HIGHTOWER	MORRIS	WILSON, C.
CREECH	HOLMES	NEELY	WILSON, G.
DAUGHTRY	HOWARD		

EXCUSED ABSENCE - 5

ALEXANDER	CULP	GRAY	PRESTON
BONNER			

EXCUSED VOTE - 0

NOT VOTING - 4

SPEAKER	BOYD-MCINTYRE	DEDMON	JARRELL

NORTH CAROLINA

HOUSE OF REPRESENTATIVES

ROLL CALL

RC

[redacted]. # 154
[redacted]ISLATIVE DAY 29
H57 HCS
READING 2
NEELY

3/19/97
2:47 PM
IN CHAIR: SPEAKER

WITHHOLDING FOR NON- RESIDENTS

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	ROGERS
BARBEE	EARLE	JUSTUS	RUSSELL
BEALL	EASTERLING	KINNEY	SAUNDERS
BERRY	EDDINS	KISER	SEXTON
BLACK	ESPOSITO	LUEBKE	SHERRILL
BLUE	FOX	MCALLISTER	SHUBERT
BONNER	GAMBLE	MCCOMAS	SMITH
BOWIE	GARDNER	MCCOMBS	STARNES
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, G.
COLE	HIGHTOWER	MOSLEY	WOMBLE
CRAWFORD	HILL	NICHOLS	WOOD
CREECH	HOLMES	NYE	WRIGHT
CULP	HOWARD	OLDHAM	YONGUE
CULPEPPER	HUNTER, H.	OWENS	

NOES - 4

BAKER	CUNNINGHAM	FITCH	SUTTON

EXCUSED ABSENCE - 2

ELLIS	NEELY

EXCUSED VOTE - 0

NOT VOTING - 3

SPEAKER	NESBITT	WILSON, C.

NORTH CAROLINA GENERAL ASSEMBLY
AMENDMENT
House Bill 57

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

H57-ARB-5

Page 1 of 1

Date 3/19 ,1997

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

Representative SHUBERT

moves to amend the bill on page 1, lines 7 through 12, by rewriting the lines to read:

"'(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~~, a business location, not to exceed a maximum of thirty-five thousand dollars ($35,000) ~~for the taxable year.~~ when added to the amount of such severance wages paid to the taxpayer by the same employer during the two preceding taxable years. A business closure is not permanent if the business opens within a 12-month period as substantially the same business within 100 miles of the closed location and employs the same employee.'".

SIGNED Fern H Shubert
Amendment Sponsor

SIGNED _____
Committee Chair if Senate Committee Amendment

ADOPTED MAR 19 1997 FAILED _____ TABLED _____

101-14 EV

NORTH CAROLINA

HOUSE OF REPRESENTATIVES

ROLL CALL

EV

. # 152
ISLATIVE DAY 29
H57 HCS
READING 2
NEELY
AMEND #4 - REP SHUBERT
WITHHOLDING FOR NON- RESIDENTS

3/19/97
2:30 PM
IN CHAIR: SPEAKER

AYES - 101

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

NOES - 14

BERRY	CREECH	HACKNEY	SUTTON
BLUE	EASTERLING	HURLEY	WOMBLE
BOYD-MCINTYRE	FITCH	INSKO	WRIGHT
CANSLER	GAMBLE		

EXCUSED ABSENCE - 2

ELLIS	NEELY

EXCUSED VOTE - 0

NOT VOTING - 3

SPEAKER	GRAY	HUNTER, H.

NORTH CAROLINA GENERAL ASSEMBLY
AMENDMENT
House Bill 57

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

H57-ALCF-4

Date 3/19 ,1997

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

Representative Berry

moves to amend the bill on page 15, line 38, by adding the following after the phrase "Section 1": "of this act is effective for taxable years beginning on or after January 1, 1998. Section 2".

SIGNED Rhonda Berry
Amendment Sponsor

SIGNED _____
Committee Chair if **Senate** Committee Amendment

ADOPTED MAR 19 1997 FAILED _____ TABLED _____

112-5 EV

NORTH CAROLINA

HOUSE OF REPRESENTATIVES

ROLL CALL

EV

[redacted] # 153
[redacted]ISLATIVE DAY 29
H57 HCS
READING 2
NEELY
AMEND #5 Rep Berry
WITHHOLDING FOR NON- RESIDENTS

3/19/97
2:46 PM
IN CHAIR: SPEAKER

AYES - 112

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

NOES - 5

ADAMS	FITCH	GAMBLE	WRIGHT
CUNNINGHAM			

EXCUSED ABSENCE - 2

ELLIS	NEELY

EXCUSED VOTE - 0

NOT VOTING - 1

SPEAKER

NORTH CAROLINA

RC

HOUSE OF REPRESENTATIVES

ROLL CALL

[redacted] # 159
[redacted]ISLATIVE DAY 30
H57 HCS
READING 3
NEELY

3/20/97
1:54 PM
IN CHAIR: SPEAKER

WITHHOLDING FOR NON- RESIDENTS

AYES - 105

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

NOES - 1

BAKER

EXCUSED ABSENCE - 6

BROWN	MERCER	SHERRILL	THOMPSON
MCALLISTER	NEELY		

EXCUSED VOTE - 0

NOT VOTING - 8

SPEAKER	CRAWFORD	HOWARD	IVES
BERRY	DECKER	HUNTER, H.	ROGERS

NORTH CAROLINA GENERAL ASSEMBLY
AMENDMENT
House Bill 57

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

H57-ALJ-4/22

Date 4/22 ,1997

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

Senator Kerr

moves to amend the bill on page 1, line 4, by rewriting that line to read:
"AVOIDING NORTH CAROLINA INCOME TAXES, TO MODIFY THE DEFINITION OF EMPLOYMENT WITH RESPECT TO AGRICULTURAL LABOR, AND TO CONFORM TO";

and on page 16, lines 13 and 14, by inserting a new section between those lines to read:

"Section 5. G.S. 96-8(6)g. reads as rewritten:

'g. On and after January 1, 1978, the term "employment" includes services performed in agricultural labor when a person or employing unit (a) during any calendar quarter in the current calendar year or the preceding calendar year pays wages of twenty thousand dollars ($20,000) or more for agricultural labor, or (b) on each of some 20 days during the preceding calendar year, each day being in a different calendar week, employs at least 10 individuals in employment in agricultural labor for some portion of the day. For purposes of this Chapter, the term "agricultural labor" includes all services performed: (1) On a farm, in the employ of any person, in connection with cultivating the soil, or in connection with raising or harvesting any agricultural or horticultural commodity, including the raising, shearing, feeding, caring for, training, and management of livestock, bees, poultry, and fur-bearing animals and wildlife; (2) in the employ of the owner or tenant or other operator of a farm, in connection with the operation, management, conservation, improvement, or maintenance of such farm and its tools and

equipment, or in salvaging timber or clearing land of brush and other debris left by a hurricane, if the major part of such service is performed on a farm; (3) in connection with the production or harvesting of crude gum (oleoresin) from a living tree, and the following products if processed by the original producer of crude gum from which derived; gum spirits of turpentine and gum resin, or in connection with the ginning of cotton or in connection with the operation or maintenance of ditches, canals, reservoirs, or waterways, not owned or operated for profit, used exclusively for supplying and storing water for farming purposes; or (4)(A) in the employ of the operator of a farm in handling, planting, drying, packing, packaging, processing, freezing, grading, storing, or delivering to storage or to market or to a carrier for transportation to market, in its unmanufactured state, any agricultural or horticultural commodity, but only if such operator produced more than one half of the commodity with respect to which such service is performed; (B) in the employ of a group of operators of farms (or a cooperative organization of which such operators are members) in performance of service described in subparagraph (A), but only if such operators produced more than one half of the commodity with respect to which such service is performed. (C) The provisions of subparagraphs (A) and (B) shall not be deemed to be applicable with respect to service performed in connection with commercial canning or commercial freezing or in connection with any agricultural or horticultural commodity after its delivery to a terminal market for distribution for consumption; (D) on a farm operated for profit if such service is not in the course of the employer's trade or business. As used in this subsection, the term "farm" includes stock, dairy, poultry, fruit, fur-bearing animal, and truck farms, plantations, ranches, nurseries, ranges, greenhouses or other similar structures used primarily for the raising of agricultural or horticultural commodities, and orchards. Provided, such labor is not agricultural labor

NORTH CAROLINA GENERAL ASSEMBLY
AMENDMENT
House Bill 57

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

H57-ALJ-4/22

performed ~~before January 1, 1995,~~ by an individual who is an alien admitted to the United States to perform agricultural labor pursuant to sections 214(c) and 101(a)(15)(H) of the Immigration and Nationality Act.'";

and on page 16, line 14, by rewriting that line to read:
"Section 6. Sections 1 and 5 of this act are effective when this act becomes law."

SIGNED _____
Amendment Sponsor

SIGNED _____
Committee Chair if House Committee Amendment

ADOPTED ✓ FAILED _____ TABLED _____

470 - Janet Pruitt

NORTH CAROLINA GENERAL ASSEMBLY
SENATE

RECORDED VOTE

1997 SESSION

SEQ. 318/6-- 5:10 PM APRIL 22, 1997 LEGISLATIVE DAY 48

LT. GOVERNOR WICKER -- Presiding

NEELY
WITHHOLDING FOR NONRESIDENTS
5TH EDITION

HOUSE BILL 57

AMEND 1

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

GENERAL ASSEMBLY
SENATE

NORTH CAROLINA GENERAL ASSEMBLY
SENATE

RECORDED VOTE

1997 SESSION

SEQ. 610/3-- 4:41 PM MAY 5, 1997 LEGISLATIVE DAY 55

LT. GOVERNOR WICKER -- Presiding

NEELY
WITHHOLDING FOR NONRESIDENTS
SENATE COMM. SUB./5TH EDITION

HOUSE BILL 57
READING 2

AYE	36	ALBERTSON	FORRESTER	LEDBETTER	PHILLIPS
		ALLRAN	FOXX	LEE	PLYLER
		BLUST	HARTSELL	LUCAS	RAND
		CARRINGTON	HORTON	MARTIN R.	SHAW L.
		CLARK	HOYLE	MARTIN W.	SHAW R.
		COCHRANE	JENKINS	MCDANIEL	SOLES
		CONDER	KERR	MILLER	WARREN
		DALTON	KINCAID	PAGE	WEINSTEIN
		DANNELLY	KINNAIRD	PERDUE	WELLONS
NO	6	BALLANTINE	GARWOOD	REEVES	WEBSTER
		EAST	JORDAN		
EXCUSED	0				
NOT CAST	5	BALLANCE	CARPENTER	ODOM	RUCHO
		BASNIGHT			
ABSENT	3	COOPER	GULLEY	WINNER	
PAIRS	0				
AYE					
NO					

(COPY)

GENERAL ASSEMBLY
SENATE

NORTH CAROLINA GENERAL ASSEMBLY
AMENDMENT
House Bill 57

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

H57-ALCF-7

Date 5/6 ,1997

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

Senator Kerr

moves to amend the bill on page 16, line 14, as amended by amendment #1, by rewriting the line, as amended, to read:

"Section 6. Any refunds of contributions, interest, or penalties made to employers because of the amendment in Section 5 of this act shall be made from the Special Employment Security Administration Fund provided for in G.S. 96-5(c).

Section 7. Sections 1, 5, and 6 of this act are effective when this act becomes law."

SIGNED Ken
Amendment Sponsor

SIGNED _____
Committee Chair if Senate Committee Amendment

ADOPTED 1/ 47-0 FAILED _____ TABLED _____

5/6/97 D. Pruitt

NORTH CAROLINA GENERAL ASSEMBLY
SENATE

RECORDED VOTE

1997 SESSION

SEQ. 612/2-- 1:18 PM MAY 6, 1997 LEGISLATIVE DAY 56

LT. GOVERNOR WICKER -- Presiding

NEELY
WITHHOLDING FOR NONRESIDENTS
SENATE COMM. SUB./5TH EDITION

HOUSE BILL 57

AMEND 2

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

GENERAL ASSEMBLY
SENATE

NORTH CAROLINA GENERAL ASSEMBLY
SENATE

RECORDED VOTE

1997 SESSION

SEQ. 613/3-- 1:35 PM MAY 6, 1997 LEGISLATIVE DAY 56

LT. GOVERNOR WICKER -- Presiding

NEELY
WITHHOLDING FOR NONRESIDENTS
SENATE COMM. SUB./5TH EDITION

HOUSE BILL 57
READING 3

AYE	39	ALBERTSON	DANNELLY	KINNAIRD	PLYLER
		ALLRAN	FORRESTER	LEE	RAND
		BALLANCE	FOXX	LUCAS	RUCHO
		BASNIGHT	GARWOOD	MARTIN R.	SHAW R.
		CARPENTER	GULLEY	MARTIN W.	SOLES
		CARRINGTON	HARTSELL	MILLER	WARREN
		CLARK	HOYLE	ODOM	WEINSTEIN
		COCHRANE	JENKINS	PAGE	WELLONS
		COOPER	KERR	PERDUE	WINNER
		DALTON	KINCAID	PHILLIPS	
NO	8	BALLANTINE	HORTON	LEDBETTER	REEVES
		BLUST	JORDAN	MCDANIEL	WEBSTER
EXCUSED	0				
NOT CAST	0				
ABSENT	3	CONDER	EAST	SHAW L.	
PAIRS	0				
AYE					
NO					

GENERAL ASSEMBLY
SENATE

NORTH CAROLINA
HOUSE OF REPRESENTATIVES
ROLL CALL

RC

648
ISLATIVE DAY 61
H57 SCS

5/14/97
2:53 PM
IN CHAIR: SPEAKER

NEELY

WITHHOLDING FOR NONRESIDENTS
MOTION #11
MOTION TO CONCUR IN SENATE COMM. SUB. RULED MATERIAL (R2)

AYES - 111

SPEAKER	DAUGHTRY	INSKO	PRESTON
ADAMS	DAVIS	IVES	RAMSEY
ALDRIDGE	DECKER	JARRELL	RAYFIELD
ALLRED	DEDMON	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	GAMBLE	MCMAHAN	STARNES
BOWIE	GARDNER	MERCER	SUTTON
BOYD-MCINTYRE	GOODWIN	MICHAUX	TALLENT
BRASWELL	GRADY	MILLER	THOMPSON
BRAWLEY	GULLEY	MINER	TOLSON
BROWN	HACKNEY	MITCHELL	WAINWRIGHT
BUCHANAN	HALL	MOORE	WARNER
CANSLER	HARDAWAY	MORGAN	WARWICK
CAPPS	HARDY	MORRIS	WATSON
CARPENTER	HENSLEY	MOSLEY	WILKINS
CHURCH	HIGHTOWER	NEELY	WILSON, C.
CLARY	HILL	NESBITT	WILSON, G.
CRAWFORD	HOLMES	NICHOLS	WOMBLE
CULP	HOWARD	NYE	WRIGHT
CULPEPPER	HUNTER, R.	OLDHAM	YONGUE
CUNNINGHAM	HURLEY	OWENS	

NOES - 0

EXCUSED ABSENCE - 5

ALEXANDER	HIATT	WEATHERLY	WOOD
DICKSON			

EXCUSED VOTE - 0

NOT VOTING - 4

COLE	CREECH	GRAY	HUNTER, H.

NORTH CAROLINA
HOUSE OF REPRESENTATIVES
ROLL CALL

RC

[redacted] # 656
[redacted]ISLATIVE DAY 62
H57 SCS

5/15/97
1:15 PM
IN CHAIR: SPEAKER

NEELY

WITHHOLDING FOR NONRESIDENTS
MOTION #11 TO CONCUR WITH SENATE COMM SUB. ROLED MATERIAL (R3)

AYES - 106

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

NOES - 0

EXCUSED ABSENCE - 10

ALDRIDGE	GAMBLE	MILLER	OLDHAM
BLUE	HALL	MOSLEY	WEATHERLY
DICKSON	HIATT		

EXCUSED VOTE - 0

NOT VOTING - 4

SPEAKER	ALEXANDER	WAINWRIGHT	WRIGHT

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1997

H.B. FILED
0058 FEB -4 97
HOUSE PRINCIPAL CLERK

H D

HOUSE DRH2002*-RBZ024(1.1)

Short Title: Permanent Revenue Laws Study Committee. (Public)

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

Referred to:

A BILL TO BE ENTITLED

AN ACT TO CREATE A STATUTORY REVENUE LAWS STUDY COMMITTEE.

Whereas, the Legislative Research Commission has been authorized by the 1977, 1979, 1981, 1983, 1985, 1987, 1989, 1991, and 1993 General Assemblies to conduct a study of the revenue laws of North Carolina; and

Whereas, since 1977 the committee appointed by the Legislative Research Commission to study the revenue laws has recommended many changes in the revenue laws in the committee's attempt to improve these laws; and

Whereas, the Revenue Laws Study Committee has proved to be an excellent forum for both taxpayers and tax administrators to present their complaints about existing law and make suggestions to improve the law; Now, therefore,

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 12L.

"Revenue Laws Study Committee.

"**§ 120-70.105. Creation and membership of the Revenue Laws Study Committee.**

The Revenue Laws Study Committee is established. The Committee consists of 16 members as follows:

(1) Eight members appointed by the President Pro Tempore of the Senate; the persons appointed may be members of the Senate or public members.

H 58

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1997

H D

HOUSE DRH2002*-RBZ024(1.1)
Corrected Copy 2/5/97

Short Title: Permanent Revenue Laws Study Committee. (Public)

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

Referred to:

A BILL TO BE ENTITLED

AN ACT TO CREATE A STATUTORY REVENUE LAWS STUDY COMMITTEE.

Whereas, the Legislative Research Commission has been authorized by the 1977, 1979, 1981, 1983, 1985, 1987, 1989, 1991, and 1993 General Assemblies to conduct a study of the revenue laws of North Carolina; and

Whereas, since 1977 the committee appointed by the Legislative Research Commission to study the revenue laws has recommended many changes in the revenue laws in the committee's attempt to improve these laws; and

Whereas, the Revenue Laws Study Committee has proved to be an excellent forum for both taxpayers and tax administrators to present their complaints about existing law and make suggestions to improve the law; Now, therefore,

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 12L.

"Revenue Laws Study Committee.

"**§ 120-70.105. Creation and membership of the Revenue Laws Study Committee.**

The Revenue Laws Study Committee is established. The Committee consists of 16 members as follows:

(1) Eight members appointed by the President Pro Tempore of the Senate; the persons appointed may be members of the Senate or public members.

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1997

H.B. FILED
0059 FEB -4 97
HOUSE PRINCIPAL CLERK

H D

HOUSE DRH1002-RBX010(1.1)(Z)

Short Title: Update IRC Reference. (Public)

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

Referred to:

A BILL TO BE ENTITLED

AN ACT TO UPDATE THE REFERENCE TO THE INTERNAL REVENUE CODE USED IN DEFINING AND DETERMINING CERTAIN STATE TAX PROVISIONS.

The General Assembly of North Carolina enacts:

Section 1. G.S. 105-228.90(b)(1a) reads as rewritten:

"(1a) Code. -- The Internal Revenue Code as enacted as of ~~March 20, 1996,~~ January 1, 1997, including any provisions enacted as of that date which become effective either before or after that date."

Section 2. Notwithstanding Section 1 of this bill, amendments to sections 101(b), 104, and 877 of the Internal Revenue Code as enacted as of January 1, 1997, and any other amendments to the Internal Revenue Code enacted in 1996 that increase North Carolina taxable income for the tax year 1996, become effective for taxable years beginning on or after January 1, 1997.

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

NORTH CAROLINA

HOUSE OF REPRESENTATIVES

ROLL CALL

RC

54
ISLATIVE DAY 19
H59
READING 2
NEELY

3/03/97
8:30 PM
IN CHAIR: SPEAKER

UPDATE INTERNAL REVENUE CODE REFER

AYES - 111

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

NOES - 2

ALLRED	WOOD

EXCUSED ABSENCE - 2

CLARY	GRADY

EXCUSED VOTE - 0

NOT VOTING - 5

SPEAKER	DECKER	EASTERLING	WAINWRIGHT
COLE			

NORTH CAROLINA

HOUSE OF REPRESENTATIVES

ROLL CALL

RC

. # 59
ISLATIVE DAY 20
H59
READING 3
NEELY

3/04/97
2:19 PM
IN CHAIR: SPEAKER

UPDATE INTERNAL REVENUE CODE REFER

AYES - ~~111~~ 112 DWeeks

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

NOES - 1

INSKO

EXCUSED ABSENCE - ~~4~~ 3 DWeeks

CLARY	DOCKHAM	GRADY	~~REDWINE~~ DWeeks

EXCUSED VOTE - 0

NOT VOTING - 4

SPEAKER	EASTERLING	HUNTER, H.	PRESTON

NORTH CAROLINA GENERAL ASSEMBLY
AMENDMENT
Senate Bill 59

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

S59-ARB-1

Page 1 of 1

Date APR 8 1997, 1997

Comm. Sub. []
Amends Title [YES]

Representative Grady

moves to amend the bill on page 1, lines 2 and 3, by rewriting the lines to read:
"AN ACT TO ALLOW GATES AND ONSLOW COUNTIES TO ACQUIRE PROPERTY FOR USE BY THEIR COUNTY BOARDS OF EDUCATION.";

and on page 2, line 10, by inserting the word "Onslow," before the word "Orange".

SIGNED Robert Grady
Amendment Sponsor

SIGNED _____
Committee Chair if Senate Committee Amendment

ADOPTED APR 8 1997 FAILED _____ TABLED _____

110-2 PC

TITLE CHANGE

Ruled material constituting 1st reading

NORTH CAROLINA GENERAL ASSEMBLY
SENATE

RECORDED VOTE

1997 SESSION

SEQ. 319/7-- 5:16 PM APRIL 22, 1997 LEGISLATIVE DAY 48

LT. GOVERNOR WICKER -- Presiding

NEELY
UPDT INT. REVENUE CODE REFERENCE

HOUSE BILL 59
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 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			
NO	0				

EXCUSED	0	
NOT CAST	0	
ABSENT	1	MARTIN R.
PAIRS	0	
AYE		
NO		

GENERAL ASSEMBLY
SENATE

NORTH CAROLINA GENERAL ASSEMBLY
SENATE

RECORDED VOTE

1997 SESSION

SEQ. 609/2-- 4:36 PM MAY 5, 1997 LEGISLATIVE DAY 55

LT. GOVERNOR WICKER -- Presiding

NEELY
UPDT INT. REVENUE CODE REFERENCE

HOUSE BILL 59
READING 3

AYE	40	ALBERTSON	EAST	KINNAIRD	PHILLIPS
		ALLRAN	FORRESTER	LEDBETTER	PLYLER
		BALLANTINE	FOXX	LEE	RAND
		BLUST	GARWOOD	LUCAS	REEVES
		CARRINGTON	HARTSELL	MARTIN R.	SHAW L.
		CLARK	HORTON	MARTIN W.	SHAW R.
		COCHRANE	HOYLE	MCDANIEL	SOLES
		CONDER	JENKINS	MILLER	WARREN
		DALTON	JORDAN	ODOM	WEBSTER
		DANNELLY	KINCAID	PAGE	WEINSTEIN
NO	0				
EXCUSED	0				
NOT CAST	7	BALLANCE	CARPENTER	PERDUE	WELLONS
		BASNIGHT	KERR	RUCHO	
ABSENT	3	COOPER	GULLEY	WINNER	
PAIRS	0				
AYE					
NO					

(COPY)

GENERAL ASSEMBLY
SENATE

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1997

H.B. FILED
0060 FEB -4 97
HOUSE PRINCIPAL CLERK

H D

HOUSE DRH4019*-RFZ06(2.3)

Short Title: Funds for Ag. and Forestry Study Comm. (Public)

Sponsors: Representative Brown.

Referred to:

A BILL TO BE ENTITLED

AN ACT TO APPROPRIATE FUNDS FOR THE AGRICULTURE AND FORESTRY AWARENESS STUDY COMMISSION.

The General Assembly of North Carolina enacts:

Section 1. There is appropriated from the General Fund to the North Carolina General Assembly the sum of twenty-five thousand dollars ($25,000) for the fiscal year 1997-98 to be used to fund the activities of the Agriculture and Forestry Awareness Study Commission.

Section 2. Funds remaining at the end of the 1997-98 fiscal year shall not revert but shall remain available to the Commission for fiscal year 1998-99.

Section 3. Section 1 of this act becomes effective July 1, 1997. Section 2 of this act becomes effective June 30, 1998.

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1997

FILED
0061 FEB -4 97
HOUSE PRINCIPAL CLERK

H D

HOUSE DRHA119*-RFZ02(2.3)

Short Title: Proposed Changes/Chapter 106. (Public)

Sponsors: Representative Brown.

Referred to:

A BILL TO BE ENTITLED

AN ACT TO REPEAL OBSOLETE SECTIONS OF CHAPTER 106 OF THE NORTH CAROLINA GENERAL STATUTES.

The General Assembly of North Carolina enacts:

Section 1. G.S. 106-5 is repealed.

Section 2. G.S. 106-9 is repealed.

Section 3. G.S. 106-12 is repealed.

Section 4. G.S. 106-13 is repealed.

Section 5. G.S. 106-15, 106-16, 106-17, and 106-18 are repealed.

Section 6. G.S. 106-19 is repealed.

Section 7. G.S. 106-21 is repealed.

Section 8. Article 15 of Chapter 106 of the General Statutes is repealed.

Section 9. G.S. 106-197 is repealed.

Section 10. G.S. 106-429.1 through G.S. 106-434 are repealed.

Section 11. G.S. 106-432.1 is repealed.

Section 12. G.S. 106-436 is repealed.

Section 13. G.S. 106-450.1 is repealed.

Section 14. G.S. 106-451.1 is repealed.

Section 15. This act is effective when it becomes law.

NORTH CAROLINA GENERAL ASSEMBLY
AMENDMENT
House Bill 61

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

H61-ARF-245-97d

Page 1 of 1

Date 3/4 ,1997

Comm. Sub. []
Amends Title []

Rep. Culp

moves to amend the bill on page 1, lines 15 - 18 by rewriting those lines to read:

"Section 11. G.S. 106-436 through G.S. 106-451.1 are repealed.; and

further amends the bill by renumbering the remaining section accordingly".

SIGNED Julie Culp
Amendment Sponsor

SIGNED _____
Committee Chair if Senate Committee Amendment

ADOPTED 3/4/97 FAILED _____ TABLED _____
114-0 EV
DWeeks

NORTH CAROLINA
HOUSE OF REPRESENTATIVES
ROLL CALL

EV

. # 61
ISLATIVE DAY 20
H61
READING 2
BROWN
AMEND #1 — Committee Amendment
PROPOSED CHANGES/ CHAPTER 106

3/04/97
2:30 PM
IN CHAIR: SPEAKER

AYES - 114

ADAMS	DAUGHTRY	INSKO	PRESTON
ALDRIDGE	DAVIS	IVES	RAMSEY
ALEXANDER	DECKER	JARRELL	RAYFIELD
ALLRED	DEDMON	JEFFUS	REDWINE
ARNOLD	DICKSON	JUSTUS	REYNOLDS
BADDOUR	EARLE	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	GRAY	MICHAUX	THOMPSON
BRASWELL	GULLEY	MILLER	TOLSON
BRAWLEY	HACKNEY	MINER	WAINWRIGHT
BROWN	HALL	MITCHELL	WARNER
BUCHANAN	HARDAWAY	MOORE	WARWICK
CANSLER	HARDY	MORGAN	WATSON
CAPPS	HENSLEY	MORRIS	WEATHERLY
CARPENTER	HIATT	MOSLEY	WILKINS
CHURCH	HIGHTOWER	NEELY	WILSON, C.
COLE	HILL	NESBITT	WILSON, G.
CRAWFORD	HOLMES	NICHOLS	WOMBLE
CREECH	HOWARD	NYE	WOOD
CULP	HUNTER, H.	OLDHAM	WRIGHT
CULPEPPER	HUNTER, R.	OWENS	YONGUE
CUNNINGHAM	HURLEY		

NOES - 0

EXCUSED ABSENCE - 3

CLARY	DOCKHAM	GRADY

EXCUSED VOTE - 0

NOT VOTING - 3

SPEAKER	EASTERLING	ROGERS

NORTH CAROLINA
HOUSE OF REPRESENTATIVES
ROLL CALL

EV

. # 62
ISLATIVE DAY 20
H61
READING 2
BROWN

3/04/97
2:32 PM
IN CHAIR: SPEAKER

PROPOSED CHANGES/ CHAPTER 106

AYES - 115

ADAMS	DAUGHTRY	INSKO	RAMSEY
ALDRIDGE	DAVIS	IVES	RAYFIELD
ALEXANDER	DECKER	JARRELL	REDWINE
ALLRED	DEDMON	JEFFUS	REYNOLDS
ARNOLD	DICKSON	JUSTUS	ROGERS
BADDOUR	EARLE	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	GRAY	MICHAUX	THOMPSON
BRASWELL	GULLEY	MILLER	TOLSON
BRAWLEY	HACKNEY	MINER	WAINWRIGHT
BROWN	HALL	MITCHELL	WARNER
BUCHANAN	HARDAWAY	MOORE	WARWICK
CANSLER	HARDY	MORGAN	WATSON
CAPPS	HENSLEY	MORRIS	WEATHERLY
CARPENTER	HIATT	MOSLEY	WILKINS
CHURCH	HIGHTOWER	NEELY	WILSON, C.
COLE	HILL	NESBITT	WILSON, G.
CRAWFORD	HOLMES	NICHOLS	WOMBLE
CREECH	HOWARD	NYE	WOOD
CULP	HUNTER, H.	OLDHAM	WRIGHT
CULPEPPER	HUNTER, R.	OWENS	YONGUE
CUNNINGHAM	HURLEY	PRESTON	

NOES - 0

EXCUSED ABSENCE - 3

CLARY	DOCKHAM	GRADY

EXCUSED VOTE - 0

NOT VOTING - 2

SPEAKER	EASTERLING

NORTH CAROLINA GENERAL ASSEMBLY
SENATE

RECORDED VOTE

1997 SESSION

SEQ. 654/7-- 7:31 PM MAY 12, 1997 LEGISLATIVE DAY 59

LT. GOVERNOR WICKER -- Presiding

BROWN
PROPOSED CHANGES/CHAPTER 106
2ND EDITION

HOUSE BILL 61
READING 2

AYE	48	ALBERTSON	DALTON	KERR	PLYLER
		ALLRAN	DANNELLY	KINCAID	RAND
		BALLANCE	EAST	KINNAIRD	REEVES
		BALLANTINE	FORRESTER	LEE	RUCHO
		BASNIGHT	FOXX	LUCAS	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	JORDAN	PHILLIPS	WINNER
NO	0				

EXCUSED	0	
NOT CAST	1	LEDBETTER
ABSENT	1	MARTIN R.
PAIRS	0	
AYE		
NO		

GENERAL ASSEMBLY
SENATE

NORTH CAROLINA GENERAL ASSEMBLY
SENATE

RECORDED VOTE

1997 SESSION

SEQ. 665/7-- 3:31 PM MAY 13, 1997 LEGISLATIVE DAY 60

LT. GOVERNOR WICKER -- Presiding

BROWN
PROPOSED CHANGES/CHAPTER 106
2ND EDITION

HOUSE BILL 61
READING 3

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

GENERAL ASSEMBLY
SENATE

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1997

H.B. FILED
0062 FEB -4 97
HOUSE PRINCIPAL CLERK

H D

HOUSE DRH1028-LB058(2.3)

Short Title: Henderson Co. Annexation Agreements. (Local)

Sponsors: Representative Ives.

Referred to:

A BILL TO BE ENTITLED

AN ACT TO AUTHORIZE THE CITY OF HENDERSONVILLE AND THE TOWN OF LAUREL PARK TO ENTER INTO ANNEXATION AND PAYMENT IN LIEU OF TAX AGREEMENTS WITH THE OWNERS OF CERTAIN CLASSES OF MANUFACTURING PROPERTIES.

The General Assembly of North Carolina enacts:

Section 1. A city may, by written agreement approved by the governing board, provide that certain manufacturing industrial property described in the agreement may not be annexed by the city under Part 2 or 3 of Article 4A of Chapter 160A of the General Statutes for a period not to exceed 20 years from the effective date of the agreement.

Section 2. The consideration flowing to the city under an agreement authorized by Section 1 of this act shall be annual payments in lieu of taxes. The payments shall be negotiated by the city and the industry involved. Consideration may be given to the economic benefits to the city that are derived from said industry, the number of employees, and the potential for future growth and expansion.

Section 3. Nothing in this act impairs the right of the General Assembly to annex any property by specific local act.

Section 4. This act applies only to the City of Hendersonville and the Town of Laurel Park.

Section 5. This act is effective when it becomes law.

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1997

H.B. FILED
0063 FEB -5 97
HOUSE PRINCIPAL CLERK

H D

HOUSE DRH1027-LB044(2.3)

Short Title: River Bend Zoning/Annexation. (Local)

Sponsors: Representative Nichols.

Referred to:

A BILL TO BE ENTITLED

AN ACT TO RESTORE EXTRATERRITORIAL PLANNING POWERS OF THE TOWN OF RIVER BEND BUT PROHIBIT IT FROM MAKING INVOLUNTARY ANNEXATIONS.

The General Assembly of North Carolina enacts:

Section 1. Section VI of the Charter of the Town of River Bend, being that Charter approved by the Municipal Board of Control and filed with the Secretary of State on January 14, 1981, as added by Chapter 26 of the Session Laws of 1987, reads as rewritten:

"Section VI. The Town may not exercise in Craven County any ~~extraterritorial jurisdiction or extraterritorial~~ powers under Parts 2 and 3 of Article ~~19~~ 4A of Chapter 160A of the General Statutes. Nothing in this section shall affect in any way the authority of the Town to annex property in Craven County by petition under Parts 1 and 4 of Article 4A of Chapter 160A of the General Statutes, entitled, respectively, 'Extension by Petition' and 'Annexation of Noncontiguous Areas'."

Section 2. This act becomes effective 30 days after it becomes law.

NORTH CAROLINA

HOUSE OF REPRESENTATIVES

ROLL CALL

RC

. # 359
ISLATIVE DAY 50
SR4
READING 2

4/24/97
3:17 PM
IN CHAIR: SPEAKER

H63

AYES - 106

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

NOES - 2

KINNEY	SMITH

EXCUSED ABSENCE - 3

BLUE	CRAWFORD	ROGERS

EXCUSED VOTE - 0

NOT VOTING - 9

SPEAKER	BLACK	EASTERLING	HARDAWAY
ARNOLD	CULP	HACKNEY	WEATHERLY
BADDOUR			

SHORT ROLL: H63 HCS#2 H643 H695 H865 HCS

NORTH CAROLINA
HOUSE OF REPRESENTATIVES
ROLL CALL

RC

[redacted]. # 385
[redacted]ISLATIVE DAY 51
[redacted]
READING 3

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

H63

AYES - 110

ADAMS	DECKER	HURLEY	PRESTON
ALDRIDGE	DEDMON	INSKO	RAYFIELD
ALEXANDER	DICKSON	IVES	REDWINE
ALLRED	DOCKHAM	JARRELL	REYNOLDS
ARNOLD	EARLE	JEFFUS	ROGERS
BADDOUR	EASTERLING	JUSTUS	RUSSELL
BAKER	EDDINS	KINNEY	SAUNDERS
BARBEE	ELLIS	KISER	SEXTON
BEALL	ESPOSITO	MCALLISTER	SHERRILL
BERRY	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	MOORE	WARWICK
CARPENTER	HARDAWAY	MORGAN	WATSON
CHURCH	HENSLEY	MORRIS	WEATHERLY
CLARY	HIATT	MOSLEY	WILKINS
CRAWFORD	HIGHTOWER	NESBITT	WILSON, C.
CREECH	HILL	NICHOLS	WILSON, G.
CULP	HOLMES	NYE	WOMBLE
CULPEPPER	HOWARD	OLDHAM	WOOD
CUNNINGHAM	HUNTER, H.	OWENS	YONGUE
DAVIS	HUNTER, R.		

NOES - 1

HARDY

EXCUSED ABSENCE - 3

LUEBKE	NEELY	WRIGHT

EXCUSED VOTE - 0

NOT VOTING - 6

SPEAKER	BRASWELL	DAUGHTRY	RAMSEY
BLACK	COLE		

SHORT ROLL: H63 #2 HCS H643 H72 H373 #2 HCS H695

Original (SP)

Pearce

NORTH CAROLINA GENERAL ASSEMBLY
AMENDMENT
House Bill 63

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

H63-ALBX-1

Date 7/2 ,1997

Comm. Sub. []
Amends Title [YES]

Perdue

moves to amend the bill on page 1, line 4, by adding the following immediately before the period, "AND CONCERNING ANNEXATION OF AREAS BY THE TOWNS OF MOREHEAD CITY AND NEWPORT WHERE PLANNING JURISDICTION WAS RECENTLY GRANTED TO THOSE TOWNS BY LOCAL ACT"

further moves to amend the bill on page 1, line 15, by adding the following between lines 15 and 16:

"Section 1.1. Section 1 of S.L. 1997-219 reads as rewritten:

NORTH CAROLINA GENERAL ASSEMBLY
AMENDMENT
House Bill 63

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

H63-ALBX-1

"Section 1. The Towns of Morehead City and Newport may not annex noncontiguous areas as provided in Part 4 of Article 4A of Chapter 160A of the General Statutes if the area to be annexed is closer to the other Town's corporate limits than it is to the corporate limits of the Town desiring to annex the area. However, either Town may annex such an area if it lies within an area where the Town could exercise its extraterritorial planning jurisdiction under S.L. 1997-185, or where the Town is exercising its extraterritorial planning jurisdiction under Article 19 of Chapter 160A of the General Statutes."

SIGNED _____
Amendment Sponsor

SIGNED _____
Committee Chair if Senate Committee Amendment

ADOPTED V 48-0 FAILED _____ TABLED _____
Janet P Mitt 7/2/97

NORTH CAROLINA GENERAL ASSEMBLY
SENATE

RECORDED VOTE

1997 SESSION

SEQ. 1054/7--12:04 PM JULY 2, 1997 LEGISLATIVE DAY 89

LT. GOVERNOR WICKER -- Presiding

NICHOLS
RIVER BEND ZONING/ANNEXATION
3RD EDITION

HOUSE BILL 63

AMEND 1

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

GENERAL ASSEMBLY
SENATE

NORTH CAROLINA GENERAL ASSEMBLY
SENATE

RECORDED VOTE

1997 SESSION

SEQ. 1056/9--12:06 PM JULY 2, 1997 LEGISLATIVE DAY 89

LT. GOVERNOR WICKER -- Presiding

NICHOLS
RIVER BEND ZONING/ANNEXATION
3RD EDITION

HOUSE BILL 63
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	JORDAN	PERDUE	WELLONS
		COOPER	KINCAID	PHILLIPS	WINNER
		DALTON			
NO	0				

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

GENERAL ASSEMBLY
SENATE

NORTH CAROLINA GENERAL ASSEMBLY
SENATE

RECORDED VOTE

1997 SESSION

SEQ. 1056/9--12:06 PM JULY 2, 1997 LEGISLATIVE DAY 89

LT. GOVERNOR WICKER -- Presiding

NICHOLS
RIVER BEND ZONING/ANNEXATION
3RD EDITION

HOUSE BILL 63
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	JORDAN	PERDUE	WELLONS
		COOPER	KINCAID	PHILLIPS	WINNER
		DALTON			
NO	0				

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

GENERAL ASSEMBLY
SENATE

Original (pp)

Perdue

NORTH CAROLINA GENERAL ASSEMBLY
AMENDMENT
House Bill 63

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

H63-ALBX-1

Date 7/2 ,1997

Comm. Sub. []
Amends Title [YES]

Perdue

moves to amend the bill on page 1, line 4,
by adding the following immediately before the period, "AND
CONCERNING ANNEXATION OF AREAS BY THE TOWNS OF MOREHEAD CITY AND
NEWPORT WHERE PLANNING JURISDICTION WAS RECENTLY GRANTED TO THOSE
TOWNS BY LOCAL ACT"

further moves to amend the bill on page ~~1~~ 3, line ~~15~~ 36, by adding the
following between lines ~~15~~ 35 and ~~16~~ 37:

"Section 1.1. Section 1 of S.L. 1997-219 reads as
rewritten:

NORTH CAROLINA GENERAL ASSEMBLY
AMENDMENT
House Bill 63

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

H63-ALBX-1

"Section 1. The Towns of Morehead City and Newport may not annex noncontiguous areas as provided in Part 4 of Article 4A of Chapter 160A of the General Statutes if the area to be annexed is closer to the other Town's corporate limits than it is to the corporate limits of the Town desiring to annex the area. However, either Town may annex such an area if it lies within an area where the Town could exercise its extraterritorial planning jurisdiction under S.L. 1997-185, or where the Town is exercising its extraterritorial planning jurisdiction under Article 19 of Chapter 160A of the General Statutes."

SIGNED _____
Amendment Sponsor

SIGNED _____
Committee Chair if Senate Committee Amendment

ADOPTED V 48-0 FAILED _____ TABLED _____

Janet P Mitt 7/2/97

NORTH CAROLINA GENERAL ASSEMBLY
AMENDMENT
House Bill 63

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

H63-ALBX-2

Page 1 of 2

Date 7/2 ,1997

Comm. Sub. []
Amends Title [YES]

moves to amend the bill on page 1, line 4, by adding the following immediately before the period, "AND CONCERNING ANNEXATION OF AREAS BY THE TOWNS OF MOREHEAD CITY AND NEWPORT WHERE PLANNING JURISDICTION WAS RECENTLY GRANTED TO THOSE TOWNS BY LOCAL ACT"

further moves to amend the bill on page 3, line 36, by adding the following between lines 36 and 37:

"Section 1.1. Section 1 of S.L. 1997-219 reads as rewritten:

This is the corrected version of the attached amendment which has the corrections written in and initialed.
7/3/97 D. Pruitt

NORTH CAROLINA GENERAL ASSEMBLY
AMENDMENT
House Bill 63

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

H63-ALBX-2

Page 2 of 2

"Section 1. The Towns of Morehead City and Newport may not annex noncontiguous areas as provided in Part 4 of Article 4A of Chapter 160A of the General Statutes if the area to be annexed is closer to the other Town's corporate limits than it is to the corporate limits of the Town desiring to annex the area. However, either Town may annex such an area if it lies within an area where the Town could exercise its extraterritorial planning jurisdiction under S.L. 1997-185, or where the Town is exercising its extraterritorial planning jurisdiction under Article 19 of Chapter 160A of the General Statutes."

SIGNED _____
Amendment Sponsor

SIGNED _____
Committee Chair if Senate Committee Amendment

ADOPTED _____ FAILED _____ TABLED _____

NORTH CAROLINA GENERAL ASSEMBLY
SENATE

RECORDED VOTE

1997 SESSION

SEQ. 1071/4--10:27 AM JULY 3, 1997 LEGISLATIVE DAY 90

SENATOR BASNIGHT -- Presiding

NICHOLS
RIVER BEND ZONING/ANNEXATION
COMM SUB. NO. 2/3RD EDITION

AFTER RECONSIDERATION

HOUSE BILL 63
READING 2

AYE	48	ALBERTSON	DALTON	KINCAID	PLYLER
		ALLRAN	DANNELLY	KINNAIRD	RAND
		BALLANCE	EAST	LEDBETTER	REEVES
		BALLANTINE	FORRESTER	LEE	RUCHO
		BASNIGHT	FOXX	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
NO	1	GARWOOD			

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

(CONTINUED)

GENERAL ASSEMBLY
SENATE

NORTH CAROLINA GENERAL ASSEMBLY
SENATE

RECORDED VOTE

1997 SESSION

SEQ. 1082/15--11:05 AM JULY 3, 1997 LEGISLATIVE DAY 90

SENATOR BASNIGHT -- Presiding

NICHOLS
RIVER BEND ZONING/ANNEXATION
COMM SUB. NO. 2/3RD EDITION

HOUSE BILL 63
READING 2

AFTER RECONSIDERATION

RECORDED
AYE 1 GARWOOD
NO -1
ADJUSTED TOTAL
AYE 49
NO 0
NOT CAST 0
ABSENT 1

(COPY)

GENERAL ASSEMBLY
SENATE

NORTH CAROLINA GENERAL ASSEMBLY
SENATE

RECORDED VOTE

1997 SESSION

SEQ. 1084/2-- 7:30 PM JULY 7, 1997 LEGISLATIVE DAY 91

SENATOR BASNIGHT -- Presiding

NICHOLS
LOCAL ZONING/ANNEXATION
COMM SUB. NO. 2/3RD EDITION

AFTER RECONSIDERATION

HOUSE BILL 63
READING 3

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					

(COPY)

GENERAL ASSEMBLY
SENATE

NORTH CAROLINA

HOUSE OF REPRESENTATIVES

ROLL CALL

RC

SEQ. # 1311
LEGISLATIVE DAY 107
RE: HCS #2
READING 2
NICHOLS
AMEND #1 - RULED MATERIAL
RIVER BEND ZONING/ ANNEXATION
MOTION #11 - TO CONCUR IN HCS

8/04/97
7:44 PM
IN CHAIR: SPEAKER

AYES - 102

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

NOES - 1

SHERRILL

EXCUSED ABSENCE - 10

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

EXCUSED VOTE - 0

NOT VOTING - 7

SPEAKER	CLARY	MICHAUX	WOMBLE
BRASWELL	DECKER	WILSON, C.	

NORTH CAROLINA

HOUSE OF REPRESENTATIVES

ROLL CALL

[redacted] # 1320
[redacted]ISLATIVE DAY 108
[redacted] HCS #2

RC
8/05/97
11:00 AM
IN CHAIR: SPEAKER

NICHOLS
AMEND #1
RIVER BEND ZONING/ ANNEXATION
MOTION #11 : TO CONCUR IN Senate amendment, ruled material (3rd reading)

AYES - 96

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

NOES - 0

EXCUSED ABSENCE - 9

ADAMS	CREECH	KINNEY	SHUBERT
BLUE	CUNNINGHAM	SAUNDERS	WOOD
BRAWLEY			

EXCUSED VOTE - 0

NOT VOTING - 15

SPEAKER	COLE	HARDY	SHERRILL
BARBEE	DAUGHTRY	HOLMES	STARNES
BERRY	GOODWIN	INSKO	WILSON, C.
CARPENTER	GRADY	ROGERS	

H.B. FILED
0064 FEB -5 97
HOUSE PRINCIPAL CLERK

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1997

H D

HOUSE DRH4015*-RCZ002.2(1.30)

Short Title: Sch. Bd. Leases of Sch. Bldgs. (Public)

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

Referred to:

A BILL TO BE ENTITLED

AN ACT TO ALLOW SCHOOL BOARDS TO ENTER INTO OPERATIONAL LEASES OF REAL AND PERSONAL PROPERTY FOR USE AS SCHOOL BUILDINGS AND FOR THE REVIEW AND APPROVAL OF CERTAIN LEASES BY BOARDS OF COUNTY COMMISSIONERS AND THE LOCAL GOVERNMENT COMMISSION.

The General Assembly of North Carolina enacts:

Section 1. G.S. 115C-521(d) reads as rewritten:

"(d) Local boards of education shall make no contract for the erection ~~or repair~~ of any school building unless the site upon which it is located is owned in fee simple by the board: Provided, that the board of education of a local school administrative unit, with the approval of the board of county commissioners, may appropriate funds to aid in the establishment of a school facility and the operation thereof in an adjoining local school administrative unit when a written agreement between the boards of education of the administrative units involved has been reached and the same recorded in the minutes of the boards, whereby children from the administrative unit making the appropriations shall be entitled to attend the school so established.

In all cases where title to property has been vested in the trustees of a special charter district which has been abolished and has not been reorganized, title to the property shall be vested in the local board of education of the county embracing the former special charter district."

Section 2. Article 37 of Chapter 115C is amended by adding a new section to read:

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1997

H.B. FILED
0065 FEB -5 97
HOUSE PRINCIPAL CLERK

H D

HOUSE DRH8011-LMX010(1.8)

Short Title: Canton Deannexation. (Local)

Sponsors: Representatives Beall and Ramsey.

Referred to:

A BILL TO BE ENTITLED

AN ACT TO REMOVE CERTAIN DESCRIBED PROPERTY FROM THE CORPORATE LIMITS OF THE TOWN OF CANTON.

The General Assembly of North Carolina enacts:

Section 1. The following described property is removed from the corporate limits of the Town of Canton:

Beginning at a point in the Eastern right-of-way of S.R. 1833 (Wells Town Road), the Southwest corner of the 3.358-Acre tract annexed by Ordinance dated September 8th, 1992 (Food Lion, Inc., Property), thence North 58° 31' 24" West, 60.62' to an iron bar, the Southeast corner of the Ingles Markets, Inc., Property, thence the following three courses and distances with the Northern margin of the right-of-way of S.R. 1834 (DB 273, Pg 26): South 67° 38' 37" West, 190.27' to an iron bar, South 60° 38' 37" West, 341.83' to an iron bar, South 60° 38' 37" West, 369.89' to an iron bar, the Southwest corner of Ingles Markets, Inc., Property, thence leaving said right-of way, and with the Easterly line of Jimmie Wells King, North 07° 36' 00" East a distance of 404.97' an iron pin at the Southeasterly corner of the property of Raymond C. Stamey, thence with the Easterly line of Raymond C. Stamey and the Easterly line of Virginia Trostel James, North 06° 57' 00" East a distance of 595.48' to a point in the present Town Limits thence with said Town Limits along the arc of a curve to the right having a radius of 5,429.58' and an arc length of 356.05' (said arc being subtended by a chord bearing South 78° 54' 16" East, 355.99') to a point; thence continuing with said Town Limits along the arc of a curve to the right having a radius of 11,159.16' and an arc length of 434.78' (said arc being subtended by a chord bearing South 75° 38' 17" East, 60.62') to a point in the Eastern right-of-way of S.R. 1833 and the Westerly line of Food Lion, Inc., (DB 429, Pg 34); thence with

NORTH CAROLINA

HOUSE OF REPRESENTATIVES

ROLL CALL

RC

86
LEGISLATIVE DAY 23
SR3
READING 2

3/10/97
7:23 PM
IN CHAIR: SPEAKER

AYES - 112

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

NOES - 0

EXCUSED ABSENCE - 3

BRASWELL	HUNTER, R.	MCMAHAN

EXCUSED VOTE - 0

NOT VOTING - 5

SPEAKER	FITCH	GAMBLE	REYNOLDS
CRAWFORD			

SHORT ROLL: H39 H65 H105

NORTH CAROLINA
HOUSE OF REPRESENTATIVES
ROLL CALL

RC

[redacted] # 100
[redacted]SLATIVE DAY 24
SR3
READING 3

3/11/97
2:20 PM
IN CHAIR: SPEAKER

AYES - ~~107~~ 108

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

NOES - 0

EXCUSED ABSENCE - ~~1~~ 2

BRASWELL

BLUE

EXCUSED VOTE - 0

NOT VOTING - ~~12~~ 10

SPEAKER	CRAWFORD	GAMBLE	MICHAUX
~~BLUE~~	DAUGHTRY	HARDY	~~WAINWRIGHT~~
CLARY	EASTERLING	HUNTER, R.	WRIGHT

SHORT ROLL: H39 H65 H105

NORTH CAROLINA GENERAL ASSEMBLY
SENATE

RECORDED VOTE

1997 SESSION

SEQ. 733/2--12:29 PM MAY 22, 1997 LEGISLATIVE DAY 66

LT. GOVERNOR WICKER -- Presiding

BEALL
CANTON DEANNEXATION

HOUSE BILL 65
READING 2

AYE	46	ALBERTSON	EAST	LEDBETTER	PLYLER
		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
		CLARK	HOYLE	ODOM	WEBSTER
		CONDER	JENKINS	PAGE	WEINSTEIN
		COOPER	KERR	PERDUE	WELLONS
		DALTON	KINCAID	PHILLIPS	WINNER
		DANNELLY	KINNAIRD		
NO	0				
EXCUSED	0				
NOT CAST	0				
ABSENT	4	CARRINGTON	COCHRANE	JORDAN	WARREN
PAIRS	0				
AYE					
NO					

GENERAL ASSEMBLY
SENATE

NORTH CAROLINA GENERAL ASSEMBLY
SENATE

RECORDED VOTE

1997 SESSION

SEQ. 750/3-- 7:54 PM MAY 26, 1997 LEGISLATIVE DAY 67

SENATOR BASNIGHT -- Presiding

BEALL
CANTON DEANNEXATION

HOUSE BILL 65
READING 3

AYE	48	ALBERTSON	DALTON	KINNAIRD	PLYLER
		ALLRAN	DANNELLY	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
NO	0				
EXCUSED	0				
NOT CAST	0				
ABSENT	2	EAST	JORDAN		
PAIRS	0				
AYE					
NO					

GENERAL ASSEMBLY
SENATE

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1997

H.B. FILED
0066 FEB -5 97
HOUSE PRINCIPAL CLERK

H D

HOUSE DRH6021*-RFZ01(1.30)

Short Title: Trespass/Theft of Pine Straw. (Public)

Sponsors: Representative Brown.

Referred to:

A BILL TO BE ENTITLED

AN ACT TO ESTABLISH THE OFFENSES OF TRESPASS ON PINE STRAW PRODUCTION LAND AND LARCENY OF PINE STRAW.

The General Assembly of North Carolina enacts:

Section 1. The title of Article 22A of Chapter 14 of the General Statutes reads as rewritten:

"ARTICLE 22A.

Trespassing upon 'Posted' Property to Hunt, ~~Fish or Trap.~~ Fish, Trap, or Remove Pine Needles/Straw."

Section 2. G.S. 14-159.6 reads as rewritten:

"**§ 14-159.6. Trespass for purposes of hunting, etc., without written consent a misdemeanor.**

(a) Any person who willfully goes on the land, waters, ponds, or a legally established waterfowl blind of another upon which notices, signs or ~~posters, described in G.S. 14-159.7,~~ posters prohibiting hunting, fishing or ~~trapping,~~ trapping have been placed in accordance with the provisions of G.S. 14-159.7, or upon which 'posted' notices have been ~~placed,~~ placed in accordance with the provisions of G.S. 14-159.7, to hunt, fish or trap without the written consent of the owner or his agent shall be guilty of a Class 2 misdemeanor. Provided, further, that no arrests under authority of this ~~section~~ subsection shall be made without the consent of the owner or owners of said land, or their duly authorized agents in the following counties: Halifax and Warren.

(b) Any person who willfully goes on the land of another upon which notices, signs, or posters prohibiting raking or removing pine needles or pine straw have been placed in accordance with the provisions of G.S. 14-159.7, or upon which 'posted'

NORTH CAROLINA
HOUSE OF REPRESENTATIVES
ROLL CALL

EV

. # 43
ISLATIVE DAY 18
H66 HCS
READING 2
BROWN

2/27/97
2:19 PM
IN CHAIR: SPEAKER

TRESPASS/THEFT OF PINE STRAW
MOTION #3 Rep. Weatherly calls previous question

AYES - 100

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

NOES - 6

FITCH	HENSLEY	REDWINE	SUTTON
HACKNEY	HUNTER, H.		

EXCUSED ABSENCE - 5

CLARY	MCALLISTER	NEELY	NESBITT
KINNEY			

EXCUSED VOTE - 0

NOT VOTING - 9

SPEAKER	BLUE	LUEBKE	WEATHERLY
BARBEE	ELLIS	MOSLEY	WRIGHT
BLACK			

NORTH CAROLINA

HOUSE OF REPRESENTATIVES

ROLL CALL

44
ISLATIVE DAY 18
H66 HCS
READING 3
BROWN

2/27/97
2:19 PM
IN CHAIR: SPEAKER

TRESPASS/THEFT OF PINE STRAW

AYES - 101

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

NOES - 8

BOYD-MCINTYRE	FOX	HENSLEY	MICHAUX
FITCH	HARDAWAY	HUNTER, H.	MOSLEY

EXCUSED ABSENCE - 5

CLARY	MCALLISTER	NEELY	NESBITT
KINNEY			

EXCUSED VOTE - 0

NOT VOTING - 6

SPEAKER	BLACK	ELLIS	WRIGHT
BARBEE	BLUE		

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1997

H.B. FILED
0067 FEB -5 97
HOUSE PRINCIPAL CLERK

H D

HOUSE DRH6004-LMX003(1.1)

Short Title: Summerfield Incorporated. (Local)

Sponsors: Representative Decker.

Referred to:

A BILL TO BE ENTITLED

AN ACT TO REDEFINE THE CORPORATE LIMITS OF THE TOWN OF SUMMERFIELD.

The General Assembly of North Carolina enacts:

Section 1. Section 2.1 of the Charter of the Town of Summerfield, being Chapter 426, Session Laws of 1995 as rewritten by Chapter 2 of the Session Laws, Second Extra Session of 1996 reads as rewritten:

"Sec. 2.1. **Town Boundaries.** Until modified in accordance with law the boundaries of the Town of Summerfield are as follows:

~~BEGINNING at the intersection of the western edge of United States Highway 220 and the middle of the Haw River; Thence in a generally western direction following the middle of the Haw River To the Bruce Township Line.~~

~~Thence south along the Bruce Township Line to the intersection with the corner of Guilford County Tax Map ACL-10-654, Block 1038, Lot 4.~~

~~Thence in a generally eastern direction along the northern boundary of Lot 4.~~

~~Thence in a generally southern direction along the eastern line of Lots 4 and 54, and Guilford County Tax Map ACL-10-654, Block 1037, Lots 14 and 15 to the intersection of the northern boundary of Lot 2.~~

~~Thence in a generally eastern direction along the northern boundary of Lot 2, and Guilford county Tax Map ACL-10-654, Block 984, Lot 6 and Lot 4 until reaching a point on the western edge of Belford Road.~~

~~Thence in a generally northern direction along the western edge of Belford Road to a point due west of the intersection of the southern corner of Guilford County Tax Map ACL-10-654, Block 983, Lot 33.~~

NORTH CAROLINA
HOUSE OF REPRESENTATIVES
ROLL CALL

RC

[redacted] # 290
[redacted]SLATIVE DAY 44
[redacted]
READING 2

4/14/97
7:41 PM
IN CHAIR: SPEAKER

H67

AYES - 108

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

NOES - 3

BAKER	HARDY	WILSON, G.

EXCUSED ABSENCE - 6

FITCH	NESBITT	ROGERS	SUTTON
HIGHTOWER	REDWINE		

EXCUSED VOTE - 0

NOT VOTING - 3

SPEAKER	MORRIS	STARNES

[redacted]T ROLL: H283 H67 ~~HCS~~ H411 H590 H603

RC

NORTH CAROLINA

HOUSE OF REPRESENTATIVES

ROLL CALL

[redacted] # 295
LEGISLATIVE DAY 44
SR 4
READING 3

4/15/97
2:14 PM
IN CHAIR: SPEAKER

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	EASTERLING	KINNEY	ROGERS
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	TALLENT
BOYD-MCINTYRE	GRADY	MERCER	THOMPSON
BRASWELL	GRAY	MICHAUX	TOLSON
BRAWLEY	GULLEY	MILLER	WAINWRIGHT
BROWN	HACKNEY	MINER	WARNER
BUCHANAN	HALL	MITCHELL	WARWICK
CANSLER	HARDAWAY	MOORE	WATSON
CAPPS	HENSLEY	MORGAN	WEATHERLY
CARPENTER	HIATT	MORRIS	WILKINS
CHURCH	HIGHTOWER	MOSLEY	WILSON, G.
CLARY	HILL	NEELY	WOMBLE
CREECH	HOLMES	NESBITT	WOOD
CULP	HOWARD	NICHOLS	WRIGHT
CULPEPPER	HUNTER, H.	NYE	YONGUE
DAUGHTRY	HUNTER, R.	OLDHAM	

NOES - 1

HARDY

EXCUSED ABSENCE - 2

FITCH SUTTON

EXCUSED VOTE - 0

NOT VOTING - 6

SPEAKER	CRAWFORD	RUSSELL	WILSON, C.
COLE	CUNNINGHAM		

SHORT ROLL: [redacted] H590 [redacted] H 67 NCS H 411 H 283

PASSED 2nd READING
Yes 102 Noes 0
for concurrence
JUN 26 1997
AND PLACED ON THIS CALENDAR

PASSES 3rd READING
Ayes 111 Noes 2
JUN 30 1997
for concurrence
AND ORDERED ENROLLED
TITLE CHANGE

NORTH CAROLINA GENERAL ASSEMBLY
AMENDMENT
House Bill 67

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

H67-ALB-1

Page 1 of 3

Date 6/18 ,1997

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

moves to amend the bill on page 1, line 3, by adding the following immediately before the period: ", AND CONCERNING THE TOWN OF LELAND"

further moves to amend the bill on page 8, line 39, by adding the following between lines 39 and 40:

"Section 1.1. (a) The corporate limits of the Town of Leland are extended to include the following described tract of land:

Being a tract of land located in Town Creek Township, Brunswick County, North Carolina, and being more fully described as follows:

Beginning at a Right-of-Way Monument, in the northern Right-of-Way of US 17, said monument being located on the south side of a gate leading into the property, as shown on a map titled "THE GREGORY POOLE TRACT", prepared by Stuart Gooden, R.L.S., and dated May 31, 1994; thence with said Right-of-Way South 54 degrees 56 minutes 00 seconds West, a distance of 1111.44 feet; thence leaving said Right-of-Way North 45 degrees 36 minutes 40 seconds West, a distance of 272.41 feet; thence North 45 degrees 36 minutes 08 seconds West, a distance of 2493.87 feet; thence North 45 degrees 35 minutes 59 seconds West, a distance of 1124.67 feet; thence North 48 degrees 44 minutes 35 seconds West, a distance of 1849.91 feet; thence South 78 degrees 10 minutes 46 seconds West, a distance of 793.76 feet; thence North 66 degrees 50 minutes 57 seconds West, a

NORTH CAROLINA GENERAL ASSEMBLY
AMENDMENT
House Bill 67

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

H67-ALB-1

distance of 1282.45 feet to a point in SR 1438 (Lanvale Road); thence North 11 degrees 09 minutes 18 seconds West, a distance of 344.20 feet to a point in the centerline of Lanvale Road thence with said centerline North 07 degrees 08 minutes 13 seconds West, a distance of 690.45 feet; thence North 06 degrees 46 minutes 34 seconds West, a distance of 441.28 feet; thence North 09 degrees 45 minutes 03 seconds West, a distance of 128.86 feet; thence North 14 degrees 28 minutes 52 seconds West, a distance of 124.97 feet; thence North 19 degrees 35 minutes 26 seconds West, a distance of 150.19 feet; thence North 26 degrees 13 minutes 01 seconds West, a distance of 150.04 feet; thence North 32 degrees 26 minutes 42 seconds West, a distance of 178.45 feet; thence North 36 degrees 09 minutes 42 seconds West, a distance of 237.57 feet; thence North 36 degrees 09 minutes 33 seconds West, a distance of 187.40 feet; thence North 36 degrees 08 minutes 44 seconds West, a distance of 246.56 feet; thence North 36 degrees 09 minutes 33 seconds West, a distance of 198.67 feet; thence North 35 degrees 57 minutes 10 seconds West, a distance of 188.63 feet; thence North 35 degrees 22 minutes 08 seconds West, a distance of 52.73 feet; thence North 30 degrees 54 minutes 08 seconds West, a distance of 193.58 feet; thence North 24 degrees 37 minutes 51 seconds West, a distance of 239.60 feet; thence leaving said centerline and with Sturgeon Branch North 72 degrees 40 minutes 07 seconds East, a distance of 30.21 feet; thence North 72 degrees 59 minutes 08 seconds East, a distance of 150.37 feet; thence North 15 degrees 10 minutes 23 seconds East, a distance of 242.76 feet; thence North 84 degrees 23 minutes 02 seconds East, a distance of 141.02 feet; thence North 55 degrees 24 minutes 41 seconds East, a distance of 313.03 feet; thence North 40 degrees 17 minutes 58 seconds East, a distance of 94.28 feet; thence North 03 degrees 42 minutes 18 seconds West, a distance of 48.90 feet; thence North 89 degrees 55 minutes 04 seconds East, a distance of 138.95 feet; thence North 63 degrees 52 minutes 03 seconds East, a distance of 108.98 feet; thence North 41 degrees 05 minutes 41 seconds East, a distance of 227.03 feet; thence North 36 degrees 48 minutes 37 seconds East, a distance of 204.72 feet; thence North 48 degrees 24 minutes 27 seconds East, a distance of 120.97 feet to a point in the run of Rice Branch thence with said branch South 51

NORTH CAROLINA GENERAL ASSEMBLY
AMENDMENT
House Bill 67

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

H67-ALB-1

degrees 13 minutes 24 seconds East, a distance of 35.93 feet; thence South 89 degrees 20 minutes 59 seconds East, a distance of 106.00 feet; thence North 88 degrees 41 minutes 14 seconds East, a distance of 231.37 feet; thence South 63 degrees 01 minutes 01 seconds East, a distance of 72.07 feet; thence South 30 degrees 31 minutes 05 seconds East, a distance of 88.34 feet; thence North 55 degrees 02 minutes 25 seconds East, a distance of 68.06 feet; thence South 83 degrees 07 minutes 08 seconds East, a distance of 75.12 feet; thence South 53 degrees 08 minutes 14 seconds East, a distance of 49.51 feet; thence South 37 degrees 05 minutes 03 seconds East, a distance of 77.72 feet; thence North 46 degrees 14 minutes 12 seconds East, a distance of 56.82 feet; thence South 50 degrees 58 minutes 00 seconds East, a distance of 39.22 feet; thence South 06 degrees 18 minutes 38 seconds West, a distance of 73.24 feet; thence South 17 degrees 06 minutes 48 seconds East, a distance of 38.30 feet; thence South 63 degrees 48 minutes 32 seconds East, a distance of 58.91 feet; thence North 45 degrees 05 minutes 05 seconds East, a distance of 170.10 feet; thence South 25 degrees 36 minutes 41 seconds East, a distance of 133.07 feet; thence South 08 degrees 55 minutes 12 seconds West, a distance of 56.18 feet; thence North 73 degrees 37 minutes 44 seconds East, a distance of 70.25 feet; thence South 09 degrees 39 minutes 11 seconds East, a distance of 54.37 feet; thence North 77 degrees 45 minutes 53 seconds East, a distance of 54.74 feet; thence South 65 degrees 56 minutes 51 seconds East, a distance of 118.51 feet; thence North 51 degrees 52 minutes 28 seconds East, a distance of 113.22 feet; thence South 85 degrees 54 minutes 21 seconds East, a distance of 72.82 feet; thence North 35 degrees 31 minutes 42 seconds East, a distance of 74.71 feet; thence South 80 degrees 09 minutes 57 seconds East, a distance of 94.27 feet; thence North 67 degrees 59 minutes 19 seconds East, a distance of 103.53 feet; thence South 22 degrees 55 minutes 29 seconds East, a distance of 82.62 feet; thence North 45 degrees 55 minutes 16 seconds East, a distance of 67.70 feet; thence South 37 degrees 17 minutes 37 seconds East, a distance of 68.76 feet; thence North 53 degrees 44 minutes 53 seconds East, a distance of 58.17 feet; thence North 12 degrees 52 minutes 59 seconds West, a distance of 38.98 feet; thence South 89 degrees 48 minutes 15 seconds East, a distance of 58.32

feet; thence North 58 degrees 19 minutes 43 seconds East, a distance of 93.90 feet; thence South 63 degrees 38 minutes 13 seconds East, a distance of 47.06 feet; thence South 37 degrees 24 minutes 09 seconds East, a distance of 54.13 feet; thence North 43 degrees 32 minutes 32 seconds East, a distance of 90.22 feet; thence North 83 degrees 55 minutes 19 seconds East, a distance of 54.78 feet; thence South 82 degrees 53 minutes 15 seconds East, a distance of 66.22 feet; thence North 45 degrees 30 minutes 43 seconds East, a distance of 102.03 feet; thence North 73 degrees 09 minutes 53 seconds East, a distance of 138.11 feet; thence North 20 degrees 04 minutes 19 seconds West, a distance of 80.59 feet; thence North 36 degrees 34 minutes 12 seconds East, a distance of 51.79 feet; thence North 34 degrees 47 minutes 49 seconds East, a distance of 76.72 feet; thence North 08 degrees 06 minutes 25 seconds East, a distance of 122.32 feet; thence North 71 degrees 30 minutes 52 seconds East, a distance of 75.69 feet; thence North 20 degrees 40 minutes 01 seconds West, a distance of 68.51 feet; thence North 61 degrees 42 minutes 35 seconds East, a distance of 93.25 feet; thence leaving said branch South 20 degrees 33 minutes 06 seconds East, a distance of 291.98 feet; thence South 20 degrees 32 minutes 17 seconds East, a distance of 534.90 feet; thence North 41 degrees 38 minutes 26 seconds East, a distance of 242.33 feet; thence North 53 degrees 43 minutes 59 seconds East, a distance of 347.56 feet; thence North 51 degrees 33 minutes 50 seconds East, a distance of 241.30 feet; thence North 67 degrees 45 minutes 59 seconds East, a distance of 681.05 feet; thence North 70 degrees 01 minutes 48 seconds East, a distance of 563.93 feet; thence South 53 degrees 07 minutes 47 seconds East, a distance of 1460.15 feet; thence South 05 degrees 55 minutes 43 seconds East, a distance of 3955.76 feet; thence South 05 degrees 56 minutes 16 seconds East, a distance of 830.35 feet; thence South 05 degrees 55 minutes 43 seconds East, a distance of 20.52 feet; thence South 89 degrees 43 minutes 05 seconds West, a distance of 1015.93 feet; thence South 02 degrees 20 minutes 58 seconds West, a distance of 943.79 feet; thence South 01 degrees 12 minutes 44 seconds West, a distance of 822.48 feet; thence South 84 degrees 06 minutes 28 seconds East, a distance of 1876.12 feet; thence South 35 degrees 07 minutes 22 seconds East, a distance of 277.41 feet; thence South 34

NORTH CAROLINA GENERAL ASSEMBLY
AMENDMENT
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AMENDMENT NO. 1
(to be filled in by
Principal Clerk)

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degrees 55 minutes 00 seconds East, a distance of 155.49 feet; thence South 34 degrees 41 minutes 11 seconds east, a distance of 373.23 feet; to a point in the northern Right-of-Way of US HWY 17; thence with said right-of-way South 54 degrees 55 minutes 59 seconds West, a distance of 397.20 feet; thence South 50 degrees 44 minutes 34 seconds West, a distance of 170.35 feet; thence South 52 degrees 40 minutes 24 seconds West, a distance of 60.36 feet; to the Point of Beginning, containing 893.64 acres, and being tract "A" as shown on a map titled "THE GREGORY POOLE TRACT", prepared by Stuart Gooden, R.L.S., and dated May 31, 1994.

(b) The corporate limits of the area annexed by this section shall be considered satellite corporate limits within the meaning of Part 4 of Article 4A of Chapter 160A of the General Statutes, except they are excluded in any calculations made under G.S. 160A-58.1(b)(5). The corporate limits of the area annexed by this section are not external boundaries for the purposes of Part 2 or 3 of Article 4A of Chapter 160A of the General Statutes until they are contiguous to the town.

(c) Real and personal property in the territory annexed pursuant to this section is subject to municipal taxes as provided in G.S. 160A-58.10."

further moves to amend the bill on page 8, line 40, by adding the following immediately before the period at the end of the line: ", except that Section 1.1 of this act is effective when it becomes law."

SIGNED Dalls
Amendment Sponsor

SIGNED _____
Committee Chair if Senate Committee Amendment

ADOPTED (Corr) ~~45~~ 50-0 FAILED _____ TABLED _____

6/18/97 J. Pruitt

NORTH CAROLINA GENERAL ASSEMBLY
AMENDMENT
House Bill 67

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

H67-ALB-1

Date 6/18 ,1997

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

moves to amend the bill on page 1, line 3,
by adding the following immediately before the period: ", AND
CONCERNING THE TOWN OF LELAND"

further moves to amend the bill on page 8, line 39, by adding the following between lines 39 and 40:

"Section 1.1. (a) The corporate limits of the Town of Leland are extended to include the following described tract of land:

Being a tract of land located in Town Creek Township, Brunswick County, North Carolina, and being more fully described as follows:

Beginning at a Right-of-Way Monument, in the northern Right-of-Way of US 17, said monument being located on the south side of a gate leading into the property, as shown on a map titled "THE GREGORY POOLE TRACT", prepared by Stuart Gooden, R.L.S., and dated May 31, 1994; thence with said Right-of-Way South 54 degrees 56 minutes 00 seconds West, a distance of 1111.44 feet; thence leaving said Right-of-Way North 45 degrees 36 minutes 40 seconds West, a distance of 272.41 feet; thence North 45 degrees 36 minutes 08 seconds West, a distance of 2493.87 feet; thence North 45 degrees 35 minutes 59 seconds West, a distance of 1124.67 feet; thence North 48 degrees 44 minutes 35 seconds West, a distance of 1849.91 feet; thence South 78 degrees 10 minutes 46 seconds West, a distance of 793.76 feet; thence North 66 degrees 50 minutes 57 seconds West, a

NORTH CAROLINA GENERAL ASSEMBLY
AMENDMENT
House Bill 67

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

H67-ALB-1 Page 2 of 5

distance of 1282.45 feet to a point in SR 1438 (Lanvale Road); thence North 11 degrees 09 minutes 18 seconds West, a distance of 344.20 feet to a point in the centerline of Lanvale Road thence with said centerline North 07 degrees 08 minutes 13 seconds West, a distance of 690.45 feet; thence North 06 degrees 46 minutes 34 seconds West, a distance of 441.28 feet; thence North 09 degrees 45 minutes 03 seconds West, a distance of 128.86 feet; thence North 14 degrees 28 minutes 52 seconds West, a distance of 124.97 feet; thence North 19 degrees 35 minutes 26 seconds West, a distance of 150.19 feet; thence North 26 degrees 13 minutes 01 seconds West, a distance of 150.04 feet; thence North 32 degrees 26 minutes 42 seconds West, a distance of 178.45 feet; thence North 36 degrees 09 minutes 42 seconds West, a distance of 237.57 feet; thence North 36 degrees 09 minutes 33 seconds West, a distance of 187.40 feet; thence North 36 degrees 08 minutes 44 seconds West, a distance of 246.56 feet; thence North 36 degrees 09 minutes 33 seconds West, a distance of 198.67 feet; thence North 35 degrees 57 minutes 10 seconds West, a distance of 188.63 feet; thence North 35 degrees 22 minutes 08 seconds West, a distance of 52.73 feet; thence North 30 degrees 54 minutes 08 seconds West, a distance of 193.58 feet; thence North 24 degrees 37 minutes 51 seconds West, a distance of 239.60 feet; thence leaving said centerline and with Sturgeon Branch North 72 degrees 40 minutes 07 seconds East, a distance of 30.21 feet; thence North 72 degrees 59 minutes 08 seconds East, a distance of 150.37 feet; thence North 15 degrees 10 minutes 23 seconds East, a distance of 242.76 feet; thence North 84 degrees 23 minutes 02 seconds East, a distance of 141.02 feet; thence North 55 degrees 24 minutes 41 seconds East, a distance of 313.03 feet; thence North 40 degrees 17 minutes 58 seconds East, a distance of 94.28 feet; thence North 03 degrees 42 minutes 18 seconds West, a distance of 48.90 feet; thence North 89 degrees 55 minutes 04 seconds East, a distance of 138.95 feet; thence North 63 degrees 52 minutes 03 seconds East, a distance of 108.98 feet; thence North 41 degrees 05 minutes 41 seconds East, a distance of 227.03 feet; thence North 36 degrees 48 minutes 37 seconds East, a distance of 204.72 feet; thence North 48 degrees 24 minutes 27 seconds East, a distance of 120.97 feet to a point in the run of Rice Branch thence with said branch South 51

NORTH CAROLINA GENERAL ASSEMBLY
AMENDMENT
House Bill 67

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

H67-ALB-1

degrees 13 minutes 24 seconds East, a distance of 35.93 feet; thence South 89 degrees 20 minutes 59 seconds East, a distance of 106.00 feet; thence North 88 degrees 41 minutes 14 seconds East, a distance of 231.37 feet; thence South 63 degrees 01 minutes 01 seconds East, a distance of 72.07 feet; thence South 30 degrees 31 minutes 05 seconds East, a distance of 88.34 feet; thence North 55 degrees 02 minutes 25 seconds East, a distance of 68.06 feet; thence South 83 degrees 07 minutes 08 seconds East, a distance of 75.12 feet; thence South 53 degrees 08 minutes 14 seconds East, a distance of 49.51 feet; thence South 37 degrees 05 minutes 03 seconds East, a distance of 77.72 feet; thence North 46 degrees 14 minutes 12 seconds East, a distance of 56.82 feet; thence South 50 degrees 58 minutes 00 seconds East, a distance of 39.22 feet; thence South 06 degrees 18 minutes 38 seconds West, a distance of 73.24 feet; thence South 17 degrees 06 minutes 48 seconds East, a distance of 38.30 feet; thence South 63 degrees 48 minutes 32 seconds East, a distance of 58.91 feet; thence North 45 degrees 05 minutes 05 seconds East, a distance of 170.10 feet; thence South 25 degrees 36 minutes 41 seconds East, a distance of 133.07 feet; thence South 08 degrees 55 minutes 12 seconds West, a distance of 56.18 feet; thence North 73 degrees 37 minutes 44 seconds East, a distance of 70.25 feet; thence South 09 degrees 39 minutes 11 seconds East, a distance of 54.37 feet; thence North 77 degrees 45 minutes 53 seconds East, a distance of 54.74 feet; thence South 65 degrees 56 minutes 51 seconds East, a distance of 118.51 feet; thence North 51 degrees 52 minutes 28 seconds East, a distance of 113.22 feet; thence South 85 degrees 54 minutes 21 seconds East, a distance of 72.82 feet; thence North 35 degrees 31 minutes 42 seconds East, a distance of 74.71 feet; thence South 80 degrees 09 minutes 57 seconds East, a distance of 94.27 feet; thence North 67 degrees 59 minutes 19 seconds East, a distance of 103.53 feet; thence South 22 degrees 55 minutes 29 seconds East, a distance of 82.62 feet; thence North 45 degrees 55 minutes 16 seconds East, a distance of 67.70 feet; thence South 37 degrees 17 minutes 37 seconds East, a distance of 68.76 feet; thence North 53 degrees 44 minutes 53 seconds East, a distance of 58.17 feet; thence North 12 degrees 52 minutes 59 seconds West, a distance of 38.98 feet; thence South 89 degrees 48 minutes 15 seconds East, a distance of 58.32

NORTH CAROLINA GENERAL ASSEMBLY
AMENDMENT
House Bill 67

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

H67-ALB-1 Page 4 of 5

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NORTH CAROLINA GENERAL ASSEMBLY
AMENDMENT
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AMENDMENT NO. 1
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H67-ALB-1

degrees 55 minutes 00 seconds East, a distance of 155.49 feet; thence South 34 degrees 41 minutes 11 seconds east, a distance of 373.23 feet; to a point in the northern Right-of-Way of US HWY 17; thence with said right-of-way South 54 degrees 55 minutes 59 seconds West, a distance of 397.20 feet; thence South 50 degrees 44 minutes 34 seconds West, a distance of 170.35 feet; thence South 52 degrees 40 minutes 24 seconds West, a distance of 60.36 feet; to the Point of Beginning, containing 893.64 acres, and being tract "A" as shown on a map titled "THE GREGORY POOLE TRACT", prepared by Stuart Gooden, R.L.S., and dated May 31, 1994.

(b) The corporate limits of the area annexed by this section shall be considered satellite corporate limits within the meaning of Part 4 of Article 4A of Chapter 160A of the General Statutes, except they are excluded in any calculations made under G.S. 160A-58.1(b)(5). The corporate limits of the area annexed by this section are not external boundaries for the purposes of Part 2 or 3 of Article 4A of Chapter 160A of the General Statutes until they are contiguous to the town.

(c) Real and personal property in the territory annexed pursuant to this section is subject to municipal taxes as provided in G.S. 160A-58.10."

further moves to amend the bill on page 8, line 40, by adding the following immediately before the period at the end of the line: ", except that Section 1.1 of this act is effective when it becomes law."

SIGNED Dalla
Amendment Sponsor

SIGNED _____
Committee Chair if Senate Committee Amendment

ADOPTED Conf 50-0 FAILED _____ TABLED _____

6/18/97 D. Pruitt

NORTH CAROLINA GENERAL ASSEMBLY
SENATE

RECORDED VOTE

1997 SESSION

SEQ. 929/2--10:37 AM JUNE 18, 1997 LEGISLATIVE DAY 81

LT. GOVERNOR WICKER -- Presiding

DECKER
SUMMERFIELD AMENDMENTS
2ND EDITION

HOUSE BILL 67

AMEND 1

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 GENERAL ASSEMBLY
SENATE

RECORDED VOTE

1997 SESSION

SEQ. 941/2--10:24 AM | JUNE 19, 1997 | LEGISLATIVE DAY 82

LT. GOVERNOR WICKER -- Presiding

DECKER
SUMMERFIELD/LELAND AMENDMENTS
2ND EDITION

HOUSE BILL 67
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		

OCK VOTE
HB748 HCB773

GENERAL ASSEMBLY
SENATE

NORTH CAROLINA GENERAL ASSEMBLY
SENATE

RECORDED VOTE

1997 SESSION

SEQ. 973/4-- 7:48 PM JUNE 23, 1997 LEGISLATIVE DAY 83

LT. GOVERNOR WICKER -- Presiding

DECKER
SUMMERFIELD/LELAND AMENDMENTS
2ND EDITION

HOUSE BILL 67
READING 3

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

GENERAL ASSEMBLY
SENATE

NORTH CAROLINA
HOUSE OF REPRESENTATIVES
ROLL CALL

SEQ. # 1010
LEGISLATIVE DAY 86

RC
6/26/97
1:13 PM

IN CHAIR: SPEAKER

READING 2
AMEND #1

MOTION #11 - TO CONCUR IN Sen. Amd. (ruled material)

AYES - 102

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	SEXTON
BARBEE	ELLIS	LUEBKE	SHUBERT
BEALL	ESPOSITO	MCALLISTER	SMITH
BLUE	FITCH	MCCOMAS	STARNES
BONNER	FOX	MCCOMBS	TALLENT
BOWIE	GOODWIN	MCCRARY	THOMPSON
BOYD-MCINTYRE	GRADY	MCMAHAN	TOLSON
BRASWELL	GRAY	MERCER	WAINWRIGHT
BRAWLEY	GULLEY	MICHAUX	WARNER
BROWN	HACKNEY	MINER	WARWICK
BUCHANAN	HALL	MITCHELL	WATSON
CANSLER	HARDAWAY	MOORE	WEATHERLY
CARPENTER	HARDY	MORGAN	WILKINS
CHURCH	HENSLEY	MORRIS	WILSON, C.
CLARY	HIATT	NEELY	WILSON, G.
COLE	HIGHTOWER	NYE	WOMBLE
CRAWFORD	HILL	OLDHAM	WOOD
CREECH	HOLMES	OWENS	WRIGHT
DAUGHTRY	HUNTER, H.	PRESTON	YONGUE
DAVIS	HUNTER, R.		

NOES - 0

EXCUSED ABSENCE - 8

CAPPS	GARDNER	NESBITT	SHERRILL
CULP	MILLER	NICHOLS	SUTTON

EXCUSED VOTE - 0

NOT VOTING - 10

SPEAKER	CULPEPPER	HOWARD	MOSLEY
BERRY	CUNNINGHAM	HURLEY	SAUNDERS
BLACK	GAMBLE		

NORTH CAROLINA

HOUSE OF REPRESENTATIVES

ROLL CALL

SEQ. # 1014
LEGISLATIVE DAY 87
HCS

RC
6/30/97
6:22 PM
IN CHAIR: SPEAKER

DECKER
AMEND #1
SUMMERFIELD AMENDMENTS
MOTION #11 - TO CONCUR IN AMEND #1 OF HCS
READING 3
RULED MATERIAL

AYES - 111

ADAMS	DAUGHTRY	INSKO	RAMSEY
ALDRIDGE	DAVIS	IVES	RAYFIELD
ALEXANDER	DECKER	JARRELL	REDWINE
ALLRED	DEDMON	JEFFUS	REYNOLDS
ARNOLD	DICKSON	JUSTUS	ROGERS
BADDOUR	DOCKHAM	KINNEY	RUSSELL
BAKER	EARLE	KISER	SAUNDERS
BARBEE	EDDINS	LUEBKE	SEXTON
BEALL	ELLIS	MCALLISTER	SHERRILL
BERRY	ESPOSITO	MCCOMAS	SHUBERT
BLACK	FOX	MCCOMBS	SMITH
BLUE	GAMBLE	MCCRARY	STARNES
BONNER	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.	PRESTON	

NOES - 0

EXCUSED ABSENCE - 3

CUNNINGHAM	EASTERLING	NESBITT

EXCUSED VOTE - 0

NOT VOTING - 6

SPEAKER	FITCH	HURLEY	WOOD
BOWIE	HARDAWAY		

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1997

H.B. FILED
0068 FEB -5 97
HOUSE PRINCIPAL CLERK

H D

HOUSE DRHA122-LM013(1.9)

Short Title: Roanoke Rapids Bicycle Disposition. (Local)

Sponsors: Representative Crawford.

Referred to:

A BILL TO BE ENTITLED

AN ACT TO ALLOW THE CITY OF ROANOKE RAPIDS TO DONATE UNCLAIMED BICYCLES TO CHARITY.

The General Assembly of North Carolina enacts:

Section 1. Section 2 of Chapter 650 of the 1993 Session Laws, as amended by Chapter 106 of the 1995 Session Laws, reads as rewritten:

"Sec. 2. This act applies to the Cities of ~~Asheville and Hendersonville~~ Asheville, Hendersonville, and Roanoke Rapids only."

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

NORTH CAROLINA GENERAL ASSEMBLY
SENATE

RECORDED VOTE

1997 SESSION
SECOND SESSION 1998

SEQ. 2026/2-- 2:03 PM SEPTEMBER 8, 1998 LEGISLATIVE DAY 193

LT. GOVERNOR WICKER -- Presiding

CRAWFORD
LAKE WACCAMAW ANNEXATION
SENATE COM SUB/2ND EDITION

HOUSE BILL 68
READING 2

AYE	36	ALBERTSON	DANNELLY	LEE	RAND
		BALLANCE	EAST	LUCAS	REEVES
		BALLANTINE	FORRESTER	MARTIN R.	RUCHO
		BASNIGHT	FOXX	MARTIN W.	SHAW R.
		BLUST	HOYLE	MILLER	SOLES
		CARPENTER	JORDAN	ODOM	WARREN
		CLARK	KERR	PHILLIPS	WEBSTER
		COOPER	KINNAIRD	PLYLER	WEINSTEIN
		DALTON	LEDBETTER	PURCELL	WELLONS
NO	2	COCHRANE	MCDANIEL		
EXCUSED	0				
NOT CAST	7	ALLRAN	GULLEY	JENKINS	PERDUE
		CARRINGTON	HORTON	PAGE	
ABSENT	5	GARWOOD	MOORE	SHAW L.	WINNER
		HARTSELL			
PAIRS	0				
AYE					
NO					

GENERAL ASSEMBLY
SENATE

NORTH CAROLINA GENERAL ASSEMBLY AMENDMENT

(Please type or use ballpoint pen)

EDITION No. _____

H. B. No. 68 DATE 9-9-98

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

COMMITTEE SUBSTITUTE _____

Rep.)
) Sales
Sen.)

1 moves to amend the bill on page 2, line 38

2 ( ) WHICH CHANGES THE TITLE

3 by adding the following between lines 38 and 39

4 "Section 1.1 Section 1 of this act becomes

5 effective only upon adoption of an ordinance

6 by the Town of Lake Waccamaw."

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SIGNED R. D. Sales

ADOPTED ✓ 44-0 FAILED _____ TABLED _____

9/9/98 Janet Pruitt

GA-33-A

PRINCIPAL CLERK'S OFFICE (FOR ENGROSSMENT)

NORTH CAROLINA GENERAL ASSEMBLY
SENATE

RECORDED VOTE

1997 SESSION
SECOND SESSION 1998

SEQ. 2036/3-- 2:26 PM SEPTEMBER 9, 1998 LEGISLATIVE DAY 194

LT. GOVERNOR WICKER -- Presiding

CRAWFORD
LAKE WACCAMAW ANNEXATION
SENATE COM SUB/2ND EDITION

HOUSE BILL 68

AMEND 1

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 GENERAL ASSEMBLY
SENATE

RECORDED VOTE

1997 SESSION
SECOND SESSION 1998

SEQ. 2037/4-- 2:28 PM | SEPTEMBER 9, 1998 | LEGISLATIVE DAY 194

LT. GOVERNOR WICKER -- Presiding

CRAWFORD
LAKE WACCAMAW ANNEXATION
SENATE COM SUB/2ND EDITION

HOUSE BILL 68
READING 3

AYE	39	ALBERTSON	EAST	LEDBETTER	PURCELL
		ALLRAN	FORRESTER	LEE	RAND
		BALLANCE	GARWOOD	LUCAS	REEVES
		BLUST	GULLEY	MARTIN R.	SHAW L.
		CARPENTER	HORTON	MARTIN W.	SHAW R.
		CLARK	HOYLE	MILLER	SOLES
		COCHRANE	JENKINS	MOORE	WEBSTER
		COOPER	JORDAN	PERDUE	WEINSTEIN
		DALTON	KERR	PHILLIPS	WELLONS
		DANNELLY	KINNAIRD	PLYLER	
NO	4	BALLANTINE	CARRINGTON	FOXX	MCDANIEL
EXCUSED	0				
NOT CAST	2	BASNIGHT	WINNER		
ABSENT	5	HARTSELL	PAGE	RUCHO	WARREN
		ODOM			
PAIRS	0				
AYE					
NO					

GENERAL ASSEMBLY
SENATE

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1997

FILED
0069 FEB -5 97
HOUSE PRINCIPAL CLERK

H D

HOUSE DRH2028-LM012(1.9)

Short Title: Roanoke Rapids Housing Code. (Local)

Sponsors: Representative Crawford.

Referred to:

A BILL TO BE ENTITLED

AN ACT TO EXTEND TO THE CITY OF ROANOKE RAPIDS PROVISIONS OF A LOCAL ACT WHICH PROVIDES THAT SERVICE OF COMPLAINTS OR ORDERS ISSUED IN HOUSING CODE CASES IS SUFFICIENT WHERE THE COMPLAINTS OR ORDERS ARE SENT BY REGISTERED OR CERTIFIED MAIL IN CONJUNCTION WITH REGULAR MAIL AND THE REGISTERED OR CERTIFIED MAIL IS RETURNED, BUT THE REGULAR MAIL IS NOT RETURNED WITHIN TEN DAYS AFTER MAILING.

The General Assembly of North Carolina enacts:

Section 1. Section 2 of Chapter 578 of the 1993 Session Laws, as amended by Chapter 29 of the 1995 Session Laws, reads as rewritten:

"Sec. 2. This act applies to the Cities of ~~Greensboro and Lumberton~~ Greensboro, Lumberton, and Roanoke Rapids only."

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

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1997

H FILED
0070 FEB -5 97
HOUSE PRINCIPAL CLERK

H D

HOUSE DRH2027-LB031(1.9)

Short Title: Roanoke Rapids Structures. (Local)

Sponsors: Representative Crawford.

Referred to:

A BILL TO BE ENTITLED

AN ACT TO GRANT AUTHORITY TO THE CITY OF ROANOKE RAPIDS TO ADDRESS ABANDONED STRUCTURES IN THE SAME MANNER AS MUNICIPALITIES IN COUNTIES WITH A POPULATION OF OVER ONE HUNDRED SIXTY-THREE THOUSAND.

The General Assembly of North Carolina enacts:

Section 1. Section 2 of Chapter 733 of the 1995 Session Laws reads as rewritten:

"Sec. 2. This act applies to the ~~City of Lumberton~~ Cities of Lumberton and Roanoke Rapids only."

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

NORTH CAROLINA
HOUSE OF REPRESENTATIVES
ROLL CALL

EV

. # 705
ISLATIVE DAY 67
0 SCS

5/26/97
7:15 PM
IN CHAIR: SPEAKER

CRAWFORD

ROANOKE RAPIDS STRUCTURES
MOTION #11 - TO CONCUR IN SCS

AYES - 104

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

NOES - 0

EXCUSED ABSENCE - 6

BONNER	DOCKHAM	HOLMES	WOOD
CREECH	HIGHTOWER		

EXCUSED VOTE - 0

NOT VOTING - 10

SPEAKER	FITCH	HOWARD	NESBITT
ALEXANDER	GAMBLE	HUNTER, H.	WRIGHT
BERRY	HARDAWAY		

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1997

H.B. FILED
0071 FEB -5 97
HOUSE PRINCIPAL CLERK

H D

HOUSE DRH2026-LK017(1.10)

Short Title: Halifax-Roanoke Rapids Airport. (Local)

Sponsors: Representative Crawford.

Referred to:

A BILL TO BE ENTITLED

AN ACT TO ENABLE THE COUNTY OF HALIFAX AND THE CITY OF ROANOKE RAPIDS TO ESTABLISH AN AIRPORT AUTHORITY FOR THE MAINTENANCE OF AIRPORT FACILITIES IN THE COUNTY.

The General Assembly of North Carolina enacts:

Section 1. There is hereby created the "Halifax-Roanoke Rapids Airport Authority" (for brevity hereinafter referred to as the "Airport Authority"), which shall be a body both corporate and politic, having the powers and jurisdiction hereinafter enumerated and such other and additional powers as shall be conferred upon it by general law and future acts of the General Assembly.

Section 2. The Airport Authority shall consist of seven members, three of whom shall be appointed to staggered three-year terms by the Roanoke Rapids City Council and three of whom shall be appointed to staggered three-year terms by the Halifax County Board of Commissioners and one of whom shall be appointed by the other six members of the Airport Authority. The members appointed by the Roanoke Rapids City Council shall be qualified voters of the City of Roanoke Rapids, and the members appointed by the Halifax County Board of Commissioners and the Airport Authority shall be qualified voters of the County of Halifax. Each member shall take and subscribe before the Clerk of Superior Court of Halifax County an oath of office and file the same with the Halifax County Board of Commissioners and the Roanoke Rapids City Council. Membership on the Halifax County Board of Commissioners or the Roanoke Rapids City Council and the Airport Authority shall not constitute double office holding within the meaning of Article VI, Section 9 of the Constitution of North Carolina.

NORTH CAROLINA

RC

HOUSE OF REPRESENTATIVES

ROLL CALL

132
ISLATIVE DAY 27
HB71
READING 2
CRAWFORD

3/17/97
7:11 PM
IN CHAIR: SPEAKER

HALIFAX-ROANOKE RAPIDS AIRPORT

AYES - ~~110~~ 111 DWicker

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

NOES - 0

EXCUSED ABSENCE - 3

EASTERLING	HUNTER, R.	NICHOLS

EXCUSED VOTE - 0

NOT VOTING - ~~7~~ 6 DWicker

SPEAKER	GAMBLE	~~MORGAN~~ DW	STARNES
ARNOLD	MCALLISTER	SMITH	

NORTH CAROLINA
HOUSE OF REPRESENTATIVES
ROLL CALL

RC

. # 138
ISLATIVE DAY 28
H71
READING 3
CRAWFORD

3/18/97
2:25 PM
IN CHAIR: SPEAKER

HALIFAX-ROANOKE RAPIDS AIRPORT

AYES - 110

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

NOES - 0

EXCUSED ABSENCE - 4

ALEXANDER	BONNER	CULP	GRAY

EXCUSED VOTE - 0

NOT VOTING - 6

SPEAKER	CREECH	HUNTER, H.	MCCRARY
COLE	EASTERLING		

NORTH CAROLINA GENERAL ASSEMBLY
SENATE

RECORDED VOTE

1997 SESSION

EQ. 1057/10--12:06 PM JULY 2, 1997 LEGISLATIVE DAY 89

LT. GOVERNOR WICKER -- Presiding

HOUSE BILL 71
READING 2

RAWFORD
ALIFAX-ROANOKE RAPIDS AIRPORT

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	JORDAN	PERDUE	WELLONS
		COOPER	KINCAID	PHILLIPS	WINNER
		DALTON			
NO	0				

EXCUSED 0

NOT CAST 1 KERR

ABSENT 0

PAIRS 0
AYE
NO

GENERAL ASSEMBLY
SENATE

NORTH CAROLINA GENERAL ASSEMBLY
SENATE

RECORDED VOTE

1997 SESSION

SEQ. 1073/6--10:29 AM JULY 3, 1997 LEGISLATIVE DAY 90

SENATOR BASNIGHT -- Presiding

CRAWFORD
HALIFAX-ROANOKE RAPIDS AIRPORT

HOUSE BILL 71
READING 3

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		

GENERAL ASSEMBLY
SENATE

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1997

H.B. FILED
0072 FEB -5 97
HOUSE PRINCIPAL CLERK

H D

HOUSE DRH7006-LBX015A(12.5)

Short Title: Oak Ridge Incorporated. (Local)

Sponsors: Representative Decker.

Referred to:

A BILL TO BE ENTITLED

AN ACT TO INCORPORATE THE TOWN OF OAK RIDGE, SUBJECT TO A REFERENDUM.

The General Assembly of North Carolina enacts:

Section 1. A charter is enacted for the Town of Oak Ridge to read:

"CHARTER OF THE TOWN OF OAK RIDGE.

"CHAPTER 1.

"INCORPORATION AND CORPORATE POWERS.

"Section 1.1. The inhabitants of the Town of Oak Ridge are a body corporate and politic under the name 'Town of Oak Ridge'. Under that name they have all the rights, powers, duties, privileges and immunities conferred and imposed upon cities by the general law of North Carolina.

"CHAPTER 2.

"CORPORATE BOUNDARIES.

"Sec. 2.1. Until changed in accordance with law, the boundaries of the Town of Oak Ridge are as follows:

All the territory in Oak Ridge Township, Guilford County, as of January 1, 1997.

"CHAPTER 3.

"GOVERNING BODY.

"Sec. 3.1. The governing body of the Town of Oak Ridge is the Town Council, which has five members.

"Sec. 3.2. The qualified voters of the entire Town elect the members of the Town Council.

NORTH CAROLINA

HOUSE OF REPRESENTATIVES

RC

360
ISLATIVE DAY 50
H72
READING 2
DECKER

4/24/97
3:21 PM
IN CHAIR: SPEAKER

ROLL CALL

OAK RIDGE INCORPORATED

AYES - 113

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

NOES - 0

EXCUSED ABSENCE - 3

BLUE	CRAWFORD	ROGERS

EXCUSED VOTE - 0

NOT VOTING - 4

SPEAKER	ARNOLD	CULP	EASTERLING

NORTH CAROLINA

HOUSE OF REPRESENTATIVES

ROLL CALL

RC

[redacted] # 385
[redacted]SLATIVE DAY 51
[redacted]S
READING 3

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

H72

AYES - 110

ADAMS	DECKER	HURLEY	PRESTON
ALDRIDGE	DEDMON	INSKO	RAYFIELD
ALEXANDER	DICKSON	IVES	REDWINE
ALLRED	DOCKHAM	JARRELL	REYNOLDS
ARNOLD	EARLE	JEFFUS	ROGERS
BADDOUR	EASTERLING	JUSTUS	RUSSELL
BAKER	EDDINS	KINNEY	SAUNDERS
BARBEE	ELLIS	KISER	SEXTON
BEALL	ESPOSITO	MCALLISTER	SHERRILL
BERRY	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	MOORE	WARWICK
CARPENTER	HARDAWAY	MORGAN	WATSON
CHURCH	HENSLEY	MORRIS	WEATHERLY
CLARY	HIATT	MOSLEY	WILKINS
CRAWFORD	HIGHTOWER	NESBITT	WILSON, C.
CREECH	HILL	NICHOLS	WILSON, G.
CULP	HOLMES	NYE	WOMBLE
CULPEPPER	HOWARD	OLDHAM	WOOD
CUNNINGHAM	HUNTER, H.	OWENS	YONGUE
DAVIS	HUNTER, R.		

NOES - 1

HARDY

EXCUSED ABSENCE - 3

LUEBKE NEELY WRIGHT

EXCUSED VOTE - 0

NOT VOTING - 6

SPEAKER	BRASWELL	DAUGHTRY	RAMSEY
[redacted] BLACK	COLE		

SHORT ROLL: H63 #2 HCS H643 H72 H373 #2 HCS H695

NORTH CAROLINA GENERAL ASSEMBLY
SENATE

RECORDED VOTE

1997 SESSION

SEQ. 1515/30-- 5:57 PM AUGUST 27, 1997 LEGISLATIVE DAY 122

LT. GOVERNOR WICKER -- Presiding

DECKER
OAK RIDGE INCORPORATED
SENATE COM SUB/2ND EDITION

HOUSE BILL 72
READING 2

AYE	42	BALLANCE	EAST	LEDBETTER	PHILLIPS
		BALLANTINE	FORRESTER	LEE	PURCELL
		BASNIGHT	FOXX	LUCAS	RAND
		BLUST	GARWOOD	MARTIN R.	REEVES
		CARPENTER	HARTSELL	MARTIN W.	RUCHO
		CARRINGTON	HORTON	MCDANIEL	SHAW R.
		CLARK	HOYLE	MILLER	SOLES
		COCHRANE	JENKINS	ODOM	WEBSTER
		COOPER	JORDAN	PAGE	WELLONS
		DALTON	KERR	PERDUE	WINNER
		DANNELLY	KINNAIRD		
NO	0				
EXCUSED	0				
NOT CAST	5	ALBERTSON	GULLEY	MOORE	PLYLER
		ALLRAN			
ABSENT	3	SHAW L.	WARREN	WEINSTEIN	
PAIRS	0				
AYE					
NO					

GENERAL ASSEMBLY
SENATE

NORTH CAROLINA GENERAL ASSEMBLY AMENDMENT

(Please type or use ballpoint pen)

EDITION No. _____

H. B. No. 72 ✓ DATE 8/27/97

S. B. No. _____ Amendment No. 1

(to be filled in by Principal Clerk)

COMMITTEE SUBSTITUTE _____

~~Rep.~~)
Sen.) RAND

1 moves to amend the bill on page 1, line 17

2 ( ) WHICH CHANGES THE TITLE

3 by deleting "or to property in the Oak Ridge

4 Fire District".

5

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SIGNED _____

ADOPTED ✓ 40-0 FAILED _____ TABLED _____

J. Pruitt 8/27/97

GA-33-A

PRINCIPAL CLERK'S OFFICE (FOR ENGROSSMENT)

NORTH CAROLINA GENERAL ASSEMBLY
SENATE

RECORDED VOTE

1997 SESSION

SEQ. 1514/29-- 5:56 PM AUGUST 27, 1997 LEGISLATIVE DAY 122

LT. GOVERNOR WICKER -- Presiding

DECKER
OAK RIDGE INCORPORATED
SENATE COM SUB/2ND EDITION

HOUSE BILL 72

AMEND 1

AYE	40	BALLANCE	EAST	LEDBETTER	PHILLIPS
		BALLANTINE	FORRESTER	LEE	PURCELL
		BASNIGHT	FOXX	LUCAS	RAND
		CARPENTER	GARWOOD	MARTIN R.	REEVES
		CARRINGTON	HARTSELL	MARTIN W.	RUCHO
		CLARK	HORTON	MCDANIEL	SHAW R.
		COCHRANE	HOYLE	MILLER	SOLES
		COOPER	JORDAN	ODOM	WEBSTER
		DALTON	KERR	PAGE	WELLONS
		DANNELLY	KINNAIRD	PERDUE	WINNER
NO	0				
EXCUSED	0				
NOT CAST	8	ALBERTSON	BLUST	JENKINS	PLYLER
		ALLRAN	GULLEY	MOORE	SHAW L.
ABSENT	2	WARREN	WEINSTEIN		
PAIRS	0				
AYE					
NO					

(CONTINUED)

NORTH CAROLINA GENERAL ASSEMBLY
SENATE

RECORDED VOTE

1997 SESSION

SEQ. 1522/37-- 6:37 PM AUGUST 27, 1997 LEGISLATIVE DAY 122

LT. GOVERNOR WICKER -- Presiding

DECKER
OAK RIDGE INCORPORATED
SENATE COM SUB/2ND EDITION

HOUSE BILL 72

AMEND 1

RECORDED		
ABSENT	1	SHAW L.
ADJUSTED TOTAL		
AYE	40	
NO	0	
NOT CAST	7	
ABSENT	3	

(Y)

NORTH CAROLINA GENERAL ASSEMBLY
SENATE

RECORDED VOTE

1997 SESSION

SEQ. 1522/37-- 6:37 PM AUGUST 27, 1997 LEGISLATIVE DAY 122

LT. GOVERNOR WICKER -- Presiding

DECKER
OAK RIDGE INCORPORATED
SENATE COM SUB/2ND EDITION

HOUSE BILL 72

AMEND 1

AYE	40	BALLANCE	EAST	LEDBETTER	PHILLIPS
		BALLANTINE	FORRESTER	LEE	PURCELL
		BASNIGHT	FOXX	LUCAS	RAND
		CARPENTER	GARWOOD	MARTIN R.	REEVES
		CARRINGTON	HARTSELL	MARTIN W.	RUCHO
		CLARK	HORTON	MCDANIEL	SHAW R.
		COCHRANE	HOYLE	MILLER	SOLES
		COOPER	JORDAN	ODOM	WEBSTER
		DALTON	KERR	PAGE	WELLONS
		DANNELLY	KINNAIRD	PERDUE	WINNER
NO	0				
EXCUSED	0				
NOT CAST	7	ALBERTSON	BLUST	JENKINS	PLYLER
		ALLRAN	GULLEY	MOORE	
ABSENT	3	SHAW L.	WARREN	WEINSTEIN	
PAIRS	0				
AYE					
NO					

(COPY)

GENERAL ASSEMBLY
SENATE

NORTH CAROLINA GENERAL ASSEMBLY
SENATE

RECORDED VOTE

1997 SESSION

SEQ. 1526/4--10:23 AM | AUGUST 28, 1997 | LEGISLATIVE DAY 123

LT. GOVERNOR WICKER -- Presiding

DECKER
OAK RIDGE INCORPORATED
SENATE COM SUB/2ND EDITION

HOUSE BILL 72
READING 3

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

(CONTINUED)

NORTH CAROLINA GENERAL ASSEMBLY
SENATE

RECORDED VOTE

1997 SESSION

SEQ. 1541/19--11:28 AM AUGUST 28, 1997 LEGISLATIVE DAY 123

LT. GOVERNOR WICKER -- Presiding

DECKER
OAK RIDGE INCORPORATED
SENATE COM SUB/2ND EDITION

HOUSE BILL 72
READING 3

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

Y)

NORTH CAROLINA GENERAL ASSEMBLY
SENATE

RECORDED VOTE

1997 SESSION

SEQ. 1541/19--11:28 AM AUGUST 28, 1997 LEGISLATIVE DAY 123

LT. GOVERNOR WICKER -- Presiding

DECKER
OAK RIDGE INCORPORATED
SENATE COM SUB/2ND EDITION

HOUSE BILL 72
READING 3

AYE	46	ALBERTSON	DANNELLY	LEDBETTER	PHILLIPS
		ALLRAN	EAST	LEE	PLYLER
		BALLANCE	FORRESTER	LUCAS	PURCELL
		BALLANTINE	FOXX	MARTIN R.	RAND
		BASNIGHT	GARWOOD	MARTIN W.	REEVES
		BLUST	GULLEY	MCDANIEL	RUCHO
		CARPENTER	HARTSELL	MILLER	SHAW L.
		CARRINGTON	HORTON	MOORE	SOLES
		CLARK	HOYLE	ODOM	WEBSTER
		COCHRANE	JENKINS	PAGE	WELLONS
		COOPER	JORDAN	PERDUE	WINNER
		DALTON	KINNAIRD		
NO	0				

EXCUSED	0		
NOT CAST	2	KERR	SHAW R.
ABSENT	2	WARREN	WEINSTEIN
PAIRS	0		
AYE			
NO			

(COPY)

NORTH CAROLINA
HOUSE OF REPRESENTATIVES
ROLL CALL

EV

. # 1642
ISLATIVE DAY 139
H72 SCS

6/04/98
11:13 AM
IN CHAIR: SPEAKER

DECKER

OAK RIDGE INCORPORATED
MOTION #11 - NOT CONCUR

AYES - 105

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

NOES - 0

EXCUSED ABSENCE - 6

BONNER	CUNNINGHAM	JARRELL	NEELY
CANSLER	HACKNEY		

EXCUSED VOTE - 0

NOT VOTING - 9

ARNOLD	EASTERLING	JEFFUS	ROGERS
BLUE	FITCH	REYNOLDS	TALLENT
BRASWELL			

NORTH CAROLINA GENERAL ASSEMBLY
CONFERENCE REPORT
House Bill 72

H72-CRLB-7C

[ ] 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 72, AN ACT TO INCORPORATE THE TOWN OF OAK RIDGE, SUBJECT TO A REFERENDUM, Senate Rules and Operations of the Senate Committee Substitute Adopted 8/14/97, Third Edition Engrossed 8/28/97, submit the following report:

The House concurs in the Senate Rules and Operations of the Senate Committee Substitute Adopted 8/14/97, Third Edition Engrossed 8/28/97, with the following amendments:

(1) On page 1, line 14, delete "2017", and substitute "2018".

(2) On page 2, lines 1 through 11, by rewriting those lines to read: "From the southwestern boundary of the Stokesdale City Limits, south on the east side of the Haw River Road to Pepper Road, south on the east side of Pepper Road to NC Hwy. 150, east on the north side of N.C. Highway 150 to Beeson Road, south on the east side of Beeson Road to the centerline of Reedy Fork Creek, thence in a generally northeasterly direction along the centerline of Reedy Fork Creek to the Eastern Right of Way line of North Carolina Highway 68, thence south along the eastern right-of-way line of North Carolina Highway 68 approximately 3,900 feet to the southern line of the subdivision containing Riding Trail Court, recorded in Plat Book 61, page 146 in the office of the Register of Deeds of Guilford County, thence east along the southern boundary of that subdivision and of Golden Acres subdivision, Phase 2, Section 2, recorded in Plat Book 99, page 98, Guilford County Register of Deeds, approximately 2,400 feet to the proposed western right-of-way line of the US220-NC68 connector as shown on Map No. 4 of the Roadway Corridor Official Maps (State Project 6.499002T (R-2413) as recorded in the office of the Register of Deeds of Guilford County approximately 4,200 feet to the southern right-of-way line of Alcorn Road as proposed on Map No. 5 of said maps, thence west along the southern proposed right-of-way line and the present southern right-of-way line of Alcorn Road approximately 4,000 feet to the centerline of Reedy Fork Creek, thence northern along Reedy Fork

NORTH CAROLINA GENERAL ASSEMBLY
CONFERENCE REPORT
House Bill 72

H72-CRLB-7C

Creek to the Oak Ridge-Bruce Township Line (the Summerfield Corporate limit), thence north along the Oak Ridge-Bruce Township line to its intersection with the Stokesdale City Limits, thence west along the Stokesdale City limit, following the Stokesdale City Limit to the point and place of beginning."

(3) on page 3, line 16, delete "1997-98" and substitute "1998-99"

(4) on page 3, lines 12, 14, 21, and 23, delete "1997", and substitute "1998"

The Senate agrees to the same.

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

Date conferees approved report: Aug 5, 1998.

Conferees for the Senate

Tony Rand

Bill Martin

Bob Shaw

Conferees for the House of Representatives

Michael Decker

Joanne Bowie

Theresa Esposito

Jim Crawford

2nd RC

Submitted 8/5/98
ADOPTED 8/6/98 (97/0 RS) Message Received
ADOPTED (/) Ordered Enrolled

conference report

CHAIR RULES ~~AMENDMENT/COM. SUB~~
MATERIAL CONSTITUTING 1st READING
REMAINS ON CALENDAR.

placed on calendar for 2nd roll call reading 8/6/98

AUG 0 5 1998

8/10/98 Vote on 2nd rdg. reconsidered
Conference rept. withdrawn

NORTH CAROLINA GENERAL ASSEMBLY
CONFERENCE REPORT
House Bill 72

H72-CRLB-7C

[ ] 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 72, AN ACT TO INCORPORATE THE TOWN OF OAK RIDGE, SUBJECT TO A REFERENDUM, Senate Rules and Operations of the Senate Committee Substitute Adopted 8/14/97, Third Edition Engrossed 8/28/97, submit the following report:

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NORTH CAROLINA GENERAL ASSEMBLY
CONFERENCE REPORT
House Bill 72

Creek to the Oak Ridge-Bruce Township Line (the Summerfield Corporate limit), thence north along the Oak Ridge-Bruce Township line to its intersection with the Stokesdale City Limits, thence west along the Stokesdale City limit, following the Stokesdale City Limit to the point and place of beginning."

(3) on page 3, line 16, delete "1997-98" and substitute "1998-99"

(4) on page 3, lines 12, 14, 21, and 23, delete "1997", and substitute "1998"

The Senate agrees to the same.

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

Date conferees approved report: Aug 5, 1998.

Conferees for the Senate	Conferees for the House of Representatives
Tony Rand	Michael Decker
Bill Martin	Joanne Bowie
Bob Shaw	Theresa Esposito
	Jim Crawford

Conference report placed on Cal. 8/6/98

Senate
Submitted 8/5/98
ADOPTED 8/6/98 (2nd) (~~47~~ 50 (jp) / 0) Message Received
ADOPTED (/) Ordered Enrolled

Conference report ruled material.
Constitutes 1st reading - 8/5/98

8/10/98 vote on 2nd rdg. reconsidered
Conference report withdrawn.

NORTH CAROLINA

HOUSE OF REPRESENTATIVES

ROLL CALL

EV

SEQ. # 1896
LEGISLATIVE DAY 176
SCS
CONFERENCE REPORT
DECKER

8/10/98
7:40 PM
IN CHAIR: SPEAKER

OAK RIDGE INC.
MOTION #5 - TO RECONSIDER THE VOTE BY WHICH CR WAS ADOPTED ON 2ND ROLL CALL

AYES - 91

SPEAKER	CULP	JARRELL	RAMSEY
ADAMS	CULPEPPER	JEFFUS	RAYFIELD
ALEXANDER	CUNNINGHAM	JUSTUS	REDWINE
ALLEN	DAUGHTRY	LUEBKE	REYNOLDS
ALLRED	DAVIS	MCALLISTER	ROGERS
ARNOLD	DEDMON	MCCOMAS	RUSSELL
BADDOUR	DICKSON	MCCOMBS	SAUNDERS
BAKER	DOCKHAM	MCCRARY	SEXTON
BAREFOOT	EARLE	MCMAHAN	SHERRILL
BEALL	EDDINS	MERCER	SHUBERT
BLACK	ESPOSITO	MICHAUX	SMITH
BLUE	FOX	MILLER	SUTTON
BONNER	GOODWIN	MITCHELL	TALLENT
BOWIE	GRADY	MOORE	THOMPSON
BOYD-MCINTYRE	GRAY	MORGAN	TOLSON
BROWN	GULLEY	MORRIS	WAINWRIGHT
BRYANT	HALL	NEELY	WARNER
BUCHANAN	HARDY	NESBITT	WARWICK
CANSLER	HENSLEY	NICHOLS	WEATHERLY
CARPENTER	HIATT	NYE	WILSON, G.
CHURCH	HILL	OLDHAM	WRIGHT
CLARY	HOLMES	OWENS	YONGUE
CREECH	INSKO	PRESTON	

NOES - 0

EXCUSED ABSENCE - 17

ALDRIDGE	HACKNEY	HURLEY	MOSLEY
CAPPS	HARDAWAY	IVES	WATSON
COLE	HIGHTOWER	KINNEY	WILSON, C.
DECKER	HOWARD	KISER	WOOD
GARDNER			

EXCUSED VOTE - 0

NOT VOTING - 12

BARBEE	BRAWLEY	ELLIS	MINER
BERRY	CRAWFORD	FITCH	STARNES
BRASWELL	EASTERLING	HUNTER, H.	WOMBLE

NORTH CAROLINA

HOUSE OF REPRESENTATIVES

ROLL CALL

EV

SEQ. # 1896
LEGISLATIVE DAY 176
SCS
CONFERENCE REPORT
DECKER

8/10/98
7:40 PM
IN CHAIR: SPEAKER

OAK RIDGE INC.
MOTION #5 TO RECONSIDER THE VOTE BY WHICH CR WAS ADOPTED ON 2ND ROLL CALL

AYES - 91

SPEAKER	CULP	JARRELL	RAMSEY
ADAMS	CULPEPPER	JEFFUS	RAYFIELD
ALEXANDER	CUNNINGHAM	JUSTUS	REDWINE
ALLEN	DAUGHTRY	LUEBKE	REYNOLDS
ALLRED	DAVIS	MCALLISTER	ROGERS
ARNOLD	DEDMON	MCCOMAS	RUSSELL
BADDOUR	DICKSON	MCCOMBS	SAUNDERS
BAKER	DOCKHAM	MCCRARY	SEXTON
BAREFOOT	EARLE	MCMAHAN	SHERRILL
BEALL	EDDINS	MERCER	SHUBERT
BLACK	ESPOSITO	MICHAUX	SMITH
BLUE	FOX	MILLER	SUTTON
BONNER	GOODWIN	MITCHELL	TALLENT
BOWIE	GRADY	MOORE	THOMPSON
BOYD-MCINTYRE	GRAY	MORGAN	TOLSON
BROWN	GULLEY	MORRIS	WAINWRIGHT
BRYANT	HALL	NEELY	WARNER
BUCHANAN	HARDY	NESBITT	WARWICK
CANSLER	HENSLEY	NICHOLS	WEATHERLY
CARPENTER	HIATT	NYE	WILSON, G.
CHURCH	HILL	OLDHAM	WRIGHT
CLARY	HOLMES	OWENS	YONGUE
CREECH	INSKO	PRESTON	

NOES - 0

EXCUSED ABSENCE - 17

ALDRIDGE	HACKNEY	HURLEY	MOSLEY
CAPPS	HARDAWAY	IVES	WATSON
COLE	HIGHTOWER	KINNEY	WILSON, C.
DECKER	HOWARD	KISER	WOOD
GARDNER			

EXCUSED VOTE - 0

NOT VOTING - 12

BARBEE	BRAWLEY	ELLIS	MINER
BERRY	CRAWFORD	FITCH	STARNES
BRASWELL	EASTERLING	HUNTER, H.	WOMBLE

NORTH CAROLINA GENERAL ASSEMBLY
SENATE

RECORDED VOTE

1997 SESSION
SECOND SESSION 1998

SEQ. 1954/4--10:20 AM AUGUST 13, 1998 LEGISLATIVE DAY 179

SENATOR BASNIGHT -- Presiding

DECKER
OAK RIDGE INCORPORATED
SENATE COM SUB/3RD EDITION

AFTER RECONSIDERATION

HOUSE BILL 72
READING 2
CONFERENCE REPORT

MOTION 7
TO ADOPT

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 GENERAL ASSEMBLY
CONFERENCE REPORT #2
House Bill 72

H72-CRLB-7F

[ ] 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 72, AN ACT TO INCORPORATE THE TOWN OF OAK RIDGE, SUBJECT TO A REFERENDUM, Senate Rules and Operations of the Senate Committee Substitute Adopted 8/14/97, Third Edition Engrossed 8/28/97, submit the following report:

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(2) On page 2, lines 1 through 11, by rewriting those lines to read: "From the southwestern boundary of the Stokesdale City Limits, south on the east side of the Haw River Road to Pepper Road south on the east side of Pepper Road to NC Hwy. 150, east on the north side of N.C. Highway 150 to Beeson Road, south on the east side of Beeson Road to the centerline of Reedy Fork Creek, thence in a generally northeasterly direction along the centerline of Reedy Fork Creek to the Eastern Right of Way line of North Carolina Highway 68, thence south along the eastern right-of-way line of North Carolina Highway 68 approximately 3,900 feet to the southern line of the subdivision containing Riding Trail Court, recorded in Plat Book 61, page 146 in the office of the Register of Deeds of Guilford County, thence east along the southern boundary of that subdivision and of Golden Acres subdivision, Phase 2, Section 2, recorded in Plat Book 99, page 98, Guilford County Register of Deeds, approximately 2,400 feet to the proposed western right-of-way line of the US220-NC68 connector as shown on Map No. 4 of the Roadway Corridor Official Maps (State Project 6.499002T (R-2413) as recorded in the office of the Register of Deeds of Guilford County approximately 4,200 feet to the southern right-of-way line of Alcorn Road as proposed on Map No. 5 of said maps, thence west along the southern proposed right-of-way line and the present southern right-of-way line of Alcorn Road approximately 4,000 feet to the centerline of Reedy Fork Creek, thence northern along Reedy Fork

Creek to the Oak Ridge-Bruce Township Line, thence north along the Oak Ridge-Bruce Township line to the southern right-of-way line of North Carolina Highway 150, thence southwest along the southern right-of-way line of North Carolina Highway 150 to a point due south of the western right-of-way line of Eversfield Road, thence across North Carolina Highway 150 in a direct line to the closest point of the western right-of way line of Eversfield Road, thence north along the western right-of-way line of Eversfield Road to its intersection with the Stokesdale City Limits, thence west along the Stokesdale City limit, following the Stokesdale City Limit to the point and place of beginning."

(3) on page 3, line 16, delete "1997-98" and substitute "1998-99"

NORTH CAROLINA GENERAL ASSEMBLY
CONFERENCE REPORT #2
House Bill 72

(4) on page 3, lines 12, 14, 21, and 23, delete "1997", and substitute "1998"

The Senate agrees to the same.

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

Date conferees approved report: August 12, 1998.

Conferees for the Senate	Conferees for the House of Representatives
Tony Rand	Michael Decker
Bill Martin	Joanne Bowie
Bob Shaw	Theresa Esposito
	Jim Crawford

Placed on Calendar 8/13/98 — Ruled material

Senate Submitted 8/12/98
Senate ADOPTED 8/13/98 (49/0) Message Received
Senate ADOPTED 8/17/98 (37/0) Ordered Enrolled

NORTH CAROLINA GENERAL ASSEMBLY
SENATE

RECORDED VOTE

1997 SESSION
SECOND SESSION 1998

SEQ. 1959/3-- 7:09 PM AUGUST 17, 1998 LEGISLATIVE DAY 180

LT. GOVERNOR WICKER -- Presiding

DECKER
OAK RIDGE INCORPORATED
SENATE COM SUB/3RD EDITION

AFTER RECONSIDERATION

HOUSE BILL 72
READING 3
CONFERENCE REPORT

MOTION 7
TO ADOPT

AYE	37	ALBERTSON	DANNELLY	LEE	PURCELL
		BALLANTINE	EAST	LUCAS	RAND
		BASNIGHT	FORRESTER	MCDANIEL	REEVES
		BLUST	FOXX	MILLER	SHAW L.
		CARPENTER	GULLEY	ODOM	SHAW R.
		CARRINGTON	HORTON	PAGE	SOLES
		CLARK	KERR	PERDUE	WARREN
		COCHRANE	KINNAIRD	PHILLIPS	WEINSTEIN
		COOPER	LEDBETTER	PLYLER	WELLONS
		DALTON			
NO	0				
EXCUSED	0				
NOT CAST	3	ALLRAN	JENKINS	MARTIN W.	
ABSENT	10	BALLANCE	HOYLE	MOORE	WEBSTER
		GARWOOD	JORDAN	RUCHO	WINNER
		HARTSELL	MARTIN R.		
PAIRS	0				
AYE					
NO					

GENERAL ASSEMBLY
SENATE

NORTH CAROLINA GENERAL ASSEMBLY
CONFERENCE REPORT #2
House Bill 72

H72-CRLB-7F

[ ] 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 72, AN ACT TO INCORPORATE THE TOWN OF OAK RIDGE, SUBJECT TO A REFERENDUM, Senate Rules and Operations of the Senate Committee Substitute Adopted 8/14/97, Third Edition Engrossed 8/28/97, submit the following report:

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(3) on page 3, line 16, delete "1997-98" and substitute "1998-99"

NORTH CAROLINA GENERAL ASSEMBLY
CONFERENCE REPORT #2
House Bill 72

(4) on page 3, lines 12, 14, 21, and 23, delete "1997", and substitute "1998"

The Senate agrees to the same.

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

Date conferees approved report: August 12, 1998.

Conferees for the Senate	Conferees for the House of Representatives
Tony Rand	Michael Decker
Bill Martin	Joanne Bowie
Bob Shaw	Theresa Esposito
	Jim Crawford

Submitted 8/18/98 w/o objection placed on calendar for 8/18/98
House ADOPTED 2nd AUG 18 1998 (111 / 020) Message Received 8/17/98
ADOPTED (/) Ordered Enrolled

NORTH CAROLINA
HOUSE OF REPRESENTATIVES
ROLL CALL

RC

1923
LEGISLATIVE DAY 181
H72 SCS
CONFERENCE REPORT
DECKER
READING 2
OAK RIDGE INC.- ADOPT CONFERENCE REPORT
RULED MATERIAL

8/18/98
2:32 PM
IN CHAIR: SPEAKER

AYES - 111

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

NOES - 0

EXCUSED ABSENCE - 4

ESPOSITO	IVES	NEELY	WATSON

EXCUSED VOTE - 0

NOT VOTING - 5

BLUE	HENSLEY	RAMSEY	STARNES
DICKSON			

NORTH CAROLINA

HOUSE OF REPRESENTATIVES

ROLL CALL

RC

SB. # 1934
LEGISLATIVE DAY 182
H72 SCS
CONFERENCE REPORT
DECKER
REMO 3
OAK RIDGE INC. - ADOPT CONFERENCE REPORT
RULED MATERIAL

8/19/98
2:09 PM
IN CHAIR: SPEAKER

AYES - 99

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

NOES - 0

EXCUSED ABSENCE - 13

ADAMS	DOCKHAM	KISER	REDWINE
BLUE	ESPOSITO	LUEBKE	SUTTON
BRASWELL	IVES	NEELY	WOOD
CRAWFORD			

EXCUSED VOTE - 0

NOT VOTING - 8

BARBEE	HALL	HARDY	RUSSELL
EASTERLING	HARDAWAY	NESBITT	WILSON, C.

NORTH CAROLINA GENERAL ASSEMBLY
CONFERENCE REPORT #2
House Bill 72

H72-CRLB-7F

[ ] 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 72, AN ACT TO INCORPORATE THE TOWN OF OAK RIDGE, SUBJECT TO A REFERENDUM, Senate Rules and Operations of the Senate Committee Substitute Adopted 8/14/97, Third Edition Engrossed 8/28/97, submit the following report:

The House concurs in the Senate Rules and Operations of the Senate Committee Substitute Adopted 8/14/97, Third Edition Engrossed 8/28/97, with the following amendments:

(1) On page 1, line 14, delete "2017", and substitute "2018".

(2) On page 2, lines 1 through 11, by rewriting those lines to read: "From the southwestern boundary of the Stokesdale City Limits, south on the east side of the Haw River Road to Pepper Road, south on the east side of Pepper Road to NC Hwy. 150, east on the north side of N.C. Highway 150 to Beeson Road, south on the east side of Beeson Road to the centerline of Reedy Fork Creek, thence in a generally northeasterly direction along the centerline of Reedy Fork Creek to the Eastern Right of Way line of North Carolina Highway 68, thence south along the eastern right-of-way line of North Carolina Highway 68 approximately 3,900 feet to the southern line of the subdivision containing Riding Trail Court, recorded in Plat Book 61, page 146 in the office of the Register of Deeds of Guilford County, thence east along the southern boundary of that subdivision and of Golden Acres subdivision, Phase 2, Section 2, recorded in Plat Book 99, page 98, Guilford County Register of Deeds, approximately 2,400 feet to the proposed western right-of-way line of the US220-NC68 connector as shown on Map No. 4 of the Roadway Corridor Official Maps (State Project 6.499002T (R-2413) as recorded in the office of the Register of Deeds of Guilford County approximately 4,200 feet to the southern right-of-way line of Alcorn Road as proposed on Map No. 5 of said maps, thence west along the southern proposed right-of-way line and the present southern right-of-way line of Alcorn Road approximately 4,000 feet to the centerline of Reedy Fork Creek, thence northern along Reedy Fork

Creek to the Oak Ridge-Bruce Township Line, thence north along the Oak Ridge-Bruce Township line to the southern right-of-way line of North Carolina Highway 150, thence southwest along the southern right-of-way line of North Carolina Highway 150 to a point due south of the western right-of-way line of Eversfield Road, thence across North Carolina Highway 150 in a direct line to the closest point of the western right-of way line of Eversfield Road, thence north along the western right-of-way line of Eversfield Road to its intersection with the Stokesdale City Limits, thence west along the Stokesdale City limit, following the Stokesdale City Limit to the point and place of beginning."

(3) on page 3, line 16, delete "1997-98" and substitute "1998-99"



NORTH CAROLINA GENERAL ASSEMBLY
CONFERENCE REPORT #2
House Bill 72

H72-CRLB-7F

(4) on page 3, lines 12, 14, 21, and 23, delete "1997", and substitute "1998"

The Senate agrees to the same.

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

Date conferees approved report: August 12, 1998.

Conferees for the Senate	Conferees for the House of Representatives
Tony Rand	Michael Decker
Bill Martin	Joanne Bowie
Bob Shaw	Theresa Esposito
	Jim Crawford

Placed on Calendar 8/13/98 — Ruled material

Senate Submitted 8/12/98
Senate ADOPTED 8/13/98 2nd (49/0) Message Received
Senate ADOPTED 8/17/98 3rd (37/0) Ordered Enrolled by House

House adopted
message received 8/20/
J. Pruitt

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1997

H.B. FILED
0073 FEB -6 97
HOUSE PRINCIPAL CLERK

H D

HOUSE DRH6027-LV010(2.4)

Short Title: Reduce County Share/Payments. (Public)

Sponsors: Representative Goodwin.

Referred to:

A BILL TO BE ENTITLED

AN ACT TO REDUCE THE SHARE OF NONFEDERAL PAYMENTS FOR MEDICAL ASSISTANCE AND SOCIAL SERVICES FOR CERTAIN ECONOMICALLY DISADVANTAGED COUNTIES.

The General Assembly of North Carolina enacts:

Section 1. Notwithstanding G.S. 108A-54, the nonfederal share of the Medical Assistance Program borne by the counties is reduced for the 1997-99 biennium for Tier 1 and Tier 2 counties, as defined by G.S. 105-129.3, as follows:

(1) For Tier 1 counties, by twenty percent (20%);

(2) For Tier 2 counties, by ten percent (10%).

Section 2. Notwithstanding G.S. 108A-87, the nonfederal share of the annual costs of each public assistance and social services program and related administrative costs borne by the counties is reduced for the 1997-99 biennium for Tier 1 and Tier 2 counties, as defined by G.S. 105-129.3, as follows:

(1) For Tier 1 counties, by twenty percent (20%);

(2) For Tier 2 counties, by ten percent (10%).

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

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1997

H D

HOUSE DRH7028*-RB3Z(2.4)

Short Title: Credit for Long-Term Care Insurance. (Public)

Sponsors: Representative Cansler.

Referred to:

A BILL TO BE ENTITLED

AN ACT TO PROVIDE AN INDIVIDUAL INCOME TAX CREDIT FOR PREMIUMS PAID ON LONG-TERM CARE INSURANCE.

The General Assembly of North Carolina enacts:

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

"**§ 105-151.27. Credit for premiums paid on long-term care insurance.**

(a) Credit. -- An individual is allowed, as a credit against the tax imposed by this Division, an amount equal to fifteen percent (15%) of the premium costs paid during the taxable year on a qualified long-term care insurance contract that offers coverage to either the individual, the individual's spouse, or a dependent for whom the individual was allowed to deduct a personal exemption under section 151(c)(1)(A) of the Code for the taxable year. The credit allowed by this section may not exceed three hundred fifty dollars ($350.00) for each qualified long-term care insurance contract for which a credit is claimed. The credit allowed under this section may not exceed the amount of tax imposed by this Division for the taxable year reduced by the sum of all credits allowed, except payments of tax made by or on behalf of the taxpayer. A nonresident or part-year resident who claims the credit allowed by this subsection shall reduce the amount of the credit by multiplying it by the fraction calculated under G.S. 105-134.5(b) or (c), as appropriate.

(b) Definition. -- For purposes of this section, the term 'qualified long-term care insurance contract' has the same meaning as defined in section 7702B of the Code."

Section 2. This act is effective for taxable years beginning on or after January 1, 1997.

NORTH CAROLINA

HOUSE OF REPRESENTATIVES

EV

ROLL CALL

[redacted] # 1720
[redacted]ISLATIVE DAY 154
H74 HCS
READING 2
CANSLER

7/01/98
2:18 PM
IN CHAIR: SPEAKER

CREDIT FOR LONG-TERM CARE INSURANCE

AYES - 117

SPEAKER	CULPEPPER	HOWARD	OLDHAM
ADAMS	CUNNINGHAM	HUNTER, H.	OWENS
ALDRIDGE	DAUGHTRY	HUNTER, R.	PRESTON
ALEXANDER	DAVIS	HURLEY	RAMSEY
ALLEN	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	MCCOMAS	SHUBERT
BLUE	FITCH	MCCOMBS	SMITH
BONNER	FOX	MCCRARY	STARNES
BOWIE	GARDNER	MCMAHAN	SUTTON
BOYD-MCINTYRE	GOODWIN	MERCER	TALLENT
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	WILSON, C.
CHURCH	HENSLEY	MOSLEY	WILSON, G.
CLARY	HIATT	NEELY	WOMBLE
COLE	HIGHTOWER	NESBITT	WOOD
CRAWFORD	HILL	NICHOLS	WRIGHT
CREECH	HOLMES	NYE	YONGUE
CULP			

NOES - 0

EXCUSED ABSENCE - 3

GAMBLE	MCALLISTER	THOMPSON

EXCUSED VOTE - 0

NOT VOTING - 0

NORTH CAROLINA GENERAL ASSEMBLY
SENATE

RECORDED VOTE

1997 SESSION
SECOND SESSION 1998

SEQ. 2188/4--11:25 AM | OCTOBER 22, 1998 | LEGISLATIVE DAY 220

SENATOR BASNIGHT -- Presiding

CANSLER
PSO MEDICARE LICENSING
SENATE COM SUB NO. 2/4TH EDITION

HOUSE BILL 74
READING 2

AYE	44	ALBERTSON	EAST	LEE	PLYLER
		ALLRAN	FORRESTER	LUCAS	PURCELL
		BALLANCE	FOXX	MARTIN R.	RAND
		BALLANTINE	GULLEY	MARTIN W.	REEVES
		BASNIGHT	HARTSELL	MCDANIEL	SHAW R.
		BLUST	HORTON	MILLER	SOLES
		CARPENTER	JENKINS	MOORE	WARREN
		CLARK	JORDAN	ODOM	WEBSTER
		COCHRANE	KERR	PAGE	WEINSTEIN
		COOPER	KINNAIRD	PERDUE	WELLONS
		DANNELLY	LEDBETTER	PHILLIPS	WINNER
NO	0				
EXCUSED	0				
NOT CAST	0				
ABSENT	6	CARRINGTON	GARWOOD	RUCHO	SHAW L.
		DALTON	HOYLE		
PAIRS	0				
AYE					
NO					

GENERAL ASSEMBLY
SENATE

NORTH CAROLINA GENERAL ASSEMBLY
SENATE

RECORDED VOTE

1997 SESSION
SECOND SESSION 1998

SEQ. 2189/5--11:26 AM | OCTOBER 22, 1998 | LEGISLATIVE DAY 220

SENATOR BASNIGHT -- Presiding

CANSLER
PSO MEDICARE LICENSING
SENATE COM SUB NO. 2/4TH EDITION

HOUSE BILL 74
READING 3

AYE	42	ALBERTSON	EAST	MARTIN R.	PURCELL
		ALLRAN	FORRESTER	MARTIN W.	RAND
		BALLANCE	FOXX	MCDANIEL	REEVES
		BALLANTINE	GULLEY	MILLER	SHAW R.
		BASNIGHT	HARTSELL	MOORE	SOLES
		BLUST	HORTON	ODOM	WARREN
		CARPENTER	JENKINS	PAGE	WEBSTER
		CLARK	JORDAN	PERDUE	WEINSTEIN
		COCHRANE	KINNAIRD	PHILLIPS	WELLONS
		COOPER	LEE	PLYLER	WINNER
		DANNELLY	LUCAS		
NO	0				
EXCUSED	0				
NOT CAST	2	KERR	LEDBETTER		
ABSENT	6	CARRINGTON	GARWOOD	RUCHO	SHAW L.
		DALTON	HOYLE		
PAIRS	0				
AYE					
NO					

NTINUED)

GENERAL ASSEMBLY
SENATE

NORTH CAROLINA GENERAL ASSEMBLY
SENATE

RECORDED VOTE

1997 SESSION
SECOND SESSION 1998

SEQ. 2192/8--11:47 AM OCTOBER 22, 1998 LEGISLATIVE DAY 220

SENATOR BASNIGHT -- Presiding

CANSLER
PSO MEDICARE LICENSING
SENATE COM SUB NO. 2/4TH EDITION

HOUSE BILL 74
READING 3

RECORDED
AYE 1 LEDBETTER
ADJUSTED TOTAL
AYE 43
NO 0
NOT CAST 1
ABSENT 6

PY)

GENERAL ASSEMBLY
SENATE

NORTH CAROLINA GENERAL ASSEMBLY
SENATE

RECORDED VOTE

1997 SESSION
SECOND SESSION 1998

SEQ. 2192/8--11:47 AM | OCTOBER 22, 1998 | LEGISLATIVE DAY 220

SENATOR BASNIGHT -- Presiding

CANSLER
PSO MEDICARE LICENSING
SENATE COM SUB NO. 2/4TH EDITION

HOUSE BILL 74
READING 3

AYE	43	ALBERTSON	EAST	LUCAS	PURCELL
		ALLRAN	FORRESTER	MARTIN R.	RAND
		BALLANCE	FOXX	MARTIN W.	REEVES
		BALLANTINE	GULLEY	MCDANIEL	SHAW R.
		BASNIGHT	HARTSELL	MILLER	SOLES
		BLUST	HORTON	MOORE	WARREN
		CARPENTER	JENKINS	ODOM	WEBSTER
		CLARK	JORDAN	PAGE	WEINSTEIN
		COCHRANE	KINNAIRD	PERDUE	WELLONS
		COOPER	LEDBETTER	PHILLIPS	WINNER
		DANNELLY	LEE	PLYLER	
NO	0				
EXCUSED	0				
NOT CAST	1	KERR			
ABSENT	6	CARRINGTON	GARWOOD	RUCHO	SHAW L.
		DALTON	HOYLE		
PAIRS	0				
AYE					
NO					

(COPY)

GENERAL ASSEMBLY
SENATE

NORTH CAROLINA
HOUSE OF REPRESENTATIVES
ROLL CALL

EV

SEQ. # 2176
LEGISLATIVE DAY 220
SCS #2

10/26/98
6:26 PM
IN CHAIR: SPEAKER

CANSLER

PROVIDER SPONSORED ORGANIZATION
MOTION #11 - CONCUR IN SCS

AYES - ~~93~~ 94 DWeeks

SPEAKER	CREECH	HIGHTOWER	NYE
ADAMS	CULP	HOLMES	OLDHAM
ALEXANDER	CULPEPPER	HOWARD	OWENS
ALLEN	CUNNINGHAM	HUNTER, H.	RAMSEY
ALLRED	DAUGHTRY	HURLEY	RAYFIELD
BAKER	DAVIS	INSKO	REYNOLDS
BARBEE	DECKER	IVES	ROGERS
BAREFOOT	DEDMON	JARRELL	RUSSELL
BEALL	DOCKHAM	JEFFUS	SAUNDERS
BLUE	EARLE	JUSTUS	SEXTON
BONNER	EASTERLING	MCCOMAS	SHERRILL
BOWIE	EDDINS	MCCOMBS	SMITH
BOYD-MCINTYRE	ELLIS	MCCRARY	SUTTON
BRASWELL	ESPOSITO	MCMAHAN	THOMPSON
BROWN	GARDNER	MILLER	TOLSON
BRYANT	GOODWIN	MITCHELL	WAINWRIGHT
BUCHANAN	GRADY	MOORE	WARNER
CANSLER	GULLEY	MORGAN	WATSON
CAPPS	HACKNEY	MORRIS	WEATHERLY
CARPENTER	HALL	MOSLEY	WILSON, C.
CHURCH	HARDAWAY	NEELY	WILSON, G.
CLARY	HARDY	NESBITT	WRIGHT
COLE	HIATT	NICHOLS	YONGUE
CRAWFORD			SHUBERT DWeeks

NOES - 4

BRAWLEY	HENSLEY	MCALLISTER	MICHAUX

EXCUSED ABSENCE - 12

ARNOLD	DICKSON	KISER	REDWINE
BADDOUR	FOX	LUEBKE	WARWICK
BERRY	KINNEY	MERCER	WOMBLE

EXCUSED VOTE - 0

NOT VOTING - ~~11~~ 10 DWeeks

ALDRIDGE	GRAY	PRESTON	TALLENT
BLACK	HILL	~~SHUBERT~~ DW	WOOD
FITCH	MINER	STARNES	

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1997

H.B. FILED
0075 FEB - 3 97
HOUSE PRINCIPAL CLERK

H D

HOUSE DRH1003-LB041(1.17)

Short Title: Person School Board Elections. (Local)

Sponsors: Representative Wilkins.

Referred to:

A BILL TO BE ENTITLED

AN ACT CODIFYING THE METHOD OF ELECTING THE PERSON COUNTY BOARD OF EDUCATION AS ORDERED BY THE UNITED STATES DISTRICT COURT FOR THE MIDDLE DISTRICT OF NORTH CAROLINA.

The General Assembly of North Carolina enacts:

Section 1. The Person County Board of Education shall consist of five members elected in nonpartisan plurality elections for concurrent four-year terms.

Section 2. Elections for the Board of Education shall be held at the same time as the general election for State and county offices in the year 2000 and every four years thereafter. Board members shall take office at the time specified by general State law for county officers.

Section 3. The period for filing notices of candidacy for the Board of Education shall commence at noon on the first Monday in August preceding the election, and shall close at noon on the last Friday of August. If, however, general State law provides a different filing period for nonpartisan plurality elections held in November of even-numbered years, the filing shall be conducted according to that general State law.

Section 4. This act is intended to codify the method of election ordered by the United States District Court for the Middle District of North Carolina in the Consent Decree entered on 30 November 1995 in Webster, et al., v. Board of Education of Person County, et. al., No. 1:91CV554. Pursuant to the Consent Decree, the method of election may be evaluated following the 2000 election, if the plaintiffs make such request within the time specified in the decree.

Section 5. This act is effective when it becomes law.

H.B. FILED
0036 FEB -6 97
HOUSE PRINCIPAL CLERK

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1997

H D

HOUSE DRH1035-RH002(2.5)

Short Title: Local Teaching Permits. (Public)

Sponsors: Representative Wood.

Referred to:

A BILL TO BE ENTITLED

AN ACT TO ALLOW LOCAL BOARDS OF EDUCATION TO ISSUE LOCAL TEACHING PERMITS.

The General Assembly of North Carolina enacts:

Section 1. Article 20 of Chapter 115C of the General Statutes is amended by adding the following new section to read:

"**§ 115C-296.1. Local teaching permit.**

(a) Notwithstanding any other law to the contrary, a local board may issue a local teaching permit to and may employ as a teacher a person who does not hold a certificate issued by the State Board. To be eligible for a local teaching permit under this section, the person shall hold a baccalaureate degree. Except as provided in subsection (b) of this section, a person authorized to teach under this section may teach only in the local school administrative unit under the supervision and control of the local board that issued the local teaching permit. A local teaching permit shall be issued for no more than one school year but may be renewed on an annual basis at the discretion of the local board.

(b) Local boards of education may enter into reciprocal agreements whereby they may employ a teacher holding a valid local teaching permit issued by one of those boards.

(c) Teachers who hold a valid local teaching permit and are employed under this section shall be placed on the teacher salary schedule as if they were certified by the State Board.

(d) For the purposes of G.S. 115C-325, teachers who hold a valid local teaching permit and are employed under this section shall be considered probationary teachers."

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

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1997

H.B. FILED
0077 FEB -6 97
HOUSE PRINCIPAL CLERK

H D

HOUSE DRH2032-LN014(1.1)

Short Title: Area Mental Health Authority. (Public)

Sponsors: Representatives Howard, Brawley, Gardner, McCombs, and Mitchell.

Referred to:

A BILL TO BE ENTITLED

AN ACT TO DIRECT THE SECRETARY OF THE DEPARTMENT OF HUMAN RESOURCES TO DISSOLVE CERTAIN AREA MENTAL HEALTH AUTHORITIES.

The General Assembly of North Carolina enacts:

Section 1. The Secretary of the Department of Human Resources shall dissolve all area mental health, mental retardation, and substance abuse authorities that are comprised of three counties at least two of which each have a population of 90,000 or more according to the most recent decennial federal census. Prior to dissolution, the Secretary shall make the necessary and appropriate provisions relating to personnel and other matters, and dealing with the distribution of the assets and liabilities of the area authority. The dissolution shall take effect not later than June 30, 1997. The Secretary shall permit counties that were part of an area authority dissolved pursuant to this act to provide mental health services as a single-county area authority or to align with another single-county or multicounty area authority.

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

NORTH CAROLINA
HOUSE OF REPRESENTATIVES
ROLL CALL

EV

. # 35
ISLATIVE DAY 16
H77
READING 2
HOWARD

2/25/97
2:32 PM
IN CHAIR: SPEAKER

AREA MENTAL HEALTH AUTHORITY

AYES - 113

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

NOES - 0

EXCUSED ABSENCE - 4

BLUE	ROGERS	WILSON, C.	WRIGHT

EXCUSED VOTE - 0

NOT VOTING - 3

SPEAKER	BLACK	GRAY

NORTH CAROLINA GENERAL ASSEMBLY
SENATE

RECORDED VOTE

1997 SESSION

SEQ. 102/7-- 5:56 PM MARCH 17, 1997 LEGISLATIVE DAY 27

LT. GOVERNOR WICKER -- Presiding

HOWARD
AREA MENTAL HEALTH AUTHORITY

HOUSE BILL 77
READING 2

AYE	43	ALBERTSON	COOPER	LEE	RAND
		ALLRAN	DALTON	LUCAS	REEVES
		BALLANCE	DANNELLY	MARTIN R.	SHAW L.
		BALLANTINE	FORRESTER	MARTIN W.	SHAW R.
		BASNIGHT	FOXX	MCDANIEL	SOLES
		BLUST	HORTON	MILLER	WARREN
		CARPENTER	JENKINS	ODOM	WEBSTER
		CARRINGTON	JORDAN	PAGE	WEINSTEIN
		CLARK	KERR	PERDUE	WELLONS
		COCHRANE	KINNAIRD	PHILLIPS	WINNER
		CONDER	LEDBETTER	PLYLER	
NO	0				
EXCUSED	0				
NOT CAST	7	EAST	GULLEY	HOYLE	RUCHO
		GARWOOD	HARTSELL	KINCAID	
ABSENT	0				
PAIRS	0				
AYE					
NO					

GENERAL ASSEMBLY
SENATE

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1997

FILED 0078 FEB -6 97 HOUSE PRINCIPAL CLERK

H D

HOUSE DRHA115*-RHZ002(1.30)

Short Title: Sch. Admin. Stds. Exemption. (Public)

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

Referred to:

A BILL TO BE ENTITLED

AN ACT TO CLARIFY WHO IS EXEMPT FROM THE PUBLIC SCHOOL ADMINISTRATOR EXAM.

The General Assembly of North Carolina enacts:

Section 1. Effective January 1, 1998, G.S. 115C-290.8 reads as rewritten:

"**§ 115C-290.8. (Effective January 1, 1998) Exemptions from requirements.**

The requirements of this Article do not apply to a person who, at any time during the five years preceding January 1, 1998, (i) completed an administrative internship as part of an approved graduate program in school administration and obtained an active State administrator/supervisor certificate, ~~or~~ (ii) was engaged in school administration while in possession of an active State administrator/supervisor ~~certificate.~~ certificate, or (iii) was employed in a North Carolina college or university as an instructor while in possession of an active State administrator/supervisor certificate and whose major responsibilities included the preparation or supervision of individuals enrolled in a public school administration program that meets the public school administrator program approval standards set by the State Board. A person who is exempt from the requirements of this Article but applies to the Standards Board under this Article shall be subject to the Article."

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

NORTH CAROLINA
HOUSE OF REPRESENTATIVES
ROLL CALL

EV

. # 107
ISLATIVE DAY 24
H78
READING 2
ROGERS

3/11/97
2:49 PM
IN CHAIR: SPEAKER

SCHOOL ADMINISTRATOR STANDARDS EXEMPTION

AYES - 112

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

NOES - 1

CULP

EXCUSED ABSENCE - ~~1~~ 2 DWilkins

BRASWELL

BLUE DW

EXCUSED VOTE - 0

NOT VOTING - ~~6~~ 5 DWilkins

SPEAKER	~~BLUE~~ DWilkins	DAUGHTRY	GAMBLE
ADAMS	CRAWFORD		

NORTH CAROLINA GENERAL ASSEMBLY
SENATE

RECORDED VOTE

1997 SESSION

SEQ. 162/4-- 4:34 PM MARCH 31, 1997 LEGISLATIVE DAY 35

LT. GOVERNOR WICKER -- Presiding

ROGERS
SCHOOL ADMIN. STANDARDS EXEMPTIONS

HOUSE BILL 78
READING 2

AYE	45	ALBERTSON	DANNELLY	KERR	PHILLIPS
		ALLRAN	EAST	KINNAIRD	PLYLER
		BALLANCE	FORRESTER	LEDBETTER	RAND
		BALLANTINE	FOXX	LEE	SHAW L.
		BASNIGHT	GARWOOD	LUCAS	SHAW R.
		BLUST	GULLEY	MARTIN R.	SOLES
		CARPENTER	HARTSELL	MARTIN W.	WARREN
		CARRINGTON	HORTON	MCDANIEL	WEBSTER
		CLARK	HOYLE	MILLER	WEINSTEIN
		COCHRANE	JENKINS	PAGE	WELLONS
		CONDER	JORDAN	PERDUE	WINNER
		DALTON			
NO	0				
EXCUSED	0				
NOT CAST	1	RUCHO			
ABSENT	4	COOPER	KINCAID	ODOM	REVES
PAIRS	0				
AYE					
NO					

(COPY)

GENERAL ASSEMBLY
SENATE

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1997

H.B. FILED
0079 FEB-6 97
HOUSE PRINCIPAL CLERK

H D

HOUSE DRH1017*-RRZ004A(12.17)

Short Title: Ballot Access Changes. (Public)

Sponsors: Representative Rayfield.

Referred to:

A BILL TO BE ENTITLED

AN ACT TO MAKE CHANGES TO STATUTES CONCERNING BALLOT ACCESS FOR POLITICAL PARTIES.

The General Assembly of North Carolina enacts:

Section 1. G.S. 163-96 reads as rewritten:

"**§ 163-96. 'Political party' defined; creation of new party.**

(a) Definition. -- A political party within the meaning of the election laws of this State shall be either:

(1) Any group of voters which, at the last preceding general State election, polled for its candidate for Governor, or for presidential electors, at least ten percent (10%) of the entire vote cast in the State for Governor or for presidential electors; or

(2) Any group of voters which shall have filed with the State Board of Elections petitions for the formulation of a new political party which are signed by registered and qualified voters in this State equal in number to two percent (2%) of the total number of voters who voted in the most recent general election for Governor. Also the petition must be signed by at least 200 registered voters from each of four congressional districts in North Carolina. To be effective, the petitioners must file their petitions with the State Board of Elections before 12:00 noon on the ~~first day of June~~ second Thursday in July preceding the day on which is to be held the first general State election in which the new political party desires to participate. The State Board of Elections shall forthwith determine the sufficiency of petitions filed with it and shall

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1997

H.B. FILED
0080 FEB -6 97
HOUSE PRINCIPAL CLERK

H D

HOUSE DRH2030*-RIZ01.5(2.4)

Short Title: Adult Day Care Funds. (Public)

Sponsors: Representative Clary.

Referred to:

A BILL TO BE ENTITLED

AN ACT TO APPROPRIATE FUNDS FOR THE STATE ADULT DAY CARE PROGRAM.

The General Assembly of North Carolina enacts:

Section 1. There is appropriated from the General Fund to the Department of Human Resources, Division of Social Services, the sum of three hundred fifty-six thousand two hundred fifty dollars ($356,250) for the 1997-98 fiscal year and three hundred fifty-six thousand two hundred fifty dollars ($356,250) for the 1998-99 fiscal year to provide funds for the State Adult Day Care Program.

Section. 2. These funds shall be allocated for the following purposes:

(1) To provide funds for start-up grants to establish 10 new adult day care programs in the 1997-98 fiscal year and 10 new adult day care programs in the 1998-99 fiscal year in the 49 counties currently without adult day care programs; and

(2) To provide funds to support the conversion of five adult day care programs into adult day health programs in the 1997-98 fiscal year and the conversion of five adult day care programs into adult day health programs in the 1998-99 fiscal year.

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

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1997

RECEIVED
0081 FEB -6 97
HOUSE PRINCIPAL CLERK

H D

HOUSE DRHA124*-RIZ05(2.4)

Short Title: Residency Req. for Special Assistance. (Public)

Sponsors: Representative Clary.

Referred to:

A BILL TO BE ENTITLED

AN ACT TO ESTABLISH A NINETY-DAY WAITING PERIOD FOR NEW RESIDENTS OF NORTH CAROLINA WHO NEED RESIDENCE IN ADULT CARE HOMES AND WHO NEED STATE-COUNTY SPECIAL ASSISTANCE FUNDS TO PAY FOR THEIR CARE.

The General Assembly of North Carolina enacts:

Section 1. G.S. 108A-41(b) reads as rewritten:

"(b) Assistance shall be granted to any person who:

(1) Is 65 years of age and older, or is between the ages of 18 and 65 and is permanently and totally disabled; and

(2) Has insufficient income or other resources to provide a reasonable subsistence compatible with decency and health as determined by the rules and regulations of the Social Services Commission; and

(3) Is a resident of ~~North Carolina.~~ North Carolina for at least 90 days prior to receiving this assistance."

Section 2. This act is effective when it becomes law and applies to residents making application for assistance on or after that date.

NORTH CAROLINA
HOUSE OF REPRESENTATIVES
ROLL CALL

EV

[redacted]. # 97
[redacted]ISLATIVE DAY 23
H81 HCS
READING 2
CLARY

3/10/97
8:03 PM
IN CHAIR: SPEAKER

RESIDENCY REQUIRE FOR SPECIAL ASSIST

AYES - 106

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

NOES - 5

ADAMS	INSKO	LUEBKE	WOMBLE
CUNNINGHAM			

EXCUSED ABSENCE - 3

BRASWELL	HUNTER, R.	MCMAHAN

EXCUSED VOTE - 0

NOT VOTING - 6

SPEAKER	FITCH	HURLEY	REYNOLDS
CRAWFORD	GAMBLE		

NORTH CAROLINA
HOUSE OF REPRESENTATIVES
ROLL CALL

EV

103
ISLATIVE DAY 24
H81 HCS
READING 3
CLARY

3/11/97
2:40 PM
IN CHAIR: SPEAKER

RESIDENCY REQUIRE FOR SPECIAL ASSIST
MOTION #7 - TO RE-REFER (REP CUNNINGHAM)

AYES - 29

ADAMS	HARDAWAY	MCCRARY	TOLSON
BLACK	HENSLEY	MERCER	WAINWRIGHT
BONNER	HUNTER, H.	MICHAUX	WARNER
CUNNINGHAM	INSKO	NESBITT	WARWICK
EASTERLING	JARRELL	RAMSEY	WILSON, G.
FITCH	KINNEY	REDWINE	WOMBLE
GOODWIN	LUEBKE	SAUNDERS	WRIGHT
HACKNEY			

NOES - 86

ALDRIDGE	CULPEPPER	HOWARD	OLDHAM
ALEXANDER	DAVIS	HUNTER, R.	OWENS
ALLRED	DECKER	HURLEY	PRESTON
ARNOLD	DEDMON	IVES	RAYFIELD
BADDOUR	DICKSON	JEFFUS	REYNOLDS
BAKER	DOCKHAM	JUSTUS	ROGERS
BARBEE	EARLE	KISER	RUSSELL
BEALL	EDDINS	MCALLISTER	SEXTON
BERRY	ELLIS	MCCOMAS	SHERRILL
BOWIE	ESPOSITO	MCCOMBS	SHUBERT
BOYD-MCINTYRE	FOX	MCMAHAN	SMITH
BRAWLEY	GAMBLE	MILLER	STARNES
BROWN	GARDNER	MINER	SUTTON
BUCHANAN	GRADY	MITCHELL	TALLENT
CANSLER	GRAY	MOORE	THOMPSON
CAPPS	GULLEY	MORGAN	WATSON
CARPENTER	HALL	MORRIS	WEATHERLY
CHURCH	HARDY	MOSLEY	WILKINS
CLARY	HIATT	NEELY	WILSON, C.
COLE	HIGHTOWER	NICHOLS	WOOD
CREECH	HILL	NYE	YONGUE
CULP	HOLMES		

EXCUSED ABSENCE - ~~1~~ 2 DWalker

BRASWELL — BLUE

EXCUSED VOTE - 0

NOT VOTING - ~~4~~ 3 DW

SPEAKER — ~~BLUE~~ DW — CRAWFORD — DAUGHTRY

NORTH CAROLINA
HOUSE OF REPRESENTATIVES
ROLL CALL

EV

104
ISLATIVE DAY 24
H81 HCS
READING 3
CLARY

3/11/97
2:41 PM
IN CHAIR: SPEAKER

RESIDENCY REQUIRE FOR SPECIAL ASSIST

AYES - 104

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

NOES - 11

ADAMS	HACKNEY	HUNTER, H.	MICHAUX
CUNNINGHAM	HARDAWAY	INSKO	WARWICK
FITCH	HENSLEY	LUEBKE	

EXCUSED ABSENCE - ~~1~~ 2

BRASWELL

BLUE DW

EXCUSED VOTE - 0

NOT VOTING - ~~4~~ 3 DW

SPEAKER ~~BLUE~~ DW

CRAWFORD

DAUGHTRY

NORTH CAROLINA GENERAL ASSEMBLY
SENATE

RECORDED VOTE

1997 SESSION

SEQ. 295/12--12:17 PM APRIL 17, 1997 LEGISLATIVE DAY 46

LT. GOVERNOR WICKER -- Presiding

CLARY
RESIDENCY REQMTS. FOR SPCL. ASST.
SENATE COMM. SUB/3RD EDITION

HOUSE BILL 81
READING 2

AYE	49	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
		COOPER	KERR	PERDUE	WELLONS
		DALTON	KINCAID	PHILLIPS	WINNER
		DANNELLY			
NO	0				

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

GENERAL ASSEMBLY
SENATE

(CONTINUED)

NORTH CAROLINA
HOUSE OF REPRESENTATIVES
ROLL CALL

EV

. # 646
ISLATIVE DAY 61
H81 SCS

5/14/97
2:50 PM
IN CHAIR: SPEAKER

CLARY

RESIDENCY REQUIRE. FOR SPECIAL ASSIST.
MOTION #11 NOT TO CONCUR IN SCS

AYES - 107

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

NOES - 2

GAMBLE	OWENS

EXCUSED ABSENCE - 5

ALEXANDER	HIATT	WEATHERLY	WOOD
DICKSON			

EXCUSED VOTE - 0

NOT VOTING - 6

SPEAKER	GRAY	HUNTER, H.	MICHAUX
COLE	HENSLEY		

NORTH CAROLINA GENERAL ASSEMBLY
SENATE

RECORDED VOTE

1997 SESSION

SEQ. 821/2--12:14 PM JUNE 5, 1997 LEGISLATIVE DAY 74

SENATOR BASNIGHT -- Presiding

CLARY
RESIDENCY REQMTS. FOR SPCL. ASST.
SENATE COMM. SUB/3RD EDITION

HOUSE BILL 81

CONFERENCE REPORT

MOTION 7
TO ADOPT

AYE	44	ALLRAN	DANNELLY	KINCAID	PLYLER
		BALLANCE	EAST	KINNAIRD	RAND
		BALLANTINE	FORRESTER	LEDBETTER	REEVES
		BASNIGHT	FOXX	LEE	SHAW L.
		BLUST	GARWOOD	LUCAS	SHAW R.
		CARPENTER	GULLEY	MARTIN R.	SOLES
		CARRINGTON	HARTSELL	MARTIN W.	WARREN
		CLARK	HORTON	MCDANIEL	WEBSTER
		COCHRANE	HOYLE	MILLER	WEINSTEIN
		COOPER	JENKINS	ODOM	WELLONS
		DALTON	JORDAN	PHILLIPS	WINNER
NO	0				
EXCUSED	0				
NOT CAST	6	ALBERTSON	KERR	PERDUE	RUCHO
		CONDER	PAGE		
ABSENT	0				
PAIRS	0				
AYE					
NO					

(COPY)

GENERAL ASSEMBLY
SENATE

NORTH CAROLINA

HOUSE OF REPRESENTATIVES

ROLL CALL

EV

. # 849
ISLATIVE DAY 75
H81 SCS
CONFERENCE REPORT
CLARY

6/09/97
6:15 PM
IN CHAIR: SPEAKER

RESIDENCY REQ. FOR SPECIAL ASSISTANCE

AYES - 109

SPEAKER	CUNNINGHAM	HURLEY	OWENS
ADAMS	DAUGHTRY	INSKO	RAMSEY
ALDRIDGE	DAVIS	IVES	RAYFIELD
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
BERRY	ESPOSITO	MCCOMAS	SHUBERT
BLUE	FOX	MCCOMBS	SMITH
BONNER	GARDNER	MCCRARY	STARNES
BOWIE	GOODWIN	MCMAHAN	SUTTON
BOYD-MCINTYRE	GRADY	MERCER	THOMPSON
BRAWLEY	GRAY	MILLER	TOLSON
BROWN	GULLEY	MINER	WAINWRIGHT
BUCHANAN	HACKNEY	MITCHELL	WARNER
CANSLER	HALL	MOORE	WATSON
CAPPS	HARDAWAY	MORGAN	WEATHERLY
CARPENTER	HARDY	MORRIS	WILKINS
CHURCH	HENSLEY	MOSLEY	WILSON, C.
CLARY	HIATT	NEELY	WILSON, G.
COLE	HILL	NESBITT	WOMBLE
CRAWFORD	HOLMES	NICHOLS	WOOD
CREECH	HOWARD	NYE	WRIGHT
CULP	HUNTER, R.	OLDHAM	YONGUE
CULPEPPER			

NOES - 0

EXCUSED ABSENCE - 3

BRASWELL	ELLIS	HIGHTOWER

EXCUSED VOTE - 0

NOT VOTING - 8

BLACK	GAMBLE	MICHAUX	TALLENT
FITCH	HUNTER, H.	PRESTON	WARWICK

NORTH CAROLINA GENERAL ASSEMBLY
CONFERENCE REPORT
House Bill 81

H81-CRRI-01

[ ] 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 81, A BILL TO BE ENTITLED AN ACT TO ESTABLISH A NINETY-DAY WAITING PERIOD FOR NEW RESIDENTS OF NORTH CAROLINA WHO NEED RESIDENCE IN ADULT CARE HOMES AND WHO NEED STATE-COUNTY SPECIAL ASSISTANCE FUNDS TO PAY FOR THEIR CARE, Senate Children & Human Resources Committee Substitute Adopted 4/16/97, submit the following report:

The House and Senate agree to the following amendments to the Senate Committee Substitute, Senate Children & Human Resources Committee Substitute Adopted 4/16/97, and the House concurs in the Senate Committee Substitute as amended:

on page 1, lines 15 through 20, by rewriting the lines to read:

"a. A resident of North Carolina for at least 90 days immediately prior to receiving this assistance;

b. A person coming to North Carolina to join a close relative who has resided in North Carolina for at least 180 consecutive days immediately prior to the person's application. The close relative shall furnish verification of his or her residency to the local department of social services at the time the applicant applies for special assistance. As used in this sub-subdivision, a close relative is the person's parent, grandparent, brother, sister, spouse, or child; or

c. A person discharged from a State facility who was a patient in the facility as a result of an interstate mental health compact. As used in this sub-subdivision the term State facility is a facility listed under G.S. 122C-181.'"

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

0

Janet Pruitt JUN 5 1997

NORTH CAROLINA GENERAL ASSEMBLY
CONFERENCE REPORT
House Bill 81

H81-CRRI-01

Date conferees approved report: June 3, 1997.

Conferees for the Senate	Conferees for the House of Representatives
Betsy L. Cochrane	Debbie A. Clary
Jeanne H. Lucas	William Eugene Wilson
Fletcher Lee Hartsell, Jr.	Charlotte A. Gardner
Robert C. Carpenter	Martin L. Nesbitt, Jr.
Walter H. Dalton	

Senate
Submitted 6/5/97
ADOPTED 6/5/97 (44/ 0) Message Received
ADOPTED (/) Ordered Enrolled

Janet Pruitt

JUN 5 1997

NORTH CAROLINA GENERAL ASSEMBLY
CONFERENCE REPORT
House Bill 81

H81-CRRI-01

[ ] 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 81, A BILL TO BE ENTITLED AN ACT TO ESTABLISH A NINETY-DAY WAITING PERIOD FOR NEW RESIDENTS OF NORTH CAROLINA WHO NEED RESIDENCE IN ADULT CARE HOMES AND WHO NEED STATE-COUNTY SPECIAL ASSISTANCE FUNDS TO PAY FOR THEIR CARE, Senate Children & Human Resources Committee Substitute Adopted 4/16/97, submit the following report:

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on page 1, lines 15 through 20, by rewriting the lines to read:

"a. A resident of North Carolina for at least 90 days immediately prior to receiving this assistance;

b. A person coming to North Carolina to join a close relative who has resided in North Carolina for at least 180 consecutive days immediately prior to the person's application. The close relative shall furnish verification of his or her residency to the local department of social services at the time the applicant applies for special assistance. As used in this sub-subdivision, a close relative is the person's parent, grandparent, brother, sister, spouse, or child; or

c. A person discharged from a State facility who was a patient in the facility as a result of an interstate mental health compact. As used in this sub-subdivision the term State facility is a facility listed under G.S. 122C-181.'"

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

NORTH CAROLINA GENERAL ASSEMBLY
CONFERENCE REPORT
House Bill 81

H81-CRRI-01

Date conferees approved report: June 3, 1997.

Conferees for the Senate	Conferees for the House of Representatives
Betsy L. Cochrane	Debbie A. Clary
Jeanne H. Lucas	William Eugene Wilson
Fletcher Lee Hartsell, Jr.	Charlotte A. Gardner
Robert C. Carpenter	Martin L. Nesbitt, Jr.
Walter H. Dalton	

Submitted 6/5/97 placed on calendar for 6/9/97
ADOPTED 6/9/97 (109 / 0) Message Received 6/5/97
ADOPTED (/) Ordered Enrolled 6/9/97

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1997

0082 FEB -6 97
HOUSE PRINCIPAL CLERK

H D

HOUSE DRH6001*-RSZ002(1.21)

Short Title: Grandparent Visitation. (Public)

Sponsors: Representatives Culpepper, Beall, Decker, Nye, and Watson.

Referred to:

A BILL TO BE ENTITLED

AN ACT TO PROVIDE FOR AN EXPANSION OF RIGHTS UNDER EXISTING LAW PERTAINING TO GRANDPARENT VISITATION.

The General Assembly of North Carolina enacts:

Section 1. G.S. 50-13.1(a) reads as rewritten:

"(a) Any parent, relative, or other person, agency, organization or institution claiming the right to custody of a minor child may institute an action or proceeding for the custody of such child, as hereinafter provided. Unless a contrary intent is clear, the word 'custody' as it applies to parents of a minor child shall be deemed to include custody or visitation or both."

Section 2. G.S. 50-13.2(b1) reads as rewritten:

"(b1) An order for custody of a minor child may provide visitation rights for any grandparent of the child as the court, in its discretion, deems appropriate. ~~As used in this subsection, "grandparent" includes a biological grandparent of a child adopted by a stepparent or a relative of the child where a substantial relationship exists between the grandparent and the child.~~ Under no circumstances shall a biological grandparent of a child adopted by adoptive parents, neither of whom is related to the child and where parental rights of both biological parents have been terminated, be entitled to visitation rights."

Section 3. G.S. 50-13.2A reads as rewritten:

"**§ 50-13.2A. Action for visitation ~~of an adopted grandchild.~~ by grandparent.**

A ~~biological~~ grandparent may institute an action or proceeding for visitation rights with a grandchild ~~child adopted by a stepparent or a relative of the child where a substantial relationship exists between the grandparent and the child.~~ under the provisions of this section. Under no circumstances shall a biological grandparent of a

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1997

H.B. FILED
0083 FEB-6 97
HOUSE PRINCIPAL CLERK

H D

HOUSE DRH8010-LK026A(1.27)

Short Title: 1997 Education Lottery. (Public)

Sponsors: Representative Fitch.

Referred to:

A BILL TO BE ENTITLED

AN ACT TO ESTABLISH A STATE LOTTERY TO PROVIDE FUNDS FOR EDUCATIONAL PURPOSES.

The General Assembly of North Carolina enacts:

Section 1. The General Statutes are amended by adding a new Chapter to read:

"Chapter 143C.

"North Carolina State Lottery.

"ARTICLE 1.

"General Provisions and Definitions.

"**§ 143C-101. Citation.**

This Chapter shall be known and may be cited as the North Carolina State Lottery Act.

"**§ 143C-102. Purpose and intent.**

The General Assembly declares that the purpose and intent of this Chapter is to provide additional monies to benefit the public purposes described in this Chapter through the implementation of a State-operated lottery without the imposition of additional or increased taxes. The lottery shall be initiated at the earliest practical time and it shall be operated to maximize new revenue to the State. That new revenue shall be raised in a manner consistent with the dignity of the State and the general welfare of the people, and in a manner consistent with effective business practices.

"**§ 143C-103. Laws not affected.**

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1997

H.B. FILED 0084 FEB -6 97 HOUSE PRINCIPAL CLERK

H D

HOUSE DRH7002-LB012(12.3)

Short Title: Pinehurst Council Terms. (Local)

Sponsors: Representative Morgan.

Referred to:

A BILL TO BE ENTITLED

AN ACT TO PROVIDE THAT THREE OF THE MEMBERS ELECTED TO THE PINEHURST VILLAGE COUNCIL IN 1995 SHALL SERVE FOUR-YEAR TERMS.

The General Assembly of North Carolina enacts:

Section 1. The part of the Charter of the Village of Pinehurst added under Part 4 of Article 5 of Chapter 160A of the General Statutes by Ordinance 95-17 of the Village Council set out below reads as rewritten:

"At the regular municipal election to be held in 1995, the ~~three~~ four candidates who receive the highest number of votes shall be elected for four-year terms, while the ~~two candidates who receive~~ candidate who receives the next highest number of votes shall be elected for ~~two-year terms.~~ a two-year term. As provided by G.S. 160A-63, the person appointed to fill a vacancy occurring in 1996 in a four-year term on the Village Council serves only until a successor can be elected in 1997 to serve the remainder of that term. At the regular municipal election to be held in 1997, and every four years thereafter, two members of the Village Council shall be elected to serve for four-year terms. At the regular municipal election to be held in 1999, and every four years thereafter, three members of the Village Council shall be elected to serve for four-year terms."

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

NORTH CAROLINA
HOUSE OF REPRESENTATIVES
ROLL CALL

EV

SEQ. # 1074
LEGISLATIVE DAY 90
READING 3

7/03/97
10:14 AM
IN CHAIR: SPEAKER

MOTION #5 – Rep. Morgan's motion to reconsider 3rd reading

98 DWech

AYES - ~~97~~

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

NOES - 1

ADAMS

EXCUSED ABSENCE - 8

BRASWELL	EASTERLING	HIGHTOWER	NESBITT
CARPENTER	HARDY	MCMAHAN	SMITH

EXCUSED VOTE - 0

NOT VOTING - ~~14~~ 13

SPEAKER	GAMBLE	HUNTER, R.	MICHAUX
CLARY	HACKNEY	JEFFUS	RUSSELL
~~ELLIS~~ EW	HARDAWAY	MCCRARY	WRIGHT
ESPOSITO	HENSLEY		

NORTH CAROLINA
HOUSE OF REPRESENTATIVES
ROLL CALL

EV

SEQ. # 1075
LEGISLATIVE DAY 90
READING 3

7/03/97
10:15 AM
IN CHAIR: SPEAKER

MOTION #4 Postponed indefinitely

AYES - 107

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

NOES - 0

EXCUSED ABSENCE - 8

BRASWELL	EASTERLING	HIGHTOWER	NESBITT
CARPENTER	HARDY	MCMAHAN	SMITH

EXCUSED VOTE - 0

NOT VOTING - 5

SPEAKER	HACKNEY	HUNTER, R.	RUSSELL
ESPOSITO			

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1997

0085 FEB -6 97
HOUSE PRINCIPAL CLERK

H D

HOUSE DRH2018-RD010.4(1.17)

Short Title: Environmentally Sound Policy Act. (Public)

Sponsors: Representative Morgan.

Referred to:

A BILL TO BE ENTITLED

AN ACT TO ENACT THE ENVIRONMENTALLY SOUND POLICY ACT (ESP) AND TO PROVIDE A MENU OF MEASURES TO PROTECT HEALTH AND THE ENVIRONMENT.

The General Assembly of North Carolina enacts:

Section 1. This act shall be known and may be cited as the "Environmentally Sound Policy Act of 1997 (ESP)".

Section 2. Article 67 of Chapter 106 of the General Statutes reads as rewritten:

"ARTICLE 67.

"Swine Farms.

"**§ 106-800. Title.**

This Article shall be known as the 'Swine Farm Siting Act'.

"**§ 106-801. Purpose.**

The General Assembly finds that certain limitations on the siting of swine houses and lagoons for swine farms can assist in the development of pork production, which contributes to the economic development of the State, by lessening the interference with the use and enjoyment of adjoining property.

"**§ 106-802. Definitions.**

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

(1a) 'Intensive animal feeding operation' means a new or enlarged swine farm with a design capacity of more than 800,000 lbs. steady state live weight.

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1997

0086 FEB -6 97

HOUSE PRINCIPAL CLERK

H D

HOUSE DRH1015*-RCZ004(1.30)

Short Title: Sales Tax Refund for Schools. (Public)

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

Referred to:

A BILL TO BE ENTITLED

AN ACT TO ALLOW LOCAL BOARDS OF EDUCATION TO RECEIVE A REFUND ON SALES TAX PAID FOR ITEMS PURCHASED FROM THE CAPITAL OUTLAY FUND.

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 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
0087 FEB -6 97
HOUSE PRINCIPAL CLERK

H D

HOUSE DRHA114*-RHZ005.1(1.30)

Short Title: At-Risk Students Task Force. (Public)

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

Referred to:

A BILL TO BE ENTITLED

AN ACT TO DIRECT VARIOUS STATE OFFICERS TO DEVELOP A PLAN TO ESTABLISH LOCAL INTERAGENCY AGREEMENTS TO ADDRESS THE NEEDS OF AT-RISK STUDENTS.

The General Assembly of North Carolina enacts:

Section 1. (a) There is created the At-Risk Students Task Force under the State Board of Education. The Task Force shall consist of the Chair of the State Board of Education, the Superintendent of Public Instruction, the Secretary of Human Resources, the State Health Director, and the Director of the Administrative Office of the Courts. Each officer may designate one representative from that officer's department or office to represent that officer on the Task Force. These officers also may appoint additional members who represent other State and local public agencies to the Task Force. The Chair of the State Board of Education, or the Chair's designee, shall serve as the Chair of the Task Force. The Department of Public Instruction and the Department of Human Resources shall provide staff and clerical support to the Task Force. The State Board of Education shall fund the Task Force within funds available to it.

(b) The Task Force shall develop a plan to develop interagency agreements between local school administrative units and other local public agencies, including, among others, health departments, departments of social services, mental health agencies, and courts, in order to provide cooperative services to students who are at risk of school failure, at risk of participation in juvenile crime, or both.

(c) The Task Force shall report its plan, along with any suggested statutory revisions, to the Joint Legislative Education Oversight Committee by October 15, 1997, at which time the Task Force shall terminate.

NORTH CAROLINA GENERAL ASSEMBLY AMENDMENT

(Please type or use ballpoint pen)

EDITION No. _____

H. B. No. 87 DATE 3/6/97

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

COMMITTEE SUBSTITUTE _____

(Rep.) Moore
Sen.)

moves to amend the bill on page 1, line 2
(X) WHICH CHANGES THE TITLE
by inserting after the word "OFFICERS" the phrase "AND OTHERS";

and on page 1, line 9, by deleting the word "and";

and on page 1, line 10, by inserting after the word "Courts" the following phrase ", and a teacher who works with students who are at risk".

SIGNED Richard Moore

ADOPTED 3/6/97 FAILED _____ TABLED _____

MAR 6 1997

110-0 EV
D Wicker

GA-33-A

PRINCIPAL CLERK'S OFFICE (FOR ENGROSSMENT)

NORTH CAROLINA

EV

72
LEGISLATIVE DAY 22
H87
READING 2
PRESTON
AMEND #1 - COMMITTEE AMENDMENT
AT RISK STUDENTS TASK FORCE

HOUSE OF REPRESENTATIVES

3/06/97
1:16 PM
IN CHAIR: SPEAKER

ROLL CALL

AYES - 110

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

NOES - 0

EXCUSED ABSENCE - 4

BRAWLEY	ELLIS	FOX	REDWINE

EXCUSED VOTE - 0

NOT VOTING - 6

SPEAKER	CUNNINGHAM	HARDY	HOLMES
BLUE	EASTERLING		

NORTH CAROLINA

HOUSE OF REPRESENTATIVES

ROLL CALL

EV

73
LEGISLATIVE DAY 22
H87
READING 2
PRESTON

3/06/97
1:20 PM
IN CHAIR: SPEAKER

AT RISK STUDENTS TASK FORCE

AYES - 110

ADAMS	DAVIS	IVES	PRESTON
ALDRIDGE	DECKER	JARRELL	RAMSEY
ALEXANDER	DEDMON	JEFFUS	RAYFIELD
ALLRED	DICKSON	JUSTUS	ROGERS
ARNOLD	DOCKHAM	KINNEY	RUSSELL
BADDOUR	EARLE	KISER	SAUNDERS
BAKER	EDDINS	LUEBKE	SEXTON
BARBEE	ESPOSITO	MCALLISTER	SHERRILL
BEALL	FITCH	MCCOMAS	SHUBERT
BERRY	GAMBLE	MCCOMBS	SMITH
BLACK	GARDNER	MCCRARY	STARNES
BONNER	GOODWIN	MCMAHAN	SUTTON
BOWIE	GRADY	MERCER	TALLENT
BOYD-MCINTYRE	GRAY	MICHAUX	THOMPSON
BRASWELL	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	WILKINS
CLARY	HIGHTOWER	NEELY	WILSON, C.
COLE	HILL	NESBITT	WILSON, G.
CRAWFORD	HOLMES	NICHOLS	WOMBLE
CREECH	HOWARD	NYE	WOOD
CULP	HUNTER, R.	OLDHAM	WRIGHT
CULPEPPER	HURLEY	OWENS	YONGUE
DAUGHTRY	INSKO		

NOES - 0

EXCUSED ABSENCE - 4

BRAWLEY	ELLIS	FOX	REDWINE

EXCUSED VOTE - 0

NOT VOTING - 6

SPEAKER	CUNNINGHAM	HUNTER, H.	REYNOLDS
BLUE	EASTERLING		

NORTH CAROLINA
HOUSE OF REPRESENTATIVES
ROLL CALL

EV

. # 90
ISLATIVE DAY 23
H87
READING 3
PRESTON

3/10/97
7:31 PM
IN CHAIR: SPEAKER

AT-RISK STUDENTS TASK FORCE

AYES - 110

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

NOES - 0

EXCUSED ABSENCE - 3

BRASWELL	HUNTER, R.	MCMAHAN

EXCUSED VOTE - 0

NOT VOTING - 7

SPEAKER	FITCH	HURLEY	REYNOLDS
CRAWFORD	GAMBLE	JUSTUS	

NORTH CAROLINA GENERAL ASSEMBLY
SENATE

RECORDED VOTE

1997 SESSION

SEQ. 1349/6--11:08 AM AUGUST 13, 1997 LEGISLATIVE DAY 113

LT. GOVERNOR WICKER -- Presiding

PRESTON
CENTENNIAL CAMP./UMSTEAD ACT EXEMPT
SENATE COM SUB/3RD EDITION

HOUSE BILL 87
READING 2

AYE	34	ALBERTSON	HOYLE	MCDANIEL	RAND
		BALLANCE	JENKINS	MILLER	REEVES
		BASNIGHT	JORDAN	ODOM	RUCHO
		CARRINGTON	KERR	PAGE	SOLES
		COOPER	KINNAIRD	PERDUE	WARREN
		DALTON	LEDBETTER	PHILLIPS	WEINSTEIN
		DANNELLY	LEE	PLYLER	WELLONS
		GARWOOD	LUCAS	PURCELL	WINNER
		HARTSELL	MARTIN W.		
NO	14	ALLRAN	CLARK	FOXX	SHAW L.
		BALLANTINE	COCHRANE	HORTON	SHAW R.
		BLUST	EAST	MOORE	WEBSTER
		CARPENTER	FORRESTER		

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. 1369/12--12:01 PM AUGUST 14, 1997 LEGISLATIVE DAY 114

SENATOR BASNIGHT -- Presiding

PRESTON
CENTENNIAL CAMP./UMSTEAD ACT EXEMPT
SENATE COM SUB/3RD EDITION

HOUSE BILL 87
READING 3

AYE	36	ALBERTSON	GARWOOD	MARTIN R.	PURCELL
		BALLANCE	HARTSELL	MARTIN W.	RAND
		BALLANTINE	HOYLE	MCDANIEL	REEVES
		BASNIGHT	JENKINS	MILLER	RUCHO
		CARPENTER	JORDAN	ODOM	SHAW R.
		CARRINGTON	KERR	PAGE	SOLES
		COOPER	KINNAIRD	PERDUE	WARREN
		DALTON	LEE	PHILLIPS	WEINSTEIN
		DANNELLY	LUCAS	PLYLER	WELLONS
NO	10	ALLRAN	EAST	HORTON	SHAW L.
		BLUST	FORRESTER	MOORE	WEBSTER
		COCHRANE	FOXX		

EXCUSED 0

NOT CAST 1 LEDBETTER

ABSENT 3 CLARK GULLEY

WINNER

PAIRS 0
AYE
NO

GENERAL ASSEMBLY
SENATE

NORTH CAROLINA

HOUSE OF REPRESENTATIVES

ROLL CALL

EV

SEQ. # 1521
LEGISLATIVE DAY 122
SCS

8/27/97
7:19 PM
IN CHAIR: SPEAKER

PRESTON

CENTENNIAL CAMPUS/ UMSTEAD ACT EXEMPT.
MOTION #11 - TO CONCUR IN SCS

AYES - 113

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

NOES - 2

BAKER	BERRY

EXCUSED ABSENCE - 4

GARDNER	GRAY	MCMAHAN	WATSON

EXCUSED VOTE - 0

NOT VOTING - 1

GAMBLE

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1997

H.B. FILED 0088 FEB -6 97

HOUSE PRINCIPAL CLERK

H D

HOUSE DRH6015*-RHZ004(1.23)

Short Title: St. Bd. of Ed./Subpoena Power. (Public)

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

Referred to:

A BILL TO BE ENTITLED

AN ACT TO GRANT SUBPOENA POWER TO THE STATE BOARD OF EDUCATION IN CASES INVOLVING THE SUSPENSION OR REVOCATION OF CERTIFICATES.

The General Assembly of North Carolina enacts:

Section 1. G.S. 115C-296(d) reads as rewritten:

"(d) The State Board shall adopt rules to establish the reasons and procedures for the suspension and revocation of certificates. In addition, the State Board ~~of Education~~ may revoke or refuse to renew a teacher's certificate when:

(1) The Board identifies the school in which the teacher is employed as low-performing under G.S. 115C-105.37; and

(2) The assistance team assigned to that school under G.S. 115C-105.38 makes the recommendation to revoke or refuse to renew the teacher's certificate for one or more reasons established by the State Board in its rules for certificate suspension or revocation.

The State Board may issue subpoenas for the purpose of obtaining documents or the testimony of witnesses in connection with proceedings to suspend or revoke certificates."

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

NORTH CAROLINA
HOUSE OF REPRESENTATIVES
ROLL CALL

EV

. # 217
ISLATIVE DAY 37
H88
READING 2
PRESTON

4/02/97
2:59 PM
IN CHAIR: SPEAKER

STATE BOARD OF ED. SUBPOENA POWER

AYES - 89

ALDRIDGE	DECKER	INSKO	OWENS
ALEXANDER	DICKSON	IVES	PRESTON
ALLRED	DOCKHAM	JARRELL	RAMSEY
ARNOLD	EARLE	JEFFUS	RAYFIELD
BADDOUR	EASTERLING	JUSTUS	REDWINE
BAKER	EDDINS	KINNEY	REYNOLDS
BEALL	ELLIS	MCALLISTER	ROGERS
BERRY	ESPOSITO	MCCOMAS	SEXTON
BLACK	FOX	MCCOMBS	SHERRILL
BONNER	GARDNER	MCCRARY	SHUBERT
BOWIE	GOODWIN	MCMAHAN	STARNES
BRAWLEY	GRADY	MERCER	TALLENT
BUCHANAN	GRAY	MILLER	THOMPSON
CANSLER	GULLEY	MINER	TOLSON
CAPPS	HALL	MITCHELL	WAINWRIGHT
CHURCH	HARDY	MOORE	WARNER
CLARY	HIATT	MORGAN	WARWICK
COLE	HIGHTOWER	MORRIS	WATSON
CREECH	HILL	MOSLEY	WEATHERLY
CULP	HOLMES	NEELY	WILKINS
CULPEPPER	HOWARD	NICHOLS	WILSON, C.
DAUGHTRY	HURLEY	NYE	YONGUE
DAVIS			

NOES - 21

ADAMS	FITCH	KISER	SAUNDERS
BLUE	HARDAWAY	LUEBKE	SMITH
BOYD-MCINTYRE	HENSLEY	MICHAUX	WOMBLE
CARPENTER	HUNTER, H.	NESBITT	WOOD
CUNNINGHAM	HUNTER, R.	OLDHAM	WRIGHT
DEDMON			

EXCUSED ABSENCE - 7

BRASWELL	GAMBLE	RUSSELL	WILSON, G.
BROWN	HACKNEY	SUTTON	

EXCUSED VOTE - 0

NOT VOTING - 3

SPEAKER	BARBEE	CRAWFORD

NORTH CAROLINA GENERAL ASSEMBLY
SENATE

RECORDED VOTE

1997 SESSION

SEQ. 1118/3--10:26 AM | JULY 10, 1997 | LEGISLATIVE DAY 94

LT. GOVERNOR WICKER -- Presiding

PRESTON
ST. BRD. OF EDUC./SUBPEONA POWER

HOUSE BILL 88
READING 2

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 R.
		CARPENTER	GULLEY	MARTIN W.	SOLES
		CARRINGTON	HARTSELL	MCDANIEL	WARREN
		CLARK	HORTON	MILLER	WEBSTER
		COCHRANE	HOYLE	ODOM	WEINSTEIN
		CONDER	JENKINS	PAGE	WELLONS
		COOPER	KERR	PERDUE	WINNER
NO	0				

EXCUSED	0	
NOT CAST	1	SHAW L.
ABSENT	1	JORDAN
PAIRS	0	
AYE		
NO		

GENERAL ASSEMBLY
SENATE

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1997

N.B. FILED
0089 FEB -6 97
HOUSE PRINCIPAL CLERK

H D

HOUSE DRH2020*-RHZ003.3(1.30)

Short Title: Juv. Probation/School Notification. (Public)

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

Referred to:

A BILL TO BE ENTITLED

AN ACT TO REQUIRE JUVENILE COURT COUNSELORS TO NOTIFY BUILDING PRINCIPAL IN CERTAIN CASES WHEN A JUVENILE IS ADJUDICATED DELINQUENT AND IS ORDERED TO ATTEND SCHOOL AS A CONDITION OF PROBATION, AND TO PROVIDE FOR THE MAINTENANCE OF THE NOTIFICATIONS.

The General Assembly of North Carolina enacts:

Section 1. G.S. 7A-649 reads as rewritten:

"**§ 7A-649. Dispositional alternatives for delinquent juvenile.**

In the case of any juvenile who is delinquent, the judge ~~may:~~ may do one or more of the following:

(1) Suspend imposition of a more severe, statutorily permissible disposition with the provision that the juvenile meet certain conditions agreed to by ~~him~~ the juvenile and specified in the dispositional order. The conditions shall not exceed the maximum criminal sanction permissible for the ~~offense;~~ offense.

(2) Require restitution, full or partial, payable within a 12-month period to any person who has suffered loss or damage as a result of the offense committed by the juvenile. The judge may determine the amount, terms, and conditions of the restitution. If the juvenile participated with another person or persons, all participants should be jointly and severally responsible for the payment of restitution; however, the judge shall not require the juvenile to make restitution if the juvenile satisfies the court that ~~he~~ the juvenile

NORTH CAROLINA GENERAL ASSEMBLY AMENDMENT

(Please type or use ballpoint pen)

EDITION No. _____

H. B. No. 89 DATE 3/11/97

S. B. No. _____ Amendment No. 1

(to be filled in by Principal Clerk)

COMMITTEE SUBSTITUTE _____

Rep.)
) CAPPS
~~Sen.~~)

1 moves to amend the bill on page 4, line 16

2 ( ) WHICH CHANGES THE TITLE

3 by _____

4 Strike words "to effectuate the students

5 rehabilitation or."

6

7

8

9

10

11

12

13

14

15

16

17

18

19

SIGNED J. Russell Capps

ADOPTED _____ FAILED _____ TABLED _____

MAR 11 1997

3/11/97

45-64 EV DWheless

GA-33-A

PRINCIPAL CLERK'S OFFICE (FOR ENGROSSMENT)

NORTH CAROLINA
HOUSE OF REPRESENTATIVES
ROLL CALL

EV

. # 113
ISLATIVE DAY 24
H89 HCS
READING 2
PRESTON
AMEND #1 REP. CAPPS
JUVENILE PROBATION/ SCHOOL NOTIFICATION

3/11/97
3:47 PM
IN CHAIR: SPEAKER

AYES - 45

ALDRIDGE	CAPPS	GRAY	NICHOLS
ALLRED	CLARY	HARDY	PRESTON
ARNOLD	CREECH	HOLMES	REYNOLDS
BAKER	CULP	HOWARD	SEXTON
BARBEE	DAVIS	IVES	SHUBERT
BEALL	DECKER	JUSTUS	STARNES
BERRY	DOCKHAM	MCMAHAN	THOMPSON
BOWIE	EDDINS	MINER	WATSON
BRAWLEY	ELLIS	MITCHELL	WEATHERLY
BROWN	ESPOSITO	MORGAN	WILSON, C.
BUCHANAN	GARDNER	NEELY	WOOD
CANSLER			

NOES - 64

ADAMS	FITCH	KISER	RAYFIELD
ALEXANDER	FOX	LUEBKE	REDWINE
BADDOUR	GOODWIN	MCALLISTER	ROGERS
BLACK	GULLEY	MCCOMAS	SAUNDERS
BLUE	HACKNEY	MCCOMBS	SHERRILL
BONNER	HALL	MCCRARY	SMITH
BOYD-MCINTYRE	HARDAWAY	MERCER	SUTTON
CARPENTER	HENSLEY	MILLER	TALLENT
CHURCH	HIATT	MOORE	TOLSON
COLE	HIGHTOWER	MORRIS	WAINWRIGHT
CULPEPPER	HILL	MOSLEY	WARNER
CUNNINGHAM	HUNTER, R.	NESBITT	WARWICK
DEDMON	HURLEY	NYE	WILKINS
DICKSON	JARRELL	OLDHAM	WILSON, G.
EARLE	JEFFUS	OWENS	WOMBLE
EASTERLING	KINNEY	RAMSEY	YONGUE

EXCUSED ABSENCE - 1

BRASWELL

EXCUSED VOTE - 0

NOT VOTING - 10

SPEAKER	GAMBLE	INSKO	RUSSELL
CRAWFORD	GRADY	MICHAUX	WRIGHT
DAUGHTRY	HUNTER, H.		

NORTH CAROLINA
HOUSE OF REPRESENTATIVES
ROLL CALL

EV

. # 114
ISLATIVE DAY 24
H89 HCS
READING 2
PRESTON

3/11/97
3:54 PM
IN CHAIR: SPEAKER

JUVENILE PROBATION/ SCHOOL NOTIFICATION

AYES - 114

ADAMS	DAVIS	INSKO	PRESTON
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	ESPOSITO	MCALLISTER	SHERRILL
BERRY	FITCH	MCCOMAS	SHUBERT
BLACK	FOX	MCCOMBS	SMITH
BLUE	GARDNER	MCCRARY	STARNES
BONNER	GOODWIN	MCMAHAN	SUTTON
BOWIE	GRADY	MERCER	TALLENT
BOYD-MCINTYRE	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	WILKINS
CLARY	HIGHTOWER	NEELY	WILSON, C.
COLE	HILL	NESBITT	WILSON, G.
CREECH	HOLMES	NICHOLS	WOMBLE
CULP	HOWARD	NYE	WOOD
CULPEPPER	HUNTER, H.	OLDHAM	WRIGHT
CUNNINGHAM	HUNTER, R.	OWENS	YONGUE
DAUGHTRY	HURLEY		

NOES - 1

ELLIS

EXCUSED ABSENCE - 1

BRASWELL

EXCUSED VOTE - 0

NOT VOTING - 4

SPEAKER	CRAWFORD	GAMBLE	RAMSEY

H89 HCS

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1997

0090 FEB -7 97
HOUSE PRINCIPAL CLERK

H D

HOUSE DRH1016*-RHZ001.1(1.30)

Short Title: Obsolete School Laws. (Public)

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

Referred to:

A BILL TO BE ENTITLED

AN ACT TO REPEAL OBSOLETE OR REDUNDANT SCHOOL LAWS, TO TRANSFER THE STATUTES THAT ESTABLISH THE STATE SCHOOLS FOR HEARING- AND SIGHT-IMPAIRED STUDENTS FROM CHAPTER 115C TO CHAPTER 143B OF THE GENERAL STATUTES, TO STREAMLINE THE REPORTS OF THE STATE BOARD OF EDUCATION TO THE JOINT LEGISLATIVE EDUCATION OVERSIGHT COMMITTEE, AND TO MAKE CONFORMING CHANGES.

The General Assembly of North Carolina enacts:

SCHOOL IMPROVEMENT AND ACCOUNTABILITY REPORT.

Section 1. G.S. 115C-15 is repealed.

REPORT ON CLASS SIZE WAIVERS.

Section 2. G.S. 115C-21.1 is repealed.

ALCOHOL AND DRUG DEFENSE PROGRAM.

Section 3. G.S. 115C-22 is repealed.

OBSERVANCE OF SPECIAL DAYS.

Section 4. G.S. 115C-83 is repealed.

EXPENDITURE OF FUNDS.

Section 5. G.S. 115C-102.8 is repealed.

REGIONAL EDUCATIONAL TRAINING CENTERS.

Section 6. Part 4 of Article 9 of Chapter 115C of the General Statutes is repealed.

DEPARTMENTAL REQUESTS.

Section 7. G.S. 115C-144 is repealed.

PROJECT GENESIS PROGRAM.

GENERAL ASSEMBLY OF NORTH CAROLINA

H.B. FILED

SESSION 1997

0091 FEB -7 97

HOUSE PRINCIPAL CLERK

H D

HOUSE DRH2040-LK040A(2.4)

Short Title: Nonbetterment Relocation Costs. (Local)

Sponsors: Representative Cansler.

Referred to:

A BILL TO BE ENTITLED

AN ACT TO PROVIDE THAT THE DEPARTMENT OF TRANSPORTATION SHALL PAY THE NONBETTERMENT COSTS OF UTILITY RELOCATIONS FOR WATER AND SEWER LINES OWNED BY A SYSTEM CREATED PURSUANT TO ARTICLE 20 OF CHAPTER 160A OF THE GENERAL STATUTES.

The General Assembly of North Carolina enacts:

Section 1. G.S. 136-27.1 reads as rewritten:

"**§ 136-27.1. Relocation of water and sewer lines of municipalities and nonprofit water or sewer corporations or associations.**

The Department of Transportation shall pay the nonbetterment cost for the relocation of water and sewer lines, located within the existing State highway right-of-way, that are necessary to be relocated for a State highway improvement project and that are owned by: (i) a municipality with a population of 5,500 or less according to the latest decennial census; (ii) a nonprofit water or sewer association or corporation; (iii) any water or sewer system organized pursuant to Chapter 162A of the General Statutes; (iv) a rural water system operated by county as an enterprise system; (v) any sanitary district organized pursuant to Part 2 of Article 2 of Chapter 130A of the General Statutes; ~~or~~ (vi) constructed by a water or sewer system organized pursuant to Chapter 162A of the General Statutes and then sold or transferred to a municipality with a population of greater than 5,500 according to the latest decennial ~~census.~~ census; or (vii) constructed by a water or sewer system organized pursuant to Article 20 of Chapter 160A of the General Statutes."

Section 2. This act applies to Buncombe County and Henderson County only.

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1997

H.B. FILED
0092 FEB 10 97
HOUSE PRINCIPAL CLERK

H D

HOUSE DRH1021*-RWZ009(2.3)

Short Title: Annexation/Municipal Services. (Public)

Sponsors: Representative Ellis.

Referred to:

A BILL TO BE ENTITLED

AN ACT TO REQUIRE ALL MUNICIPAL SERVICES TO BE PROVIDED TO A NEWLY ANNEXED AREA ON THE DATE OF ANNEXATION.

The General Assembly of North Carolina enacts:

Section 1. G.S. 160A-35 reads as rewritten:

"**§ 160A-35. Prerequisites to annexation; ability to serve; report and plans.**

A municipality exercising authority under this Part shall make plans for the extension of services to the area proposed to be annexed and shall, prior to the public hearing provided for in G.S. 160A-37, prepare a report setting forth such plans to provide services to such area. The report shall include:

(1) A map or maps of the municipality and adjacent territory to show the following information:
   a. The present and proposed boundaries of the municipality.
   b. The proposed extensions of water mains and sewer outfalls to serve the annexed area, if such utilities are operated by the municipality. The water and sewer map must bear the seal of a registered professional engineer or a licensed surveyor.

(2) A statement showing that the area to be annexed meets the requirements of G.S. 160A-36.

(3) A statement setting forth the plans of the municipality for extending to the area to be annexed each major municipal service performed within the municipality at the time of annexation. Specifically, such plans shall:

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1997

H.B. FILED
0093 FEB 10 97
HOUSE PRINCIPAL CLERK

H D

HOUSE DRH7020*-RWZ010(2.3)

Short Title: ETJ Changes. (Public)

Sponsors: Representative Ellis.

Referred to:

A BILL TO BE ENTITLED

AN ACT TO REQUIRE AT LEAST TWO REPRESENTATIVES FROM A MUNICIPALITY'S EXTRATERRITORIAL PLANNING AND ZONING JURISDICTION ON THE PLANNING AGENCY.

The General Assembly of North Carolina enacts:

Section 1. G.S. 160A-362 reads as rewritten:

"**§ 160A-362. Extraterritorial representation.**

When a city elects to exercise extraterritorial zoning or subdivision-regulation powers under G.S. 160A-360, it shall in the ordinance creating or designating its planning agency or agencies provide a means of proportional representation based on population for residents of the extraterritorial area to be regulated. Representation shall be provided by appointing at least ~~one resident~~ two residents of the entire extraterritorial zoning and subdivision regulation area to the planning agency and the board of adjustment that makes recommendations or grants relief in these matters. For purposes of this section, an additional member must be appointed to the planning agency or board of adjustment to achieve proportional representation only when the population of the entire extraterritorial zoning and subdivision area constitutes a full fraction of the municipality's population divided by the total membership of the planning agency or board of adjustment. Membership of joint municipal county planning agencies or boards of adjustment may be appointed as agreed by counties and municipalities. Any advisory board established prior to July 1, 1983, to provide the required extraterritorial representation shall constitute compliance with this section until the board is abolished by ordinance of the city. The representatives on the planning agency and the board of adjustment shall be appointed by the board of county commissioners with jurisdiction over the area. When selecting a new

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1997

H.B. FILED
0094 FEB 10 97
HOUSE PRINCIPAL CLERK

H D

HOUSE DRH1020*-RWZ008(2.3)

Short Title: Annexation Changes. (Public)

Sponsors: Representative Ellis.

Referred to:

A BILL TO BE ENTITLED

AN ACT TO CHANGE THE ANNEXATION LAWS.

The General Assembly of North Carolina enacts:

Section 1. G.S. 160A-35 reads as rewritten:

"**§ 160A-35. Prerequisites to annexation; ability to serve; report and plans.**

A municipality exercising authority under this Part shall make plans for the extension of services to the area proposed to be annexed and shall, prior to the public hearing provided for in G.S. 160A-37, prepare a report setting forth such plans to provide services to such area. The report shall include:

(1) A map or maps of the municipality and adjacent territory to show the following information:
   a. The present and proposed boundaries of the municipality.
   b. The proposed extensions of water mains and sewer outfalls to serve the annexed area, if such utilities are operated by the municipality. The water and sewer map must bear the seal of a registered professional engineer or a licensed surveyor.

(2) A statement showing that the area to be annexed meets the requirements of G.S. 160A-36.

(3) A statement setting forth the plans of the municipality for extending to the area to be annexed each major municipal service performed within the municipality at the time of annexation. Specifically, such plans shall:
   a. Provide for extending police protection, fire protection, solid waste collection and street maintenance ~~services~~ services,

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1997

H.B. FILED
0095 FEB 10 97
HOUSE PRINCIPAL CLERK

H D

HOUSE DRH1029-RN001.2(1.29)

Short Title: Building Code Changes. (Public)

Sponsors: Representative Ives.

Referred to:

A BILL TO BE ENTITLED

AN ACT TO ESTABLISH A THREE-YEAR CYCLE FOR BUILDING CODE AMENDMENTS BEGINNING IN 1999 AND TO MAKE RELATED CHANGES CONCERNING THE ADMINISTRATION AND ENFORCEMENT OF THE STATE BUILDING CODE.

The General Assembly of North Carolina enacts:

Section 1. G.S. 143-138(a) reads as rewritten:

"(a) Preparation and Adoption. -- The Building Code Council is hereby empowered to prepare and adopt, in accordance with the provisions of this Article, a North Carolina State Building Code. Prior to the adoption of this Code, or any part thereof, the Council shall hold at least one public hearing. A notice of such public hearing shall be given once a week for two successive calendar weeks in a newspaper published in Raleigh, said notice to be published the first time not less than 15 days prior to the date fixed for said hearing. The Council may hold such other public hearings and give such other notice as it may deem necessary.

The Council shall request the Office of State Budget and Management to prepare a fiscal note for a proposed Code change that has a substantial economic impact, as defined in G.S. 150B-21.4(b1). The Council shall not take final action on a proposed Code change that has a substantial economic impact until at least 60 days after the fiscal note has been prepared. The change can become effective only in accordance with G.S. 143-138(d)."

Section 2. G.S. 143-138(c) reads as rewritten:

"(c) Standards to Be Followed in Adopting the Code. -- All regulations contained in the North Carolina State Building Code shall have a reasonable and substantial connection with the public health, safety, morals, or general welfare, and their

NORTH CAROLINA

HOUSE OF REPRESENTATIVES

ROLL CALL

RC

. # 140
ISLATIVE DAY 28
H95 HCS
READING 2
IVES

3/18/97
2:29 PM
IN CHAIR: SPEAKER

BUILDING CODE CHANGES

AYES - 113

ADAMS	DECKER	INSKO	PRESTON
ALDRIDGE	DEDMON	IVES	RAMSEY
ALLRED	DICKSON	JARRELL	RAYFIELD
ARNOLD	DOCKHAM	JEFFUS	REDWINE
BADDOUR	EARLE	JUSTUS	REYNOLDS
BAKER	EASTERLING	KINNEY	ROGERS
BARBEE	EDDINS	KISER	RUSSELL
BEALL	ELLIS	LUEBKE	SAUNDERS
BERRY	ESPOSITO	MCALLISTER	SEXTON
BLACK	FITCH	MCCOMAS	SHERRILL
BLUE	FOX	MCCOMBS	SHUBERT
BOWIE	GAMBLE	MCCRARY	STARNES
BOYD-MCINTYRE	GARDNER	MCMAHAN	SUTTON
BRASWELL	GOODWIN	MERCER	TALLENT
BRAWLEY	GRADY	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
CLARY	HIATT	MOSLEY	WILKINS
COLE	HIGHTOWER	NEELY	WILSON, C.
CRAWFORD	HILL	NESBITT	WILSON, G.
CREECH	HOWARD	NICHOLS	WOMBLE
CULPEPPER	HUNTER, H.	NYE	WOOD
CUNNINGHAM	HUNTER, R.	OLDHAM	WRIGHT
DAUGHTRY	HURLEY	OWENS	YONGUE
DAVIS			

NOES - 0

EXCUSED ABSENCE - 4

ALEXANDER	BONNER	CULP	GRAY

EXCUSED VOTE - 0

NOT VOTING - 3

SPEAKER	HOLMES	SMITH

NORTH CAROLINA

HOUSE OF REPRESENTATIVES

ROLL CALL

RC

. # 146
ISLATIVE DAY 29
H95 HCS
READING 3
IVES

3/19/97
2:16 PM
IN CHAIR: SPEAKER

BUILDING CODE CHANGES

AYES - 111

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

NOES - 0

EXCUSED ABSENCE - 2

ELLIS	NEELY

EXCUSED VOTE - 0

NOT VOTING - 7

SPEAKER	CRAWFORD	GAMBLE	REYNOLDS
ARNOLD	FITCH	MORRIS	

NORTH CAROLINA GENERAL ASSEMBLY
SENATE

RECORDED VOTE

1997 SESSION

SEQ. 171/3-- 2:38 PM APRIL 2, 1997 LEGISLATIVE DAY 37

LT. GOVERNOR WICKER -- Presiding

IVES
BUILDING CODE CHANGES
2ND EDITION

HOUSE BILL 95
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 GENERAL ASSEMBLY
SENATE

RECORDED VOTE

1997 SESSION

SEQ. 178/4--11:50 AM APRIL 3, 1997 LEGISLATIVE DAY 38

LT. GOVERNOR WICKER -- Presiding

IVES
BUILDING CODE CHANGES
2ND EDITION

HOUSE BILL 95
READING 3

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	MCDANIEL	WARREN
		CLARK	HOYLE	MILLER	WEBSTER
		COCHRANE	JENKINS	ODOM	WEINSTEIN
		CONDER	JORDAN	PAGE	WELLONS
		COOPER	KERR	PHILLIPS	WINNER
		DALTON			
NO	0				

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

GENERAL ASSEMBLY
SENATE

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1997

FILED
0096 FEB 10 97
HOUSE PRINCIPAL CLERK

H D

HOUSE DRH2037-LC063(2.4)

Short Title: Livestock Medical Supplies Exempt. (Public)

Sponsors: Representative Dickson.

Referred to:

A BILL TO BE ENTITLED

AN ACT TO EXPAND THE SALES TAX EXEMPTION FOR MEDICINE USED ON LIVESTOCK AND POULTRY TO INCLUDE VETERINARY SUPPLIES.

The General Assembly of North Carolina enacts:

Section 1. G.S. 105-164.13(2a) reads as rewritten:

"(2a) Any of the following when purchased for use onanimals or plants, as appropriate, held or produced for commercial purposes:

a. Remedies, vaccines, medications, veterinary supplies and equipment, litter materials, and feeds for animals.

b. Rodenticides, insecticides, herbicides, fungicides, and pesticides.

c. Defoliants for use on cotton or other crops.

d. Plant growth inhibitors, regulators, or stimulators, including systemic and contact or other sucker control agents for tobacco and other crops."

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

NORTH CAROLINA GENERAL ASSEMBLY
AMENDMENT
House Bill 96

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

H96-ARF-246-97d

Page 1 of 1

Date 2/25 ,1997

Comm. Sub. [ ]
Amends Title [ ]

Rep. Hill

1 moves to amend the bill on page 1, line 6,
2 by deleting the term "onanimals" and substituting the phrase "on
3 animals"."

SIGNED _____
Amendment Sponsor

SIGNED _____
Committee Chair if **Senate** Committee Amendment

ADOPTED 2/25/95 FAILED _____ TABLED _____

113-0 EV

NORTH CAROLINA
HOUSE OF REPRESENTATIVES
ROLL CALL

EV

NO. # 29
LEGISLATIVE DAY 16
H96

2/25/97
2:09 PM
IN CHAIR: SPEAKER

AMEND #1 - Rep HILL

AYES - 113

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

NOES - 0

EXCUSED ABSENCE - 4

BLUE	ROGERS	WILSON, C.	WRIGHT

EXCUSED VOTE - 0

NOT VOTING - 3

SPEAKER	BLACK	IVES

NORTH CAROLINA
HOUSE OF REPRESENTATIVES
ROLL CALL

EV

SEQ. # 1107
LEGISLATIVE DAY 92
HCS

7/08/97
12:45 PM
IN CHAIR: SPEAKER

DICKSON

INTANGIBLES TAX REMEDY
MOTION #3 - PREVIOUS QUESTION ON THE MOTION TO SUSPEND RULE 31(1)
REP. ALLRED

AYES - 75

ALDRIDGE	CULPEPPER	HOLMES	NICHOLS
ALLRED	CUNNINGHAM	HOWARD	OWENS
ARNOLD	DAUGHTRY	HUNTER, R.	PRESTON
BADDOUR	DAVIS	HURLEY	RAMSEY
BAKER	DECKER	IVES	RAYFIELD
BARBEE	DEDMON	JUSTUS	REYNOLDS
BEALL	DICKSON	KISER	ROGERS
BRASWELL	DOCKHAM	MCALLISTER	RUSSELL
BRAWLEY	EDDINS	MCCOMAS	SEXTON
BROWN	ELLIS	MCCOMBS	SHUBERT
BUCHANAN	ESPOSITO	MCMAHAN	SMITH
CANSLER	GARDNER	MERCER	STARNES
CAPPS	GRADY	MINER	TALLENT
CARPENTER	GRAY	MITCHELL	THOMPSON
CHURCH	GULLEY	MOORE	TOLSON
CLARY	HARDY	MORGAN	WATSON
CRAWFORD	HENSLEY	MORRIS	WEATHERLY
CREECH	HIATT	MOSLEY	WILSON, G.
CULP	HILL	NEELY	

NOES - 35

ADAMS	FOX	KINNEY	SUTTON
ALEXANDER	GOODWIN	LUEBKE	WAINWRIGHT
BLACK	HACKNEY	MICHAUX	WARNER
BLUE	HARDAWAY	MILLER	WARWICK
BONNER	HIGHTOWER	NESBITT	WILKINS
BOYD-MCINTYRE	HUNTER, H.	NYE	WOMBLE
COLE	INSKO	OLDHAM	WRIGHT
EARLE	JARRELL	REDWINE	YONGUE
FITCH	JEFFUS	SAUNDERS	

EXCUSED ABSENCE - 4

BERRY	SHERRILL	WILSON, C.	WOOD

EXCUSED VOTE - 0

NOT VOTING - 6

SPEAKER	EASTERLING	HALL	MCCRARY
BOWIE	GAMBLE		

NORTH CAROLINA

HOUSE OF REPRESENTATIVES

ROLL CALL

EV

SEQ. # 1108
LEGISLATIVE DAY 92
H96 HCS
READING 2
DICKSON
AMEND #1 - REP ALLRED
INTANGIBLES TAX REMEDY
MOTION #12 - TO SUSPEND RULE 31(a) IN ORDER TO AMEND THE CAPTION OF THE BILL - REP. ALLRED

7/08/97
12:46 PM
IN CHAIR: SPEAKER

AYES - 51

ADAMS	CRAWFORD	HENSLEY	REDWINE
ALDRIDGE	DAVIS	HIATT	REYNOLDS
ALLRED	DECKER	HUNTER, H.	SAUNDERS
ARNOLD	DEDMON	HUNTER, R.	SHUBERT
BLACK	EARLE	JEFFUS	SMITH
BLUE	EDDINS	MCALLISTER	STARNES
BOYD-MCINTYRE	FITCH	MERCER	WAINWRIGHT
BRASWELL	FOX	MORRIS	WARWICK
BROWN	GARDNER	MOSLEY	WATSON
CANSLER	GOODWIN	NESBITT	WILKINS
CAPPS	GRADY	NICHOLS	WOMBLE
CLARY	HALL	NYE	WRIGHT
COLE	HARDY	OWENS	

NOES - 60

ALEXANDER	DAUGHTRY	JARRELL	OLDHAM
BADDOUR	DICKSON	JUSTUS	PRESTON
BAKER	DOCKHAM	KINNEY	RAMSEY
BARBEE	ELLIS	KISER	RAYFIELD
BEALL	ESPOSITO	LUEBKE	ROGERS
BONNER	GRAY	MCCOMAS	RUSSELL
BOWIE	GULLEY	MCCOMBS	SEXTON
BRAWLEY	HACKNEY	MCMAHAN	SUTTON
BUCHANAN	HARDAWAY	MICHAUX	TALLENT
CARPENTER	HIGHTOWER	MILLER	THOMPSON
CHURCH	HILL	MINER	TOLSON
CREECH	HOLMES	MITCHELL	WARNER
CULP	HURLEY	MOORE	WEATHERLY
CULPEPPER	INSKO	MORGAN	WILSON, G.
CUNNINGHAM	IVES	NEELY	YONGUE

EXCUSED ABSENCE - 4

BERRY	SHERRILL	WILSON, C.	WOOD

EXCUSED VOTE - 0

NOT VOTING - 5

SPEAKER	GAMBLE	HOWARD	MCCRARY
EASTERLING			

NORTH CAROLINA

HOUSE OF REPRESENTATIVES

ROLL CALL

EV

SEQ. # 1109
LEGISLATIVE DAY 92
HCS
READING 2
DICKSON

7/08/97
12:55 PM
IN CHAIR: SPEAKER

INTANGIBLES TAX REMEDY

AYES - 111

SPEAKER	CUNNINGHAM	HUNTER, H.	OWENS
ADAMS	DAUGHTRY	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	EDDINS	KINNEY	SAUNDERS
BLACK	ELLIS	KISER	SEXTON
BLUE	ESPOSITO	LUEBKE	SHUBERT
BONNER	FITCH	MCALLISTER	SMITH
BOWIE	FOX	MCCOMAS	STARNES
BOYD-MCINTYRE	GARDNER	MCCOMBS	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	MORRIS	WEATHERLY
CLARY	HENSLEY	MOSLEY	WILKINS
COLE	HIATT	NEELY	WILSON, G.
CRAWFORD	HIGHTOWER	NESBITT	WOMBLE
CREECH	HILL	NICHOLS	WRIGHT
CULP	HOLMES	NYE	YONGUE
CULPEPPER	HOWARD	OLDHAM	

NOES - 0

EXCUSED ABSENCE - 4

BERRY	SHERRILL	WILSON, C.	WOOD

EXCUSED VOTE - 0

NOT VOTING - 5

BEALL	GAMBLE	MCCRARY	MORGAN
EASTERLING			

NORTH CAROLINA GENERAL ASSEMBLY
SENATE

RECORDED VOTE

1997 SESSION

SEQ. 1159/4--11:10 AM JULY 17, 1997 LEGISLATIVE DAY 98

LT. GOVERNOR WICKER -- Presiding

DICKSON
LIVESTOCK MEDICAL SUPPLIES EXEMPT.
SENATE COMM. SUB./4TH EDITION

HOUSE BILL 96
READING 2

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.	SOLES
		CARRINGTON	HARTSELL	MCDANIEL	WARREN
		CLARK	HORTON	MILLER	WEBSTER
		COCHRANE	HOYLE	ODOM	WEINSTEIN
		CONDER	JENKINS	PAGE	WELLONS
		COOPER	JORDAN	PERDUE	WINNER
NO	0				
EXCUSED	0				
NOT CAST	0				
ABSENT	2	KINCAID	SHAW R.		
PAIRS	0				
AYE					
NO					

GENERAL ASSEMBLY
SENATE

NORTH CAROLINA

HOUSE OF REPRESENTATIVES

ROLL CALL

EV

EQ. # 1194
ISLATIVE DAY 99
SCS

7/17/97
11:42 AM
IN CHAIR: SPEAKER

DICKSON

INTANGIBLES TAX
MOTION #11 · TO CONCUR IN SCS

AYES - 108

SPEAKER	CULPEPPER	HUNTER, R.	OWENS
ADAMS	CUNNINGHAM	HURLEY	PRESTON
ALDRIDGE	DECKER	INSKO	RAMSEY
ALEXANDER	DEDMON	IVES	RAYFIELD
ALLRED	DICKSON	JARRELL	REDWINE
ARNOLD	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	GARDNER	MCCRARY	SUTTON
BOYD-MCINTYRE	GOODWIN	MERCER	TALLENT
BRASWELL	GRADY	MICHAUX	THOMPSON
BRAWLEY	GRAY	MILLER	TOLSON
BROWN	GULLEY	MINER	WAINWRIGHT
BUCHANAN	HACKNEY	MITCHELL	WARNER
CAPPS	HARDAWAY	MORGAN	WARWICK
CARPENTER	HENSLEY	MORRIS	WATSON
CHURCH	HIATT	MOSLEY	WEATHERLY
CLARY	HIGHTOWER	NEELY	WILSON, C.
COLE	HILL	NESBITT	WILSON, G.
CRAWFORD	HOLMES	NICHOLS	WOOD
CREECH	HOWARD	NYE	WRIGHT
CULP	HUNTER, H.	OLDHAM	YONGUE

NOES - 0

EXCUSED ABSENCE - 8

BADDOUR	DAUGHTRY	MCMAHAN	STARNES
CANSLER	GAMBLE	MOORE	WOMBLE

EXCUSED VOTE - 0

NOT VOTING - 4

DAVIS	HALL	HARDY	WILKINS

NORTH CAROLINA
HOUSE OF REPRESENTATIVES
ROLL CALL

EV

1194
SLATIVE DAY 99
H96 SCS

7/17/97
11:42 AM
IN CHAIR: SPEAKER

DICKSON

INTANGIBLES TAX
MOTION #11 · TO CONCUR IN SCS

AYES - ~~108~~ 109 DW

SPEAKER	CULPEPPER	HUNTER, R.	OWENS
ADAMS	CUNNINGHAM	HURLEY	PRESTON
ALDRIDGE	DECKER	INSKO	RAMSEY
ALEXANDER	DEDMON	IVES	RAYFIELD
ALLRED	DICKSON	JARRELL	REDWINE
ARNOLD	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	GARDNER	MCCRARY	SUTTON
BOYD-MCINTYRE	GOODWIN	MERCER	TALLENT
BRASWELL	GRADY	MICHAUX	THOMPSON
BRAWLEY	GRAY	MILLER	TOLSON
BROWN	GULLEY	MINER	WAINWRIGHT
BUCHANAN	HACKNEY	MITCHELL	WARNER
CAPPS	HARDAWAY	MORGAN	WARWICK
CARPENTER	HENSLEY	MORRIS	WATSON
CHURCH	HIATT	MOSLEY	WEATHERLY
CLARY	HIGHTOWER	NEELY	WILSON, C.
COLE	HILL	NESBITT	WILSON, G.
CRAWFORD	HOLMES	NICHOLS	WOOD
CREECH	HOWARD	NYE	WRIGHT
CULP	HUNTER, H.	OLDHAM	YONGUE
			HALL DW

NOES - 0

EXCUSED ABSENCE - ~~8~~ 9 DW DAVIS

BADDOUR	DAUGHTRY	MCMAHAN	STARNES
CANSLER	GAMBLE	MOORE	WOMBLE

EXCUSED VOTE - 0

NOT VOTING - ~~4~~ ~~3~~ 2 DW

~~DAVIS~~ DW	~~HALL~~ DW	HARDY	WILKINS

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1997

H.B. FILED
0097 FEB 10 97
HOUSE PRINCIPAL CLERK

H D

HOUSE DRH7026-LB435(5.9)

Short Title: Gastonia Supplemental Funds. (Local)

Sponsors: Representative Dickson.

Referred to:

A BILL TO BE ENTITLED

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

The General Assembly of North Carolina enacts:

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

"ARTICLE VIII. RETIREMENT.

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

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

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

H.B. FILED
0098 FEB 10 97
HOUSE PRINCIPAL CLERK

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1997

H D

HOUSE DRH1043-LG024(2.5)

Short Title: Funds/Cemetery Commission LRC. (Public)

Sponsors: Representative Hill.

Referred to:

A BILL TO BE ENTITLED

AN ACT TO AUTHORIZE THE LEGISLATIVE RESEARCH COMMISSION TO STUDY THE CEMETERY COMMISSION AND THE REGULATION OF CEMETERIES IN THIS STATE AND TO APPROPRIATE FUNDS FOR THE STUDY.

The General Assembly of North Carolina enacts:

Section 1. The Legislative Research Commission may study:

(1) The duties and powers of the North Carolina Cemetery Commission;

(2) The limitations on the authority and powers of the North Carolina Cemetery Commission to safeguard the investment of consumers in cemetery plots and perpetual care;

(3) The need for additional legislation to protect consumers when a private cemetery ceases operation or is sold to a successor entity;

(4) The need for requiring plats to be filed with the register of deeds of the county where the cemetery is located and the need to keep these plats up-to-date; and

(5) Any other matters related to the regulation and operation of cemeteries in this State.

The North Carolina Cemetery Commission shall cooperate fully with this study if the Legislative Research Commission undertakes it.

Section 2. The Legislative Research Commission may make an interim report of the results of this study, including legislative recommendations, to the 1997 General Assembly, Regular Session 1998, and shall make a final report to the 1999 General Assembly.

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1997

FILED
0099 FEB 10 97
HOUSE PRINCIPAL CLERK

H D

HOUSE DRH1042*-LC039(1.16)

Short Title: Gates School Acquisition. (Local)

Sponsors: Representative H. Hunter.

Referred to:

A BILL TO BE ENTITLED

AN ACT TO ALLOW GATES COUNTY TO ACQUIRE PROPERTY FOR USE BY ITS COUNTY BOARD OF EDUCATION.

The General Assembly of North Carolina enacts:

Section 1. G.S. 153A-158.1 reads as rewritten:

"**§ 153A-158.1. Acquisition and improvement of school property in certain counties.**

(a) Acquisition by County. -- A county may acquire, by any lawful method, any interest in real or personal property for use by a school administrative unit within the county. In exercising the power of eminent domain a county shall use the procedures of Chapter 40A. The county shall use its authority under this subsection to acquire property for use by a school administrative unit within the county only upon the request of the board of education of that school administrative unit and after a public hearing.

(b) Construction or Improvement by County. -- A county may construct, equip, expand, improve, renovate, or otherwise make available property for use by a school administrative unit within the county. The local board of education shall be involved in the design, construction, equipping, expansion, improvement, or renovation of the property to the same extent as if the local board owned the property.

(c) Lease or Sale by Board of Education. -- Notwithstanding the provisions of G.S. 115C-518 and G.S. 160A-274, a local board of education may, in connection with additions, improvements, renovations, or repairs to all or part of any of its property, lease or sell the property to the board of commissioners of the county in which the property is located for any price negotiated between the two boards.

(d) Board of Education May Contract for Construction. -- Notwithstanding the provisions of G.S. 115C-40 and G.S. 115C-521, a local board of education may enter

NORTH CAROLINA
HOUSE OF REPRESENTATIVES
ROLL CALL

RC

SEQ. # 1218
LEGISLATIVE DAY 100
HCS
READING 2
HUNTER, H.

7/22/97
10:41 AM
IN CHAIR: SPEAKER

CAMDEN SCHOOL ACQUISITION

AYES - 99

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

NOES - 5

CAPPS	EDDINS	ELLIS	NICHOLS
DAVIS			

EXCUSED ABSENCE - 7

BOWIE	CUNNINGHAM	MILLER	WOMBLE
BRASWELL	HIATT	SMITH	

EXCUSED VOTE - 0

NOT VOTING - 9

SPEAKER	GAMBLE	MICHAUX	TALLENT
BRAWLEY	HUNTER, R.	SUTTON	WILSON, C.
DICKSON			

NORTH CAROLINA GENERAL ASSEMBLY
AMENDMENT
House Bill 99

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

H99-ARC-002

Page 1 of 1

JUL 23 1997

Date ,1997

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

Representative Owens

moves to amend the bill on page 1, by rewriting lines 5-6 to read:
"Section 1. G.S. 153A-158.1, as amended by S.L. 1997-24, S.L. 1997-162, S.L. 1997-190, and S.L. 1997-236, reads as rewritten:";

and on page 2, line 5, by deleting the phrase "or repair";

and on page 2, line 12, by inserting after the word "Pender," the word "Perquimans,".

SIGNED W. C. Owens Jr.
Amendment Sponsor

SIGNED _____
Committee Chair if **Senate** Committee Amendment

ADOPTED JUL 23 1997 FAILED _____ TABLED _____
111-0 ev

NORTH CAROLINA

HOUSE OF REPRESENTATIVES

ROLL CALL

EV

SEQ. # 1235
LEGISLATIVE DAY 101
H99 HCS
READING 3
HUNTER, H.
AMEND #1 - REP OWENS
CAMDEN SCHOOL ACQUISITION

7/23/97
10:19 AM
IN CHAIR: SPEAKER

AYES - 111

ADAMS	DAVIS	INSKO	RAMSEY
ALDRIDGE	DECKER	IVES	RAYFIELD
ALEXANDER	DEDMON	JARRELL	REDWINE
ALLRED	DOCKHAM	JEFFUS	REYNOLDS
ARNOLD	EARLE	KINNEY	ROGERS
BADDOUR	EASTERLING	KISER	RUSSELL
BAKER	EDDINS	LUEBKE	SAUNDERS
BARBEE	ELLIS	MCALLISTER	SEXTON
BEALL	ESPOSITO	MCCOMAS	SHERRILL
BERRY	FITCH	MCCOMBS	SHUBERT
BLACK	FOX	MCCRARY	SMITH
BONNER	GAMBLE	MCMAHAN	STARNES
BOWIE	GARDNER	MERCER	SUTTON
BOYD-MCINTYRE	GOODWIN	MICHAUX	TALLENT
BRASWELL	GRADY	MILLER	THOMPSON
BRAWLEY	GRAY	MINER	TOLSON
BROWN	GULLEY	MITCHELL	WAINWRIGHT
BUCHANAN	HACKNEY	MOORE	WARNER
CANSLER	HALL	MORGAN	WARWICK
CAPPS	HARDY	MORRIS	WATSON
CARPENTER	HENSLEY	MOSLEY	WEATHERLY
CLARY	HIGHTOWER	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

CUNNINGHAM	HIATT	JUSTUS	WOMBLE
DICKSON			

EXCUSED VOTE - 0

NOT VOTING - 4

SPEAKER	BLUE	CHURCH	HARDAWAY

NORTH CAROLINA
HOUSE OF REPRESENTATIVES
ROLL CALL

RC

SEQ. # 1236
LEGISLATIVE DAY 101
H99 HCS
READING 3
HUNTER, H.

7/23/97
10:19 AM
IN CHAIR: SPEAKER

CAMDEN SCHOOL ACQUISITION

AYES - ~~97~~ 98

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

NOES - 4

CAPPS	DAVIS	EDDINS	NICHOLS

EXCUSED ABSENCE - 5

CUNNINGHAM	HIATT	JUSTUS	WOMBLE
DICKSON			

EXCUSED VOTE - 0

NOT VOTING - ~~14~~ 13

SPEAKER	CHURCH	HARDAWAY	~~NEELY~~
BERRY	CREECH	IVES	NESBITT
BLUE	CULP	KISER	REDWINE
CANSLER	DAUGHTRY		

NORTH CAROLINA GENERAL ASSEMBLY
SENATE

RECORDED VOTE

1997 SESSION

SEQ. 1325/3-- 7:25 PM AUGUST 11, 1997 LEGISLATIVE DAY 111

LT. GOVERNOR WICKER -- Presiding

HUNTER H.
CAMDEN SCHOOL ACQUISITION
SENATE COM SUB/4TH EDITION

HOUSE BILL 99
READING 2

AYE	43	ALBERTSON	DALTON	KINNAIRD	PHILLIPS
		ALLRAN	DANNELLY	LEDBETTER	PLYLER
		BALLANCE	EAST	LEE	PURCELL
		BALLANTINE	FORRESTER	LUCAS	RAND
		BASNIGHT	FOXX	MARTIN R.	REEVES
		BLUST	GARWOOD	MARTIN W.	RUCHO
		CARPENTER	HORTON	MCDANIEL	SHAW L.
		CARRINGTON	HOYLE	MILLER	SHAW R.
		CLARK	JENKINS	MOORE	SOLES
		COCHRANE	JORDAN	ODOM	WARREN
		COOPER	KERR	PAGE	
NO	2	PERDUE	WEBSTER		
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. 1333/2--10:11 AM AUGUST 12, 1997 LEGISLATIVE DAY 112

SENATOR BASNIGHT -- Presiding

HUNTER H.
CAMDEN SCHOOL ACQUISITION
SENATE COM SUB/4TH EDITION

HOUSE BILL 99
READING 3

AYE	39	ALBERTSON	EAST	LUCAS	RAND
		BALLANCE	FORRESTER	MARTIN W.	REEVES
		BALLANTINE	FOXX	MCDANIEL	RUCHO
		BASNIGHT	HARTSELL	MILLER	SHAW L.
		CARPENTER	HORTON	MOORE	SHAW R.
		CLARK	HOYLE	ODOM	SOLES
		COCHRANE	JORDAN	PERDUE	WARREN
		COOPER	KERR	PHILLIPS	WEINSTEIN
		DALTON	KINNAIRD	PLYLER	WELLONS
		DANNELLY	LEDBETTER	PURCELL	
NO	1	WINNER			
EXCUSED	0				
NOT CAST	9	ALLRAN	GARWOOD	LEE	PAGE
		BLUST	JENKINS	MARTIN R.	WEBSTER
		CARRINGTON			
ABSENT	1	GULLEY			
PAIRS	0				
AYE					
NO					

GENERAL ASSEMBLY
SENATE

NORTH CAROLINA

HOUSE OF REPRESENTATIVES

ROLL CALL

RC

SEQ. # 1407
LEGISLATIVE DAY 115
SCS

8/18/97
4:15 PM
IN CHAIR: SPEAKER

HUNTER, H.

CAMDEN SCHOOL ACQUISITION
MOTION #11 - TO CONCUR IN SCS - RULED MATERIAL
READING 2

AYES - 92

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

NOES - 2

CAPPS	DAVIS

EXCUSED ABSENCE - 12

CANSLER	ELLIS	HUNTER, R.	WARNER
CREECH	HARDAWAY	MCMAHAN	WOOD
CUNNINGHAM	HOLMES	WAINWRIGHT	WRIGHT

EXCUSED VOTE - 0

NOT VOTING - 14

SPEAKER	EARLE	HACKNEY	NESBITT
ALDRIDGE	FITCH	HUNTER, H.	PRESTON
BADDOUR	GARDNER	MCALLISTER	STARNES
BERRY	GOODWIN		

NORTH CAROLINA

HOUSE OF REPRESENTATIVES

ROLL CALL

RC

SEQ. # 1423
LEGISLATIVE DAY 116
SCS

8/19/97
10:46 AM
IN CHAIR: SPEAKER

HUNTER, H.

CAMDEN SCHOOL ACQUISITION
MOTION #11 - TO CONCUR IN SCS - RULED MATERIAL
READING 3

AYES - 107

ADAMS	CUNNINGHAM	HURLEY	PRESTON
ALDRIDGE	DAUGHTRY	INSKO	RAMSEY
ALEXANDER	DECKER	IVES	RAYFIELD
ALLRED	DEDMON	JARRELL	REDWINE
ARNOLD	DICKSON	JEFFUS	REYNOLDS
BADDOUR	EARLE	JUSTUS	RUSSELL
BAKER	EASTERLING	KINNEY	SAUNDERS
BARBEE	ESPOSITO	KISER	SEXTON
BEALL	FITCH	LUEBKE	SHERRILL
BERRY	FOX	MCALLISTER	SHUBERT
BLACK	GAMBLE	MCCOMAS	SMITH
BLUE	GARDNER	MCCOMBS	STARNES
BONNER	GOODWIN	MCCRARY	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
CARPENTER	HARDY	MORGAN	WATSON
CHURCH	HENSLEY	MORRIS	WEATHERLY
CLARY	HIATT	NEELY	WILKINS
COLE	HIGHTOWER	NESBITT	WILSON, G.
CRAWFORD	HILL	NICHOLS	WOMBLE
CREECH	HOWARD	NYE	WRIGHT
CULP	HUNTER, H.	OLDHAM	YONGUE
CULPEPPER	HUNTER, R.	OWENS	

NOES - 4

CAPPS	DAVIS	EDDINS	ELLIS

EXCUSED ABSENCE - 4

DOCKHAM	MCMAHAN	MOSLEY	WOOD

EXCUSED VOTE - 0

NOT VOTING - 5

SPEAKER	HOLMES	ROGERS	WILSON, C.
BOWIE			

H99 SCS

H.B. FILED
0100 FEB 10 97
HOUSE PRINCIPAL CLERK

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1997

H **D**

HOUSE DRH2041-LB072(2.5)

Short Title: Hertford School Election Date. (Local)

Sponsors: Representative H. Hunter.

Referred to:

A BILL TO BE ENTITLED

AN ACT TO PROVIDE FOR ELECTION OF MEMBERS OF THE HERTFORD COUNTY BOARD OF EDUCATION IN NOVEMBER OF EVEN-NUMBERED YEARS.

The General Assembly of North Carolina enacts:

Section 1. Beginning with the 1998 election, members of the Hertford County Board of Education shall be elected in November of even-numbered years at the same time as the general election for State and county officers. Elections shall continue to be conducted by the nonpartisan plurality method.

Section 2. Unless the General Assembly by general State law provides a different period for the filing of notices of candidacy for nonpartisan plurality elections held in November of even-numbered years, the filing period for the Hertford County Board of Education shall commence at noon on the first Friday in July and close at noon on the first Friday in August preceding the election.

Section 3. Except as otherwise provided in this act, elections for the Hertford County Board of Education shall be conducted according to general State law for county school boards.

Section 4. This act shall not be implemented until it has been precleared pursuant to section 5 of the Voting Rights Act of 1965.

Section 5. This act is effective when it becomes law.

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1997

H.B. FILED
0101 FEB 10 97
HOUSE PRINCIPAL CLERK

H D

HOUSE DRH8012-LC059A(1.16)

Short Title: Stokes School Acquisition. (Local)

Sponsors: Representative Baker.

Referred to:

A BILL TO BE ENTITLED

AN ACT TO ALLOW STOKES COUNTY TO ACQUIRE PROPERTY FOR USE BY ITS COUNTY BOARD OF EDUCATION.

The General Assembly of North Carolina enacts:

Section 1. G.S. 153A-158.1 reads as rewritten:

"**§ 153A-158.1. Acquisition and improvement of school property in certain counties.**

(a) Acquisition by County. -- A county may acquire, by any lawful method, any interest in real or personal property for use by a school administrative unit within the county. In exercising the power of eminent domain a county shall use the procedures of Chapter 40A. The county shall use its authority under this subsection to acquire property for use by a school administrative unit within the county only upon the request of the board of education of that school administrative unit and after a public hearing.

(b) Construction or Improvement by County. -- A county may construct, equip, expand, improve, renovate, or otherwise make available property for use by a school administrative unit within the county. The local board of education shall be involved in the design, construction, equipping, expansion, improvement, or renovation of the property to the same extent as if the local board owned the property.

(c) Lease or Sale by Board of Education. -- Notwithstanding the provisions of G.S. 115C-518 and G.S. 160A-274, a local board of education may, in connection with additions, improvements, renovations, or repairs to all or part of any of its property, lease or sell the property to the board of commissioners of the county in which the property is located for any price negotiated between the two boards.

(d) Board of Education May Contract for Construction. -- Notwithstanding the provisions of G.S. 115C-40 and G.S. 115C-521, a local board of education may enter

NORTH CAROLINA
HOUSE OF REPRESENTATIVES
ROLL CALL

RC

. # 89
ISLATIVE DAY 23
H101
READING 2
BAKER

3/10/97
7:30 PM
IN CHAIR: SPEAKER

STOKES SCHOOL ACQUISITION

AYES - 108

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

NOES - 2

CAPPS	ELLIS

EXCUSED ABSENCE - 3

BRASWELL	HUNTER, R.	MCMAHAN

EXCUSED VOTE - 0

NOT VOTING - 7

SPEAKER	FITCH	HURLEY	REYNOLDS
CRAWFORD	GAMBLE	JUSTUS	

NORTH CAROLINA
HOUSE OF REPRESENTATIVES
ROLL CALL

RC

. # 101
ISLATIVE DAY 24
H101
READING 3
BAKER

3/11/97
2:21 PM
IN CHAIR: SPEAKER

STOKES SCHOOL ACQUISITION

AYES - 111

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

NOES - 1

CAPPS

EXCUSED ABSENCE - ~~1~~ 2 EW

BRASWELL

BLUE EW

EXCUSED VOTE - 0

NOT VOTING - ~~7~~ 6 EW

SPEAKER	COLE	DAUGHTRY	WRIGHT
~~BLUE~~ EW	CRAWFORD	MICHAUX	

NORTH CAROLINA GENERAL ASSEMBLY
SENATE

RECORDED VOTE

1997 SESSION

SEQ. 1050/3--11:59 AM JULY 2, 1997 LEGISLATIVE DAY 89

LT. GOVERNOR WICKER -- Presiding

BAKER
STOKES SCHOOL ACQUISITION
SENATE COMM. SUB./2ND EDITION

HOUSE BILL 101
READING 2

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

GENERAL ASSEMBLY
SENATE

NORTH CAROLINA
HOUSE OF REPRESENTATIVES
ROLL CALL

EV

SEQ. # 1072
LEGISLATIVE DAY 89
H101 SCS

7/02/97
12:35 PM
IN CHAIR: SPEAKER

MOTION #11 - TO CONCUR IN SCS

AYES - 102

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

NOES - 0

EXCUSED ABSENCE - 3

CARPENTER	EASTERLING	NESBITT

EXCUSED VOTE - 0

NOT VOTING - 15

SPEAKER	CULPEPPER	HIATT	SMITH
BEALL	DECKER	HUNTER, R.	STARNES
BRASWELL	EARLE	INSKO	TALLENT
CREECH	FOX	RAMSEY	

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1997

H.B. FILED
0102 FEB 10 97
HOUSE PRINCIPAL CLERK

H D

HOUSE DRH7035-LB065(2.4)

Short Title: Mitchell Precincts. (Public)

Sponsors: Representative Buchanan.

Referred to:

A BILL TO BE ENTITLED

AN ACT TO REQUIRE THAT THERE BE AT LEAST ONE VOTING PLACE IN MITCHELL COUNTY WITHIN EVERY TOWNSHIP THAT EXISTED IN 1995.

The General Assembly of North Carolina enacts:

Section 1. Notwithstanding the provisions of G.S.163-128, 163-132.5C, or 163-132.3, the Mitchell County Board of Elections shall provide for at least one voting place within every township in Mitchell County that was in existence on January 1, 1995.

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

NORTH CAROLINA GENERAL ASSEMBLY
SENATE

RECORDED VOTE

1997 SESSION

SEQ. 898/4--12:25 PM JUNE 12, 1997 LEGISLATIVE DAY 78

SENATOR BASNIGHT -- Presiding

BUCHANAN
MITCHELL PRECINCTS

HOUSE BILL 102
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	MCDANIEL	WARREN
		CLARK	HOYLE	MILLER	WEBSTER
		COCHRANE	JENKINS	ODOM	WEINSTEIN
		CONDER	JORDAN	PAGE	WELLONS
		COOPER	KERR	PHILLIPS	WINNER
		DALTON			
NO	0				

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

BLOCK VOTE
HCB342 HB687

GENERAL ASSEMBLY
SENATE

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1997

H.B. FILED
0103 FEB 10 97
HOUSE PRINCIPAL CLERK

H D

HOUSE DRH2036-LB064(2.4)

Short Title: Avery Precincts. (Public)

Sponsors: Representative Buchanan.

Referred to:

A BILL TO BE ENTITLED

AN ACT TO DESIGNATE NINETEEN PRECINCTS IN AVERY COUNTY.

The General Assembly of North Carolina enacts:

Section 1. Notwithstanding the provisions of G.S.163-128, 163-132.5C, or 163-132.3 or any action by the county or State boards of elections, the voting precincts of Avery County Board of Elections shall be the 19 precincts that were in existence on January 1, 1995.

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

NORTH CAROLINA
HOUSE OF REPRESENTATIVES
ROLL CALL

EV

SEQ. # 953
LEGISLATIVE DAY 82
H103 SCS

6/19/97
10:09 AM
IN CHAIR: SPEAKER

BUCHANAN

AVERY PRECINCTS
MOTION #11 - TO CONCUR IN SCS

AYES - 106

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

NOES - 0

EXCUSED ABSENCE - 5

GAMBLE	MOSLEY	NESBITT	WOOD
HUNTER, R.			

EXCUSED VOTE - 0

NOT VOTING - 9

SPEAKER	INSKO	LUEBKE	RAMSEY
CHURCH	IVES	MERCER	WILSON, C.
FITCH			

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1997

H.B. FILED
0104 FEB 10 97
HOUSE PRINCIPAL CLERK

H D

HOUSE DRH8015-LGQ023(2.5)

Short Title: Mooresville Library Funds. (Public)

Sponsors: Representative Brawley.

Referred to:

A BILL TO BE ENTITLED

AN ACT TO APPROPRIATE FUNDS FOR THE EXPANSION AND RENOVATION OF THE MOORESVILLE PUBLIC LIBRARY.

The General Assembly of North Carolina enacts:

Section 1. There is appropriated from the General Fund to the Mooresville Public Library in Iredell County the sum of one million dollars ($1,000,000) for the 1997-98 fiscal year for the expansion and renovation of the library.

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

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1997

H.B. FILED
0105 FEB 10 97
HOUSE PRINCIPAL CLERK

H D

HOUSE DRH6034-LK013A(12.10)

Short Title: Jackson County Airport Authority. (Local)

Sponsors: Representatives Beall and Ramsey.

Referred to:

A BILL TO BE ENTITLED

AN ACT TO ENABLE THE COUNTY OF JACKSON TO ESTABLISH AN AIRPORT AUTHORITY FOR THE MAINTENANCE OF AIRPORT FACILITIES IN THE COUNTY.

The General Assembly of North Carolina enacts:

Section 1. There is hereby created the "Jackson County Airport Authority" (for brevity hereinafter referred to as the "Airport Authority"), which shall be a body both corporate and politic, having the powers and jurisdiction hereinafter enumerated and such other and additional powers as shall be conferred upon it by general law and future acts of the General Assembly.

Section 2. The Airport Authority shall consist of six members, who shall be residents of Jackson County, who shall be appointed for six year terms. Members may succeed themselves in office and serve more than one term. Two initial appointments to the Airport Authority shall be for two years, two initial appointments to the Airport Authority shall be for four years, and the remaining two initial appointments to the Airport Authority shall be for six years. When vacancies occur in the membership of the Airport Authority, for any reason, the remaining members of the Airport Authority shall submit a list of two or more candidates to the Jackson County Board of Commissioners who shall select one from that list to fill the unexpired term of vacant office. Each member shall take and subscribe before the Clerk of Superior Court of Jackson County an oath of office and file the same with the Jackson County Board of Commissioners. Membership on the Jackson County Board of Commissioners and the Airport Authority shall not constitute double office holding within the meaning of Article VI, Section 9 of the Constitution of North Carolina.

NORTH CAROLINA

HOUSE OF REPRESENTATIVES

ROLL CALL

RC

86
ISLATIVE DAY 23
SR3
READING 2

3/10/97
7:23 PM
IN CHAIR: SPEAKER

H105

AYES - 112

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

NOES - 0

EXCUSED ABSENCE - 3

BRASWELL	HUNTER, R.	MCMAHAN

EXCUSED VOTE - 0

NOT VOTING - 5

SPEAKER	FITCH	GAMBLE	REYNOLDS
CRAWFORD			

SHORT ROLL: ~~H39~~ H65 H105

NORTH CAROLINA

HOUSE OF REPRESENTATIVES

ROLL CALL

RC

100
LEGISLATIVE DAY 24
SR3
READING 3

3/11/97
2:20 PM
IN CHAIR: SPEAKER

AYES - ~~107~~ 108

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

NOES - 0

EXCUSED ABSENCE - ~~1~~ 2

BRASWELL

BLUE

EXCUSED VOTE - 0

NOT VOTING - ~~12~~ 10

SPEAKER	CRAWFORD	GAMBLE	MICHAUX
~~BLUE~~	DAUGHTRY	HARDY	~~WAINWRIGHT~~
CLARY	EASTERLING	HUNTER, R.	WRIGHT

SHORT ROLL: H39 H65 H105

NORTH CAROLINA GENERAL ASSEMBLY
SENATE

RECORDED VOTE

1997 SESSION

SEQ. 230/2-- 2:36 PM APRIL 10, 1997 LEGISLATIVE DAY 42

LT. GOVERNOR WICKER -- Presiding

BEALL
JACKSON COUNTY AIRPORT AUTHORITY
2ND EDITION

HOUSE BILL 105
READING 3

AYE	43	ALBERTSON	DALTON	KINCAID	RAND
		ALLRAN	DANNELLY	KINNAIRD	REEVES
		BALLANCE	EAST	LEDBETTER	RUCHO
		BALLANTINE	FORRESTER	LEE	SHAW L.
		BASNIGHT	FOXX	LUCAS	SOLES
		BLUST	GARWOOD	MARTIN R.	WARREN
		CARPENTER	HARTSELL	MARTIN W.	WEBSTER
		CARRINGTON	HORTON	MCDANIEL	WEINSTEIN
		CLARK	HOYLE	MILLER	WELLONS
		COCHRANE	JENKINS	PAGE	WINNER
		COOPER	KERR	PHILLIPS	
NO	0				
EXCUSED	0				
NOT CAST	1	JORDAN			
ABSENT	6	CONDER	ODOM	PLYLER	SHAW R.
		GULLEY	PERDUE		
PAIRS	0				
AYE					
NO					

GENERAL ASSEMBLY
SENATE

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1997

H.B. FILED
0106 FEB 11 97
HOUSE PRINCIPAL CLERK

H D

HOUSE DRH7003*-LCZ014(1.1)

Short Title: Interstate Auditors/Regulatory Fund. (Public)

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

Referred to:

A BILL TO BE ENTITLED

AN ACT TO ENHANCE COMPLIANCE AND ENFORCEMENT OF EXISTING TAX LAWS BY APPROPRIATING FUNDS TO EXPAND THE NUMBER OF AUDITORS AND SUPPORT PERSONNEL IN THE INTERSTATE AUDIT DIVISION OF THE DEPARTMENT OF REVENUE, AND TO PROVIDE THAT PERSONNEL WHO ADMINISTER THE INSURANCE GROSS PREMIUMS TAX SHALL CONTINUE TO BE FUNDED FROM THE INSURANCE REGULATORY CHARGE.

The General Assembly of North Carolina enacts:

Section 1. G.S. 58-6-25(d) reads as rewritten:

"(d) Use of Proceeds. -- The Insurance Regulatory Fund is created in the State treasury, under the control of the Office of State Budget and Management. The proceeds of the charge levied in this section and all fees collected under Articles 69 through 71 of this Chapter and under Articles 9 and 9C of Chapter 143 of the General Statutes shall be credited to the Fund. The Fund shall be placed in an interest-bearing account and any interest or other income derived from the Fund shall be credited to the Fund. Moneys in the Fund may be spent only pursuant to appropriation by the General Assembly and in accordance with the line item budget enacted by the General Assembly. The Fund is subject to the provisions of the Executive Budget Act, except that no unexpended surplus of the Fund shall revert to the General Fund. All money credited to the Fund shall be used to reimburse the General Fund for the following:

(1) Money appropriated to the Department of Insurance to pay its expenses incurred in regulating the insurance industry and other industries in this State.

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1997

H.B. FILED
0107 FEB 11 97
HOUSE PRINCIPAL CLERK

H D

HOUSE JOINT RESOLUTION DRHJR7000*-LNZ007(12.2)

Sponsors: Representative Hiatt.

Referred to:

A JOINT RESOLUTION AUTHORIZING THE LEGISLATIVE RESEARCH COMMISSION TO CONTINUE ITS STUDY OF THE GUARDIAN AD LITEM PROGRAM.

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

Section 1. The Legislative Research Commission may continue its study of the Guardian Ad Litem Program administered by the Administrative Office of the Courts. The study shall include the following:

(1) Whether the attorney representing the county department of social services may have a conflict of interest in representing both the department and the abused and neglected child;

(2) Ways to improve case management in the court process so as to reduce attorney time spent on the case and time spent by volunteers and others waiting for the case to be heard;

(3) Evaluation of the efficiency, sufficiency, and effectiveness of the legal representation and advocacy provided to children served by the guardian ad litem program;

(4) Whether the attorney appointed to represent parents may be relieved of the duty to represent when parents have dropped out of the case or failed to appear at a hearing due to lack of interest;

(5) Continued review of the program to determine if additional cuts in State funds should be made;

(6) Review the impact of additional government or private funds received by the program; and

(7) Whether the name of the program should be changed to avoid confusion with guardians ad litem appointed in proceedings other than abuse and neglect cases.

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1997

0108 FEB 11 97
HOUSE PRINCIPAL CLERK

H D

HOUSE DRH2029*-RIZ02(2.4)

Short Title: Alzheimer's Association/Funds. (Public)

Sponsors: Representative Earle.

Referred to:

A BILL TO BE ENTITLED

AN ACT TO APPROPRIATE FUNDS TO THE ALZHEIMER'S ASSOCIATIONS.

The General Assembly of North Carolina enacts:

Section 1. There is appropriated from the General Fund to the Department of Human Resources, Division of Aging, the sum of two hundred thousand dollars ($200,000) for the 1997-98 fiscal year and the sum of two hundred thousand dollars ($200,000) for the 1998-99 fiscal year to be divided equally among the four chapters of the Alzheimer's Association of North Carolina as follows: the Western Alzheimer's Chapter, the Southern Piedmont Alzheimer's Chapter, the Eastern Alzheimer's Chapter, and the Triad Alzheimer's Chapter.

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

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1997

FILED
0109 FEB 11 97
HOUSE PRINCIPAL CLERK

H D

HOUSE DRHA123*-RIZ03(2.4)

Short Title: In-Home Funds. (Public)

Sponsors: Representative Earle.

Referred to:

A BILL TO BE ENTITLED

AN ACT TO APPROPRIATE FUNDS TO INCREASE FUNDING FOR IN-HOME AIDE SERVICES AND CAREGIVER SUPPORT SERVICES.

The General Assembly of North Carolina enacts:

Section 1. There is appropriated from the General Fund to the Department of Human Resources the sum of five million dollars ($5,000,000) for the 1997-98 fiscal year and the sum of five million dollars ($5,000,000) for the 1998-99 fiscal year to fund in-home aide services and caregiver support services.

Section 2. These funds shall be used only for direct services.

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

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1997

H.B. FILED
0110 FEB 11 97
HOUSE PRINCIPAL CLERK

H D

HOUSE DRH2031*-RIZ07.9(2.4)

Short Title: Penalties for Adult Care/Nursing Homes. (Public)

Sponsors: Representative Earle.

Referred to:

A BILL TO BE ENTITLED

AN ACT TO ADJUST ADMINISTRATIVE PENALTIES FOR ADULT CARE HOMES AND NURSING HOMES WHICH ARE FOUND TO BE IN VIOLATION OF APPLICABLE STATE AND FEDERAL LAWS AND REGULATIONS.

The General Assembly of North Carolina enacts:

Section 1. G.S. 131D-34 reads as rewritten:

"**§ 131D-34. Penalties; remedies.**

(a) Violations Classified. -- The Department of Human Resources shall impose an administrative penalty in accordance with provisions of this Article on any facility which is found to be in violation of requirements of G.S. 131D-21 or applicable State and federal laws and regulations. Citations issued for violations shall be classified according to the nature of the violation as follows:

(1) 'Type A Violation' means a violation by a facility of the regulations, standards, and requirements set forth in G.S. 131D-21 or applicable State or federal laws and regulations governing the licensure or certification of a facility which creates substantial risk that death or serious physical harm to a resident will occur or where such harm has occurred. Type A Violations shall be abated or eliminated immediately. <u>The Department shall require a plan of correction for each Type A Violation. The Department may direct the facility to establish a specific plan of correction within a specific time period to address any Type A Violation.</u> The Department shall impose a civil penalty in an amount not less than two hundred fifty dollars ($250.00) nor more than five thousand

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1997

H.B. FILED

0111 FEB 11 97

HOUSE PRINCIPAL CLERK

H D

HOUSE DRHA118*-RFZ05(2.3)

Short Title: Forest Fire Aircraft Funds. (Public)

Sponsors: Representative Brown.

Referred to:

A BILL TO BE ENTITLED

AN ACT TO APPROPRIATE FUNDS FOR THE PURCHASE OF FOREST FIRE AIRCRAFT.

The General Assembly of North Carolina enacts:

Section 1. There is appropriated from the General Fund to the Department of Environment, Health, and Natural Resources, Division of Forest Resources, the sum of twelve million dollars ($12,000,000) for the 1997-98 fiscal year for the purchase of three Canadair CL-215 fire-fighting aircraft.

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

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1997

H.B. FILED
0112 FEB 11 97
HOUSE PRINCIPAL CLERK

H D

HOUSE DRHA132-LL034(1.23)

Short Title: Camden Safety Zone. (Local)

Sponsors: Representative Owens.

Referred to:

A BILL TO BE ENTITLED

AN ACT TO CREATE A SAFETY ZONE AROUND PUBLIC AND PRIVATE SCHOOLS IN CAMDEN COUNTY BY PROHIBITING HUNTING OR THE DISCHARGE OF FIREARMS FROM THE RIGHT-OF-WAY OF PUBLIC ROADS WITHIN ONE-HALF MILE OF A SCHOOL.

The General Assembly of North Carolina enacts:

Section 1. It is unlawful to hunt or otherwise discharge a firearm from the right-of-way of public roads within one-half mile of any public or private school located in Camden County.

Section 2. It is unlawful for any person to discharge or cause to be discharged any firearm toward any public or private school, or to cause any projectile to enter any public or private school grounds for any reason.

Section 3. This act does not apply to a person transporting a firearm on a State-maintained road or highway within or on any motor vehicle or to any person who is actively engaged in retrieving dogs on a State-maintained road or highway.

Section 4. Violation of this act is a Class 3 misdemeanor.

Section 5. This act is enforceable by law enforcement officers of the Wildlife Resources Commission, by sheriffs and deputy sheriffs, and by other peace officers with general subject matter jurisdiction.

Section 6. This act becomes effective October 1, 1997.

NORTH CAROLINA
HOUSE OF REPRESENTATIVES
ROLL CALL

EV

. # 729
ISLATIVE DAY 69
H112 SCS

5/28/97
2:18 PM
IN CHAIR: SPEAKER

OWENS

CAMDEN SAFETY ZONE
MOTION #11 - TO CONCUR IN SCS

AYES - 108

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

NOES - 0

EXCUSED ABSENCE - 5

ALEXANDER	CUNNINGHAM	HILL	NICHOLS
CREECH			

EXCUSED VOTE - 0

NOT VOTING - 7

SPEAKER	BEALL	FITCH	HACKNEY
ARNOLD	ELLIS	GAMBLE	

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1997

H.B. FILED
0113 FEB 11 97
HOUSE PRINCIPAL CLERK

H D

HOUSE DRH6038-LE018(2.5)

Short Title: Add Trustees/College of the Albemarle. (Local)

Sponsors: Representative Owens.

Referred to:

A BILL TO BE ENTITLED

AN ACT TO AUTHORIZE THE EXPANSION OF THE BOARD OF TRUSTEES OF THE COLLEGE OF THE ALBEMARLE.

The General Assembly of North Carolina enacts:

Section 1. G.S. 115D-12(a) reads as rewritten:

"(a) Each community college established or operated pursuant to this Chapter shall be governed by a board of trustees consisting of 13 members, or of additional members if selected according to the special procedure prescribed by the third paragraph of this subsection, who shall be selected by the following agencies.

Group One -- four trustees, elected by the board of education of the public school administrative unit located in the administrative area of the institution. If there are two or more public school administrative units, whether city or county units, or both, located within the administrative area, the trustees shall be elected jointly by all of the boards of education of those units, each board having one vote in the election of each trustee, except as provided in G.S. 115D-59. No board of education shall elect a member of the board of education or any person employed by the board of education to serve as a trustee, however, any such person currently serving on a board of trustees shall be permitted to fulfill the unexpired portion of the trustee's current term.

Group Two -- four trustees, elected by the board of commissioners of the county in which the institution is located. Provided, however, if the administrative area of the institution is composed of two or more counties, the trustees shall be elected jointly by the boards of commissioners of all those counties, each board having one vote in the election of each trustee. Provided, also, the county commissioners of the county in which the community college has established a satellite campus may elect an

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1997

H.B. FILED 0114 FEB 11 97 HOUSE PRINCIPAL CLERK

H D

HOUSE DRH1044*-LTZ029(2.4)

Short Title: Repeal UCC Article on Bulk Transfers. (Public)

Sponsors: Representative Culpepper.

Referred to:

A BILL TO BE ENTITLED

AN ACT TO REPEAL ARTICLE 6 OF THE UNIFORM COMMERCIAL CODE RELATING TO BULK TRANSFERS AND TO ENACT CONFORMING AMENDMENTS TO THE UNIFORM COMMERCIAL CODE AND OTHER GENERAL STATUTES, AS RECOMMENDED BY THE GENERAL STATUTES COMMISSION.

The General Assembly of North Carolina enacts:

Section 1. Article 6 of Chapter 25 of the General Statutes is repealed.

Section 2. G.S. 25-9-111 is repealed.

Section 3. G.S. 25-1-105(2) reads as rewritten:

"(2) Where one of the following provisions of this Chapter specifies the applicable law, that provision governs and a contrary agreement is effective only to the extent permitted by the law (including the conflict of laws rules) so specified:

Rights of creditors against sold goods. (G.S. 25-2-402).

Applicability of the article on bank deposits and collections. (G.S. 25-4-102).

~~Bulk transfers subject to the article on bulk transfers. (G.S. 25-6-102).~~

Applicability of the article on investment securities. (G.S. 25-8-106).

Perfection provisions of the article on secured transactions. (G.S. 25-9-103).

Governing law in the article on Funds Transfers. (G.S. 25-4A-507)."

Section 4. G.S. 25-2-403(4) reads as rewritten:

"(4) The rights of other purchasers of goods and of lien creditors are governed by the articles on secured transactions ~~(article 9), bulk transfers (article 6)~~ (article 9) and documents of title (article 7)."

Section 5. G.S. 66-186 reads as rewritten:

"**§ 66-186. Uniform commercial practice.**

NORTH CAROLINA
HOUSE OF REPRESENTATIVES
ROLL CALL

EV

. # 254
ISLATIVE DAY 40
H114
READING 2
CULPEPPER

4/08/97
3:43 PM
IN CHAIR: SPEAKER

REPEAL UNF. COMM. CODE-BULK TRANSFERS

AYES - 111

ADAMS	DAVIS	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
BEALL	EDDINS	LUEBKE	SEXTON
BERRY	ELLIS	MCALLISTER	SHERRILL
BLACK	FITCH	MCCOMAS	SHUBERT
BONNER	FOX	MCCOMBS	SMITH
BOWIE	GARDNER	MCCRARY	STARNES
BOYD-MCINTYRE	GOODWIN	MCMAHAN	TALLENT
BRASWELL	GRADY	MERCER	THOMPSON
BRAWLEY	GRAY	MILLER	TOLSON
BROWN	GULLEY	MINER	WAINWRIGHT
BUCHANAN	HACKNEY	MITCHELL	WARNER
CANSLER	HALL	MOORE	WARWICK
CAPPS	HARDAWAY	MORGAN	WATSON
CARPENTER	HARDY	MORRIS	WEATHERLY
CHURCH	HIATT	MOSLEY	WILKINS
CLARY	HIGHTOWER	NEELY	WILSON, C.
COLE	HILL	NESBITT	WILSON, G.
CREECH	HOLMES	NICHOLS	WOMBLE
CULP	HOWARD	NYE	WOOD
CULPEPPER	HUNTER, H.	OLDHAM	WRIGHT
CUNNINGHAM	HUNTER, R.	OWENS	YONGUE
DAUGHTRY	HURLEY	PRESTON	

NOES - 0

EXCUSED ABSENCE - 3

BARBEE	CRAWFORD	HENSLEY

EXCUSED VOTE - 0

NOT VOTING - 6

SPEAKER	ESPOSITO	MICHAUX	SUTTON
BLUE	GAMBLE		

H.B. FILED
FEB 11 97
HOUSE PRINCIPAL CLERK

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1997 0115

H D

HOUSE DRH1045*-LG003A(1.1)

Short Title: 1997 Technical Corrections. (Public)

Sponsors: Representative Culpepper.

Referred to:

A BILL TO BE ENTITLED

AN ACT TO MAKE TECHNICAL CORRECTIONS AND CONFORMING CHANGES TO THE GENERAL STATUTES AND SESSION LAWS AS RECOMMENDED BY THE GENERAL STATUTES COMMISSION.

The General Assembly of North Carolina enacts:

Section 1. G.S. 41-19(a) reads as rewritten:

"(a) Except as extended by subsection (b) of this section, this Article applies to a nonvested property interest or a power of appointment that is created on or after October 1, 1995. For purposes of this section, a nonvested property interest or a power of appointment <u>created by the exercise of a power of appointment</u> is created when the power is irrevocably exercised or when a revocable exercise becomes irrevocable."

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

NORTH CAROLINA

HOUSE OF REPRESENTATIVES

ROLL CALL

EV

NO. # 326
LEGISLATIVE DAY 47
H115 HCS
READING 2
CULPEPPER

4/21/97
6:40 PM
IN CHAIR: SPEAKER

1997 TECHNICAL CORRECTIONS

AYES - 102

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

NOES - 0

EXCUSED ABSENCE - 6

CUNNINGHAM	GRAY	RUSSELL	WOOD
GOODWIN	HUNTER, R.		

EXCUSED VOTE - 0

NOT VOTING - 12

SPEAKER	CRAWFORD	HENSLEY	MICHAUX
ALLRED	FOX	MCALLISTER	WEATHERLY
BOYD-MCINTYRE	GAMBLE	MCCOMAS	WILSON, C.

NORTH CAROLINA GENERAL ASSEMBLY
AMENDMENT
House Bill 115

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

H115-ALB-3

Date 8/22, 1997

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

moves to amend the bill on page 18, line 8, by adding the following between lines 8 and 9:

"Section 55.1. Section 3 of S.L. 1997-323 reads as rewritten:

'Section 3. Agreements under Section 1 of this act apply only to the following described properties:

TRACT I:

All that certain tract or parcel of land lying and being situated in Chocowinity Township, Beaufort County, North Carolina, and being more particularly described as follows:

Beginning at a point in the southern right-of-way line of NCSR 1166 (Whichards Beach Road); said point being located the following courses and distances from a concrete monument located at the southeasterly corner of the subdivision known as Harbor Estates, as shown on a plat thereof recorded in plat Cabinet A, Slide 113A in the office of the Register of Deeds of Beaufort County, North Carolina (said concrete monument also being the southwesterly corner of Tract II described below): South 35° 52′ 54" East 62.93 feet; South 36° 20′ 33" West 30.61 feet; and South 64° 01′ 09" East 16.66 feet to a point. THENCE FROM SAID POINT OF BEGINNING BEING SO LOCATED, along and with the southern right-of-way line or Whichards Beach Road South 64° 01′ 03" East 132.39 feet to a point; thence

NORTH CAROLINA GENERAL ASSEMBLY
AMENDMENT
House Bill 115

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

south 64° 00′ 52" East 49.07 feet to a point, thence South 64° 01′ 18" East 50.66 feet to a point; thence South 64° 01′ 12" East 220.27 feet to a point; thence South 64° 01′ 09" East 45.61 feet to a point; thence continuing along and with the southern right-of-way line of NCSR 1166 with a curve to the right in a southeastwardly direction which has a chord bearing and distance of South 57° 55′ 13" East 341.99 feet to a point; thence South 51° 52′ 17" East 22.40 feet to a point; thence continuing South 51° 52′ 17" East 300.00 feet to a point in the southern right-of-way line of NCSR 1166 (all previous calls being along and with the southern right-of-way line of NCSR 1166); thence leaving NCSR 1166 South 38° 00′ 08" West 140.26 feet to a point; thence South 51° 52′ 37" East 31.00 feet to a point; thence South 51° 52′ 19" East 131.00 feet to a point; thence South 38° 00′ 08" West 50.00 feet to a point; thence North 51° 59′ 55" West 21.00 feet to a point; thence South 37° 50′ 26" West 137.56 feet to a point; thence South 52° 57′ 27" East 107.66 feet to a point; thence South 35° 48′ 31" West, 49.16 feet to a point; thence South 37° 39′ 39" West 149.73 feet to a point; thence continuing South 37° 39′ 39" West 18.38 feet to a point in a ditch; thence along and with said ditch the following courses: North 56° 10′ 32" West 114.97 feet to a point; North 57° 56′ 27" West 120.08 feet to a point; thence North 59° 09′ 12" West 105.20 feet to a point; thence North 57° 02′ 11" West 105.33 feet to a point; thence North 64° 27′ 40" West 506.54 feet to a point; thence North 56° 33′ 24" West 99.24 feet to a point; thence North 48° 59′ 54" West 220.23 feet to a point; thence North 47° 02′ 51" West 145.55 feet to a point; thence North 36° 19′ 37" East 158.65 feet to a point; thence North 36° 20′ 38" East 20.00 feet to a point; thence North 36° 19′ 33" East 51.10 feet to a point; thence North 36° 20′ 24" East 24.66 feet to a point; thence North 36° 20′ 20" East 100.34 feet to a point; thence North 36° 20′ 41" East 166.95 feet to a point; thence with a curve to the right (which curve has a radius of 20 feet, a chord bearing and distance of North 76° 08′ 47" East 25.60 feet, and an arc distance of 27.78 feet) to the point of beginning.

TRACT II:

NORTH CAROLINA GENERAL ASSEMBLY
AMENDMENT
House Bill 115

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

H115-ALB-3

All that certain tract or parcel of land lying and being situate in Chocowinity Township, Beaufort County, North Carolina, and being more particularly described as follows:
Beginning at an existing concrete monument in the northern right-of-way line of NCSR 1166 (Whichard's Beach Road), said concrete monument being also the southeasterly corner of the subdivision known as Harbor Estates, as shown on a plat thereof recorded in Plat Cabinet A, Slide 113A in the office of the Register of Deeds of Beaufort County, North Carolina. THENCE FROM SAID POINT OF BEGINNING BEING SO LOCATED, North 30° 36' 00" East 375.64 feet to a point; thence North 30° 36' 00" East 17.0 feet to a point in a canal; thence continuing with the canal North 48° 42' 00" East 23.43 feet to a point; thence continuing with the canal North 30° 26' 00" East 476.44 feet to a point; thence North 31° 42' 00" East 427.85 feet to a point in the mean high water line of the Pamlico River; thence along and with the mean high water line of the Pamlico River the following courses and distances: North 71° 11' 00" East 88.88 feet to a point; thence North 78° 57' 00" East 77.78 feet to a point; thence North 51° 09' 00" East 53.88 feet to a point; thence South 21° 39' 00" East 42.48 feet to a point; thence South 55° 23' 00" East 82.19 feet to a point; thence North 65° 06' 00" East 38.64 feet to a point; thence South 45° 07' 00" East 146.64 feet to a point; thence South 59° 32' 00" East 106.73 feet to a point; thence South 65° 56' 46" East 91.98 feet to a point; thence South 87" 44' 21" East 82.14 feet to a point; thence South 83° 21' 00" East 96.80 feet to a point; thence North 78° 56' 00" East 251.10 feet to a point; thence South 63° 13' 00" East 91.37 feet to a point; thence South 63° 13' 00" East 182.56 feet to a point; thence South 63° 13' 00" East 107.00 feet to a point; thence leaving said river South 38° 18' 41" West 21.94 feet to a concrete monument; thence continuing South 38° 18' 41" West 701.64 feet to a concrete monument; thence continuing South 38° 18' 41" West 64.72 feet to a concrete monument; thence continuing South 38° 18' 41" West 108.03 feet to a concrete monument; thence South 38° 18' 41" West 106.26 feet to a concrete monument; thence continuing South 38° 18' 41" West 104.29 feet to a concrete monument; thence continuing South 38° 18' 41" West 102.43 feet to a concrete monument; thence South 38° 18' 41" West 127.21

feet to a concrete monument; thence South 38° 18' 41" West 35.74 feet to a concrete monument; thence South 38° 18' 41" West 63.98 feet to a concrete monument; thence continuing South 38° 18' 41" West 99.54 feet to a concrete monument; thence continuing South 38° 18' 41" West 99.16 feet to a concrete monument; thence continuing South 38° 18' 41" West 106.40 feet to a concrete monument in the northern right-of-way line of NCSR 1166; thence continuing along and with the northern right-of-way line of NCSR 1166 along a curve to the left in a northwestwardly direction to a point (which curve has a chord bearing and distance of North 51° 41' 19" West 100.00 feet); thence continuing along and with the northern right-of-way line of NCSR 1166 along a curve to the left in a northwestwardly direction to a point (which curve has a chord bearing and distance of North 55° 31' 51" West 396.18 feet); thence continuing along and with the northern right-of-way line of NCSR 1166 North 62° 36' 41" West 58.52 feet to a point; thence continuing along and with the northern right-of-way line of NCSR 1166 North 63° 28' 00" West 100.00 feet to a point; thence continuing along and with the northern right-of-way line of NCSR 1166 North 64° 04' 00" West 470.44 feet to the point or place of beginning.

Together with all property lying between the northern property line of the above-described property, the eastern and western property line of the above-described property extended in a northeasterly direction to the mean high water line of the Pamlico River and the mean high water line of the southern shore of the Pamlico River.

TRACT III:

All that certain tract or parcel of land lying and being situate in Chocowinity Township, Beaufort County, North Carolina, and being more particularly described as follows:

NORTH CAROLINA GENERAL ASSEMBLY
AMENDMENT
House Bill 115

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

H115-ALB-3

BEGINNING at an existing concrete monument located in the northern right-of-way line of NCSR 1166 (Whichard's Beach Road - 60 ft. right-of-way), said point being located South 59° 50' 02" East 1121.46 feet from the existing concrete monument at the southeast corner of Harbour Estates on the northern right-of-way line of NCSR 1166. Said point of beginning also being the southeast corner of the property of Fountain Powerboats, Inc., described in Deed Book 844, Page 519. THENCE FROM SAID POINT OF BEGINNING SO LOCATED, North 38° 18' 41" East 205.53 feet to an existing concrete monument; thence continuing North 38° 18' 41" East 99.54 feet to an existing concrete monument; thence continuing North 38° 18' 41" East 99.57 feet to an existing concrete monument; thence continuing North 38° 18' 41" East 127.20 feet to an existing concrete monument; thence North 38° 18' 41" East 102.41 feet to an existing concrete monument; thence continuing North 38° 18' 41" East 363.45 feet to an existing concrete monument; thence continuing North 38° 18' 41" East 723.64 feet more or less to the mean highwater line on the southern shoreline of the Pamlico River; thence along and with the mean highwater line on the southern shoreline of the Pamlico River South 03° 46' 08" East 35.33 feet to a point; thence South 31° 43' 09" West 1,725.69 feet more or less to the northern right-of-way line of NCSR 1166; thence continuing along and with the northern right-of-way line of NCSR 1166 North 51° 54' 27" West 221.81 feet to the point or place of beginning, said property containing approximately 4.84 acres. The above description is from a survey by W. C. Owen of Quible and Associates, P.C.'"

SIGNED _____
Amendment Sponsor

SIGNED _____
Committee Chair if Senate Committee Amendment

ADOPTED ✓ 42-0 FAILED _____ TABLED _____

8/22/97 J. Pruitt

NORTH CAROLINA GENERAL ASSEMBLY
SENATE

RECORDED VOTE

1997 SESSION

SEQ. 1450/5--10:38 AM AUGUST 22, 1997 LEGISLATIVE DAY 119

LT. GOVERNOR WICKER -- Presiding

CULPEPPER
1997 TECHNICAL CORRECTIONS
SENATE COM SUB #2/4TH EDITION

HOUSE BILL 115

AMEND 1

AYE	42	ALBERTSON	EAST	LEE	PURCELL
		ALLRAN	FORRESTER	LUCAS	RAND
		BALLANCE	FOXX	MARTIN R.	REEVES
		BALLANTINE	HARTSELL	MARTIN W.	SHAW L.
		BASNIGHT	HORTON	MOORE	SHAW R.
		BLUST	HOYLE	ODOM	SOLES
		CARPENTER	JENKINS	PAGE	WEBSTER
		COCHRANE	JORDAN	PERDUE	WEINSTEIN
		COOPER	KERR	PHILLIPS	WELLONS
		DALTON	KINNAIRD	PLYLER	WINNER
		DANNELLY	LEDBETTER		
NO	0				
EXCUSED	0				
NOT CAST	1	MILLER			
ABSENT	7	CARRINGTON	GARWOOD	MCDANIEL	WARREN
		CLARK	GULLEY	RUCHO	
PAIRS	0				
AYE					
NO					

(COPY)

GENERAL ASSEMBLY
SENATE

NORTH CAROLINA GENERAL ASSEMBLY
AMENDMENT
House Bill 115

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

H115-ARB-8/22

Date 8/22, 1997

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

Senator Kerr

moves to amend the bill on page 18, lines 8 and 9, by inserting between the lines a new section to read:

"Section 55.3. If Senate Bill 727, 1997 Regular Session, is enacted, then Section 5.8 of that bill reads as rewritten:

'Section 5.8. The amendment to G.S. 55-1-22(a)(23), made by Section 5.1 of this act, becomes effective January 1, 1998, and applies to tax years ending on or after December 31, 1997. The remaining changes made by Section 5.1 of this act become effective September 1, 1997. Sections 5.2 and 5.3 of this act become effective September 1, 1997. Sections 5.4 through 5.7 of this act become effective ~~September~~ November 1, 1997.'".

SIGNED J Kerr
Amendment Sponsor

SIGNED _____
Committee Chair if **Senate** Committee Amendment

ADOPTED 42-0 FAILED _____ TABLED _____

8/22/97 J Pruitt

NORTH CAROLINA GENERAL ASSEMBLY
SENATE

RECORDED VOTE

1997 SESSION

SEQ. 1451/6--10:40 AM AUGUST 22, 1997 LEGISLATIVE DAY 119

LT. GOVERNOR WICKER -- Presiding

CULPEPPER
1997 TECHNICAL CORRECTIONS
SENATE COM SUB #2/4TH EDITION

HOUSE BILL 115

AMEND 2

AYE	42	ALBERTSON	EAST	LEE	PURCELL
		ALLRAN	FORRESTER	LUCAS	RAND
		BALLANCE	FOXX	MARTIN R.	REEVES
		BALLANTINE	HARTSELL	MARTIN W.	SHAW L.
		BASNIGHT	HORTON	MOORE	SHAW R.
		BLUST	HOYLE	ODOM	SOLES
		CARPENTER	JENKINS	PAGE	WEBSTER
		COCHRANE	JORDAN	PERDUE	WEINSTEIN
		COOPER	KERR	PHILLIPS	WELLONS
		DALTON	KINNAIRD	PLYLER	WINNER
		DANNELLY	LEDBETTER		
NO	0				
EXCUSED	0				
NOT CAST	1	MILLER			
ABSENT	7	CARRINGTON	GARWOOD	MCDANIEL	WARREN
		CLARK	GULLEY	RUCHO	
PAIRS	0				
AYE					
NO					

(COPY)

GENERAL ASSEMBLY
SENATE

NORTH CAROLINA GENERAL ASSEMBLY
AMENDMENT
House Bill 115

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

H115-ALN-001

Date 8/22 ,1997

Comm. Sub. [yes]
4th ed.
Amends Title []

Senator Cooper

moves to amend the bill on page 18, lines 8-9, by inserting between the lines the following:

"Section 55.2. Resolution 30 of the 1997 Session Laws is amended by deleting 'October 18, 1993;' where it appears in the Resolution, and substituting 'October 28, 1993;'".

SIGNED _____
Amendment Sponsor

SIGNED _____
Committee Chair if **Senate** Committee Amendment

ADOPTED 42-0 FAILED _____ TABLED _____

J. Smith 8/22/97

NORTH CAROLINA GENERAL ASSEMBLY
SENATE

RECORDED VOTE

1997 SESSION

SEQ. 1452/7--10:41 AM AUGUST 22, 1997 LEGISLATIVE DAY 119

LT. GOVERNOR WICKER -- Presiding

CULPEPPER
1997 TECHNICAL CORRECTIONS
SENATE COM SUB #2/4TH EDITION

HOUSE BILL 115

AMEND 3

AYE	42	ALBERTSON	EAST	LEE	PURCELL
		ALLRAN	FORRESTER	LUCAS	RAND
		BALLANCE	FOXX	MARTIN R.	REEVES
		BALLANTINE	HARTSELL	MARTIN W.	SHAW L.
		BASNIGHT	HORTON	MOORE	SHAW R.
		BLUST	HOYLE	ODOM	SOLES
		CARPENTER	JENKINS	PAGE	WEBSTER
		COCHRANE	JORDAN	PERDUE	WEINSTEIN
		COOPER	KERR	PHILLIPS	WELLONS
		DALTON	KINNAIRD	PLYLER	WINNER
		DANNELLY	LEDBETTER		
NO	0				
EXCUSED	0				
NOT CAST	1	MILLER			
ABSENT	7	CARRINGTON	GARWOOD	MCDANIEL	WARREN
		CLARK	GULLEY	RUCHO	
PAIRS	0				
AYE					
NO					

(COPY)

GENERAL ASSEMBLY
SENATE

NORTH CAROLINA GENERAL ASSEMBLY
SENATE

RECORDED VOTE

1997 SESSION

SEQ. 1453/8--10:42 AM AUGUST 22, 1997 LEGISLATIVE DAY 119

LT. GOVERNOR WICKER -- Presiding

CULPEPPER
1997 TECHNICAL CORRECTIONS
SENATE COM SUB #2/4TH EDITION

HOUSE BILL 115
READING 2

AYE	42	ALBERTSON	EAST	LEE	PURCELL
		ALLRAN	FORRESTER	LUCAS	RAND
		BALLANCE	FOXX	MARTIN R.	REEVES
		BALLANTINE	HARTSELL	MARTIN W.	SHAW L.
		BASNIGHT	HORTON	MOORE	SHAW R.
		BLUST	HOYLE	ODOM	SOLES
		CARPENTER	JENKINS	PAGE	WEBSTER
		COCHRANE	JORDAN	PERDUE	WEINSTEIN
		COOPER	KERR	PHILLIPS	WELLONS
		DALTON	KINNAIRD	PLYLER	WINNER
		DANNELLY	LEDBETTER		
NO	0				
EXCUSED	0				
NOT CAST	1	MILLER			
ABSENT	7	CARRINGTON	GARWOOD	MCDANIEL	WARREN
		CLARK	GULLEY	RUCHO	
PAIRS	0				
AYE					
NO					

(COPY)

GENERAL ASSEMBLY
SENATE

NORTH CAROLINA GENERAL ASSEMBLY
AMENDMENT
House Bill 115

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

H115-ARU-014

Date 5/27 ,1997

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

Senator Cooper

moves to amend the bill on page 21, lines 10 through 17, by rewriting the lines to read:

"Section 55.3. Section 5.8 of Senate Bill 727, 1997 Regular Session, as enacted, reads as rewritten:

'Section 5.8. The amendment to G.S. 55-1-22(a)(23), made by Section 5.1 of this act, becomes effective January 1, 1998, and applies to tax years ending on or after December 31, 1997. The remaining changes made by Section 5.1 of this act become effective ~~September~~ October 1, 1997. Sections 5.2 and 5.3 of this act become effective ~~September~~ October 1, 1997. Sections 5.4 through 5.7 of this act become effective ~~September~~ November 1, 1997.'"; and

on page 21, lines 17 and 18, by inserting the following new sections between those lines to read:

"Section 55.4. Section 13 of S.L. 1997-430 reads as rewritten:

'Section 13. ~~G.S. 115C-238.29F(e)(4), as amended by Section 5 of this act, is effective on the first day of the calendar month following the State's receipt of a favorable letter of determination or ruling from the Internal Revenue Service, United States Department of Treasury, under Section 12 of this act. The remainder of this~~ This act is effective when it becomes law.'

Section 55.5. G.S. 105-116.1(c)(4), as amended by S.L. 97-118, reads as rewritten:

'(4) If the adjusted 1995-96 amount is more than the city's 1990-91 distribution, the hold-back amount for the city is the city's freeze deduction minus the difference between the city's ~~adjusted 1995-96 amount~~

~~and the city's 1990-91 distribution.~~ 1990-91 distribution and the city's 1995-96 distribution.'

Section 55.6. (a) Newly enacted G.S. 143-215.85A(a)(2) as it appears in Section 5 of S.L. 1997-394 is rewritten to read:

'(2) The type, location, and quantity of oil or hazardous substances known to the owner of the site to exist on the site.'

(b) G.S. 143-215.85A(a), as amended by subsection (a) of this section, reads as rewritten:

'(a) The owner of the real property on which a site is located that is subject to current or future use restrictions approved as provided in ~~G.S. 143-215.84(e)~~ G.S. 143-215.84(f) shall submit to the Department a survey plat as required by this section within 180 days after the owner is notified to do so. The survey plat shall identify areas designated by the Department, shall be prepared and certified by a professional land surveyor, and shall be entitled "NOTICE OF OIL OR HAZARDOUS SUBSTANCE DISCHARGE SITE". Where an oil or hazardous substance discharge site is located on more than one parcel or tract of land, a composite map or plat showing all parcels or tracts may be recorded. The Notice shall include a legal description of the site that would be sufficient as a description in an instrument of conveyance, shall meet the requirements of G.S. 47-30 for maps and plats, and shall identify:

(1) The location and dimensions of the disposal areas and areas of potential environmental concern with respect to permanently surveyed benchmarks.

(2) The type, location, and quantity of oil or hazardous substances known by the owner of the site to exist on the site.

(3) Any restrictions approved by the Department on the current or future use of the site.'

Section 55.7. G.S. 113-173(b), as enacted in S.L. 1997-400, reads as rewritten:

'(b) Sale of Fish Prohibited. -- It is unlawful for the holder of a RCGL or for a person who is exempt under ~~subsection (k)~~ subsection (j) of this section to sell fish taken under the RCGL or pursuant to the exemption.'

Section 55.8. G.S. 31-5.5(a), reads as rewritten:

'(a) A will shall not be revoked by the subsequent birth of a child to the testator, or by the subsequent adoption of a child by

the testator, or by the subsequent entitlement of an after-born illegitimate child to take as an heir of the testator pursuant to the provisions of G.S. 29-19(b), but any after-born, after-adopted or entitled after-born illegitimate child shall have the right to share in the testator's estate to the same extent he would have shared if the testator had died intestate unless:

(1) The testator made some provision in the will for the child, whether adequate or not;

(2) It is apparent from the will itself that the testator intentionally did not make specific provision therein for the child;

(3) The testator had children living when the will was executed, and none of the testator's children actually take under the will;

(4) The surviving spouse receives all of the estate under the will; or

(5) The testator made provision for the child that takes effect upon the death of the testator, whether adequate or not.'

Section 55.9. If House Bills 299 and 435, 1997 Regular Session, both become law before October 1, 1997, then G.S. 135-40.7(19) as enacted by House Bill 299 is recodified as G.S., 135-40.7(22).

Section 55.10. If Senate Bill 352 becomes law, then G.S. 108A-27.9(c)(2), as enacted by Section 12.6 of that act, reads as rewritten:

'(2) Provisions to ensure the establishment and maintenance of grievance procedures to resolve complaints by regular employees who allege that the employment or assignment of a Work First Program recipient is in

NORTH CAROLINA GENERAL ASSEMBLY
AMENDMENT
House Bill 115

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

H115-ARU-014

violation of subdivision ~~(3)~~ (1) of this subsection;'".

SIGNED Roy Cooper
Amendment Sponsor

SIGNED _____
Committee Chair if **Senate** Committee Amendment

ADOPTED ✓ 47-0 FAILED _____ TABLED _____

J. Pruitt 5/27/97

NORTH CAROLINA GENERAL ASSEMBLY
SENATE

RECORDED VOTE

1997 SESSION

SEQ. 1505/20-- 4:49 PM AUGUST 27, 1997 LEGISLATIVE DAY 122

LT. GOVERNOR WICKER -- Presiding

CULPEPPER
1997 TECHNICAL CORRECTIONS
SENATE COM SUB #2/4TH EDITION

HOUSE BILL 115

AMEND 4

AYE	47	ALBERTSON	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	WEINSTEIN
		COOPER	JORDAN	PAGE	WELLONS
		DALTON	KERR	PERDUE	WINNER
		DANNELLY	KINNAIRD	PHILLIPS	
NO	0				
EXCUSED	0				
NOT CAST	2	ALLRAN		WEBSTER	
ABSENT	1	WARREN			
PAIRS	0				
AYE					
NO					

(COPY)

GENERAL ASSEMBLY
SENATE

NORTH CAROLINA GENERAL ASSEMBLY
AMENDMENT
House Bill 115

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

H115-ALK-3

Date 8/27 ,1997

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

Senator Moore

moves to amend the bill on page 21, line 18, by rewriting that line to read:

"Section 56. Section 11 of S.L. 1997-16 reads as rewritten:

'Section 11. This act becomes effective December 1, 1997, if the General Assembly appropriates the necessary funds from the Highway Fund to the Department of Transportation, Division of Motor Vehicles, to administer the provisional license program. Sections 1 through 7 of this act do not ~~apply~~ apply:

(1) ~~to~~ To any person who holds a valid North Carolina limited learner's permit issued before the effective date of this ~~act,~~ act;

(2) To any person who holds a valid North Carolina learner's permit issued before the effective date of this ~~act,~~ act;

(3) ~~or~~ To any person who is a provisional licensee and holds a valid North Carolina drivers license issued before the effective date of this ~~act.~~ act; or

(4) To any person who becomes eligible to apply for a limited learner's permit between November 27, 1997 and December 1, 1997 and who holds a valid North Carolina

NORTH CAROLINA GENERAL ASSEMBLY
AMENDMENT
House Bill 115

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

H115-ALK-3

limited learner's permit as of December 10, 1997.'

Section 57. Unless otherwise provided, this act is effective when it".

SIGNED Ken Moore
Amendment Sponsor

SIGNED _____
Committee Chair if Senate Committee Amendment

ADOPTED 48-0 ✓ FAILED _____ TABLED _____

J. Pruitt 8/27/97

NORTH CAROLINA GENERAL ASSEMBLY
SENATE

RECORDED VOTE

1997 SESSION

SEQ. 1506/21-- 4:52 PM AUGUST 27, 1997 LEGISLATIVE DAY 122

LT. GOVERNOR WICKER -- Presiding

CULPEPPER
1997 TECHNICAL CORRECTIONS
SENATE COM SUB #2/4TH EDITION

HOUSE BILL 115

AMEND 5

AYE	48	ALBERTSON	DANNELLY	KINNAIRD	PHILLIPS
		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	WEINSTEIN
		COOPER	JORDAN	PAGE	WELLONS
		DALTON	KERR	PERDUE	WINNER
NO	0				

EXCUSED 0

NOT CAST 1 WEBSTER

ABSENT 1 WARREN

PAIRS 0
AYE
NO

(COPY)

GENERAL ASSEMBLY
SENATE

NORTH CAROLINA GENERAL ASSEMBLY AMENDMENT

(Please type or use ballpoint pen)

H. B. No. 11S 5th Ed

DATE 8/27/97

S. B. No.

Amendment No. 6
(to be filled in by Principal Clerk)

~~Rep.~~)
) RAND
Sen.)

moves to amend the bill on page 21, line 9

by adding the following between lines 9 and 10:
"Section 55.2B. Section 3 of S.L.1997-337 reads as rewritten:
'Section 3. This act is effective when it becomes ~~law.~~ law, and expires July 1, 2000. Permits granted and applications submitted prior to July 1, 2000 shall remain effective.'"

SIGNED [signature]

ADOPTED ✓ ~~46-3~~ 44-5 (corr) FAILED TABLED

J. Pruitt 8/27/97

GA-33-A PRINCIPAL CLERK'S OFFICE (FOR ENGROSSMENT)

NORTH CAROLINA GENERAL ASSEMBLY
SENATE

RECORDED VOTE

1997 SESSION

SEQ. 1512/27-- 5:10 PM AUGUST 27, 1997 LEGISLATIVE DAY 122

LT. GOVERNOR WICKER -- Presiding

CULPEPPER
1997 TECHNICAL CORRECTIONS
SENATE COM SUB #2/4TH EDITION

HOUSE BILL 115

AMEND 6

AYE	46	ALBERTSON	EAST	LEE	PURCELL
		ALLRAN	FORRESTER	LUCAS	RAND
		BALLANCE	GARWOOD	MARTIN R.	REEVES
		BASNIGHT	GULLEY	MARTIN W.	RUCHO
		BLUST	HARTSELL	MILLER	SHAW L.
		CARPENTER	HORTON	MOORE	SHAW R.
		CARRINGTON	HOYLE	ODOM	SOLES
		CLARK	JENKINS	PAGE	WEBSTER
		COCHRANE	JORDAN	PERDUE	WEINSTEIN
		COOPER	KERR	PHILLIPS	WELLONS
		DALTON	KINNAIRD	PLYLER	WINNER
		DANNELLY	LEDBETTER		
NO	3	BALLANTINE	FOXX	MCDANIEL	

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

(CONTINUED)

NORTH CAROLINA GENERAL ASSEMBLY
SENATE

RECORDED VOTE

1997 SESSION

SEQ. 1521/36-- 6:34 PM AUGUST 27, 1997 LEGISLATIVE DAY 122

LT. GOVERNOR WICKER -- Presiding

CULPEPPER
1997 TECHNICAL CORRECTIONS
SENATE COM SUB #2/4TH EDITION

HOUSE BILL 115

AMEND 6

AYE	44	ALBERTSON	EAST	LEE	PURCELL
		ALLRAN	FORRESTER	LUCAS	RAND
		BALLANCE	GARWOOD	MARTIN R.	REEVES
		BASNIGHT	GULLEY	MARTIN W.	RUCHO
		BLUST	HARTSELL	MILLER	SHAW L.
		CARPENTER	HORTON	MOORE	SHAW R.
		CARRINGTON	HOYLE	ODOM	SOLES
		CLARK	JENKINS	PAGE	WEBSTER
		COOPER	KERR	PERDUE	WEINSTEIN
		DALTON	KINNAIRD	PHILLIPS	WELLONS
		DANNELLY	LEDBETTER	PLYLER	WINNER
NO	5	BALLANTINE	FOXX	JORDAN	MCDANIEL
		COCHRANE			

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

(COPY)

GENERAL ASSEMBLY
SENATE

NORTH CAROLINA GENERAL ASSEMBLY
SENATE

RECORDED VOTE

1997 SESSION

SEQ. 1521/36-- 6:34 PM AUGUST 27, 1997 LEGISLATIVE DAY 122

LT. GOVERNOR WICKER -- Presiding

CULPEPPER
1997 TECHNICAL CORRECTIONS
SENATE COM SUB #2/4TH EDITION

HOUSE BILL 115

AMEND 6

RECORDED			
AYE	-2		
NO	2	COCHRANE	JORDAN
ADJUSTED TOTAL			
AYE	44		
NO	5		
NOT CAST	0		
ABSENT	1		

(...Y)

NORTH CAROLINA GENERAL ASSEMBLY
AMENDMENT
House Bill 115

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

H115-ALB-3A

Page 1 of 2

Date 8/27 ,1997

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

Sen Reeves

moves to amend the bill on page 21, line 9, by adding the following between lines 9 and 10:

"Section 55.2A. If House Bill 87, 1997 Regular Session is enacted, then G.S. 66-58(b)(8) as rewritten by that act reads as rewritten:

'(8) The Greater University of North Carolina with regard to its utilities and other services now operated by it nor to the sale of articles produced incident to the operation of instructional departments, articles incident to educational research, articles of merchandise incident to classroom work, meals, books, or to articles of merchandise not exceeding twenty-five cents (25¢) in value when sold to members of the educational staff or staff auxiliary to education or to duly enrolled students or occasionally to immediate members of the families of members of the educational staff or of duly enrolled students nor to the sale of meals or merchandise to persons attending meetings or conventions as invited guests nor to the operation by the University of North Carolina of an inn or hotel and dining and other facilities usually connected with a hotel or inn, nor to the hospital and Medical School of the University of North Carolina, nor to the Coliseum of North Carolina State University at Raleigh, ~~nor to the Centennial Campus of North~~

NORTH CAROLINA GENERAL ASSEMBLY
AMENDMENT
House Bill 115

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

H115-ALB-3A

Page 2 of 2

~~Carolina State University at Raleigh,~~ and the other schools and colleges for higher education maintained or supported by the State, nor to the Centennial Campus of North Carolina State University at Raleigh, nor to the comprehensive student health services or the comprehensive student infirmaries maintained by the constituent institutions of the University of North Carolina.'

SIGNED _____
Amendment Sponsor

SIGNED _____
Committee Chair if Senate Committee Amendment

ADOPTED ✓ 48-0 FAILED _____ TABLED _____

J. Pruitt 8/27/97

NORTH CAROLINA GENERAL ASSEMBLY
SENATE

RECORDED VOTE

1997 SESSION

SEQ. 1513/28-- 5:14 PM AUGUST 27, 1997 LEGISLATIVE DAY 122

LT. GOVERNOR WICKER -- Presiding

CULPEPPER
1997 TECHNICAL CORRECTIONS
SENATE COM SUB #2/4TH EDITION

HOUSE BILL 115

AMEND 7

AYE	48	ALBERTSON	DANNELLY	KINNAIRD	PHILLIPS
		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	MOORE	WEBSTER
		COCHRANE	JENKINS	ODOM	WEINSTEIN
		COOPER	JORDAN	PAGE	WELLONS
		DALTON	KERR	PERDUE	WINNER
NO	0				

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

GENERAL ASSEMBLY
SENATE

HELD TO BE not GERMANE

NORTH CAROLINA GENERAL ASSEMBLY
AMENDMENT
House Bill 115

AMENDMENT NO. 8
(to be filled in by
Principal Clerk)

H115-ARB-8/26

Date 8/27 ,1997

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

Senator Webster

moves to amend the bill on page 1, line 4, by deleting the word "AND";

and on page 1, line 6, by deleting the word "LAWS." and substituting the following: "LAWS, AND TO CLARIFY THAT A PERSON WHO CAN PRACTICE BEFORE THE IRS MAY PRACTICE BEFORE THE TAX REVIEW BOARD.";

and on page 21, lines 17 and 18, by inserting a new section between those lines to read:

"Section 56. (a) G.S. 105-269.2 reads as rewritten:

'**§105-269.2. Tax Review Board.**

The Tax Review Board shall be composed of the following members: (i) the State Treasurer, ex officio, who shall be chairman of the board; (ii) the chairman of the Utilities Commission, ex officio; (iii) a member appointed by the Governor; and (iv) the Secretary of Revenue, ex officio, who shall be a member only for the purposes stated in G.S. 105-122 and 105-130.4. The member whom the Governor shall appoint shall serve for a term of four years and until his successor is appointed and qualified. The first such appointment shall be made for a term beginning on July 1, 1975.

The chairman or any two members, upon five days' notice, may call a meeting of the Board; provided, any member of the Board may waive notice of a meeting and the presence of a member of the Board at any meeting shall constitute a waiver of the notice of said meeting. A majority of the members of the Board shall constitute a quorum, and any act or decision of a majority of the members shall constitute an act or decision of the Board, except for the purposes and under the conditions of the provisions of G.S. 105-122 and 105-130.4.

NORTH CAROLINA GENERAL ASSEMBLY
AMENDMENT
House Bill 115

AMENDMENT NO. 8
(to be filled in by
Principal Clerk)

H115-ARB-8/26

The Tax Review Board may employ a secretary and such clerical assistance as it deems necessary for the proper performance of its duties. All expenses of the Board shall be paid from sums appropriated from the Contingency and Emergency Fund to the use of said Board. If the full time of such secretary and clerical staff should not be needed in connection with the duties of such Board, such secretary and staff can be assigned by the Board to other duties related to the tax program of the State.

The regular sessions of the Tax Review Board shall be held in the City of Raleigh at the offices provided for the Board by the Superintendent of Public Buildings and Grounds. The Board may, in its discretion, hold other meetings at any place in the State.

Notwithstanding G.S. 84-2.1, a person who has the right to practice before the Internal Revenue Service may represent a taxpayer before the Tax Review Board.'

(b) This section becomes effective when it becomes law and is repealed August 1, 1998.";

and on page 21, line 18, by deleting "Section 56." and substituting "Section 57.".

SIGNED _____
Amendment Sponsor

SIGNED _____
Committee Chair if **Senate** Committee Amendment

ADOPTED _____ FAILED _____ TABLED _____

HELD TO BE NOT GERMANE

NORTH CAROLINA GENERAL ASSEMBLY
AMENDMENT
House Bill 115

AMENDMENT NO. 9
(to be filled in by
Principal Clerk)

H115-ARU-016

Date 8/28 ,1997

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

Senator Cooper

moves to amend the bill on page 24, lines 2 and 3, by inserting new sections between those lines to read:

"Section 56.1. (a) If Senate Bill 39, 1997 General Assembly, becomes law, in order to conform that act to the changes made in G.S. 105A-2 by Section 12.26 of Ratified Senate Bill 352, Senate Bill 39 as enacted is amended as follows:

(1) By deleting the phrase '~~arrearages~~' in Section 1.

(2) By deleting the phrase '~~The North Carolina Department of Human Resources when, in the performance of its duties under the Aid to Families with Dependent Children Program or the Aid to Families with Dependent Children -- Emergency Assistance Program provided in Part 2 of Article 2 of Chapter 108A or the Work First Cash Assistance Program established pursuant to the federal waivers received by the Department on February 5, 1996, or under the State-County Special Assistance for Adults Program provided in Part 3 of Article 2 of Chapter 108A, it seeks to collect public assistance payments obtained through an intentional false statement, intentional misrepresentation, intentional failure to disclose a material fact, or inadvertent household error;~~

~~s. The Employment Security Commission of North Carolina.~~

~~t. Any State agency in the collection of salary overpayments from former employees.~~' in Section 1 and substituting the phrase '~~The North Carolina Department of Human Resources when, in the performance of its duties under the Work First Program provided in Part 2~~

NORTH CAROLINA GENERAL ASSEMBLY
AMENDMENT
House Bill 115

AMENDMENT NO. 9
(to be filled in by Principal Clerk)

H115-ARU-016

~~of Article 2 of Chapter 108A of the General Statutes, or under the State-County Special Assistance for Adults Program provided in Part 3 of Article 2 of Chapter 108A, it seeks to collect public assistance payments obtained through an intentional false statement, intentional misrepresentation, intentional failure to disclose a material fact, or inadvertent household error;~~

~~s. The Employment Security Commission of North Carolina;~~

~~t. Any State agency in the collection of salary overpayments from former employees; or~~ '.

(b) If Senate Bill 39, 1997 General Assembly, becomes law, G.S. 105A-2(2)e., as amended by that act, reads as rewritten:

'e. A sum owed as a result of having obtained public assistance payments under any of the following programs through an intentional false statement, intentional misrepresentation, intentional failure to disclose a material fact, or inadvertent household error:

~~1. The Aid to Families with Dependent Children Program or the Aid to Families with Dependent Children -- Emergency Assistance Program, enabled by Chapter 108A, Article 2, Part 2.~~

~~2. The Work First Cash Assistance Program established pursuant to federal waivers received by the Department of Human Resources on February 5, 1996.~~

~~3. The State-County Special Assistance for Adults Program, enabled by Chapter 108A, Article 2, Part 3.~~

~~4. A successor program of one of these programs.~~

1. The Work First Program provided in Part 2 of Article 2 of Chapter 108A of the General Statutes.

2. The State-County Special Assistance for Adults Program, enabled by Part 3 of Article 2 of Chapter 108A of the General Statutes.

NORTH CAROLINA GENERAL ASSEMBLY
AMENDMENT
House Bill 115

AMENDMENT NO. 9
(to be filled in by Principal Clerk)

H115-ARU-016

4. A successor program of one of these programs.'

(c) This section becomes effective January 1, 2000.

Section 56.2. (a) G.S. 48-3-706(a) reads as rewritten:

'(a) A relinquishment of an infant who is in utero or is three months old or less at the time the relinquishment is executed may be revoked within 21 days following the day on which it is executed, inclusive of weekends and holidays. A relinquishment of any other minor may be revoked within seven days following the day on which it is executed, inclusive of weekends and holidays. If the final day of the period falls on a weekend or a North Carolina or federal holiday, then the revocation period extends to the next business day. The individual who gave the relinquishment may revoke by giving written notice to the agency to which the relinquishment was given. Notice may be given by personal delivery, overnight delivery service, or registered or certified mail, return receipt requested. If notice is given by mail, notice is deemed complete when it is deposited in the United States mail, postage prepaid, addressed to the agency at the agency's address as given in the relinquishment. If notice is given by overnight delivery service, notice is deemed complete on the date it is deposited with the service as shown by the receipt from the service, with delivery charges paid by the sender, addressed to the agency at the agency's address as given in the relinquishment.'

(b) This section applies to notices given on or after the effective date of this act.

Section 56.3. If Senate Bill 352, 1997 Regular Session, is enacted, then Section 28(a) of Senate Bill 352, 1997 Regular Session, as enacted in that act, reads as rewritten:

'The Office of State Controller is encouraged to consider new technologies and capabilities as a means of providing NCIH users access to the existing or upgrade ATM-SONET network. The Office of State Controller shall report to the General Assembly in 1998 before the convening of the regular session on its findings.'

Section 56.4. (a) If Senate Bill 352, 1997 Regular Session, is enacted, the entry in Section 8.30(b) of Senate Bill 352, 1997 Regular Session, for Step 24 of Principal V, Base + 1%, is amended by deleting '4216' and substituting '4261'.

NORTH CAROLINA GENERAL ASSEMBLY
AMENDMENT
House Bill 115

AMENDMENT NO. 9
(to be filled in by
Principal Clerk)

H115-ARU-016

(b) If Senate Bill 352, 1997 Regular Session, is enacted, Section 8.30(f) of Senate Bill 352, 1997 Regular Session, is amended by deleting '1997-98' and substituting '1998-99'."; and

on page 21, lines 36 through 38,
by rewriting those lines to read:
"'Section 3. This act is effective when it becomes ~~law.~~ law, expires 1 July 2000, and applies to permits granted and applications submitted prior to 1 July 2000.'".

SIGNED _____
Amendment Sponsor

SIGNED _____
Committee Chair if Senate Committee Amendment

ADOPTED ✓ 40-0 FAILED _____ TABLED _____

g Pruitt

NORTH CAROLINA GENERAL ASSEMBLY
SENATE

RECORDED VOTE

1997 SESSION

SEQ. 1552/30-- 3:14 PM AUGUST 28, 1997 LEGISLATIVE DAY 123

LT. GOVERNOR WICKER -- Presiding

CULPEPPER
1997 TECHNICAL CORRECTIONS
SENATE COM SUB #2/6TH EDITION

HOUSE BILL 115

AMEND 9

AYE	41	ALBERTSON	EAST	LEE	PHILLIPS
		ALLRAN	FORRESTER	LUCAS	PLYLER
		BALLANCE	FOXX	MARTIN R.	PURCELL
		BALLANTINE	GARWOOD	MARTIN W.	REEVES
		BASNIGHT	HORTON	MCDANIEL	SHAW L.
		BLUST	HOYLE	MILLER	SHAW R.
		CARPENTER	JENKINS	MOORE	SOLES
		COCHRANE	JORDAN	ODOM	WEBSTER
		COOPER	KINNAIRD	PAGE	WELLONS
		DALTON	LEDBETTER	PERDUE	WINNER
		DANNELLY			
NO	0				
EXCUSED	0				
NOT CAST	3	GULLEY	HARTSELL	KERR	
ABSENT	6	CARRINGTON	RAND	WARREN	WEINSTEIN
		CLARK	RUCHO		
PAIRS	0				
AYE					
NO					

GENERAL ASSEMBLY
SENATE

NORTH CAROLINA GENERAL ASSEMBLY
AMENDMENT
House Bill 115

AMENDMENT NO. 10
(to be filled in by
Principal Clerk)

H115-ARU-017

Page 1 of 1

Date 8/28 ,1997

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

Senator Plyler

moves to amend the bill on page 24, lines 2 and 3, by inserting a new section between those lines to read:

"Section 56.6. Section 7.12(b) of the ratified version of Senate Bill 352, 1997 General Assembly, is repealed."

SIGNED _____
Amendment Sponsor

SIGNED _____
Committee Chair if Senate Committee Amendment

ADOPTED ✓ 42-0 FAILED _____ TABLED _____

D. Pruitt 8/28/97

NORTH CAROLINA GENERAL ASSEMBLY
SENATE

RECORDED VOTE

1997 SESSION

SEQ. 1553/31-- 3:15 PM AUGUST 28, 1997 LEGISLATIVE DAY 123

LT. GOVERNOR WICKER -- Presiding

CULPEPPER
1997 TECHNICAL CORRECTIONS
SENATE COM SUB #2/6TH EDITION

HOUSE BILL 115

AMEND 10

AYE	42	ALBERTSON	EAST	LEE	PHILLIPS
		ALLRAN	FORRESTER	LUCAS	PLYLER
		BALLANCE	FOXX	MARTIN R.	PURCELL
		BALLANTINE	GARWOOD	MARTIN W.	REEVES
		BASNIGHT	HORTON	MCDANIEL	SHAW L.
		BLUST	HOYLE	MILLER	SHAW R.
		CARPENTER	JENKINS	MOORE	SOLES
		COCHRANE	JORDAN	ODOM	WEBSTER
		COOPER	KERR	PAGE	WELLONS
		DALTON	KINNAIRD	PERDUE	WINNER
		DANNELLY	LEDBETTER		
NO	0				
EXCUSED	0				
NOT CAST	2	GULLEY	HARTSELL		
ABSENT	6	CARRINGTON	RAND	WARREN	WEINSTEIN
		CLARK	RUCHO		
PAIRS	0				
AYE					
NO					

GENERAL ASSEMBLY
SENATE

NORTH CAROLINA GENERAL ASSEMBLY AMENDMENT

(Please type or use ballpoint pen)

EDITION No. Sixth

H. B. No. 115 DATE Aug. 28, 1997

S. B. No. Amendment No. 11

(to be filled in by Principal Clerk)

COMMITTEE SUBSTITUTE

Rep.)
) Cochrane
Sen.)

1 moves to amend the bill on page 24, lines 2-3
2 ( ) WHICH CHANGES THE TITLE
3 by inserting between those lines a new section to
4 read: "SEC
5 "Section 56.~~6~~. Senate Bill 352 of the
6 1997 General Assembly, as enacted, is amended
7 by renumbering Section 18.13 as Section
8 18.13(a) and by adding a new subsection
9 (b) to read:
10 "(b) The Judicial Department may use
11 funds appropriated to the Department for the
12 1997-99 biennium to establish a magistrate
13 position in Davidson County.'".
14
15
16
17
18
19

SIGNED Bitsy L. Cochrane

ADOPTED ✓ 42-0 FAILED TABLED

J. Pruitt 8/28/97

GA-33-A

PRINCIPAL CLERK'S OFFICE (FOR ENGROSSMENT)

NORTH CAROLINA GENERAL ASSEMBLY
SENATE

RECORDED VOTE

1997 SESSION

SEQ. 1554/32-- 3:16 PM AUGUST 28, 1997 LEGISLATIVE DAY 123

LT. GOVERNOR WICKER -- Presiding

CULPEPPER
1997 TECHNICAL CORRECTIONS
SENATE COM SUB #2/6TH EDITION

HOUSE BILL 115

AMEND 11

AYE	42	ALBERTSON	EAST	LEE	PHILLIPS
		ALLRAN	FORRESTER	LUCAS	PLYLER
		BALLANCE	FOXX	MARTIN R.	PURCELL
		BALLANTINE	GARWOOD	MARTIN W.	REEVES
		BASNIGHT	HORTON	MCDANIEL	SHAW L.
		BLUST	HOYLE	MILLER	SHAW R.
		CARPENTER	JENKINS	MOORE	SOLES
		COCHRANE	JORDAN	ODOM	WEBSTER
		COOPER	KERR	PAGE	WELLONS
		DALTON	KINNAIRD	PERDUE	WINNER
		DANNELLY	LEDBETTER		
NO	0				
EXCUSED	0				
NOT CAST	2	GULLEY	HARTSELL		
ABSENT	6	CARRINGTON	RAND	WARREN	WEINSTEIN
		CLARK	RUCHO		
PAIRS	0				
AYE					
NO					

GENERAL ASSEMBLY
SENATE

NORTH CAROLINA GENERAL ASSEMBLY
AMENDMENT
House Bill 115

AMENDMENT NO. 12
(to be filled in by
Principal Clerk)

H115V6-ART-001.02

Date Aug 28 ,1997

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

Senator Hartsell

moves to amend the bill on page 23, between lines 30 and 31, by inserting a new section to read:

"Section 55.11. G.S. 113-221(e), as amended by Section 4.3 of S.L. 1997-400, reads as rewritten:

'(e) The Marine Fisheries Commission may delegate to the Fisheries Director the authority to issue proclamations suspending or implementing, in whole or in part, particular rules of the Commission which may be affected by variable conditions. Such proclamations are to be issued by the Fisheries Director or by a person designated by the Fisheries Director. All proclamations must state the hour and date upon which they become effective and must be issued at least ~~24~~ 48 hours in advance of the effective date and time. In those situations in which the proclamation prohibits the taking of certain fisheries resources for reasons of public health, the proclamation can be made effective immediately upon issuance. Notwithstanding any other provisions of this subsection, a proclamation can be issued at least 12 hours in advance of the effective date and time to reopen the taking of certain fisheries resources closed for reason of public health through a prior proclamation made effective immediately upon issuance. Persons violating any proclamation which is made effective immediately shall not be charged with a criminal offense during the time between the issuance and 48 hours after such issuance unless such person had actual notice of the issuance of such proclamation. Fisheries resources taken or possessed by any person in violation of any proclamation may be seized regardless of whether such person had actual notice of the proclamation. A permanent file of the text of all proclamations shall be maintained in the office of the Fisheries Director. Certified copies of proclamations are entitled to judicial notice in any civil or criminal proceeding.

NORTH CAROLINA GENERAL ASSEMBLY
AMENDMENT
House Bill 115

AMENDMENT NO. 12
(to be filled in by
Principal Clerk)

H115V6-ART-001.02

The Fisheries Director must make every reasonable effort to give actual notice of the terms of any proclamation to the persons who may be affected thereby. Reasonable effort includes press releases to communications media, posting of notices at docks and other places where persons affected may gather, personal communication by inspectors and other agents of the Fisheries Director, and such other measures designed to reach the persons who may be affected. ~~The Fisheries Director may determine, on a case-by-case basis and at the Fisheries Director's sole discretion, that a proclamation did not apply to an individual licensee when an act of God occurred that prevented the licensee from receiving notice of the proclamation.~~ It is a defense to an enforcement action for a violation of a proclamation that a licensee was prevented from receiving notice of the proclamation due to a natural disaster or other act of God occasioned exclusively by violence of nature without interference of any human agency and that could not have been prevented or avoided by the exercise of due care or foresight.'".

SIGNED _____
Amendment Sponsor

SIGNED _____
Committee Chair if Senate Committee Amendment

ADOPTED ✓ 42-0 FAILED _____ TABLED _____

9 Pruitt
8/28/97

NORTH CAROLINA GENERAL ASSEMBLY
SENATE

RECORDED VOTE

1997 SESSION

SEQ. 1555/33-- 3:18 PM AUGUST 28, 1997 LEGISLATIVE DAY 123

LT. GOVERNOR WICKER -- Presiding

CULPEPPER
1997 TECHNICAL CORRECTIONS
SENATE COM SUB #2/6TH EDITION

HOUSE BILL 115

AMEND 12

AYE	42	ALBERTSON	EAST	LEDBETTER	PERDUE
		ALLRAN	FORRESTER	LEE	PHILLIPS
		BALLANCE	FOXX	LUCAS	PLYLER
		BALLANTINE	GARWOOD	MARTIN R.	PURCELL
		BASNIGHT	GULLEY	MARTIN W.	REEVES
		BLUST	HORTON	MCDANIEL	SHAW L.
		CARPENTER	HOYLE	MILLER	SHAW R.
		COCHRANE	JENKINS	MOORE	SOLES
		COOPER	JORDAN	ODOM	WELLONS
		DALTON	KERR	PAGE	WINNER
		DANNELLY	KINNAIRD		
NO	0				
EXCUSED	0				
NOT CAST	1	HARTSELL			
ABSENT	7	CARRINGTON	RAND	WARREN	WEINSTEIN
		CLARK	RUCHO	WEBSTER	
PAIRS	0				
AYE					
NO					

GENERAL ASSEMBLY
SENATE

NORTH CAROLINA GENERAL ASSEMBLY AMENDMENT

(Please type or use ballpoint pen)

EDITION No. _____

H. B. No. 115 DATE 8/28/97

S. B. No. _____ Amendment No. 13

(to be filled in by Principal Clerk)

COMMITTEE SUBSTITUTE _____

Rep.)
Sen.) McDANIEL

1 moves to amend the bill on page 21, line 38
2 ( ) WHICH CHANGES THE TITLE
3 by ADD THE FOLLOWING:
4 "
5 Any permits granted or applications
6 submitted prior to July 1, 2000
7 shall be transferable."
8
9
10
11
12
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14
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16
17
18
19

SIGNED J McDaniel

ADOPTED ✓ 40-1 FAILED _____ TABLED _____

D. Pruitt 8/28/97

GA-33-A

PRINCIPAL CLERK'S OFFICE (FOR ENGROSSMENT)

NORTH CAROLINA GENERAL ASSEMBLY
SENATE

RECORDED VOTE

1997 SESSION

SEQ. 1556/34-- 3:20 PM AUGUST 28, 1997 LEGISLATIVE DAY 123

LT. GOVERNOR WICKER -- Presiding

CULPEPPER HOUSE BILL 115
1997 TECHNICAL CORRECTIONS
SENATE COM SUB #2/6TH EDITION

AMEND 13

AYE	40	ALBERTSON	DANNELLY	JORDAN	ODOM
		ALLRAN	EAST	KERR	PAGE
		BALLANCE	FORRESTER	KINNAIRD	PERDUE
		BALLANTINE	FOXX	LEDBETTER	PHILLIPS
		BASNIGHT	GARWOOD	LEE	PLYLER
		BLUST	GULLEY	LUCAS	PURCELL
		CARPENTER	HARTSELL	MARTIN R.	SHAW L.
		COCHRANE	HORTON	MARTIN W.	SHAW R.
		COOPER	HOYLE	MCDANIEL	SOLES
		DALTON	JENKINS	MOORE	WELLONS
NO	1	WINNER			
EXCUSED	0				
NOT CAST	2	MILLER	REEVES		
ABSENT	7	CARRINGTON	RAND	WARREN	WEINSTEIN
		CLARK	RUCHO	WEBSTER	
PAIRS	0				
AYE					
NO					

GENERAL ASSEMBLY
SENATE

NORTH CAROLINA GENERAL ASSEMBLY
AMENDMENT
House Bill 115

AMENDMENT NO. 14
(to be filled in by Principal Clerk)

H115-ALN-010

Date August 28 ,1997

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

Senator Horton moves to amend the bill on page 24, lines 2-3, by inserting between the lines the following:

"Section 56.5. Section 32.27(b) of the Ratified Version of Senate Bill 352, 1997 General Assembly, reads as rewritten:

'(b) Section 3.1 of S.L. 1997-393 House Bill 993 as ratified, reads as rewritten:

"Section 3.1. ~~If~~ The Major Investment Study (MIS) authorized in Senate Bill 352 ~~is~~ as enacted ~~and~~ which provides that funds appropriated to the Department of Transportation for the 1997-98 fiscal year shall be used to fund a Major Investment Study (MIS) ~~which shall include:~~ including:

(1) A passenger rail proposal providing service between Asheville and Raleigh through Winston-Salem generally following the I-40 corridor; and

(2) A passenger rail proposal providing for commuter rail services between Winston-Salem, Greensboro, High Point, and outlying communities,

~~then notwithstanding that act, the MIS authorized in~~ shall be administered by the Regional Transportation Authority created under this act which includes Guilford and Forsyth Counties, in consultation with the Department of Transportation, the Forsyth County Metropolitan Planning Organization (MPO), the Greensboro MPO, and the High Point MPO."'".

SIGNED Horton
Amendment Sponsor

SIGNED _____
Committee Chair if Senate Committee Amendment

ADOPTED 47-0 FAILED _____ TABLED _____

D. Pruitt 8/25/97

NORTH CAROLINA GENERAL ASSEMBLY
SENATE

RECORDED VOTE

1997 SESSION

SEQ. 1557/35-- 3:22 PM AUGUST 28, 1997 LEGISLATIVE DAY 123

LT. GOVERNOR WICKER -- Presiding

CULPEPPER
1997 TECHNICAL CORRECTIONS
SENATE COM SUB #2/6TH EDITION

HOUSE BILL 115

AMEND 14

AYE	42	ALBERTSON	EAST	KINNAIRD	PERDUE
		ALLRAN	FORRESTER	LEDBETTER	PHILLIPS
		BALLANCE	FOXX	LEE	PLYLER
		BALLANTINE	GARWOOD	LUCAS	PURCELL
		BASNIGHT	GULLEY	MARTIN R.	REEVES
		BLUST	HARTSELL	MARTIN W.	SHAW L.
		CARPENTER	HORTON	MCDANIEL	SHAW R.
		COCHRANE	HOYLE	MOORE	SOLES
		COOPER	JENKINS	ODOM	WELLONS
		DALTON	JORDAN	PAGE	WINNER
		DANNELLY	KERR		
NO	0				
EXCUSED	0				
NOT CAST	1	MILLER			
ABSENT	7	CARRINGTON	RAND	WARREN	WEINSTEIN
		CLARK	RUCHO	WEBSTER	
PAIRS	0				
AYE					
NO					

GENERAL ASSEMBLY
SENATE

NORTH CAROLINA GENERAL ASSEMBLY
AMENDMENT
House Bill 115

AMENDMENT NO. 15
(to be filled in by
Principal Clerk)

H115-ARU-015

Date 8/28 ,1997

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

Senator Cooper

moves to amend the bill on page 24, lines 2 and 3, by inserting a new section between those lines to read:

"Section 56.5. If House Bill 1087, 1997 General Assembly, becomes law, then G.S. 14-159.3(a)(2), as enacted in House Bill 1087, 1997 General Assembly, reads as rewritten:

'(2) Within the banks of any stream or waterway, but excluding a sound or the Atlantic Ocean, the adjacent lands of which are not owned by the operator, without the consent of the owner or outside the restrictions imposed by the owner.'".

SIGNED _____
Amendment Sponsor

SIGNED _____
Committee Chair if Senate Committee Amendment

ADOPTED V 43-0 FAILED _____ TABLED _____

J. Pruitt 8/28/97

NORTH CAROLINA GENERAL ASSEMBLY
SENATE

RECORDED VOTE

1997 SESSION

SEQ. 1558/36-- 3:23 PM AUGUST 28, 1997 LEGISLATIVE DAY 123

LT. GOVERNOR WICKER -- Presiding

CULPEPPER
1997 TECHNICAL CORRECTIONS
SENATE COM SUB #2/6TH EDITION

HOUSE BILL 115

AMEND 15

AYE	43	ALBERTSON	EAST	KINNAIRD	PERDUE
		ALLRAN	FORRESTER	LEDBETTER	PHILLIPS
		BALLANCE	FOXX	LEE	PLYLER
		BALLANTINE	GARWOOD	LUCAS	PURCELL
		BASNIGHT	GULLEY	MARTIN R.	REEVES
		BLUST	HARTSELL	MARTIN W.	SHAW L.
		CARPENTER	HORTON	MCDANIEL	SHAW R.
		COCHRANE	HOYLE	MILLER	SOLES
		COOPER	JENKINS	MOORE	WELLONS
		DALTON	JORDAN	ODOM	WINNER
		DANNELLY	KERR	PAGE	
NO	0				
EXCUSED	0				
NOT CAST	0				
ABSENT	7	CARRINGTON	RAND	WARREN	WEINSTEIN
		CLARK	RUCHO	WEBSTER	
PAIRS	0				
AYE					
NO					

GENERAL ASSEMBLY
SENATE

NORTH CAROLINA GENERAL ASSEMBLY AMENDMENT

(Please type or use ballpoint pen)

EDITION No. SIXTH

H. B. No. 115 DATE 8/28/97

S. B. No. Amendment No. 16
(to be filled in by Principal Clerk)

COMMITTEE SUBSTITUTE

Rep.) COOPER
)
Sen.)

moves to amend the bill on page 24, lines 2 AND 3

( ) WHICH CHANGES THE TITLE

by INSERTING A NEW SECTION BETWEEN THE LINES TO READ:

"SECTION 56.9. SECTION 28.9 OF CHAPTER 507 OF THE 1995 SESSION LAWS IS AMENDED BY ADDING THE FOLLOWING SENTENCE AT THE END OF THAT SECTION TO READ:

'SECTION 23.22 OF THIS ACT SHALL BE EFFECTIVE UNTIL THE END OF THE 1997-99 FISCAL BIENNIUM.'"

SIGNED

ADOPTED ✓ 43-0 FAILED TABLED

8/28/97 D. Pruitt

GA-33-A

PRINCIPAL CLERK'S OFFICE (FOR ENGROSSMENT)

NORTH CAROLINA GENERAL ASSEMBLY
SENATE

RECORDED VOTE

1997 SESSION

SEQ. 1559/37-- 3:24 PM AUGUST 28, 1997 LEGISLATIVE DAY 123

LT. GOVERNOR WICKER -- Presiding

CULPEPPER
1997 TECHNICAL CORRECTIONS
SENATE COM SUB #2/6TH EDITION

HOUSE BILL 115

AMEND 16

AYE	43	ALBERTSON	EAST	KINNAIRD	PERDUE
		ALLRAN	FORRESTER	LEDBETTER	PHILLIPS
		BALLANCE	FOXX	LEE	PLYLER
		BALLANTINE	GARWOOD	LUCAS	PURCELL
		BASNIGHT	GULLEY	MARTIN R.	REEVES
		BLUST	HARTSELL	MARTIN W.	SHAW L.
		CARPENTER	HORTON	MCDANIEL	SHAW R.
		COCHRANE	HOYLE	MILLER	SOLES
		COOPER	JENKINS	MOORE	WELLONS
		DALTON	JORDAN	ODOM	WINNER
		DANNELLY	KERR	PAGE	
NO	0				
EXCUSED	0				
NOT CAST	0				
ABSENT	7	CARRINGTON	RAND	WARREN	WEINSTEIN
		CLARK	RUCHO	WEBSTER	
PAIRS	0				
AYE					
NO					

GENERAL ASSEMBLY
SENATE

NORTH CAROLINA GENERAL ASSEMBLY
SENATE

RECORDED VOTE

1997 SESSION

SEQ. 1560/38-- 3:25 PM AUGUST 28, 1997 LEGISLATIVE DAY 123

LT. GOVERNOR WICKER -- Presiding

CULPEPPER
1997 TECHNICAL CORRECTIONS
SENATE COM SUB #2/6TH EDITION

HOUSE BILL 115
READING 3

AYE	43	ALBERTSON	EAST	KINNAIRD	PERDUE
		ALLRAN	FORRESTER	LEDBETTER	PHILLIPS
		BALLANCE	FOXX	LEE	PLYLER
		BALLANTINE	GARWOOD	LUCAS	PURCELL
		BASNIGHT	GULLEY	MARTIN R.	REEVES
		BLUST	HARTSELL	MARTIN W.	SHAW L.
		CARPENTER	HORTON	MCDANIEL	SHAW R.
		COCHRANE	HOYLE	MILLER	SOLES
		COOPER	JENKINS	MOORE	WELLONS
		DALTON	JORDAN	ODOM	WINNER
		DANNELLY	KERR	PAGE	
NO	0				
EXCUSED	0				
NOT CAST	0				
ABSENT	7	CARRINGTON	RAND	WARREN	WEINSTEIN
		CLARK	RUCHO	WEBSTER	
PAIRS	0				
AYE					
NO					

GENERAL ASSEMBLY
SENATE

NORTH CAROLINA
HOUSE OF REPRESENTATIVES
ROLL CALL

SEQ. # 1583
LEGISLATIVE DAY 123
H115 SCS

EV
8/28/97
5:44 PM
IN CHAIR: SPEAKER

MOTION #11 - TO NOT CONCUR IN SCS

AYES - ~~101~~ 102 DWalker

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

NOES - ~~4~~ 3 DWalker

BEALL	~~BOWIE~~ DWalker	EDDINS	OWENS

EXCUSED ABSENCE - 8

BADDOUR	DICKSON	GARDNER	MCMAHAN
BERRY	GAMBLE	HARDAWAY	WATSON

EXCUSED VOTE - 0

NOT VOTING - 7

ALDRIDGE	IVES	RAYFIELD	WRIGHT
CHURCH	MCALLISTER	TALLENT	

NORTH CAROLINA GENERAL ASSEMBLY
CONFERENCE REPORT
House Bill 115

H115-CRLB-1

[ ] Title Change [YES] For Committee Substitute

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

The conferees appointed to resolve the differences between the Senate and the House of Representatives on House Bill 115, A BILL TO BE ENTITLED AN ACT TO MAKE TECHNICAL CORRECTIONS AND CONFORMING CHANGES TO THE GENERAL STATUTES AND SESSION LAWS AS RECOMMENDED BY THE GENERAL STATUTES COMMISSION, AND TO MAKE OTHER TECHNICAL CORRECTIONS AND CONFORMING CHANGES TO THE GENERAL STATUTES AND SESSION LAWS, Senate Finance Committee Substitute #2 Adopted 8/20/97, Seventh Edition Engrossed 8/28/97, submit the following report:

The House concurs in the Senate Finance Committee Substitute #2 Adopted 8/20/97, Seventh Edition Engrossed 8/28/97, with amendments as follows:

(1) On page 23, line 31, through page 24, line 23, by deleting those lines;

(2) On page 24, line 24, through page 24, line 39, by deleting those lines;

(3) On page 24, line 40, through page 26, line 7, by deleting those lines;

(4) On page 26, line 32, by deleting "upgrade" and substituting "upgraded";

(5) On page 27, lines 16 and 17, rewrite those lines to read: "Section 7.12(b) of Ratified Senate Bill 352, 1997 Session, reads as rewritten:

'(b) State funds that are designated ~~to match federal funds~~ for disaster relief, but that are not needed ~~as matching funds,~~ for that purpose, shall revert to the General Fund.'"

(6) On page 27, between lines 33 and 34 by adding the following:

"Section 56.10. A person 19 years of age or older shall be financially eligible for the Adult Cystic Fibrosis Program if the

person's net family income is at or below the federal poverty level in effect on July 1 of each year."

The Senate agrees to the same.

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

Date conferees approved report: August 28, 1997.

Conferees for the Senate

Roy Cooper

Fletcher Hartsell

Allen Wellons

Conferees for the House of Representatives

George Holmes

Billy Creech

Jim Crawford

Theresa Esposito

N. Leo Daughtry

Senate Submitted 8/28/97
Senate ADOPTED 8/28/97 (KW)
ADOPTED) Message Received
) Ordered Enrolled

NORTH CAROLINA
HOUSE OF REPRESENTATIVES
ROLL CALL

EV

SEQ. # 1587
LEGISLATIVE DAY 123
DAY 115
CONFERENCE REPORT

8/28/97
8:28 PM
IN CHAIR: SPEAKER

TECHNICAL AMENDMENTS

AYES - 93

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

NOES - 1

SUTTON

EXCUSED ABSENCE - 9

BERRY	GARDNER	LUEBKE	WARNER
DICKSON	HARDAWAY	MCMAHAN	WATSON
GAMBLE			

EXCUSED VOTE - 0

NOT VOTING - 17

ALDRIDGE	CHURCH	IVES	MINER
BEALL	CLARY	KINNEY	RAYFIELD
BOWIE	DECKER	KISER	TALLENT
BRASWELL	HALL	MCCOMAS	WEATHERLY
BUCHANAN			

NORTH CAROLINA GENERAL ASSEMBLY
CONFERENCE REPORT
House Bill 115

H115-CRLB-1

[ ] Title Change [YES] For Committee Substitute

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

The conferees appointed to resolve the differences between the Senate and the House of Representatives on House Bill 115, A BILL TO BE ENTITLED AN ACT TO MAKE TECHNICAL CORRECTIONS AND CONFORMING CHANGES TO THE GENERAL STATUTES AND SESSION LAWS AS RECOMMENDED BY THE GENERAL STATUTES COMMISSION, AND TO MAKE OTHER TECHNICAL CORRECTIONS AND CONFORMING CHANGES TO THE GENERAL STATUTES AND SESSION LAWS, Senate Finance Committee Substitute #2 Adopted 8/20/97, Seventh Edition Engrossed 8/28/97, submit the following report:

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

Date conferees approved report: August 28, 1997.

Conferees for the Senate

Roy Cooper

Fletcher Hartsell

Allen Wellons

Conferees for the House of Representatives

George Holmes

Billy Creech

Jim Crawford

Theresa Esposito

N. Leo Daughtry

Senate Submitted 8/28/97
Senate ADOPTED 8/28/97 (KV)
House ADOPTED 8/28/97

Message Received 8/28/97
Ordered Enrolled 8/28/97

House 8/28/97

G. Pruitt

6 K

NORTH CAROLINA GENERAL ASSEMBLY
CONFERENCE REPORT
House Bill 115

[ ] 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 115, A BILL TO BE ENTITLED AN ACT TO MAKE TECHNICAL CORRECTIONS AND CONFORMING CHANGES TO THE GENERAL STATUTES AND SESSION LAWS AS RECOMMENDED BY THE GENERAL STATUTES COMMISSION, AND TO MAKE OTHER TECHNICAL CORRECTIONS AND CONFORMING CHANGES TO THE GENERAL STATUTES AND SESSION LAWS, Senate Finance Committee Substitute #2 Adopted 8/20/97, Seventh Edition Engrossed 8/28/97, submit the following report:

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(6) On page 27, between lines 33 and 34 by adding the following:

"Section 56.10. A person 19 years of age or older shall be financially eligible for the Adult Cystic Fibrosis Program if the

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

Date conferees approved report: August 28, 1997.

Conferees for the Senate

Roy Cooper

Fletcher Hartsell

Allen Wellons

Conferees for the House of Representatives

George Holmes

Billy Creech

Jim Crawford

Theresa Esposito

N. Leo Daughtry

House Submitted 8/28/97 w/o objection placed on calendar for immediate consideration
House ADOPTED 8/28/97 (93/1EV) Message Received 8/28/97
ADOPTED (/) Ordered Enrolled 8/28/97

Senate notified

Special Message

AUG 2 8 1997

ORDERED SENT TO GOVERNOR

Special Message

AUG 2 8 1997

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1997

H.B. FILED
0116 FEB 11 97
HOUSE PRINCIPAL CLERK

H D

HOUSE DRH2048*-LL051(2.5)

Short Title: Wilson Deer Hunting. (Local)

Sponsors: Representative Arnold.

Referred to:

A BILL TO BE ENTITLED

AN ACT TO REGULATE DEER HUNTING IN WILSON COUNTY.

The General Assembly of North Carolina enacts:

Section 1. It is unlawful to take or to hunt deer with rifles, except from a stationary stand elevated at least eight feet above the ground. The height of the stand described in this section shall be such that the bottom of the hunter's feet when standing are at least eight feet above the ground. As used in this section, the terms "to hunt" and "to take" are used as those terms are defined in G.S. 113-130(5a) and G.S. 113-130(7), respectively.

Section 2. Violation of Section 1 of this act is a Class 3 misdemeanor.

Section 3. This act is enforceable by law enforcement officers of the Wildlife Resources Commission, by sheriffs and deputy sheriffs, by officers of the State Highway Patrol, and by other peace officers with general subject matter jurisdiction.

Section 4. This act applies only to Wilson County.

Section 5. This act is effective when it becomes law.

NORTH CAROLINA GENERAL ASSEMBLY
AMENDMENT
House Bill 116

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

H116-ALL-001

Page 1 of 1

Date 8-18-97, 1997

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

Senator Soles

moves to amend the bill on page 1, line 3,
by rewriting that line to read: "AND BRUNSWICK COUNTIES."

and on page 1, line 18,
by rewriting that line to read:
"Section 5. This act applies only to Columbus and
Brunswick Counties."

SIGNED _____
Amendment Sponsor

SIGNED _____
Committee Chair if Senate Committee Amendment

ADOPTED 42-0 FAILED _____ TABLED _____

8/18/97 J. Pruitt

NORTH CAROLINA GENERAL ASSEMBLY
SENATE

RECORDED VOTE

1997 SESSION

SEQ. 1388/4-- 7:27 PM AUGUST 18, 1997 LEGISLATIVE DAY 115

LT. GOVERNOR WICKER -- Presiding

ARNOLD
COLUMBUS/NO FEEDING OF ALLIGATORS
SENATE COM SUB/3RD EDITION

HOUSE BILL 116

AMEND 1

AYE	42	ALBERTSON	DALTON	LEE	PHILLIPS
		ALLRAN	DANNELLY	LUCAS	PLYLER
		BALLANCE	EAST	MARTIN R.	PURCELL
		BALLANTINE	FORRESTER	MARTIN W.	RAND
		BASNIGHT	FOXX	MCDANIEL	REEVES
		BLUST	HORTON	MILLER	RUCHO
		CARPENTER	JENKINS	MOORE	SHAW R.
		CARRINGTON	JORDAN	ODOM	SOLES
		CLARK	KERR	PAGE	WEBSTER
		COCHRANE	KINNAIRD	PERDUE	WELLONS
		COOPER	LEDBETTER		
NO	0				
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. 1389/5-- 7:28 PM AUGUST 18, 1997 LEGISLATIVE DAY 115

LT. GOVERNOR WICKER -- Presiding

ARNOLD
COLUMBUS/NO FEEDING OF ALLIGATORS
SENATE COM SUB/3RD EDITION

HOUSE BILL 116
READING 2

AYE	42	ALBERTSON	DALTON	LEE	PHILLIPS
		ALLRAN	DANNELLY	LUCAS	PLYLER
		BALLANCE	EAST	MARTIN R.	PURCELL
		BALLANTINE	FORRESTER	MARTIN W.	RAND
		BASNIGHT	FOXX	MCDANIEL	REEVES
		BLUST	HORTON	MILLER	RUCHO
		CARPENTER	JENKINS	MOORE	SHAW R.
		CARRINGTON	JORDAN	ODOM	SOLES
		CLARK	KERR	PAGE	WEBSTER
		COCHRANE	KINNAIRD	PERDUE	WELLONS
		COOPER	LEDBETTER		
NO	0				
EXCUSED	0				
NOT CAST	1	SHAW L.			
ABSENT	7	GARWOOD	HARTSELL	WARREN	WINNER
		GULLEY	HOYLE	WEINSTEIN	
PAIRS	0				
AYE					
NO					

GENERAL ASSEMBLY
SENATE

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1997

H.B. FILED
0117 FEB 11 97
HOUSE PRINCIPAL CLERK

H D

HOUSE DRH2050-LKZ056(2.1)

Short Title: Energy LRC Study Recommendations. (Public)

Sponsors: Representative Buchanan.

Referred to:

A BILL TO BE ENTITLED

AN ACT TO IMPLEMENT THE RECOMMENDATIONS OF THE LEGISLATIVE RESEARCH COMMISSION ENERGY CONSERVATION COMMITTEE.

The General Assembly of North Carolina enacts:

Section 1. The Department of Transportation shall include in the next Transportation Improvement Program and the Board of Transportation shall approve, the use of four million dollars ($4,000,000) of the federal Congestion Mitigation and Air Quality (CMAQ) funds provided to North Carolina under the Intermodal Surface Transportation Efficiency Act of 1991 (ISTEA) and shall implement the Alternative Fuel Vehicle (AFV) Program Proposal for Congestion Mitigation and Air Quality (CMAQ) Improvement Program Funds that was transmitted to the Secretary of Transportation from the Secretary of Commerce on September 30, 1996, which would establish a program for the purchase or conversion of vehicles in the State's centrally fueled motor fleet to alternative fuels as required by the federal Energy Policy Act of 1992 (EPACT) and programmatic activities including the development of a State infrastructure plan for alternative fuels, training, education for fleet managers using AFVs, and program management.

Section 2. The Legislative Research Commission shall continue the Energy Study Committee to monitor the use of the funds and the vehicle conversions mandated by Section 1 of this act and to study other aspects of the implications of energy conservation and usage in North Carolina.

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

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1997

H.B. FILED
0118 FEB 11 97
HOUSE PRINCIPAL CLERK

H D

HOUSE DRH6036*-LL053(2.6)

Short Title: Atlantic Beach No-Wake Zone. (Local)

Sponsors: Representative Smith.

Referred to:

A BILL TO BE ENTITLED

AN ACT TO ESTABLISH A NO-WAKE ZONE WITHIN THE CANALS AND WATERWAYS OF THE EIGHT AND ONE-HALF MARINA CONDOMINIUMS IN THE TOWN OF ATLANTIC BEACH.

The General Assembly of North Carolina enacts:

Section 1. It is unlawful to operate a vessel at greater than no-wake speed in the canals and waterways of 8 1/2 Marina Condominiums, located within the town limits of the Town of Atlantic Beach in Carteret County. No-wake speed is idle speed or a slow speed creating no appreciable wake.

Section 2. The Town of Atlantic Beach or its designee may place and maintain markers in accordance with the Uniform Waterway Marking System and any supplementary standards for that system adopted by the Wildlife Resources Commission. All markers of the no-wake speed zone must be buoys or floating signs placed in the water and must be in sufficient number and size to give adequate warning of the no-wake speed zone to vessels approaching from various directions.

Section 3. Violation of this act is a Class 3 misdemeanor.

Section 4. This act is enforceable under G.S. 75A-17 as if it were a provision of Chapter 75A of the General Statutes.

Section 5. This act is effective when it becomes law, and is enforceable after markers complying with Section 2 of this act are placed in the water.

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1997

H.B. FILED
0119
FEB 11 97
HOUSE PRINCIPAL CLERK

H D

HOUSE DRH6028*-LLZ018(1.1)

Short Title: Remove Sunset/Ports Tax Credit. (Public)

Sponsors: Representative Smith.

Referred to:

A BILL TO BE ENTITLED

AN ACT TO IMPLEMENT THE RECOMMENDATION OF THE STATE PORTS STUDY COMMISSION TO REMOVE THE SUNSET ON THE STATE PORTS TAX CREDIT AND TO RAISE THE MAXIMUM CUMULATIVE CREDIT TO FIVE MILLION DOLLARS.

The General Assembly of North Carolina enacts:

Section 1. Section 4 of Chapter 977 of the 1991 Session Laws, as amended by Section 3 of Chapter 495 of the 1995 Session Laws, reads as rewritten:

"Sec. 4. This act is effective for taxable years beginning on or after March 1, ~~1992, and ending on or before February 28, 1998.~~ 1992."

Section 2. Section 4 of Chapter 681 of the 1993 Session Laws, as amended by Section 17 of Chapter 17 of the 1995 Session Laws and by Section 4 of Chapter 495 of the 1995 Session Laws, reads as rewritten:

"Sec. 4. This act is effective for taxable years beginning on or after January 1, ~~1994, and ending on or before February 28, 1998.~~ 1994."

Section 3. G.S. 105-151.22(b) reads as rewritten:

"(b) Limitations. -- This credit may not exceed fifty percent (50%) of the amount of tax imposed by this Division for the taxable year reduced by the sum of all credits allowable, except tax payments made by or on behalf of the taxpayer. Any unused portion of the credit may be carried forward for the succeeding five years. The maximum cumulative credit that may be claimed by a taxpayer under this section is ~~one~~ five million dollars ~~($1,000,000).~~ ($5,000,000)."

Section 4. This act is effective when it becomes law.

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1997

0120 FEB 11 97
HOUSE PRINCIPAL CLERK

H D

HOUSE DRH6022-LBX010(11.26)

Short Title: Carolina Trace Incorporated. (Local)

Sponsors: Representatives Davis and Hall.

Referred to:

A BILL TO BE ENTITLED

AN ACT TO INCORPORATE THE VILLAGE OF CAROLINA TRACE.

The General Assembly of North Carolina enacts:

Section 1. A Charter of the Village of Carolina Trace is enacted as follows:

"THE CHARTER OF THE VILLAGE OF CAROLINA TRACE.

"CHAPTER I.

"INCORPORATION AND CORPORATE POWERS.

"Section 1-1. **Incorporation and Corporate Powers.** The inhabitants of the Village of Carolina Trace are a body corporate and politic under the name 'Village of Carolina Trace'. Under that name they have all the powers, duties, rights, privileges, and immunities conferred and imposed on cities by the general law of North Carolina.

"CHAPTER II.

"CORPORATE BOUNDARIES.

"Section 2-1. **Village Boundaries.** Until modified in accordance with the law, the boundaries of the Village of Carolina Trace are as follows:

Beginning at an iron stake in the eastern right-of-way line of NC Highway 87 marking the northwest corner of the Carolina Trace Volunteer Fire Department, Inc., fire station lot as shown on a map thereof recorded in Lee County Registry P. C. 6, Slide 136; thence with the eastern line of NC Highway 87 North 12° 47' 39" West 612.68 feet to the southwestern corner of the Carolina Trace Corporation maintenance area; thence with the lines of said area North 54° 12' 37" East 275.83 feet, North 17° 46' 35" West 189.54 feet, and South 72° 13' 39" West 210.52 feet to the southeastern corner of the Heins Telephone Company lot; thence with the eastern and northern

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1997

H.B. FILED
0121 FEB 11 97
HOUSE PRINCIPAL CLERK

H D

HOUSE DRHA125-LG019(2.5)

Short Title: Erwin Textile Museum Funds. (Public)

Sponsors: Representative Hall.

Referred to:

A BILL TO BE ENTITLED

AN ACT TO APPROPRIATE FUNDS FOR THE CREATION OF A TEXTILE MUSEUM IN THE TOWN OF ERWIN IN HARNETT COUNTY.

Whereas, the Town of Erwin in Harnett County has been designated as the denim capital of the world by virtue of two large plants located in the town which manufacture approximately 1,000,000 linear yards of denim per week; and

Whereas, denim produced in the Town of Erwin is currently sold in manufactured products in every country of the world; and

Whereas, the production of cotton used in the manufacturing of denim is of historical significance to the Town of Erwin and related areas of Harnett County; and

Whereas, the Town of Erwin (formerly the Town of Duke) developed from the creation of a company-owned mill town into an independent small town; and

Whereas, the creation of a textile museum in the Town of Erwin will enhance tourism in the area; and

Whereas, the textile museum will include cotton culture demonstrations, cotton processing from yarn into finished products from the 1800s to present day, a replica of a company store, and a collection of historical equipment used in cotton ginning, carding, weaving, looming, and other production; and

Whereas, the textile museum will encourage tourism to other local attractions including the General William C. Lee Museum of Dunn which memorializes the father of the United States Airborne, the two local Civil War battlegrounds of Averasboro and Bentonville, the contemporary textile milling tours

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1997

H.B. FILED
0122 FEB 11 97
HOUSE PRINCIPAL CLERK

H D

HOUSE DRH4021*-LLZ025(1.9)

Short Title: State Building Evacuation. (Public)

Sponsors: Representative Kiser.

Referred to:

A BILL TO BE ENTITLED

AN ACT TO AUTHORIZE THE DIRECTOR OF THE STATE CAPITOL POLICE TO PROVIDE FOR THE EVACUATION OF STATE BUILDINGS AND GROUNDS IN THE EVENT OF EMERGENCY OR POTENTIALLY HAZARDOUS CONDITIONS.

The General Assembly of North Carolina enacts:

Section 1. Article 36 of Chapter 143 of the General Statutes is amended by adding a new section to read:

"**§ 143-341.1. Evacuation of State buildings and grounds.**

The Director of the State Capitol Police, appointed by the Secretary pursuant to G.S. 143-340(22), or the Director's designee, shall exercise at all times those means that, in the opinion of the Director or the designee, may be effective in protecting all State buildings and grounds and the persons within those buildings and grounds from fire, bombs, bomb threats, or any other emergency or potentially hazardous conditions, including both the ordering and control of the evacuation of those buildings and grounds. The Director or the Director's designee may employ the assistance of other available law enforcement agencies and emergency agencies to aid and assist in evacuations of those buildings and grounds."

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

NORTH CAROLINA GENERAL ASSEMBLY
AMENDMENT
House Bill 122

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

H122-ALL-001

Page 1 of 1

Date 3-19 ,1997

Comm. Sub. []
Amends Title []

Representative Kiser

moves to amend the bill on page 1, line 18,
by adding between the period and the quotation marks a new sentence
to read:
"For purposes of this section, the term 'State buildings and grounds' means all buildings and grounds located in the City of Raleigh or Wake County that are owned or leased by the State of North Carolina, including the Legislative Building and the Legislative Office Building."

SIGNED Joe Kiser
Amendment Sponsor

SIGNED _____
Committee Chair if **Senate** Committee Amendment

ADOPTED MAR 19 1997 FAILED _____ TABLED _____

117-0 EV

NORTH CAROLINA

HOUSE OF REPRESENTATIVES

ROLL CALL

EV

. # 149
ISLATIVE DAY 29
H122
READING 2
KISER
AMEND #1 REP KISER
STATE BUILDING EVACUATION

3/19/97
2:24 PM
IN CHAIR: SPEAKER

AYES - 117

ADAMS	DAUGHTRY	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	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	GRADY	MERCER	THOMPSON
BRAWLEY	GRAY	MICHAUX	TOLSON
BROWN	GULLEY	MILLER	WAINWRIGHT
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.
COLE	HIGHTOWER	NESBITT	WILSON, G.
CRAWFORD	HILL	NICHOLS	WOMBLE
CREECH	HOLMES	NYE	WOOD
CULP	HOWARD	OLDHAM	WRIGHT
CULPEPPER	HUNTER, H.	OWENS	YONGUE
CUNNINGHAM			

NOES - 0

EXCUSED ABSENCE - 2

ELLIS NEELY

EXCUSED VOTE - 0

NOT VOTING - 1

SPEAKER

NORTH CAROLINA

HOUSE OF REPRESENTATIVES

ROLL CALL

EV

[redacted] # 150
[redacted]ISLATIVE DAY 29
H122
READING 2
KISER

3/19/97
2:25 PM
IN CHAIR: SPEAKER

STATE BUILDING EVACUATION

AYES - 117

ADAMS	DAUGHTRY	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	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	GRADY	MERCER	THOMPSON
BRAWLEY	GRAY	MICHAUX	TOLSON
BROWN	GULLEY	MILLER	WAINWRIGHT
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.
COLE	HIGHTOWER	NESBITT	WILSON, G.
CRAWFORD	HILL	NICHOLS	WOMBLE
CREECH	HOLMES	NYE	WOOD
CULP	HOWARD	OLDHAM	WRIGHT
CULPEPPER	HUNTER, H.	OWENS	YONGUE
CUNNINGHAM			

NOES - 0

EXCUSED ABSENCE - 2

ELLIS NEELY

EXCUSED VOTE - 0

NOT VOTING - 1

[redacted] SPEAKER

NORTH CAROLINA GENERAL ASSEMBLY
SENATE

RECORDED VOTE

1997 SESSION

SEQ. 655/8-- 7:34 PM MAY 12, 1997 LEGISLATIVE DAY 59

LT. GOVERNOR WICKER -- Presiding

KISER
STATE BUILDING EVACUATION
SENATE COMM. SUB./3RD EDITION

HOUSE BILL 122
READING 2

AYE	48	ALBERTSON	DALTON	KERR	PLYLER
		ALLRAN	DANNELLY	KINCAID	RAND
		BALLANCE	EAST	KINNAIRD	REEVES
		BALLANTINE	FORRESTER	LEE	RUCHO
		BASNIGHT	FOXX	LUCAS	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	JORDAN	PHILLIPS	WINNER
NO	0				

EXCUSED	0	
NOT CAST	1	LEDBETTER
ABSENT	1	MARTIN R.
PAIRS	0	
AYE		
NO		

GENERAL ASSEMBLY
SENATE

NORTH CAROLINA

HOUSE OF REPRESENTATIVES

ROLL CALL

EV

. # 657
ISLATIVE DAY 62
H122 SCS

5/15/97
1:16 PM
IN CHAIR: SPEAKER

KISER

STATE BUILDING EVACUATION
MOTION #11 - TO CONCUR WITH SENATE COMM. SUB

AYES - 106

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

NOES - 0

EXCUSED ABSENCE - 11

ALDRIDGE	ESPOSITO	HIATT	OLDHAM
BLUE	GAMBLE	MILLER	WEATHERLY
DICKSON	HALL	MOSLEY	

EXCUSED VOTE - 0

NOT VOTING - 3

SPEAKER	ALEXANDER	WAINWRIGHT

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1997

H.B. FILED 0123 FEB 11 97 HOUSE PRINCIPAL CLERK

H D

HOUSE DRH7033-LC061(2.4)

Short Title: Eliminate Food Tax. (Public)

Sponsors: Representative Decker.

Referred to:

A BILL TO BE ENTITLED

AN ACT TO ELIMINATE THE STATE SALES TAX ON FOOD.

The General Assembly of North Carolina enacts:

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

"(5) The ~~rate of three percent (3%) applies~~ following rates apply to the sales price of food that 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.~~ 51:

Effective Dates	Rate
January 1, 1998, through December 31, 1998	two percent (2%)
January 1, 1999, through December 31, 1999	one percent (1%)."

Section 2. Effective January 1, 2000, G.S. 105-164.4(a)(5) is repealed.

Section 3. Effective January 1, 2000, Article 5 of Chapter 105 of the General Statutes is amended by adding a new section to read:

"**§ 105-164.13B. Food exempt from tax.**

The taxes imposed by this Article do not apply to food that 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 4. Sections 2 and 3 of this act become effective January 1, 2000, and apply to sales made on or after that date. The remainder of this act becomes effective January 1, 1998, and applies to sales made on or after that date.

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1997

H.B. FILED

0124 FEB 11 97

HOUSE PRINCIPAL CLERK

H D

HOUSE DRH7023-LB043(1.23)

Short Title: Annexation Referenda. (Public)

Sponsors: Representative Decker.

Referred to:

A BILL TO BE ENTITLED

AN ACT TO RESTORE THE PRE-1959 ANNEXATION LAW BY REQUIRING A REFERENDUM ON ANNEXATION ON PETITION OF THE RESIDENTS BEING ANNEXED, AND TO ALLOW THE CITY TO PROVIDE FOR A REFERENDUM ON ANNEXATION.

The General Assembly of North Carolina enacts:

Section 1. Parts 2 and 3 of Article 4A of Chapter 160A of the General Statutes are repealed.

Section 2. Part 1 of Article 4A of Chapter 160A of the General Statutes is amended by adding the following new sections:

"**§ 160A-28.1. Procedure for adoption of ordinance extending limits; effect of adoption when no election required; public hearing and notice thereof.**

After public notice has been given by publication once a week for four successive weeks in a newspaper in the county with a general circulation in the municipality, or if there be no such paper, by posting notice in five or more public places within the municipality, describing by metes and bounds the territory to be annexed, thus notifying the owner or owners of the property located in such territory, that a session of the municipal legislative body will meet for the purpose of considering the annexation of such territory to the municipality, the governing body of any municipality may adopt an ordinance extending its corporate limits by annexing thereto any contiguous tract or tracts of land not embraced within the corporate limits of some other municipality. Provided, that it shall be essential and necessary to the validity of any ordinance extending the corporate limits of any municipality by annexation, pursuant to this section, to actually hold a public hearing pursuant to the notice herein required, and that a statement by or on behalf of the municipal

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1997

H.B. FILED

0125 FEB 11 97

HOUSE PRINCIPAL CLERK

H D

HOUSE DRH6040-LCX060(2.4)

Short Title: Roll Back Gas Tax. (Public)

Sponsors: Representative Decker.

Referred to:

A BILL TO BE ENTITLED

AN ACT TO ROLL BACK THE VARIABLE RATE GAS TAX TO THE 1989 LEVEL.

The General Assembly of North Carolina enacts:

Section 1. G. S. 105-449.80 reads as rewritten:

"**§ 105-449.80. Tax rate.**

The motor fuel excise tax rate is twenty-one and four-tenths cents (21.4¢) a gallon.

~~(a) Rate. -- The motor fuel excise tax rate is a flat rate of seventeen and one-half cents (17 1/2¢) a gallon plus a variable wholesale component. The variable wholesale component is either three and one-half cents (3 1/2¢) a gallon or seven percent (7%) of the average wholesale price of motor fuel for the applicable base period, whichever is greater.~~

~~The two base periods are six-month periods; one ends on September 30 and one ends on March 31. The Secretary must set the tax rate twice a year based on the wholesale price for each base period. A tax rate set by the Secretary using information for the base period that ends on September 30 applies to the six-month period that begins the following January 1. A tax rate set by the Secretary using information for the base period that ends on March 31 applies to the six-month period that begins the following July 1.~~

~~(b) Wholesale Price. -- The Secretary must determine the average wholesale price of motor fuel for each base period. To do this, the Secretary must use information on refiner and gas plant operator sales prices of finished motor gasoline and No. 2 diesel fuel for resale, published by the United States Department of Energy in the "Monthly Energy Review", or equivalent data.~~

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1997

H.B. FILED 0126 FEB 12 97 HOUSE PRINCIPAL CLERK

H D

HOUSE DRH6041-LL057(2.6)

Short Title: Increase Pension Benefits. (Public)

Sponsors: Representative Daughtry.

Referred to:

A BILL TO BE ENTITLED

AN ACT TO INCREASE THE MONTHLY BENEFITS FROM THE NORTH CAROLINA FIREMEN'S AND RESCUE SQUAD WORKERS' PENSION FUND.

The General Assembly of North Carolina enacts:

Section 1. G.S. 58-86-55 reads as rewritten:

"**§ 58-86-55. Monthly pensions upon retirement.**

Any member who has served 20 years as an 'eligible fireman' or 'eligible rescue squad worker' in the State of North Carolina, as provided in G.S. 58-86-25 and G.S. 58-86-30, and who has attained the age of 55 years is entitled to be paid a monthly pension from this fund. The monthly pension shall be in the amount of ~~one hundred thirty-five dollars ($135.00)~~ one hundred forty-one dollars ($141.00) per month. Any retired fireman receiving a pension ~~of one hundred ten dollars ($110.00) per month~~ shall, effective July 1, ~~1995,~~ 1997, receive a pension of ~~one hundred thirty-five dollars ($135.00)~~ one hundred forty-one dollars ($141.00) per month.

Members shall pay ten dollars ($10.00) per month as required by G.S. 58-86-35 and G.S. 58-86-40 for a period of no longer than 20 years. No 'eligible rescue squad member' shall receive a pension prior to July 1, 1983. No member shall be entitled to a pension hereunder until the member's official duties as a fireman or rescue squad worker for which the member is paid compensation shall have been terminated and the member shall have retired as such according to standards or rules fixed by the board of trustees.

A member who is totally and permanently disabled while in the discharge of the member's official duties as a result of bodily injuries sustained or as a result of extreme exercise or extreme activity experienced in the course and scope of those

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1997

H.B. FILED

0127 FEB 12 97

HOUSE PRINCIPAL CLERK

H D

HOUSE DRHA120-LR003A(1.1)

Short Title: Up State Emp. Travel Rates. (Public)

Sponsors: Representative Thompson.

Referred to:

A BILL TO BE ENTITLED

AN ACT TO INCREASE THE RATES OF REIMBURSEMENT FOR LODGING AND MILEAGE EXPENSES INCURRED BY STATE OFFICERS AND EMPLOYEES IN CONNECTION WITH TRAVEL ON OFFICIAL BUSINESS.

The General Assembly of North Carolina enacts:

Section 1. G.S. 138-6(a) reads as rewritten:

"(a) Travel on official business by the officers and employees of State departments, institutions and agencies which operate from funds deposited with the State Treasurer shall be reimbursed at the following rates:

(1) For transportation by privately owned automobile, irrespective of the number of miles travelled, the State business standard mileage reimbursement rate ~~set by the Internal Revenue Service~~ per mile of travel is established at thirty-one and one-half cents (31.5¢) per mile and the actual cost of tolls paid. ~~Any other law which sets a mileage rate by referring to the rate set herein, instead establishes a rate of twenty-five cents (25¢) per mile.~~ No reimbursement shall be made for the use of a personal car in commuting from an employee's home to his duty station in connection with regularly scheduled work hours. Any designation of an employee's home as his duty station by a department head shall require prior approval by the Office of State Budget and Management on an annual basis.

(2) For bus, railroad, Pullman, or other conveyance, actual fare.

(3) For expenses incurred for subsistence, payment of ~~seventy-one dollars ($71.00)~~ eighty-one dollars ($81.00) per day when traveling in-state or ~~eighty-three dollars ($83.00)~~ ninety-three dollars

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1997

H.B. FILED
0128 FEB 12 97
HOUSE PRINCIPAL CLERK

H D

HOUSE DRH2014-LTZ015(1.9)

Short Title: State Capitol Police to CCPS. (Public)

Sponsors: Representatives Thompson and Justus.

Referred to:

A BILL TO BE ENTITLED

AN ACT TO TRANSFER THE STATE CAPITOL POLICE TO THE DEPARTMENT OF CRIME CONTROL AND PUBLIC SAFETY.

The General Assembly of North Carolina enacts:

Section 1. The statutory authority, powers, duties and functions, records, personnel, property, unexpended balances of appropriations, allocations or other funds, including the functions of budgeting and purchasing, of the State Capitol Police Section of the Department of Administration are transferred to the Department of Crime Control and Public Safety, and shall be established as the State Capitol Police Section of the Highway Patrol Division.

Section 2. G.S. 143-340 (21) and (22) are repealed.

Section 3. G.S. 143B-80.11 reads as rewritten:

"**§ 143B-80.11. Capitol Preservation Commission -- Powers and duties.**

The Commission shall have the following powers and duties and shall exercise those powers and duties with the advice and consent of the Secretary of Cultural Resources:

(1) Develop a comprehensive plan and program for the historic preservation and restoration of the State Capitol and Union Square.

(2) Make all repairs, alterations, and improvements to the State Capitol, including the furnishing and refurnishing of the State Capitol, subject to the availability of funds.

(3) Receive on behalf of the State, gifts or bequests of artifacts, documents, and other historical objects or resources which contribute to the historical significance of the State Capitol.

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1997

H.B. FILED
0129 FEB 12 97
HOUSE PRINCIPAL CLERK

H D

HOUSE DRH4013-LTZ013(1.9)

Short Title: Transfer DMV to CCPS. (Public)

Sponsors: Representatives Thompson and Justus.

Referred to:

A BILL TO BE ENTITLED

AN ACT TO ESTABLISH THE MOTOR VEHICLE ENFORCEMENT DIVISION OF THE DEPARTMENT OF CRIME CONTROL AND PUBLIC SAFETY, TO TRANSFER THE DUTIES OF THE ENFORCEMENT SECTION OF THE DIVISION OF MOTOR VEHICLES OF THE DEPARTMENT OF TRANSPORTATION TO THE MOTOR VEHICLE ENFORCEMENT DIVISION, AND TO GRANT THE ENFORCEMENT OFFICERS OF THE MOTOR VEHICLE ENFORCEMENT DIVISION THE AUTHORITY TO ASSIST IN THE ENFORCEMENT OF LAWS WHEN A CRIME HAS BEEN COMMITTED IN THEIR PRESENCE OR WHEN A STATE OR LOCAL LAW ENFORCEMENT AGENCY HAS REQUESTED THEIR ASSISTANCE.

The General Assembly of North Carolina enacts:

Section 1. The statutory authority, powers, duties and functions, records, personnel, property, unexpended balances of appropriations, allocations or other funds, including the functions of budgeting and purchasing, of the Enforcement Section of the Division of Motor Vehicles, Department of Transportation, are transferred to the Department of Crime Control and Public Safety, and shall be established as the Motor Vehicle Enforcement Division of the Department of Crime Control and Public Safety.

Section 2. G.S. 20-4, 20-49, and 20-381(1b) are repealed.

Section 3. Chapter 20 of the General Statutes is amended by adding a new Article to read:

"ARTICLE 4A.

"Motor Vehicle Enforcement Division.

"§ 20-196.11. Motor Vehicle Enforcement Division established.

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1997

FILED
0130 FEB 12 97
HOUSE PRINCIPAL CLERK

H D

HOUSE DRH6039-LB057(2.3)

Short Title: Legislators/State Jobs. (Public)

Sponsors: Representative Nichols.

Referred to:

A BILL TO BE ENTITLED

AN ACT TO PROVIDE THAT MEMBERS OF THE GENERAL ASSEMBLY MAY NOT ACCEPT STATE EMPLOYMENT OR OFFICE COMMENCING DURING THEIR TERM OF OFFICE.

The General Assembly of North Carolina enacts:

Section 1. Chapter 128 of the General Statutes is amended by adding a new section to read:

"**§ 128-15.4. No State office or employment during legislative term.**

A member or member-elect of the General Assembly may not be appointed to State office or State employment outside of the legislative branch where that office or employment commences during the term for which the member or member-elect was elected. This section does not apply to filling of vacancies in offices established by the Constitution."

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

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1997

0131 FILED FEB 12 97
HOUSE PRINCIPAL CLERK

H D

HOUSE DRHA130-LNZ057(2.6)

Short Title: Extend Heart Dis. Prev. Task Force. (Public)

Sponsors: Representative Justus.

Referred to:

A BILL TO BE ENTITLED

AN ACT TO EXTEND THE ACTIVITIES OF THE HEART DISEASE AND STROKE PREVENTION TASK FORCE.

The General Assembly of North Carolina enacts:

Section 1. Subsections (l) and (m) of Section 26.9 of Chapter 507 of the 1995 Session Laws read as rewritten:

"(l) The Task Force shall submit to the Governor and to the General Assembly a preliminary report by January 1, 1996; an interim report within the first week of the convening of the 1997 General Assembly; a second interim report within the first week of the convening of the 1997 General Assembly, Regular Session 1998; a third interim report within the first week of the convening of the 1999 General Assembly, and a final report by ~~October 1, 1997.~~ June 30, 1999. The reports shall address the Plan, actions and resources needed to fully implement the Plan, and progress in achieving implementation of the Plan to reduce the occurrence of and burden from heart disease and stroke in North Carolina. The reports shall include an accounting of funds expended and anticipated funding needs for full implementation of recommended plans and programs.

(m) Upon submission of its final report to the Governor and the ~~1997~~ 1999 General Assembly, the Task Force shall expire."

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

H.B. FILED
0132 FEB 12 97
HOUSE PRINCIPAL CLERK
0132 FEB 12 97
HOUSE PRINCIPAL CLERK

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1997

H **D**

HOUSE DRHA134*-LGQ028(2.11)

Short Title: Folkmoot USA Funds. (Public)

Sponsors: Representatives Beall and Ramsey.

Referred to:

A BILL TO BE ENTITLED

AN ACT TO APPROPRIATE FUNDS TO NORTH CAROLINA INTERNATIONAL FOLK FESTIVAL, INC., FOR FOLKMOOT USA.

The General Assembly of North Carolina enacts:

Section 1. There is appropriated from the General Fund to North Carolina International Folk Festival, Inc., a nonprofit corporation, the sum of fifty thousand dollars ($50,000) for 1997-98 fiscal year for operational costs of Folkmoot USA, the annual international folk festival held at Waynesville, North Carolina.

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

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1997

H.B. FILED
0133 FEB 12 97
HOUSE PRINCIPAL CLERK

H D

HOUSE DRH4026-LH074(2.11)

Short Title: Transfer Marine Fisheries. (Public)

Sponsors: Representative Smith.

Referred to:

A BILL TO BE ENTITLED

AN ACT TO TRANSFER THE DIVISION OF MARINE FISHERIES FROM THE DEPARTMENT OF ENVIRONMENT, HEALTH, AND NATURAL RESOURCES TO THE DEPARTMENT OF AGRICULTURE.

The General Assembly of North Carolina enacts:

Section 1. The Division of Marine Fisheries is transferred by a Type I transfer from the Department of Environment, Health, and Natural Resources to the Department of Agriculture. The statutory authority, powers, duties and functions, records, personnel, property, unexpended balances of appropriations, allocations or other funds, including the functions of budgeting and purchasing of the Department of Environment, Health, and Natural Resources for the Division of Marine Fisheries are transferred to the Department of Agriculture.

Section 2. G.S. 143B-279.3(a)(8) is repealed.

Section 3. G.S. 106-762(b) reads as rewritten:

"(b) Release of fish. It shall be unlawful to willfully release domestically raised fish into the waters of the State, other than in private ponds as defined by G.S. 113-129, without written permission of the Wildlife Resources Commission, or the Division of Marine Fisheries of the Department of ~~Environment, Health, and Natural Resources.~~ Agriculture."

Section 4. G.S. 113-128 reads as rewritten:

"**§ 113-128. Definitions relating to agencies and their powers.**

The following definitions and their cognates apply to powers and administration of agencies charged with the conservation of marine and estuarine and wildlife resources:

(1), (2) Repealed by Session Laws 1979, c. 830, s. 1.

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1997

H.B. FILED
0134 FEB 12 97
HOUSE PRINCIPAL CLERK

H D

HOUSE DRH7034*-LTZ018(1.24)

Short Title: Investment Securities UCC Rewrite. (Public)

Sponsors: Representative Culpepper.

Referred to:

A BILL TO BE ENTITLED

AN ACT TO ENACT THE REVISED ARTICLE 8 OF THE UNIFORM COMMERCIAL CODE AND CONFORMING AND MISCELLANEOUS AMENDMENTS TO THE UNIFORM COMMERCIAL CODE AND OTHER GENERAL STATUTES, AS RECOMMENDED BY THE GENERAL STATUTES COMMISSION.

The General Assembly of North Carolina enacts:

Section 1. Article 8 of Chapter 25 of the General Statutes is rewritten to read:

"ARTICLE 8.

"Investment Securities.

"PART 1.

"SHORT TITLE AND GENERAL MATTERS.

"§ 25-8-101. Short title.

This Article may be cited as Uniform Commercial Code-- Investment Securities.

"§ 25-8-102. Definitions.

(a) In this Article:

(1) 'Adverse claim' means a claim that a claimant has a property interest in a financial asset and that it is a violation of the rights of the claimant for another person to hold, transfer, or deal with the financial asset.

NORTH CAROLINA
HOUSE OF REPRESENTATIVES
ROLL CALL

EV

[redacted]. # 95
[redacted]ISLATIVE DAY 23
H134
READING 2
CULPEPPER

3/10/97
7:53 PM
IN CHAIR: SPEAKER

INVESTMENT SECURITY UNIFORM COMMERCIAL

AYES - 111

ADAMS	DAUGHTRY	INSKO	RAMSEY
ALDRIDGE	DAVIS	IVES	RAYFIELD
ALEXANDER	DECKER	JARRELL	REDWINE
ALLRED	DEDMON	JEFFUS	ROGERS
ARNOLD	DICKSON	JUSTUS	RUSSELL
BADDOUR	DOCKHAM	KINNEY	SAUNDERS
BAKER	EARLE	KISER	SEXTON
BARBEE	EASTERLING	LUEBKE	SHERRILL
BEALL	EDDINS	MCALLISTER	SHUBERT
BERRY	ELLIS	MCCOMAS	SMITH
BLACK	ESPOSITO	MCCOMBS	STARNES
BLUE	FOX	MCCRARY	SUTTON
BONNER	GARDNER	MERCER	TALLENT
BOWIE	GOODWIN	MICHAUX	THOMPSON
BOYD-MCINTYRE	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	MOSLEY	WILKINS
CHURCH	HENSLEY	NEELY	WILSON, C.
CLARY	HIATT	NESBITT	WILSON, G.
COLE	HIGHTOWER	NICHOLS	WOMBLE
CREECH	HILL	NYE	WOOD
CULP	HOLMES	OLDHAM	WRIGHT
CULPEPPER	HOWARD	OWENS	YONGUE
CUNNINGHAM	HUNTER, H.	PRESTON	

NOES - 0

EXCUSED ABSENCE - 3

BRASWELL	HUNTER, R.	MCMAHAN

EXCUSED VOTE - 0

NOT VOTING - 6

SPEAKER	FITCH	HURLEY	REYNOLDS
CRAWFORD	GAMBLE		

NORTH CAROLINA GENERAL ASSEMBLY
SENATE

RECORDED VOTE

1997 SESSION

SEQ. 813/11-- 4:05 PM JUNE 4, 1997 LEGISLATIVE DAY 73

LT. GOVERNOR WICKER -- Presiding

CULPEPPER
INVESTMENT SECURITIES UCC

HOUSE BILL 134
READING 2

REWRITE

AYE	48	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
		CLARK	HOYLE	MILLER	WARREN
		COCHRANE	JENKINS	ODOM	WEBSTER
		CONDER	JORDAN	PAGE	WEINSTEIN
		COOPER	KERR	PERDUE	WELLONS
		DALTON	KINCAID	PHILLIPS	WINNER
NO	0				

EXCUSED	0	
NOT CAST	1	HORTON
ABSENT	1	CARRINGTON
PAIRS	0	
AYE		
NO		

GENERAL ASSEMBLY
SENATE

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1997

H.B. FILED
0135 FEB 12 97
HOUSE PRINCIPAL CLERK

H D

HOUSE DRH6032*-LG027(2.6)

Short Title: Fast-Track Technical Amendments. (Public)

Sponsors: Representative Culpepper.

Referred to:

A BILL TO BE ENTITLED

AN ACT TO MAKE TECHNICAL CORRECTIONS TO TWO SECTIONS OF THE GENERAL STATUTES IN NEED OF PROMPT CORRECTIONS AS RECOMMENDED BY THE GENERAL STATUTES COMMISSION.

The General Assembly of North Carolina enacts:

Section 1. G.S. 1-597 reads as rewritten:

"**§ 1-597. Regulations for newspaper publication of legal notices, advertisements, etc.**

Whenever a notice or any other paper, document or legal advertisement of any kind or description shall be authorized or required by any of the laws of the State of North Carolina, heretofore or hereafter enacted, or by any order or judgment of any court of this State to be published or advertised in a newspaper, such publication, advertisement or notice shall be of no force and effect unless it shall be published in a newspaper with a general circulation to actual paid subscribers which newspaper at the time of such publication, advertisement or notice, shall have been admitted to the United States mails as ~~second-class matter~~ in the Periodicals class in the county or political subdivision where such publication, advertisement or notice is required to be published, and which shall have been regularly and continuously issued in the county in which the publication, advertisement or notice is authorized or required to be published, at least one day in each calendar week for at least 25 of the 26 consecutive weeks immediately preceding the date of the first publication of such advertisement, publication or notice; provided that in the event that a newspaper otherwise meeting the qualifications and having the characteristics prescribed by G.S. 1-597 to 1-599, should fail for a period not exceeding four weeks in any calendar year to publish one or more of its issues such newspaper shall nevertheless be deemed to have complied with the requirements of regularity and continuity of publication prescribed herein.

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1997

H.B. FILED
0136 FEB 12 97
HOUSE PRINCIPAL CLERK

H

HOUSE DRHA121-LCX023(1.23)

Short Title: Late Video Return/Sales Tax. (Public)

Sponsors: Representative Weatherly.

Referred to:

A BILL TO BE ENTITLED

AN ACT TO PROVIDE THAT CERTAIN LATE CHARGES FOR THE LATE RETURN OF RENTED PROPERTY ARE SUBJECT TO SALES TAX AND TO PROVIDE FOR TREBLE DAMAGES IN A CIVIL ACTION TO ENFORCE PAYMENT OF CERTAIN LATE CHARGES FOR THE LATE RETURN OF A RENTED VIDEOCASSETTE TAPE.

The General Assembly of North Carolina enacts:

Section 1. G.S. 105-164.3(16) is amended by adding a new sub-subdivision to read:

"g. The term 'sales price' includes a late charge for the late return of leased or rented personal property to the extent the charge for the late period does not exceed the rental charge for an equivalent period. The term 'sales price' does not include the excess of the late charge for the late period over the rental charge for an equivalent period if the following conditions are met:

1. The late charge is imposed only if the lessee violates the terms of the lease or rental agreement by failing to return the property on time.
2. The late charge is charged and accounted for separately from the charge for leasing or renting the property."

Section 2. Article 13 of Chapter 66 of the General Statutes is amended by adding a new section to read:

"**§ 66-67.4. Remedies for failure to pay extra-day charges for late return of video.**

NORTH CAROLINA

HOUSE OF REPRESENTATIVES

ROLL CALL

EV

. # 124
ISLATIVE DAY 25
H136 HCS #2
READING 2
WEATHERLY
AMEND #1 - REP MICHAUX
LATE VIDEO RETURN/ SALES TAX

3/12/97
2:47 PM
IN CHAIR: SPEAKER

AYES - ~~100~~ 101 DWeeks

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

NOES - 14

BRAWLEY	CULPEPPER	GRADY	SEXTON
BROWN	DAVIS	GULLEY	SHUBERT
CAPPS	DICKSON	HARDY	STARNES
CLARY	EDDINS		

EXCUSED ABSENCE - 4

BRASWELL	CRAWFORD	CULP	HARDAWAY

EXCUSED VOTE - 0

NOT VOTING - ~~2~~ 1 DWeeks

SPEAKER ~~GOODWIN~~

Rep. Goodwin states that his voting equipment malfunctioned.

DWeeks

H136 HCS

PLEASE PRESS HARD - 5 COPIES

NORTH CAROLINA GENERAL ASSEMBLY AMENDMENT

(Please type or use ballpoint pen)

EDITION No. _____

H. B. No. 136 DATE 3/12/97

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

COMMITTEE SUBSTITUTE #2

Rep.) Michaux
Sen.)

1 moves to amend the bill on page 2, line 28
2 ( ) WHICH CHANGES THE TITLE
3 by relabeling "(E)" as "(F)" and adding
4 a new section (E) as follows:
5
6 (E) Any recovery of these damages
7 must be recovered by a
8 civil action.
9
10
11
12
13
14
15
16
17
18
19

SIGNED _____

ADOPTED 3/12/97, FAILED _____ TABLED _____

NORTH CAROLINA

HOUSE OF REPRESENTATIVES

ROLL CALL

RC

. # 125
ISLATIVE DAY 25
H136 HCS #2
READING 2
WEATHERLY

3/12/97
2:55 PM
IN CHAIR: SPEAKER

LATE VIDEO RETURN/ SALES TAX

AYES - 97

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

NOES - 11

ALLRED	EASTERLING	HENSLEY	RAMSEY
BAKER	FITCH	LUEBKE	SAUNDERS
BEALL	HACKNEY	MCCRARY	

EXCUSED ABSENCE - 5

BRASWELL	CULP	HARDAWAY	MORGAN
CRAWFORD			

EXCUSED VOTE - 0

NOT VOTING - 7

SPEAKER	BROWN	HUNTER, R.	MCALLISTER
BLACK	DECKER	JEFFUS	

NORTH CAROLINA

RC

. # 133
ISLATIVE DAY 27
HB136 HCS #2
READING 3
WEATHERLY

HOUSE OF REPRESENTATIVES

3/17/97
7:14 PM
IN CHAIR: SPEAKER

ROLL CALL

LATE VIDEO RETURNS/ SALES TAX

AYES - 106

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

NOES - 8

ALLRED	DECKER	HUNTER, H.	SAUNDERS
BAKER	HENSLEY	HUNTER, R.	SHERRILL

EXCUSED ABSENCE - 2

EASTERLING	NICHOLS

EXCUSED VOTE - 0

NOT VOTING - 4

SPEAKER	ARNOLD	ESPOSITO	GRAY

NORTH CAROLINA GENERAL ASSEMBLY
SENATE

RECORDED VOTE

1997 SESSION

SEQ. 980/11-- 8:24 PM JUNE 23, 1997 LEGISLATIVE DAY 83

LT. GOVERNOR WICKER -- Presiding

WEATHERLY
LATE VIDEO RETURN/SALES TAX
SENATE COMM. SUB/5TH EDITION

HOUSE BILL 136
READING 2

AYE	21	ALBERTSON	CLARK	FORRESTER	KINCAID
		ALLRAN	COCHRANE	FOXX	LEDBETTER
		BALLANTINE	CONDER	HARTSELL	MARTIN R.
		BLUST	COOPER	HOYLE	SHAW R.
		CARPENTER	DALTON	KERR	WEBSTER
		CARRINGTON			
	27	BALLANCE	JENKINS	ODOM	RUCHO
		BASNIGHT	JORDAN	PAGE	SOLES
		DANNELLY	KINNAIRD	PERDUE	WARREN
		EAST	LEE	PHILLIPS	WEINSTEIN
		GARWOOD	LUCAS	PLYLER	WELLONS
		GULLEY	MARTIN W.	RAND	WINNER
		HORTON	MCDANIEL	REEVES	

EXCUSED	0		
NOT CAST	2	MILLER	SHAW L.
ABSENT	0		
PAIRS	0		
AYE			
NO			

GENERAL ASSEMBLY
SENATE

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1997

HB FILED
0137 FEB 12 97
HOUSE PRINCIPAL CLERK

H D

HOUSE DRH4028*-LHZ032(1.27)

Short Title: Aggravating Factor/Injure Official. (Public)

Sponsors: Representative Brawley.

Referred to:

A BILL TO BE ENTITLED

AN ACT TO IMPLEMENT THE NORTH CAROLINA SENTENCING AND POLICY ADVISORY COMMISSION'S RECOMMENDATION TO ADD TO THE LIST OF AGGRAVATING FACTORS THAT CERTAIN PEOPLE WERE SERIOUSLY INJURED AS A RESULT OF THE OFFENSE.

The General Assembly of North Carolina enacts:

Section 1. G.S. 15A-1340.16(d) reads as rewritten:

"(d) Aggravating Factors. -- The following are aggravating factors:

(1) The defendant induced others to participate in the commission of the offense or occupied a position of leadership or dominance of other participants.

(2) The defendant joined with more than one other person in committing the offense and was not charged with committing a conspiracy.

(3) The offense was committed for the purpose of avoiding or preventing a lawful arrest or effecting an escape from custody.

(4) The defendant was hired or paid to commit the offense.

(5) The offense was committed to disrupt or hinder the lawful exercise of any governmental function or the enforcement of laws.

(6) The offense was committed against <u>or resulted in serious injury to</u> a present or former law enforcement officer, employee of the Department of Correction, jailer, fireman, emergency medical technician, ambulance attendant, justice or judge, clerk or assistant or deputy clerk of court, magistrate, prosecutor, juror, or witness against the defendant, while engaged in the performance of that

NORTH CAROLINA
HOUSE OF REPRESENTATIVES
ROLL CALL

EV

. # 34
ISLATIVE DAY 16
H137
READING 2
BRAWLEY

2/25/97
2:28 PM
IN CHAIR: SPEAKER

AGGRAVATING FACTOR/

AYES - 110

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

NOES - 2

BONNER	SAUNDERS	

EXCUSED ABSENCE - 4

BLUE	ROGERS	WILSON, C.	WRIGHT

EXCUSED VOTE - 0

NOT VOTING - 4

SPEAKER	BLACK	CAPPS	GOODWIN

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1997

H.B. FILED 0138 FEB 12 97 HOUSE PRINCIPAL CLERK

H D

HOUSE DRHA128-LLZ024(1.9)

Short Title: D.M.V. Enforcement Authority. (Public)

Sponsors: Representative Justus.

Referred to:

A BILL TO BE ENTITLED

AN ACT GRANTING ENFORCEMENT OFFICERS OF THE DIVISION OF MOTOR VEHICLES THE AUTHORITY TO ASSIST IN THE ENFORCEMENT OF LAWS WHEN A CRIME HAS BEEN COMMITTED IN THEIR PRESENCE OR WHEN A STATE OR LOCAL LAW ENFORCEMENT AGENCY HAS REQUESTED THEIR ASSISTANCE.

The General Assembly of North Carolina enacts:

Section 1. G.S. 20-49 reads as rewritten:

"**§ 20-49. Police authority of Division.**

(a) The Commissioner and such officers and inspectors of the Division as he shall designate and all members of the Highway Patrol shall have the power:

(1) Of peace officers for the purpose of enforcing the provisions of this Article and of any other law regulating the operation of vehicles or the use of the highways.

(2) To make arrests upon view and without warrant for any violation committed in their presence of any of the provisions of this Article or other laws regulating the operation of vehicles or the use of the highways.

(3) At all time to direct all traffic in conformance with law, and in the event of a fire or other emergency or to expedite traffic or to insure safety, to direct traffic as conditions may require, notwithstanding the provisions of law.

(4) When on duty, upon reasonable belief that any vehicle is being operated in violation of any provision of this Article or of any other law regulating the operation of vehicles to require the driver

NORTH CAROLINA GENERAL ASSEMBLY
AMENDMENT
House Bill 138

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

H138-ARV-001

Page 1 of 1

Date 3/5 ,1997

Comm. Sub. []
Amends Title []

Representative McComas

moves to amend the bill on page 3, line 2,
by

adding after the period the following:"The primary mission of the officers and inspectors of the Division shall be enforcement of the laws regulating the operation of vehicles and the use of the highways."

SIGNED _____
Amendment Sponsor

SIGNED _____
Committee Chair if **Senate** Committee Amendment

ADOPTED 3/5/97 FAILED _____ TABLED _____

105-0 EV

NORTH CAROLINA
HOUSE OF REPRESENTATIVES
ROLL CALL

EV

[redacted] # 69
[redacted]ISLATIVE DAY 21
H138

3/05/97
1:52 PM
IN CHAIR: SPEAKER

AMEND #1 - Committee Amendment

AYES - 105

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

NOES - 0

EXCUSED ABSENCE - 4

BRAWLEY	MOSLEY	REDWINE	TALLENT

EXCUSED VOTE - 0

NOT VOTING - 11

SPEAKER	CUNNINGHAM	ESPOSITO	NESBITT
ALLRED	EASTERLING	MICHAUX	WOOD
BERRY	ELLIS	MORRIS	

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1997

H

H.B. FILED
0139 FEB 12 97
HOUSE PRINCIPAL CLERK

D

HOUSE DRH6029*-LLZ026(1.9)

Short Title: Clarify Sex Offender Registration. (Public)

Sponsors: Representative Justus.

Referred to:

A BILL TO BE ENTITLED

AN ACT TO AMEND THE SEX OFFENDER REGISTRATION LAW TO CLARIFY THAT PERSONS CONVICTED OF SEX OFFENSES IN FEDERAL COURT ARE REQUIRED TO REGISTER.

The General Assembly of North Carolina enacts:

Section 1. G.S. 14-208.6(4) reads as rewritten:

"(4) 'Reportable conviction' means:

a. A final conviction for violation of G.S. 14-27.2 (first degree rape), 14-27.3 (second degree rape), 14-27.4 (first degree sexual offense), 14-27.5 (second degree sexual offense), 14-27.6 (attempted rape or sexual offense), 14-27.7 (intercourse and sexual offense with certain victims), 14-178 (incest between near relatives), 14-190.6 (employing or permitting minor to assist in offenses against public morality and decency), 14-190.16 (first degree sexual exploitation of a minor), 14-190.17 (second degree sexual exploitation of a minor), 14-190.17A (third degree sexual exploitation of a minor), 14-190.18 (promoting prostitution of a minor), 14-190.19 (participating in prostitution of a minor), or 14-202.1 (taking indecent liberties with children).

b. A final conviction in another state of an offense, which if committed in this State, would have been a sex offense as defined by the sections of the General Statutes set forth in paragraph a. of this subdivision.

NORTH CAROLINA
HOUSE OF REPRESENTATIVES
ROLL CALL

EV

. # 106
ISLATIVE DAY 24
H139 HCS
READING 2
JUSTUS

3/11/97
2:48 PM
IN CHAIR: SPEAKER

CLARIFY SEX OFFENDER REGISTRATION

AYES - 114

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

NOES - 1

FITCH

EXCUSED ABSENCE - ~~1~~ 2 DW

BRASWELL

BLUE DW

EXCUSED VOTE - 0

NOT VOTING - ~~4~~ 3 DW

SPEAKER	~~BLUE~~ DW	CRAWFORD	DAUGHTRY

NORTH CAROLINA GENERAL ASSEMBLY
SENATE

RECORDED VOTE

1997 SESSION

SEQ. 133/7-- 7:44 PM MARCH 24, 1997 LEGISLATIVE DAY 31

LT. GOVERNOR WICKER -- Presiding

JUSTUS
CLARIFY SEX OFFENDER REGISTRATION
2ND EDITION

HOUSE BILL 139
READING 2

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	HORTON	MILLER	WARREN
		CLARK	HOYLE	ODOM	WEBSTER
		COCHRANE	JENKINS	PAGE	WEINSTEIN
		CONDER	KERR	PERDUE	WELLONS
		COOPER	KINCAID	PHILLIPS	WINNER
NO	0				
EXCUSED	0				
NOT CAST	1	JORDAN			
ABSENT	1	HARTSELL			
PAIRS	0				
AYE					
NO					

GENERAL ASSEMBLY
SENATE

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1997

H.B. FILED
0140 FEB 12 97
HOUSE PRINCIPAL CLERK

H D

HOUSE DRHA109-LTZ011(1.8)

Short Title: Extend Crime Control Study. (Public)

Sponsors: Representative Justus.

Referred to:

A BILL TO BE ENTITLED

AN ACT TO EXTEND THE DEPARTMENT OF CRIME CONTROL AND PUBLIC SAFETY STUDY COMMISSION.

The General Assembly of North Carolina enacts:

Section 1. The Study Commission on the Department of Crime Control and Public Safety, established pursuant to Section 20.4 of Chapter 324 of the 1995 Sessions Laws, as amended by Section 21.1 of Chapter 18 of the Session Laws of the 1996 Second Extra Session, is continued.

Section 2. Subsection 20.4(a) of Chapter 324 of the 1995 Session Laws reads as rewritten:

"(a) There is established a Study Commission on the Department of Crime Control and Public Safety to be composed of 12 members: the Chairs of the Senate and House Appropriations Committees, the Chairs of the Senate and House Appropriations Subcommittees on Justice and Public Safety, one member to be appointed by the Speaker of the House of Representatives, and two members to be appointed by the President Pro Tempore of the Senate. ~~The members shall serve until the termination of the Commission.~~ Terms of the initial members shall terminate upon the convening of the 1997 General Assembly. Successors shall be appointed as provided in this subsection to serve until the termination of the Commission. The Speaker of the House and the President Pro Tempore of the Senate shall each designate a cochair from the members from their respective houses. Either cochair may call the first meeting of the Commission. Vacancies shall be filled in the same manner as the original appointments were made."

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1997

H.B. FILED
0141 FEB 12 97
HOUSE PRINCIPAL CLERK

H D

HOUSE DRH7042*-LHZ030(1.27)

Short Title: Embezzlement/Increase Penalty. (Public)

Sponsors: Representative Justus.

Referred to:

A BILL TO BE ENTITLED

AN ACT TO IMPLEMENT THE NORTH CAROLINA SENTENCING AND POLICY ADVISORY COMMISSION'S RECOMMENDATION TO INCREASE THE CRIMINAL PENALTY FOR CERTAIN EMBEZZLEMENT OFFENSES.

The General Assembly of North Carolina enacts:

Section 1. G.S. 14-74 reads as rewritten:

"**§ 14-74. Larceny by servants and other employees.**

If any servant or other employee, to whom any money, goods or other chattels, or any of the articles, securities or choses in action mentioned in the following section [G.S. 14-75], by his master shall be delivered safely to be kept to the use of his master, shall withdraw himself from his master and go away with such money, goods or other chattels, or any of the articles, securities or choses in action mentioned as aforesaid, or any part thereof, with intent to steal the same and defraud his master thereof, contrary to the trust and confidence in him reposed by his said master; or if any servant, being in the service of his master, without the assent of his master, shall embezzle such money, goods or other chattels, or any of the articles, securities or choses in action mentioned as aforesaid, or any part thereof, or otherwise convert the same to his own use, with like purpose to steal them, or to defraud his master thereof, the servant so offending shall be ~~punished as a Class H felon:~~ guilty of a felony: Provided, that nothing contained in this section shall extend to apprentices or servants within the age of 16 years. Larceny or embezzlement by servants and other employees of money, goods, or other chattels, or any of the articles, securities, or choses in action mentioned in G.S. 14-75, with the value of one hundred thousand dollars ($100,000) or more is a Class C felony. Larceny or embezzlement by servants and other employees of money, goods, or other chattels, or any of the articles,

NORTH CAROLINA
HOUSE OF REPRESENTATIVES
ROLL CALL

EV

. # 105
ISLATIVE DAY 24
H141 HCS
READING 2
JUSTUS

3/11/97
2:44 PM
IN CHAIR: SPEAKER

EMBEZZLE./INCREASE PENALTY

AYES - 112

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

NOES - 1

FITCH

EXCUSED ABSENCE - ~~1~~ 2 DWeiss

BRASWELL

BLUE DW

EXCUSED VOTE - 0

NOT VOTING - ~~6~~ 5 DW

SPEAKER	CRAWFORD	DAUGHTRY	MERCER
~~BLUE~~	CREECH		

DW

H141 HCS

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1997

H.B. FILED
0142 FEB 12 97
HOUSE PRINCIPAL CLERK

H D

HOUSE DRH4027*-LHZ033(1.28)

Short Title: Amend Accessory After the Fact. (Public)

Sponsors: Representative Justus.

Referred to:

A BILL TO BE ENTITLED

AN ACT TO IMPLEMENT THE NORTH CAROLINA SENTENCING AND POLICY ADVISORY COMMISSION'S RECOMMENDATION TO RECLASSIFY THE OFFENSE OF ACCESSORY AFTER THE FACT.

The General Assembly of North Carolina enacts:

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

"**§ 14-7. Accessories after the fact; trial and punishment.**

If any person shall become an accessory after the fact to any felony, whether the same be a felony at common law or by virtue of any statute made, or to be made, such person shall be guilty of a ~~felony,~~ crime, and may be indicted and convicted together with the principal felon, or after the conviction of the principal felon, or may be indicted and convicted for such ~~felony~~ crime whether the principal felon shall or shall not have been previously convicted, or shall or shall not be amenable to ~~justice, and shall be punished as a Class H felon.~~ justice. Unless a different classification is expressly stated, that person shall be punished for an offense that is two classes lower than the felony the principal felon committed, except that an accessory after the fact to a Class A or Class B1 felony is a Class C felony, an accessory after the fact to a Class B2 felony is a Class D felony, an accessory after the fact to a Class H felony is a Class 1 misdemeanor, and an accessory after the fact to a Class I felony is a Class 2 misdemeanor. The offense of such person may be inquired of, tried, determined and punished by any court which shall have jurisdiction of the principal felon, in the same manner as if the act, by reason whereof such person shall have become an accessory, had been committed at the same place as the principal felony, although such act may have been committed without the limits of the State; and in case the principal felony shall have been committed within the body of any

NORTH CAROLINA
HOUSE OF REPRESENTATIVES
ROLL CALL

EV

. # 94
ISLATIVE DAY 23
H142
READING 2
JUSTUS

3/10/97
7:51 PM
IN CHAIR: SPEAKER

AMEND ACCESSORY AFT THE FACT

AYES - 111

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

NOES - 0

EXCUSED ABSENCE - 3

BRASWELL	HUNTER, R.	MCMAHAN

EXCUSED VOTE - 0

NOT VOTING - 6

CRAWFORD	GAMBLE	HURLEY	REYNOLDS
FITCH	HALL		

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1997

FILED
0143 FEB 12 97
HOUSE PRINCIPAL CLERK

H D

HOUSE DRH6024*-RIZ04(2.4)

Short Title: Adult Care Homes Annual Reporting Req. (Public)

Sponsors: Representative G. Wilson.

Referred to:

A BILL TO BE ENTITLED

AN ACT TO CHANGE THE DATE ANNUAL AUDITED REPORTS ARE TO BE SUBMITTED BY ADULT CARE HOMES TO THE DEPARTMENT OF HUMAN RESOURCES.

The General Assembly of North Carolina enacts:

Section 1. G.S. 131D-4.2(e) reads as rewritten:

"(e) The first audited cost report shall be for the period from January 1, 1995, through September 30, 1995, and shall be due March 1, 1996. Thereafter, the annual reporting period shall be October 1 through September 30, with the annual report due by the following ~~March 1.~~ December 31."

Section 2. G.S. 131D-4.2(g) reads as rewritten:

"(g) The Department shall suspend admissions to facilities that fail to submit annual reports by December 31. Suspension of admissions shall remain in effect until reports are submitted or licenses are suspended or revoked under subdivision (2) of this subsection. The Department may take either or both of the following actions to enforce compliance by a facility with this section, or to punish noncompliance:

(1) Seek a court order to enforce compliance;

(2) Suspend or revoke the facility's license, subject to the provisions of Chapter 150B of the General Statutes."

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

NORTH CAROLINA
HOUSE OF REPRESENTATIVES
ROLL CALL

EV

. # 96
ISLATIVE DAY 23
H143 HCS
READING 2
WILSON, G.

3/10/97
7:54 PM
IN CHAIR: SPEAKER

ADULT CARE HOMES ANNUAL REPORTING

AYES - 109

ADAMS	DAUGHTRY	IVES	RAMSEY
ALDRIDGE	DAVIS	JARRELL	RAYFIELD
ALEXANDER	DECKER	JEFFUS	REDWINE
ALLRED	DEDMON	JUSTUS	ROGERS
ARNOLD	DICKSON	KINNEY	RUSSELL
BADDOUR	DOCKHAM	KISER	SAUNDERS
BAKER	EARLE	LUEBKE	SEXTON
BARBEE	EASTERLING	MCALLISTER	SHERRILL
BEALL	EDDINS	MCCOMAS	SHUBERT
BERRY	ELLIS	MCCOMBS	SMITH
BLACK	ESPOSITO	MCCRARY	STARNES
BLUE	FOX	MERCER	SUTTON
BONNER	GOODWIN	MICHAUX	TALLENT
BOWIE	GRADY	MILLER	THOMPSON
BOYD-MCINTYRE	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.
CLARY	HIGHTOWER	NICHOLS	WILSON, G.
COLE	HILL	NYE	WOMBLE
CREECH	HOLMES	OLDHAM	WOOD
CULP	HOWARD	OWENS	WRIGHT
CULPEPPER	INSKO	PRESTON	YONGUE
CUNNINGHAM			

NOES - 1

GARDNER

EXCUSED ABSENCE - 3

BRASWELL	HUNTER, R.	MCMAHAN

EXCUSED VOTE - 0

NOT VOTING - 7

SPEAKER	FITCH	HUNTER, H.	REYNOLDS
CRAWFORD	GAMBLE	HURLEY	

NORTH CAROLINA GENERAL ASSEMBLY
SENATE

RECORDED VOTE

1997 SESSION

SEQ. 239/11-- 3:23 PM APRIL 10, 1997 LEGISLATIVE DAY 42

LT. GOVERNOR WICKER -- Presiding

WILSON G.
ADULT CARE HOMES ANN. REP. REQ.
SENATE COMM. SUB./3RD EDITION

HOUSE BILL 143
READING 2

AYE	43	ALBERTSON	EAST	KINNAIRD	PHILLIPS
		ALLRAN	FORRESTER	LEDBETTER	RAND
		BALLANCE	FOXX	LEE	REEVES
		BALLANTINE	GARWOOD	LUCAS	RUCHO
		BASNIGHT	HARTSELL	MARTIN R.	SHAW L.
		BLUST	HORTON	MARTIN W.	SOLES
		CARPENTER	HOYLE	MCDANIEL	WARREN
		COCHRANE	JENKINS	MILLER	WEINSTEIN
		COOPER	JORDAN	ODOM	WELLONS
		DALTON	KERR	PAGE	WINNER
		DANNELLY	KINCAID	PERDUE	
NO	0				
EXCUSED	0				
NOT CAST	0				
ABSENT	7	CARRINGTON	CONDER	PLYLER	WEBSTER
		CLARK	GULLEY	SHAW R.	
PAIRS	0				
AYE					
NO					

GENERAL ASSEMBLY
SENATE

NORTH CAROLINA
HOUSE OF REPRESENTATIVES
ROLL CALL

EV

[redacted] # 634
[redacted]ISLATIVE DAY 60
H143 SCS

5/13/97
2:20 PM
IN CHAIR: SPEAKER

WILSON, G.

ADULT CARE HOMES ANNUAL REPORTING
MOTION #11 - TO CONCUR

AYES - 117

ADAMS	DAVIS	HUNTER, R.	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	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	HARDAWAY	MORGAN	WATSON
CARPENTER	HARDY	MORRIS	WEATHERLY
CHURCH	HENSLEY	MOSLEY	WILKINS
CLARY	HIATT	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
CUNNINGHAM			

NOES - 0

EXCUSED ABSENCE - 1

DAUGHTRY

EXCUSED VOTE - 0

NOT VOTING - 2

SPEAKER HURLEY

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1997

H.B. FILED
0144 FEB 12 97
HOUSE PRINCIPAL CLERK

H D

HOUSE DRH4029*-LHZ029(1.27)

Short Title: Voluntary Manslaughter/Class D Felony. (Public)

Sponsors: Representative Justus.

Referred to:

A BILL TO BE ENTITLED

AN ACT TO IMPLEMENT THE NORTH CAROLINA SENTENCING AND POLICY ADVISORY COMMISSION'S RECOMMENDATION THAT THE OFFENSE OF VOLUNTARY MANSLAUGHTER BE INCREASED FROM A CLASS E FELONY TO A CLASS D FELONY.

The General Assembly of North Carolina enacts:

Section 1. G.S. 14-18 reads as rewritten:

"**§ 14-18. Punishment for manslaughter.**

Voluntary manslaughter shall be punishable as a Class ~~E~~ D felony, and involuntary manslaughter shall be punishable as a Class F 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

EV

. # 93
ISLATIVE DAY 23
H144
READING 2
JUSTUS

3/10/97
7:49 PM
IN CHAIR: SPEAKER

VOLUNTARY MANSLAUGHT /CLASS D FELONY

AYES - 111

SPEAKER	CUNNINGHAM	HUNTER, H.	PRESTON
ADAMS	DAUGHTRY	INSKO	RAMSEY
ALDRIDGE	DAVIS	IVES	RAYFIELD
ALEXANDER	DECKER	JARRELL	REDWINE
ALLRED	DEDMON	JEFFUS	ROGERS
ARNOLD	DICKSON	JUSTUS	RUSSELL
BADDOUR	DOCKHAM	KINNEY	SAUNDERS
BAKER	EARLE	KISER	SEXTON
BARBEE	EASTERLING	LUEBKE	SHERRILL
BEALL	EDDINS	MCALLISTER	SHUBERT
BERRY	ELLIS	MCCOMAS	SMITH
BLACK	ESPOSITO	MCCOMBS	STARNES
BLUE	FOX	MCCRARY	SUTTON
BONNER	GARDNER	MERCER	TALLENT
BOWIE	GOODWIN	MICHAUX	THOMPSON
BOYD-MCINTYRE	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	MOSLEY	WILKINS
CHURCH	HENSLEY	NEELY	WILSON, C.
CLARY	HIATT	NESBITT	WILSON, G.
COLE	HIGHTOWER	NICHOLS	WOMBLE
CREECH	HILL	NYE	WOOD
CULP	HOLMES	OLDHAM	YONGUE
CULPEPPER	HOWARD	OWENS	

NOES - 0

EXCUSED ABSENCE - 3

BRASWELL	HUNTER, R.	MCMAHAN

EXCUSED VOTE - 0

NOT VOTING - 6

CRAWFORD	GAMBLE	REYNOLDS	WRIGHT
FITCH	HURLEY		

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1997

H.B. FILED
0145 FEB 12 97
HOUSE PRINCIPAL CLERK

H D

HOUSE DRH2038*-LNZ011A(2.6)

Short Title: Day Care/Playground Equipment. (Public)

Sponsors: Representatives Nichols, Allred (Cosponsors), Creech, Mercer, Mitchell, and Redwine.

Referred to:

A BILL TO BE ENTITLED

AN ACT PERTAINING TO RULES ADOPTED BY THE CHILD DAY CARE COMMISSION PERTAINING TO PLAYGROUND EQUIPMENT, AS RECOMMENDED BY THE JOINT LEGISLATIVE ADMINISTRATIVE PROCEDURE OVERSIGHT COMMITTEE.

The General Assembly of North Carolina enacts:

Section 1. G.S. 110-91(6) reads as rewritten:

"(6) Space and Equipment Requirements. -- There shall be no less than 25 square feet of indoor space for each child for which a child day care facility is licensed, exclusive of closets, passageways, kitchens, and bathrooms, and this floor space shall provide during rest periods 200 cubic feet of airspace per child for which the facility is licensed. There shall be adequate outdoor play area for each child under rules adopted by the Commission which shall be related to the size and type of facility, availability and location of outside land area, except in no event shall the minimum required exceed 75 square feet per child, which area shall be protected to assure the safety of the children receiving day care by an adequate fence or other protection; provided, however, that a facility operated in a public school shall be deemed to have adequate fencing protection; provided, also, that a facility operating exclusively during the evening and early morning hours, between 6:00 P.M. and 6:00 A.M., need not meet the outdoor play area requirements mandated by this subdivision.

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1997

H.B. FILED 0146 FEB 12 97 HOUSE PRINCIPAL CLERK

H D

HOUSE DRHA140-LR029(2.11)

Short Title: Jacksonville Site Plan Review. (Local)

Sponsors: Representatives Grady, Preston, and Smith.

Referred to:

A BILL TO BE ENTITLED

AN ACT TO ALLOW THE CITY OF JACKSONVILLE TO REQUIRE SIDEWALK IMPROVEMENTS THROUGH THE SITE PLAN REVIEW PROCESS UNDER THE AUTHORITY OF THE CITY ZONING ORDINANCE.

The General Assembly of North Carolina enacts:

Section 1. The city council may require sidewalk improvements for all development that is subject to be reviewed under the site plan review provisions of the city zoning ordinance.

Section 2. This act applies to the City of Jacksonville only.

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

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1997

H.B. FILED
0147 FEB 12 97
HOUSE PRINCIPAL CLERK

H D

HOUSE DRH5000-LH040(2.4)

Short Title: Outlaw Dog Fights. (Public)

Sponsors: Representative Weatherly.

Referred to:

A BILL TO BE ENTITLED

AN ACT TO CREATE THE FELONY OFFENSE OF DOG FIGHTING AND BAITING.

The General Assembly of North Carolina enacts:

Section 1. Article 47 of Chapter 14 of the General Statutes is amended by adding a new section to read:

"**§ 14-362.2. Dog fighting and baiting.**

(a) A person who instigates, promotes, conducts, is employed at, provides a dog for, allows property under his ownership or control to be used for, or profits from an exhibition featuring the fighting or baiting of a dog is guilty of a Class I felony. A lease of property that is used or is intended to be used for an exhibition featuring the fighting or baiting of a dog 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 dog with the intent that the dog be used in an exhibition featuring the fighting or baiting of that dog is guilty of a Class I felony.

(c) A person who participates as a spectator at an exhibition featuring the fighting or baiting of a dog is guilty of a Class I felony.

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

Section 2. G.S. 14-362.1 reads as rewritten:

"**§ 14-362.1. Animal ~~fights, other t~~ an cock fights, and animal baiting.~~ fights and baiting, other than cock fights, dog fights and dog baiting.**

NORTH CAROLINA GENERAL ASSEMBLY
AMENDMENT
House Bill 147

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

H~~146~~147-ASA-008

Page 1 of 1

Date 4-15-, 1997

APR 15 1997

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

Representative Kiser

moves to amend the bill on page 1, line 19,
by
deleting "Class I" and inserting "Class H";

and on page 1, lines 20 - 22, by
deleting the lines.

SIGNED Joe Kiser
Amendment Sponsor

SIGNED _____
Committee Chair if **Senate** Committee Amendment

ADOPTED APR 15 1997 FAILED _____ TABLED _____

115-0 EV
DWicks

NORTH CAROLINA

HOUSE OF REPRESENTATIVES

ROLL CALL

EV

NO. # 302
LEGISLATIVE DAY 44
H147 HCS
READING 2
WEATHERLY
AMEND #1 - REP. KISER
OUTLAW DOG FIGHTS

4/15/97
2:39 PM
IN CHAIR: SPEAKER

AYES - 115

ADAMS	DAUGHTRY	HUNTER, R.	OWENS
ALDRIDGE	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	FOX	MCCOMAS	SHUBERT
BONNER	GAMBLE	MCCOMBS	SMITH
BOWIE	GARDNER	MCCRARY	STARNES
BOYD-MCINTYRE	GOODWIN	MCMAHAN	TALLENT
BRASWELL	GRADY	MERCER	THOMPSON
BRAWLEY	GRAY	MICHAUX	TOLSON
BROWN	GULLEY	MILLER	WAINWRIGHT
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.
COLE	HIGHTOWER	NEELY	WILSON, G.
CREECH	HILL	NESBITT	WOMBLE
CULP	HOLMES	NICHOLS	WOOD
CULPEPPER	HOWARD	NYE	YONGUE
CUNNINGHAM	HUNTER, H.	OLDHAM	

NOES - 0

EXCUSED ABSENCE - 2

FITCH	SUTTON

EXCUSED VOTE - 0

NOT VOTING - 3

SPEAKER	CRAWFORD	WRIGHT

NORTH CAROLINA

HOUSE OF REPRESENTATIVES

ROLL CALL

EV

NO. # 303
LEGISLATIVE DAY 44
H147 HCS
READING 2
WEATHERLY

4/15/97
2:48 PM
IN CHAIR: SPEAKER

OUTLAW DOG FIGHTS

AYES - 116

SPEAKER	CUNNINGHAM	HUNTER, R.	OWENS
ADAMS	DAUGHTRY	HURLEY	PRESTON
ALDRIDGE	DAVIS	INSKO	RAMSEY
ALEXANDER	DECKER	IVES	RAYFIELD
ALLRED	DEDMON	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	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	GULLEY	MILLER	WAINWRIGHT
BROWN	HACKNEY	MINER	WARNER
BUCHANAN	HALL	MITCHELL	WARWICK
CANSLER	HARDAWAY	MOORE	WATSON
CAPPS	HARDY	MORGAN	WEATHERLY
CARPENTER	HENSLEY	MORRIS	WILKINS
CHURCH	HIATT	MOSLEY	WILSON, C.
CLARY	HIGHTOWER	NEELY	WILSON, G.
COLE	HILL	NESBITT	WOMBLE
CREECH	HOLMES	NICHOLS	WOOD
CULP	HOWARD	NYE	WRIGHT
CULPEPPER	HUNTER, H.	OLDHAM	YONGUE

NOES - 0

EXCUSED ABSENCE - 2

FITCH SUTTON

EXCUSED VOTE - 0

NOT VOTING - 2

CRAWFORD DICKSON

NORTH CAROLINA GENERAL ASSEMBLY
SENATE

RECORDED VOTE

1997 SESSION

SEQ. 674/8-- 2:37 PM MAY 14, 1997 LEGISLATIVE DAY 61

SENATOR BASNIGHT -- Presiding

WEATHERLY
OUTLAW DOG FIGHTS
3RD EDITION

HOUSE BILL 147
READING 2

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

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

GENERAL ASSEMBLY
SENATE

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1997

H.B. FILED
0148 FEB 12 97
HOUSE PRINCIPAL CLERK

H D

HOUSE DRH8001-LC006(1.1)(Z)

Short Title: Automatic Annual Tax Reduction. (Public)

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

Referred to:

A BILL TO BE ENTITLED

AN ACT TO PROVIDE AUTOMATIC ANNUAL INCOME TAX REDUCTIONS AND TAX SIMPLICITY BY INDEXING THE STATE'S PERSONAL EXEMPTION AMOUNTS TO THE FEDERAL PERSONAL EXEMPTION AMOUNTS.

The General Assembly of North Carolina enacts:

Section 1. G.S. 105-134.6(c)(4a) is repealed.

Section 2. The Department of Revenue shall draw from collections under Division II of Article 4 of Chapter 105 of the General Statutes for the 1997-98 fiscal year the amount needed to pay for the cost of printing and mailing new withholding tables required by this act, up to a maximum of one hundred sixteen thousand six hundred dollars ($116,600) for the 1997-98 fiscal year.

Section 3. This act is effective for taxable years beginning on or after January 1, 1998.

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1997

H D

H.B. FILED
0149 FEB 12 97
HOUSE PRINCIPAL CLERK

HOUSE DRHA127-RBZ022(1.1)

Short Title: Accounting for 911 Surcharges. (Public)

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

Referred to:

A BILL TO BE ENTITLED

AN ACT TO REQUIRE LOCAL GOVERNMENTS TO ACCOUNT FOR 911 SURCHARGES IN THEIR ANNUAL FINANCIAL STATEMENTS.

The General Assembly of North Carolina enacts:

Section 1. G.S. 62A-7 reads as rewritten:

"**§ 62A-7. Emergency Telephone System Fund.**

The fiscal officer to whom 911 charges are remitted under G.S. 62A-6 shall deposit the charges in a ~~separate, restricted fund.~~ special revenue fund pursuant to G.S. 159-26(b)(2). The Fund shall be known as the Emergency Telephone System Fund. The fiscal officer may invest money in the Fund in the same manner that other money of the local government may be invested. The fiscal officer shall deposit any income earned from such an investment in the Emergency Telephone System Fund."

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

NORTH CAROLINA

HOUSE OF REPRESENTATIVES

ROLL CALL

EV

56
ISLATIVE DAY 19
H149
READING 2
SHUBERT

3/03/97
8:33 PM
IN CHAIR: SPEAKER

ACCOUNTING FOR 911 SURCHARGES

AYES - 113

ADAMS	DAVIS	INSKO	PRESTON
ALDRIDGE	DECKER	IVES	RAMSEY
ALEXANDER	DEDMON	JARRELL	RAYFIELD
ALLRED	DOCKHAM	JEFFUS	REDWINE
ARNOLD	EARLE	JUSTUS	REYNOLDS
BADDOUR	EDDINS	KINNEY	ROGERS
BAKER	ELLIS	KISER	RUSSELL
BARBEE	ESPOSITO	LUEBKE	SAUNDERS
BEALL	FITCH	MCALLISTER	SEXTON
BERRY	FOX	MCCOMAS	SHERRILL
BLACK	GAMBLE	MCCOMBS	SHUBERT
BLUE	GARDNER	MCCRARY	SMITH
BONNER	GOODWIN	MCMAHAN	STARNES
BOWIE	GRAY	MERCER	SUTTON
BOYD-MCINTYRE	GULLEY	MICHAUX	TALLENT
BRASWELL	HACKNEY	MILLER	THOMPSON
BRAWLEY	HALL	MINER	TOLSON
BROWN	HARDAWAY	MITCHELL	WARNER
BUCHANAN	HARDY	MOORE	WARWICK
CANSLER	HENSLEY	MORGAN	WATSON
CAPPS	HIATT	MORRIS	WEATHERLY
CARPENTER	HIGHTOWER	MOSLEY	WILKINS
CHURCH	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 - 2

CLARY	GRADY

EXCUSED VOTE - 0

NOT VOTING - 5

SPEAKER	DICKSON	EASTERLING	WAINWRIGHT
COLE			

NORTH CAROLINA GENERAL ASSEMBLY
SENATE

RECORDED VOTE

1997 SESSION

SEQ. 116/8-- 3:44 PM MARCH 19, 1997 LEGISLATIVE DAY 29

LT. GOVERNOR WICKER -- Presiding

SHUBERT
ACCOUNTING FOR 911 SURCHARGES

HOUSE BILL 149
READING 2

AYE	49	ALBERTSON	DANNELLY	KINCAID	PHILLIPS
		ALLRAN	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	WEINSTEIN
		CONDER	JORDAN	PAGE	WELLONS
		COOPER	KERR	PERDUE	WINNER
		DALTON			
NO	0				
EXCUSED	0				
NOT CAST	0				
ABSENT	1	WEBSTER			
PAIRS	0				
AYE					
NO					

GENERAL ASSEMBLY
SENATE

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1997

H.B. FILED
0150 FEB 12 97
HOUSE PRINCIPAL CLERK

H D

HOUSE DRH2049-LHZ067(2.4)

Short Title: Prohibit Sale of Some Pyrotechnics. (Public)

Sponsors: Representative Easterling.

Referred to:

A BILL TO BE ENTITLED

AN ACT TO PROHIBIT THE SALE OF CERTAIN PYROTECHNICS IN NORTH CAROLINA.

Whereas, in North Carolina, between December 1, 1993, and July 15, 1994, over 50% of the fire departments, hospitals, and forestry departments that responded to a survey reported injury or property damage due to fireworks; and

Whereas, of the 41 injuries reported, half were second-degree burns, one person lost an eye, 51% of the victims were age 20 or younger, and 64% were male; and

Whereas, 62% of the fireworks-related fires involved fireworks that are now exempt in G.S. 14-414; and

Whereas, 22% of the fires and injuries were caused by firecrackers, 21% by rockets, 20% involved sparklers, and 16% involved smoke bombs; and

Whereas, nationally collected data indicate that legalized fireworks have proven to be costly in both human injury and property damage; and

Whereas, the United States Consumer Product Safety Commission reported that 12,900 injuries from fireworks were seen at hospital emergency departments in 1993; and

Whereas, in 1991, an estimated 28,000 fires involving fireworks were reported to fire departments across the nation, causing direct property damages estimated at $19,900,000; Now, therefore,

The General Assembly of North Carolina enacts:

Section 1. G.S. 14-414 reads as rewritten:

"**§ 14-414. Pyrotechnics defined; exceptions.**

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1997

H.B. FILED
0151 FEB 12 97
HOUSE PRINCIPAL CLERK

H D

HOUSE DRH4023-LTZ033(2.4)

Short Title: Child Fatality Task Force Confidential Records. (Public)

Sponsors: Representative Easterling.

Referred to:

A BILL TO BE ENTITLED

AN ACT RECOMMENDED BY THE CHILD FATALITY TASK FORCE TO BROADEN THE ACCESS TO CONFIDENTIAL RECORDS FOR THE PURPOSES OF CHILD FATALITY REVIEW AND PREVENTION.

The General Assembly of North Carolina enacts:

Section 1. G.S. 143-578 reads as rewritten:

"**§ 143-578. Access to records.**

(a) The Chair of the State Team, a Local Team, or the Task Force during its existence, may make a written demand for any information or reports, whether or not confidential, that may in the Chair's opinion be relevant to a review of a child's death or maltreatment pursuant to this Article. Upon the Chair's request, and unless protected by the attorney-client privilege, any public or private agency or individual shall provide access to and copies of this confidential information and these records to the extent permitted by federal law and regulations. Any public or private agency or individual acting in good faith in providing this access is immune from any civil or criminal liability that might otherwise be incurred or imposed. The State Team, the Local Teams, and the Task Force during its existence, shall have access to all medical records, hospital records, and records maintained by this State, any county, or any local agency as necessary to carry out the purposes of this Article, including police investigations data, medical examiner investigative data, health records, mental health records, and social services records. The State Team, the Task Force, and the Local Teams shall not, as part of the reviews authorized under this Article, contact, question, or interview the child, the parent of the child, or any other family member of the child whose record is being reviewed. Any member of a Local Team may

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1997

H.B. FILED
0152 FEB 12 97
HOUSE PRINCIPAL CLERK

H D

HOUSE DRH2046-LNZ064(2.6)

Short Title: Child Abuse/No Report Misdem. (Public)

Sponsors: Representative Easterling.

Referred to:

A BILL TO BE ENTITLED

AN ACT TO IMPOSE A CRIMINAL PENALTY FOR THE WILLFUL FAILURE TO REPORT CHILD ABUSE, AS RECOMMENDED BY THE CHILD FATALITY TASK FORCE.

The General Assembly of North Carolina enacts:

Section 1. G.S. 7A-543 reads as rewritten:

"**§ 7A-543. Duty to report child abuse, neglect, dependency, or death due to maltreatment.**

Any person or institution who has cause to suspect that any juvenile is abused, neglected, or dependent, as defined by G.S. 7A-517, or has died as the result of maltreatment, shall report the case of that juvenile to the Director of the Department of Social Services in the county where the juvenile resides or is found. The report may be made orally, by telephone, or in writing. The report shall include information as is known to the person making it including the name and address of the juvenile; the name and address of the juvenile's parent, guardian, or caretaker; the age of the juvenile; the names and ages of other juveniles in the home; the present whereabouts of the juvenile if not at the home address; the nature and extent of any injury or condition resulting from abuse, neglect, or dependency; and any other information which the person making the report believes might be helpful in establishing the need for protective services or court intervention. If the report is made orally or by telephone, the person making the report shall give the person's name, address, and telephone number. Refusal of the person making the report to give a name shall not preclude the Department's investigation of the alleged abuse, neglect, dependency, or death as a result of maltreatment. Any person or institution required by this section to report child abuse, neglect, or dependency or a child's

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1997

H.B. FILED
0153 FEB 12 97
HOUSE PRINCIPAL CLERK

H D

HOUSE DRH2043-LTZ032(2.4)

Short Title: Dependent Juv. Definition Change. (Public)

Sponsors: Representative Easterling.

Referred to:

A BILL TO BE ENTITLED

AN ACT RECOMMENDED BY THE CHILD FATALITY TASK FORCE TO IMPROVE THE DEFINITION OF "DEPENDENT JUVENILE".

The General Assembly of North Carolina enacts:

Section 1. G.S. 7A-517(13) reads as rewritten:

"(13) Dependent Juvenile. -- A juvenile in need of assistance or placement because ~~he~~ the juvenile has no parent, guardian, or custodian responsible for the juvenile's care or supervision or whose parent, guardian, or ~~custodian, due to physical or mental incapacity and the absence of an appropriate alternative child care arrangement,~~ custodian is unable to provide for the care or ~~supervision.~~ supervision and lacks an appropriate alternative child care arrangement."

Section 2. This act becomes effective October 1, 1997, and applies to adjudications of dependency made on or after that date.

NORTH CAROLINA

HOUSE OF REPRESENTATIVES

ROLL CALL

EV

148
LEGISLATIVE DAY 29
H153
READING 2
EASTERLING

3/19/97
2:21 PM
IN CHAIR: SPEAKER

DEPENDENT JUVENILE DEFINITION CHANGE

AYES - 116

ADAMS	DAUGHTRY	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	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	GRADY	MERCER	THOMPSON
BRAWLEY	GRAY	MICHAUX	TOLSON
BROWN	GULLEY	MILLER	WAINWRIGHT
BUCHANAN	HACKNEY	MINER	WARNER
CANSLER	HALL	MITCHELL	WARWICK
CAPPS	HARDAWAY	MOORE	WATSON
CHURCH	HARDY	MORGAN	WEATHERLY
CLARY	HENSLEY	MORRIS	WILKINS
COLE	HIATT	MOSLEY	WILSON, C.
CRAWFORD	HIGHTOWER	NESBITT	WILSON, G.
CREECH	HILL	NICHOLS	WOMBLE
CULP	HOLMES	NYE	WOOD
CULPEPPER	HOWARD	OLDHAM	WRIGHT
CUNNINGHAM	HUNTER, H.	OWENS	YONGUE

NOES - 1

CARPENTER

EXCUSED ABSENCE - 2

ELLIS NEELY

EXCUSED VOTE - 0

NOT VOTING - 1

SPEAKER

NORTH CAROLINA GENERAL ASSEMBLY
SENATE

RECORDED VOTE

1997 SESSION

SEQ. 682/2--12:26 PM MAY 15, 1997 LEGISLATIVE DAY 62

LT. GOVERNOR WICKER -- Presiding

EASTERLING
DEP. JUVENILE DEFINITION CHANGE

HOUSE BILL 153
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

FILED
0154 FEB 12 97
HOUSE PRINCIPAL CLERK

H D

HOUSE DRHA131-LNZ065(2.6)

Short Title: Maternal Outreach Funds. (Public)

Sponsors: Representative Easterling.

Referred to:

A BILL TO BE ENTITLED

AN ACT TO APPROPRIATE FUNDS FOR THE MATERNAL OUTREACH PROGRAM, AS RECOMMENDED BY THE CHILD FATALITY TASK FORCE.

The General Assembly of North Carolina enacts:

Section 1. There is appropriated from the General Fund to the Division of Maternal and Child Health, Department of Environment, Health, and Natural Resources, the sum of three million two hundred thousand dollars ($3,200,000) for the 1997-98 fiscal year and the sum of three million two hundred thousand dollars ($3,200,000) for the 1998-99 fiscal year to expand the Maternal Outreach Program to serve children from high-risk families up to the age of three years. The program trains young mothers and drastically reduces incidences of child abuse and neglect.

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

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1997

H.B. FILED
0155 FEB 12 97
HOUSE PRINCIPAL CLERK

H D

HOUSE DRHA139-LG026(2.6)

Short Title: Grassroots Science Museums Funds. (Public)

Sponsors: Representative Easterling.

Referred to:

A BILL TO BE ENTITLED

AN ACT TO APPROPRIATE FUNDS FOR THE GRASSROOTS SCIENCE MUSEUM COLLABORATIVE BY THE MUSEUM OF NATURAL SCIENCES TO IMPROVE STATE PROGRAMS IN SCIENCE AND ENVIRONMENTAL EDUCATION.

The General Assembly of North Carolina enacts:

Section 1. (a) There is appropriated from the General Fund to the Department of Environment, Health, and Natural Resources the sum of two million six hundred thousand dollars ($2,600,000) for the 1997-98 fiscal year and the sum of two million six hundred thousand dollars ($2,600,000) for the 1998-99 fiscal year to fund the Grassroots Science Museum Collaborative (GSMC).

(b) The GSMC is administered by the State Museum of Natural Sciences and provides a forum to strengthen science and technology centers in the State. The membership in the Grassroots Science Museum Collaborative shall be determined and funds shall be distributed by a process developed by the Department of Environment, Health, and Natural Resources with consultation with the Grassroots Science Museums which allocates fifty thousand dollars ($50,000) to each Grassroots Science Museum and an additional percentage based on the operating budget of each museum.

(c) The participating museums with grassroots science programs are located in the Cities of Asheville, Charlotte, Durham, Gastonia, Greensboro, Hickory, Raleigh, Rocky Mount, Wilson, Winston-Salem, and Wilmington.

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

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1997

H.B. FILED 0156 FEB 12 97 HOUSE PRINCIPAL CLERK

H D

HOUSE DRH6042-LNZ066(2.6)

Short Title: Funds for Medical Evaluations. (Public)

Sponsors: Representative Easterling.

Referred to:

A BILL TO BE ENTITLED

AN ACT TO APPROPRIATE FUNDS TO COMPENSATE PHYSICIANS FOR PERFORMING MEDICAL EVALUATIONS OF CHILDREN WHO ARE SUSPECTED OF HAVING BEEN ABUSED OR NEGLECTED, AS RECOMMENDED BY THE CHILD FATALITY TASK FORCE.

The General Assembly of North Carolina enacts:

Section 1. There is appropriated from the General Fund to the Department of Human Resources, Division of Social Services, the sum of four hundred twenty-five thousand dollars ($425,000) for the 1997-98 fiscal year and the sum of four hundred twenty-five thousand dollars ($425,000) for the 1998-99 fiscal year to be allocated by the Department to compensate physicians with special training to perform medical evaluations of children who are suspected of having been abused or neglected.

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

H.B. FILED
FEB 12 97
0157
HOUSE PRINCIPAL CLERK

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1997

H D

HOUSE DRHA104-LE005(1.15)

Short Title: Comm. College Scholarship Program. (Public)

Sponsors: Representative Warner.

Referred to:

A BILL TO BE ENTITLED

AN ACT TO IMPROVE EDUCATIONAL OPPORTUNITIES FOR NORTH CAROLINIANS ATTENDING COMMUNITY COLLEGES.

The General Assembly of North Carolina enacts:

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

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

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

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

(1) Be a resident for tuition purposes under G.S. 116-143.1;

(2) Be a graduate of an accredited high school or hold a recognized equivalent diploma or certificate;

(3) Has not been convicted of a Class A through E felony or a felony under G.S. 90-95 or under Article 3 of Chapter 18B of the General Statutes or adjudicated delinquent for acts that would constitute a violation of those offenses if committed by an adult, if the offense occurred before the person reached the age of 16; and

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1997

H.B. FILED
0158 FEB 12 97
HOUSE PRINCIPAL CLERK

H D

HOUSE DRHA133-LHZ061(2.6)

Short Title: Commit Offenses in Prison/Up Penalty. (Public)

Sponsors: Representative Kiser.

Referred to:

A BILL TO BE ENTITLED

AN ACT TO INCREASE THE PENALTY FOR CERTAIN OFFENSES COMMITTED WHILE IN PRISON.

The General Assembly of North Carolina enacts:

Section 1. G.S. 90-95(e) reads as rewritten:

"(e) The prescribed punishment and degree of any offense under this Article shall be subject to the following conditions, but the punishment for an offense may be increased only by the maximum authorized under any one of the applicable conditions:

(1), (2) Repealed by Session Laws 1979, c. 760, s. 5.

(3) If any person commits a Class 1 misdemeanor under this Article and if he has previously been convicted for one or more offenses under any law of North Carolina or any law of the United States or any other state, which offenses are punishable under any provision of this Article, he shall be punished as a Class I felon. The prior conviction used to raise the current offense to a Class I felony shall not be used to calculate the prior record level;

(4) If any person commits a Class 2 misdemeanor, and if he has previously been convicted for one or more offenses under any law of North Carolina or any law of the United States or any other state, which offenses are punishable under any provision of this Article, he shall be guilty of a Class 1 misdemeanor. The prior conviction used to raise the current offense to a Class 1 misdemeanor shall not be used to calculate the prior conviction level;

NORTH CAROLINA

HOUSE OF REPRESENTATIVES

ROLL CALL

EV

. # 172
ISLATIVE DAY 31
H158
READING 2
KISER

3/24/97
8:07 PM
IN CHAIR: SPEAKER

COMMIT OFFENSES IN PRISION/INC. PENALTY

AYES - 114

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	ELLIS	LUEBKE	SEXTON
BERRY	ESPOSITO	MCALLISTER	SHERRILL
BLACK	FOX	MCCOMAS	SHUBERT
BLUE	GAMBLE	MCCOMBS	SMITH
BONNER	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
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.		

NOES - 2

FITCH	WRIGHT

EXCUSED ABSENCE - 2

CUNNINGHAM	MOSLEY

EXCUSED VOTE - 0

NOT VOTING - 2

SPEAKER	BOWIE

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1997

H.B. FILED
0159 FEB 12 97
HOUSE PRINCIPAL CLERK

H D

HOUSE DRH2051-LHZ062(2.6)

Short Title: Escape from Prison/Reclassify Offenses. (Public)

Sponsors: Representative Kiser.

Referred to:

A BILL TO BE ENTITLED

AN ACT TO RECLASSIFY CERTAIN OFFENSES RELATED TO ESCAPE FROM CORRECTIONAL FACILITIES.

The General Assembly of North Carolina enacts:

Section 1. G.S. 14-255 reads as rewritten:

"**§ 14-255. Escape of working prisoners from custody.**

If any prisoner removed from the local confinement facility or satellite jail/work release unit of a county pursuant to G.S. 162-58 shall escape from the person having him in custody or the person supervising him, he shall be guilty of a Class ~~3~~ 1 misdemeanor."

Section 2. G.S. 14-256 reads as rewritten:

"**§ 14-256. Prison breach and escape from county or municipal confinement facilities or officers.**

If any person shall break any prison, jail or lockup maintained by any county or municipality in North Carolina, being lawfully confined therein, or shall escape from the lawful custody of any superintendent, guard or officer of such prison, jail or lockup, he shall be guilty of a Class 1 misdemeanor, except that the person is guilty of a Class ~~I~~ H felony if:

(1) He has been convicted of a felony and has been committed to the facility pending transfer to the State prison system; or

(2) He is serving a sentence imposed upon conviction of a felony."

Section 3. G.S. 148-45 reads as rewritten:

"**§ 148-45. Escaping or attempting escape from State prison system; failure of conditionally and temporarily released prisoners and certain youthful offenders to return to custody of Department of Correction.**

NORTH CAROLINA

HOUSE OF REPRESENTATIVES

ROLL CALL

EV

. # 173
ISLATIVE DAY 31
H159
READING 2
KISER

3/24/97
8:12 PM
IN CHAIR: SPEAKER

ESCAPE FR. PRISON/ RECLASSIFY OFFENSES

AYES - 117

SPEAKER	DAUGHTRY	HUNTER, H.	PRESTON
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	LUEBKE	SHUBERT
BLACK	FITCH	MCALLISTER	SMITH
BLUE	FOX	MCCOMAS	STARNES
BONNER	GAMBLE	MCCOMBS	SUTTON
BOWIE	GARDNER	MCCRARY	TALLENT
BOYD-MCINTYRE	GOODWIN	MCMAHAN	THOMPSON
BRASWELL	GRADY	MERCER	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	NEELY	WILSON, C.
CLARY	HIATT	NESBITT	WILSON, G.
COLE	HIGHTOWER	NICHOLS	WOMBLE
CRAWFORD	HILL	NYE	WOOD
CREECH	HOLMES	OLDHAM	WRIGHT
CULP	HOWARD	OWENS	YONGUE
CULPEPPER			

NOES - 1

MICHAUX

EXCUSED ABSENCE - 2

CUNNINGHAM MOSLEY

EXCUSED VOTE - 0

NOT VOTING - 0

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1997

H.B. FILED
0160 FEB 12 97
HOUSE PRINCIPAL CLERK

H D

HOUSE DRH1036*-LLZ006A(1.1)

Short Title: Port User on Ports Board. (Public)

Sponsors: Representative McComas.

Referred to:

A BILL TO BE ENTITLED

AN ACT TO IMPLEMENT THE RECOMMENDATION OF THE STATE PORTS STUDY COMMISSION TO PROVIDE THAT AT LEAST ONE MEMBER OF THE BOARD OF THE NORTH CAROLINA STATE PORTS AUTHORITY BE AFFILIATED WITH A MAJOR EXPORTER OR IMPORTER USING THE STATE PORTS.

The General Assembly of North Carolina enacts:

Section 1. G.S. 143B-452 reads as rewritten:

"**§ 143B-452. Creation of Authority -- membership; appointment, terms and vacancies; officers; meetings and quorum; compensation.**

The North Carolina State Ports Authority is hereby created. It shall be governed by a board composed of nine members and hereby designated as the Authority. Effective July 1, 1983, it shall be governed by a board composed of 11 members and hereby designated as the Authority. The General Assembly suggests and recommends that no person be appointed to the Authority who is domiciled in the district of the North Carolina House of Representatives or the North Carolina Senate in which a State port is located. The Governor shall appoint seven members to the Authority, and the General Assembly shall appoint two members of the Authority. Effective July 1, 1983, the Authority shall consist of seven persons appointed by the Governor, and four persons appointed by the General Assembly. Effective July 1, 1989, the Governor shall appoint six members to the Authority, in addition to the Secretary of Commerce, who shall serve as a voting member of the Authority by virtue of his office. The Secretary of Commerce shall fill the first vacancy occurring after July 1, 1989, in a position on the Authority over which the Governor has appointive power.

NORTH CAROLINA

HOUSE OF REPRESENTATIVES

ROLL CALL

5V

239
ISLATIVE DAY 39
H160
READING 2
MCCOMAS

4/07/97
7:17 PM
IN CHAIR: SPEAKER

PORT USER ON PORTS BOARD

AYES - 104

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

NOES - 5

EASTERLING	HIGHTOWER	MICHAUX	WARNER
HACKNEY			

EXCUSED ABSENCE - 8

BARBEE	CRAWFORD	GRAY	SHERRILL
BLUE	ELLIS	LUEBKE	THOMPSON

EXCUSED VOTE - 0

NOT VOTING - 3

SPEAKER	GAMBLE	HIATT

NORTH CAROLINA GENERAL ASSEMBLY
AMENDMENT
House Bill 160

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

H160-ARU-001

Page 1 of 1

Date APR 8 1997 ,1997

Comm. Sub. [ ]
Amends Title [ ]

Representative McComas

moves to amend the bill on page 3, line 24,
by rewriting the line to read:
"expense in accordance with G.S. 138-5. No member of the Authority may participate in any discussion or vote on any matter before the Authority on which the member has a conflict of interest."

SIGNED _____
Amendment Sponsor

SIGNED _____
Committee Chair if House Committee Amendment

ADOPTED APR 8 1997 FAILED _____ TABLED _____

110-0 EV

NORTH CAROLINA

HOUSE OF REPRESENTATIVES

ROLL CALL

EV

. # 251
ISLATIVE DAY 40
H160
READING 3
MCCOMAS
AMEND #1 - REP MCCOMAS
PORT USER ON PORTS BOARD

4/08/97
3:31 PM
IN CHAIR: SPEAKER

AYES - 110

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

NOES - 0

EXCUSED ABSENCE - 3

BARBEE	CRAWFORD	HENSLEY

EXCUSED VOTE - 0

NOT VOTING - 7

SPEAKER	DICKSON	MICHAUX	SAUNDERS
BEALL	MCCOMAS	RAMSEY	

NORTH CAROLINA
HOUSE OF REPRESENTATIVES
ROLL CALL

EV

. # 252
ISLATIVE DAY 40
H160
READING 3
MCCOMAS

4/08/97
3:31 PM
IN CHAIR: SPEAKER

PORT USER ON PORTS BOARD

AYES - 113

ADAMS	DAVIS	INSKO	RAMSEY
ALDRIDGE	DECKER	IVES	RAYFIELD
ALEXANDER	DEDMON	JARRELL	REDWINE
ALLRED	DOCKHAM	JEFFUS	REYNOLDS
ARNOLD	EARLE	JUSTUS	ROGERS
BADDOUR	EASTERLING	KINNEY	RUSSELL
BAKER	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	MILLER	THOMPSON
BRAWLEY	GRAY	MINER	TOLSON
BROWN	GULLEY	MITCHELL	WAINWRIGHT
BUCHANAN	HALL	MOORE	WARNER
CANSLER	HARDAWAY	MORGAN	WARWICK
CAPPS	HARDY	MORRIS	WATSON
CARPENTER	HIATT	MOSLEY	WEATHERLY
CHURCH	HIGHTOWER	NEELY	WILKINS
CLARY	HILL	NESBITT	WILSON, C.
COLE	HOLMES	NICHOLS	WILSON, G.
CREECH	HOWARD	NYE	WOMBLE
CULP	HUNTER, H.	OLDHAM	WOOD
CULPEPPER	HUNTER, R.	OWENS	WRIGHT
CUNNINGHAM	HURLEY	PRESTON	YONGUE
DAUGHTRY			

NOES - 1

HACKNEY

EXCUSED ABSENCE - 3

BARBEE	CRAWFORD	HENSLEY

EXCUSED VOTE - 0

NOT VOTING - 3

SPEAKER	DICKSON	MICHAUX

NORTH CAROLINA GENERAL ASSEMBLY
SENATE

RECORDED VOTE

1997 SESSION
SECOND SESSION 1998

SEQ. 2097/3--10:29 AM | SEPTEMBER 24, 1998 | LEGISLATIVE DAY 204

SENATOR BASNIGHT -- Presiding

MCCOMAS
INTERSTATE ECONOMIC DEVELOP. ZONES
SENATE COM SUB/3RD EDITION

HOUSE BILL 160

SUB. MOTION TO CALENDAR

MOTION 1
TO TABLE

AYE	22	ALBERTSON	KINNAIRD	PERDUE	SHAW L.
		BALLANCE	LEE	PHILLIPS	SOLES
		BASNIGHT	LUCAS	PLYLER	WARREN
		COOPER	MARTIN W.	PURCELL	WEINSTEIN
		DANNELLY	MILLER	RAND	WELLONS
		KERR	ODOM		
	17	ALLRAN	CLARK	GARWOOD	MCDANIEL
		BALLANTINE	COCHRANE	HARTSELL	PAGE
		BLUST	EAST	HORTON	RUCHO
		CARPENTER	FORRESTER	LEDBETTER	SHAW R.
		CARRINGTON			

EXCUSED	0				
NOT CAST	3	JORDAN	MARTIN R.	WINNER	
ABSENT	8	DALTON	GULLEY	JENKINS	REEVES
		FOXX	HOYLE	MOORE	WEBSTER
PAIRS	0				
AYE					
NO					

GENERAL ASSEMBLY
SENATE

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1997

H.B. FILED
0161 FEB 12 97
HOUSE PRINCIPAL CLERK

H D

HOUSE DRH2054-LE014(2.4)

Short Title: Model Teacher Consortium Funds. (Public)

Sponsors: Representative Crawford.

Referred to:

A BILL TO BE ENTITLED

AN ACT TO APPROPRIATE FUNDS FOR THE OPERATION OF THE MODEL TEACHER EDUCATION CONSORTIUM.

The General Assembly of North Carolina enacts:

Section 1. There is appropriated from the General Fund to the State Board of Education the sum of two million five hundred thousand dollars ($2,500,000) for the 1997-98 fiscal year and the sum of two million five hundred thousand dollars ($2,500,000) for the 1998-99 fiscal year for the operation of the Model Teacher Education Consortium.

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

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1997

H.B. FILED
0162 FEB 12 97
HOUSE PRINCIPAL CLERK

H D

HOUSE DRH6050*-LHZ031(1.27)

Short Title: Increase Penalty for Certain Drug Sales. (Public)

Sponsors: Representative Crawford.

Referred to:

A BILL TO BE ENTITLED

AN ACT TO IMPLEMENT THE NORTH CAROLINA SENTENCING AND POLICY ADVISORY COMMISSION'S RECOMMENDATION TO INCREASE THE CRIMINAL PENALTY FOR THE SALE OF CERTAIN CONTROLLED SUBSTANCES.

The General Assembly of North Carolina enacts:

Section 1. G.S. 90-95(b) reads as rewritten:

"(b) Except as provided in subsections (h) and (i) of this section, any person who violates G.S. 90-95(a)(1) with respect to:

(1) A controlled substance classified in Schedule I or II shall be punished as a Class H ~~felon;~~ felon, except that the sale of a controlled substance classified in Schedule I or II shall be punished as a Class G felon;

(2) A controlled substance classified in Schedule III, IV, V, or VI shall be punished as a Class I felon, except that the sale of a controlled substance classified in Schedule III, IV, V, or VI shall be punished as a Class H felon. ~~but the~~ The transfer of less than 5 grams of marijuana for no remuneration shall not constitute a delivery in violation of G.S. 90-95(a)(1)."

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
0163 FEB 12 97
HOUSE PRINCIPAL CLERK

H D

HOUSE JOINT RESOLUTION DRHJRA143-LB078(2.6)

Sponsors: Representative Cole.

Referred to:

A JOINT RESOLUTION AUTHORIZING A STUDY BY THE LEGISLATIVE RESEARCH COMMISSION OF THE PROCESS AND REQUIREMENTS FOR INCORPORATION OF NEW MUNICIPALITIES.

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

Section 1. The Legislative Research Commission may study the process and requirements for incorporation on new municipalities, including:

(1) Whether newly incorporated municipalities should be required to provide a specified minimum level of services within a stated time;

(2) Whether receipt of various State-shared local revenues should be contingent on a minimum level of taxation and the provision of a specified level of services; and

(3) The powers and duties granted under existing laws to new municipalities.

The Commission shall make a report to the 1997 General Assembly (Regular Session 1998) on the subject authorized by this resolution.

Section 2. This resolution is effective upon ratification.

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1997

H.B. FILED
0164 FEB 12 97
HOUSE PRINCIPAL CLERK

H D

HOUSE DRH2035*-LLZ039(1.1)

Short Title: Exempt State Ports Purchase & Contract. (Public)

Sponsors: Representative Redwine.

Referred to:

A BILL TO BE ENTITLED

AN ACT TO IMPLEMENT THE RECOMMENDATION OF THE STATE PORTS STUDY COMMISSION TO EXEMPT THE STATE PORTS AUTHORITY FROM STATE PURCHASE AND CONTRACT REQUIREMENTS.

The General Assembly of North Carolina enacts:

Section 1. G. S. 143B-465 reads as rewritten:

"**§ 143B-465. Purchase of supplies, material and equipment and building contracts.**

~~All of the provisions of Article 3 of Chapter 143 of the General Statutes relating to the purchase of supplies, material and equipment by the State government are hereby made applicable to the North Carolina State Ports Authority. All of the provisions of Chapter 143 of the General Statutes relating to public building contracts are hereby made applicable to the North Carolina State Ports Authority for those construction projects which may be funded, in whole or in part, by appropriations from the General Assembly.~~

The North Carolina State Ports Authority is exempt from the provisions of Article 3 and Article 8 of Chapter 143 of the General Statutes, but the Authority may make use of the provisions of those Articles relating to the purchase of supplies, materials, equipment, or services, or to public building contracts, as the Authority deems appropriate. The Authority shall report quarterly to the Joint Legislative Commission on Governmental Operations on any purchases or building contracts exceeding two hundred fifty thousand dollars ($250,000) to which this exemption is applied."

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

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1997

H.B. FILED
0165 FEB 12 97
HOUSE PRINCIPAL CLERK

H D

HOUSE DRH7037*-LNZ029A(1.21)

Short Title: Lodging Establishments/Sanitation. (Public)

Sponsors: Representatives Redwine, Creech, Mercer, Mitchell, and Nichols.

Referred to:

A BILL TO BE ENTITLED

AN ACT PERTAINING TO THE SANITIZATION OF COOKING UTENSILS PROVIDED BY LODGING ESTABLISHMENTS, AS RECOMMENDED BY THE JOINT LEGISLATIVE ADMINISTRATIVE PROCEDURE OVERSIGHT COMMITTEE.

The General Assembly of North Carolina enacts:

Section 1. G.S. 130A-248(a3) reads as rewritten:

"(a3) The rules adopted by the Commission pursuant to subsections (a), (a1), and (a2) of this section shall address, but not be limited to, the following:

(1) Sanitation requirements for cleanliness of floors, walls, ceilings, storage spaces, utensils, ventilation equipment, and other areas and items;

(2) Requirements for:
   a. Lighting and water supply;
   b. Wastewater collection, treatment, and disposal facilities; and
   c. Lavatory and toilet facilities, food protection, and waste disposal;

(3) The cleaning and bactericidal treatment of eating and drinking utensils and other food-contact ~~surfaces;~~ surfaces. A requirement imposed under this subdivision to sanitize eating and drinking utensils and other food-contact surfaces does not apply to utensils and surfaces in a lodging unit that provides reusable utensils for guests to prepare food while staying in the lodging unit.

(3a) The appropriate and reasonable use of gloves or utensils by employees who handle unwrapped food;

NORTH CAROLINA

HOUSE OF REPRESENTATIVES

ROLL CALL

EV

SEQ. # 497
LEGISLATIVE DAY 53
H165 HCS
READING 2
REDWINE

4/30/97
8:41 PM
IN CHAIR: SPEAKER

LODGING ESTABLISH- MENTS/SANITATION

AYES - 110

ADAMS	DECKER	HURLEY	RAMSEY
ALDRIDGE	DEDMON	INSKO	RAYFIELD
ALEXANDER	DICKSON	IVES	REDWINE
ALLRED	DOCKHAM	JARRELL	REYNOLDS
BADDOUR	EARLE	JEFFUS	ROGERS
BAKER	EASTERLING	JUSTUS	RUSSELL
BEALL	EDDINS	KINNEY	SAUNDERS
BERRY	ELLIS	KISER	SEXTON
BLACK	ESPOSITO	LUEBKE	SHERRILL
BLUE	FITCH	MCCOMAS	SHUBERT
BONNER	FOX	MCCOMBS	SMITH
BOWIE	GAMBLE	MCCRARY	STARNES
BOYD-MCINTYRE	GARDNER	MCMAHAN	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	WILSON, C.
COLE	HIGHTOWER	NICHOLS	WILSON, G.
CULP	HILL	NYE	WOMBLE
CULPEPPER	HOLMES	OLDHAM	WOOD
CUNNINGHAM	HOWARD	OWENS	WRIGHT
DAUGHTRY	HUNTER, H.	PRESTON	YONGUE
DAVIS	HUNTER, R.		

NOES - 1

ARNOLD

EXCUSED ABSENCE - 1

MERCER

EXCUSED VOTE - 0

NOT VOTING - 8

SPEAKER	CRAWFORD	HIATT	NESBITT
BARBEE	CREECH	MCALLISTER	WILKINS

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1997

H.B. FILED
0166 FEB 12 97
HOUSE PRINCIPAL CLERK

H D

HOUSE DRH2045*-LNZ058(2.6)

Short Title: Physical Fitness Act. (Public)

Sponsors: Representative Aldridge.

Referred to:

A BILL TO BE ENTITLED

AN ACT TO ESTABLISH AND FUND PHYSICAL FITNESS PROGRAMS AS RECOMMENDED BY THE HEART DISEASE AND STROKE PREVENTION TASK FORCE.

Whereas, the health and physical fitness of our youth are critical to the future of our State and our nation; and

Whereas, studies have shown that many of our children are in poor physical condition; and

Whereas, nationally, 6 out of 10 youth exhibit at least one risk factor for cardiovascular disease by the age of 12; and

Whereas, North Carolina youth exhibit poorer cardiovascular fitness, have a higher percent body fat, and are less flexible than their peers nationally; and

Whereas, 21% of North Carolina's youth watch six or more hours of television every day. This is the largest percentage in the nation; and

Whereas, in North Carolina, the average elementary school student has instruction from a certified physical educator less than twice per week; and

Whereas, 60% of North Carolina adults live sedentary lifestyles; and

Whereas, the annual costs of cardiovascular disease to the health care system in the United States in 1996 were estimated to have been $151 billion, a 9% increase from the previous year; and

Whereas, increased physical activity in both children and adults has been proven to reduce the incidence of the risk factors for cardiovascular disease; and

Whereas, experts in this area agree that, for children, school physical education class is the opportune setting for teaching lifetime physical activity skills and instilling positive attitudes toward physical fitness; and

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1997

FILED
0167 FEB 12 97
HOUSE PRINCIPAL CLERK

H D

HOUSE DRH2047-LNZ059(2.6)

Short Title: Heart Disease Data Act. (Public)

Sponsors: Representative Aldridge.

Referred to:

A BILL TO BE ENTITLED

AN ACT TO PROVIDE FUNDS FOR THE ESTABLISHMENT OF A CARDIOVASCULAR DISEASE HEALTH OUTCOME DATA UNIT, AS RECOMMENDED BY THE HEART DISEASE AND STROKE PREVENTION TASK FORCE.

Whereas, heart disease is the leading cause of death in North Carolina, and stroke is the third leading cause of death in North Carolina; and

Whereas, in North Carolina, heart disease and stroke are the leading causes of hospital expenditures; and

Whereas, the annual costs of cardiovascular disease to the health care system in the United States in 1996 were estimated to have been $151 billion, a 9% increase from the previous year; and

Whereas, several organizations, both public and private, are currently collecting health outcome data on cardiovascular disease (CVD); however, there is no central coordination and assessment of these data for the State of North Carolina; and

Whereas, available high quality CVD health outcome data are essential in order to:

(1) Target CVD interventions, which will achieve efficient use of limited resources;

(2) Motivate CVD intervention participants, which will achieve effective utilization of limited resources; and

(3) Evaluate CVD activities, which will then achieve accountable utilization of limited resources; and

Whereas, absence of such coordination has led to duplication of resources for CVD data assessment, missed opportunities for CVD prevention

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1997

H.B. FILED 0168 FEB 12 97

HOUSE PRINCIPAL CLERK

H D

HOUSE DRH1032-LCX019(1.1)

Short Title: Change Welfare to Charity. (Public)

Sponsors: Representative Aldridge.

Referred to:

A BILL TO BE ENTITLED

AN ACT TO SHIFT RESPONSIBILITY FOR ASSISTANCE TO THE ECONOMICALLY DISADVANTAGED FROM GOVERNMENT TO PRIVATE CHARITY BY ALLOWING A TAX CREDIT FOR CERTAIN CHARITABLE CONTRIBUTIONS TO ORGANIZATIONS DEDICATED TO HELPING THE POOR.

Whereas, in order to reduce the cost of welfare, all proposals addressing welfare reform should be examined; and

Whereas, there is growing support for a proposal known as "Taxpayer Choice", designed to shift responsibility for assistance to the economically disadvantaged from government to private charity; and

Whereas, under this Taxpayer Choice proposal, taxpayers could be given a tax credit for charitable contributions to organizations dedicated to helping the poor, as proposed in S. 846, introduced in Congress in 1995 by Senator John Ashcroft of Missouri; and

Whereas, this Taxpayer Choice proposal should eventually be revenue neutral, reducing government welfare appropriations to offset the cost of incentives that give taxpayers the choice to allocate their tax dollars to private charitable organizations which distribute the funds to those in need; and

Whereas, proponents of this idea believe that since private charities have been working efficiently and successfully, a greater portion of tax dollars would reach those in need, rather than support the bureaucratic process of the current welfare programs; and

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1997

INTRODUCED
0169 FEB 12 97
HOUSE PRINCIPAL CLERK

H D

HOUSE DRH6047-LHZ051(2.6)

Short Title: Continue Sentencing Commission. (Public)

Sponsors: Representatives Justus and Bowie.

Referred to:

A BILL TO BE ENTITLED

AN ACT TO IMPLEMENT THE NORTH CAROLINA SENTENCING AND POLICY ADVISORY COMMISSION'S RECOMMENDATION TO CONTINUE THE COMMISSION.

The General Assembly of North Carolina enacts:

Section 1. Section 8 of Chapter 1076 of the 1989 Session Laws, as amended by Chapters 812 and 816 of the 1991 Session Laws, Chapters 253, 321, and 591 of the 1993 Session Laws, and Chapter 236 of the 1995 Session Laws, reads as rewritten:

"Sec. 8. This act is effective ~~upon ratification, and shall expire~~ July 1, 1997."

Section 2. G.S. 164-38 reads as rewritten:

"**§ 164-38. (Effective until July 1, 1997) Terms of members; compensation; expenses.**

The terms of existing members shall expire on June 30, ~~1995,~~ 1997, unless they resign or are removed. New members shall be appointed or the existing members reappointed by the appointing authorities to serve ~~until July 1, 1997,~~ terms of two years, unless they resign or are removed. Members serving by virtue of elective or appointive office or as designees of such officeholders may serve only so long as the officeholders hold those respective offices. Members appointed by the Speaker of the House and the President Pro Tempore of the Senate may be removed by the appointing authority without cause. Vacancies occurring before the expiration of a term shall be filled in the manner provided for the members first appointed. A member of the Commission may be removed only for disability, neglect of duty, incompetence, or malfeasance in office. Before removal, the member is entitled to a hearing. Effective with respect to members designated on or after July 1, 1992, a person making a designation pursuant to G.S. 164-37 may not make another

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1997

PRE-FILED
0170 FEB 12 97
HOUSE PRINCIPAL CLERK

H D

HOUSE DRH6026-LC049(1.27)

Short Title: No Sales Tax on Funerals. (Public)

Sponsors: Representative Berry.

Referred to:

A BILL TO BE ENTITLED

AN ACT TO EXEMPT FUNERAL EXPENSES FROM SALES TAX.

The General Assembly of North Carolina enacts:

Section 1. G.S. 105-164.13(18) reads as rewritten:

"(18) Funeral expenses, including coffins and ~~caskets, not to exceed one thousand five hundred dollars($1,500). All other funeral expenses, including gross receipts for services rendered, shall be taxable at the general rate of tax set in G.S. 105-164.4. However, "services rendered" shall not include those services which have been taxed pursuant to G.S. 105-164.4(4), or to those services performed by any beautician, cosmetologist, hairdresser or barber employed by or at the specific direction of the family or personal representative of a deceased; and "funeral expenses" and "services rendered" shall not include death certificates procured by or at the specific direction of the family or personal representative of a deceased. Where coffins, caskets or vaults are purchased direct and a separate charge is paid for services, the provisions of this subdivision shall apply to the total for both.~~ caskets."

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

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1997

H.B. FILED
0171 FEB 12 97
HOUSE PRINCIPAL CLERK

H D

HOUSE DRH6035*-LNZ060(2.6)

Short Title: Strike Out Stroke Project. (Public)

Sponsors: Representative Earle.

Referred to:

A BILL TO BE ENTITLED

AN ACT TO PROVIDE FUNDS TO CONTINUE THE STRIKE OUT STROKE PROJECT IN THE DEPARTMENT OF ENVIRONMENT, HEALTH, AND NATURAL RESOURCES, AS RECOMMENDED BY THE HEART DISEASE AND STROKE PREVENTION TASK FORCE.

Whereas, stroke is the leading cause of disability and the third leading cause of death in North Carolina, and hypertension is the leading cause of stroke; and

Whereas, in North Carolina, mortality rates from stroke are highest in African American men, the second highest mortality rate is experienced by African American women, and the incidence and effect of stroke are felt most severely in Eastern North Carolina; and

Whereas, the estimated lifetime cost of a mild stroke in an older adult is $100,000; the estimated lifetime cost of a severe stroke in a younger adult is $500,000; and

Whereas, in North Carolina, stroke and heart disease are the leading causes of hospitalization expenditures; and

Whereas, the annual costs of cardiovascular disease to the heath care system in the United States in 1996 were estimated to have been $151 billion, - a 9% increase from the previous year; and

Whereas, experts in this area agree that early detection and control management of risk factors such as hypertension, and cardiovascular disease, including but not limited to aerial fibrillation, are the most effective ways to reduce the incidence of stroke and other forms of cardiovascular disease; and

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1997

H.B. FILED
0172 FEB 12 97
HOUSE PRINCIPAL CLERK

H D

HOUSE RESOLUTION DRHR7040-RC011(2.11)

Sponsors: Representatives Gray, Alexander, Aldridge, Barbee, Bonner, Clary, Culp, Dockham, Goodwin, Grady, Howard, and Mercer.

Referred to:

A HOUSE RESOLUTION TO ESTABLISH THE PROCEDURE FOR NOMINATING AND ELECTING MEMBERS OF THE BOARD OF GOVERNORS OF THE UNIVERSITY OF NORTH CAROLINA.

Be it resolved by the House of Representatives:

Section 1. The following procedures for nominating and electing eight members of the Board of Governors of The University of North Carolina (hereinafter the "Board of Governors") are adopted:

I. COMMITTEE RESPONSIBILITIES.

1. It is the duty of the UNC Board of Governors Committee of the House of Representatives (hereinafter the "Committee") to conduct a process for nominating and electing persons for each opening in each category of seats on the Board of Governors to which the House of Representatives is to elect members.

2. The Committee shall receive nominations for election to the Board of Governors through March 6, 1997. Each Representative may nominate up to two persons. In order for a person to have standing as a nominee, that person must be formally nominated by a member of the House of Representatives. Only a written nomination on a form provided by the Chair of the Committee for that purpose and received in the office of the Chair of the Committee by 12:00 noon on March 6, 1997, shall constitute a nomination. An individual cannot be a nominee or be nominated in more than one category. An individual is not eligible for nomination if he or she is nominated to the Board of Governors by the Senate during the 1997 Session.

3. A Representative may nominate persons only for the categories available for election by the House of Representatives. In the 1997 Session, the House of Representatives will elect:

(a) Six at-large members for four-year terms; and

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1997

H.B. FILED
0173 FEB 13 97
HOUSE PRINCIPAL CLERK

H D

HOUSE DRH6046-LHZ052(2.6)

Short Title: Relabel Misd. Prior Record Convictions. (Public)

Sponsors: Representative Neely.

Referred to:

A BILL TO BE ENTITLED

AN ACT TO IMPLEMENT THE NORTH CAROLINA SENTENCING AND POLICY ADVISORY COMMISSION'S RECOMMENDATION TO RELABEL MISDEMEANOR PRIOR RECORD CONVICTIONS.

The General Assembly of North Carolina enacts:

Section 1. G.S. 15A-1340.21(b) reads as rewritten:

"(b) Prior Conviction Levels for Misdemeanor Sentencing. -- The prior conviction levels for misdemeanor sentencing are:

(1) Level ~~I~~A -- 0 prior convictions.

(2) Level ~~II~~B -- At least 1, but not more than 4 prior convictions.

(3) Level ~~III~~C -- At least 5 prior convictions."

Section 2. G.S. 15A-1340.23(c) reads as rewritten:

"(c) Punishment for Each Class of Offense and Prior Conviction Level; Punishment Chart Described. -- Unless otherwise provided for a specific offense, the authorized punishment for each class of offense and prior conviction level is as specified in the chart below. Prior conviction levels are indicated by the ~~Roman numerals~~ letters placed horizontally on the top of the chart. Classes of offenses are indicated by the Arabic numbers placed vertically on the left side of the chart. Each grid on the chart contains the following components:

(1) A sentence disposition or dispositions: 'C' indicates that a community punishment is authorized; 'I' indicates that an intermediate punishment is authorized; and 'A' indicates that an active punishment is authorized; and

(2) A range of durations for the sentence of imprisonment: any sentence within the duration specified is permitted.

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1997

H.B. FILED
0174 FEB 13 97
HOUSE PRINCIPAL CLERK

H D

HOUSE DRH6045-LHZ053(2.6)

Short Title: Active Sentence/Trial Waiting Time. (Public)

Sponsors: Representative Neely.

Referred to:

A BILL TO BE ENTITLED

AN ACT TO IMPLEMENT THE NORTH CAROLINA SENTENCING AND POLICY ADVISORY COMMISSION'S RECOMMENDATION TO PERMIT AN ACTIVE SENTENCE TO BE IMPOSED FOR A CRIMINAL CONVICTION IF THE DEFENDANT SERVED TIME AWAITING TRIAL.

The General Assembly of North Carolina enacts:

Section 1. G.S. 15A-1340.20 is amended by adding a new subsection to read:

"(c1) Active Punishment Exception. -- The court may impose an active punishment for a class of offense and prior conviction level that does not otherwise authorize the imposition of an active punishment if the term of imprisonment is equal to or less than the total amount of time the offender has already spent committed to or in confinement in any State or local correctional, mental, or other institution as a result of the charge that culminated in the sentence."

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

NORTH CAROLINA

HOUSE OF REPRESENTATIVES

ROLL CALL

. # 255
ISLATIVE DAY 40
H174
READING 2
NEELY

4/08/97
3:44 PM
IN CHAIR: SPEAKER

ACTIVE SENTENCE/ TRIAL WAITING TIME

AYES - 110

ADAMS	DAUGHTRY	IVES	RAMSEY
ALDRIDGE	DAVIS	JARRELL	RAYFIELD
ALEXANDER	DECKER	JEFFUS	REDWINE
ALLRED	DEDMON	JUSTUS	REYNOLDS
ARNOLD	DICKSON	KINNEY	ROGERS
BADDOUR	DOCKHAM	KISER	RUSSELL
BAKER	EARLE	LUEBKE	SAUNDERS
BEALL	EASTERLING	MCALLISTER	SEXTON
BERRY	EDDINS	MCCOMAS	SHERRILL
BLACK	ELLIS	MCCOMBS	SHUBERT
BLUE	FOX	MCCRARY	SMITH
BONNER	GARDNER	MCMAHAN	STARNES
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	HIATT	NEELY	WILKINS
CHURCH	HIGHTOWER	NESBITT	WILSON, C.
CLARY	HILL	NICHOLS	WILSON, G.
COLE	HOLMES	NYE	WOMBLE
CREECH	HOWARD	OLDHAM	WOOD
CULP	HUNTER, R.	OWENS	WRIGHT
CULPEPPER	HURLEY	PRESTON	YONGUE
CUNNINGHAM	INSKO		

NOES - 0

EXCUSED ABSENCE - 3

BARBEE	CRAWFORD	HENSLEY

EXCUSED VOTE - 0

NOT VOTING - 7

SPEAKER	FITCH	HUNTER, H.	SUTTON
ESPOSITO	GAMBLE	MICHAUX	

NORTH CAROLINA GENERAL ASSEMBLY
SENATE

RECORDED VOTE

1997 SESSION

SEQ. 675/9-- 2:39 PM MAY 14, 1997 LEGISLATIVE DAY 61

SENATOR BASNIGHT -- Presiding

NEELY
ACTIVE SENTENCE TRIAL WAITING TIME

HOUSE BILL 174
READING 2

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

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

GENERAL ASSEMBLY
SENATE

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1997

H.B. FILED
0175 FEB 13 97
HOUSE PRINCIPAL CLERK

H D

HOUSE DRH6044-LHZ054(2.6)

Short Title: Struct. Sent./Tech. & Clarifying Amends. (Public)

Sponsors: Representative Neely.

Referred to:

A BILL TO BE ENTITLED

AN ACT TO IMPLEMENT THE NORTH CAROLINA SENTENCING AND POLICY ADVISORY COMMISSION'S RECOMMENDATION TO MAKE CERTAIN TECHNICAL, CLARIFYING, AND CONFORMING AMENDMENTS TO STRUCTURED SENTENCING.

The General Assembly of North Carolina enacts:

Section 1. G.S. 14-72.1(e) reads as rewritten:

"(e) Punishment. -- For a first conviction under subsection (a) or (d), or for a subsequent conviction for which the punishment is not specified by this subsection, the defendant ~~may~~ shall be guilty of a Class 3 misdemeanor. The term of imprisonment may be suspended only on condition that the defendant perform community service for a term of at least 24 hours. For a second offense committed within three years after the date the defendant was convicted of an offense under this section, the defendant ~~may~~ shall be guilty of a Class 2 misdemeanor. The term of imprisonment may be suspended only on condition that the defendant be imprisoned for a term of at least 72 hours as a condition of special probation, perform community service for a term of at least 72 hours, or both. For a third or subsequent offense committed within five years after the date the defendant was convicted of two other offenses under this section, the defendant ~~may~~ shall be guilty of a Class 1 misdemeanor. The term of imprisonment may be suspended only if a condition of special probation is imposed to require the defendant to serve a term of imprisonment of at least ~~14~~ 11 days. However, if the sentencing judge finds that the defendant is unable, by reason of mental or physical infirmity, to perform the service required under this section, and the reasons for such findings are set forth in the

NORTH CAROLINA

HOUSE OF REPRESENTATIVES

ROLL CALL

EV

. # 275
ISLATIVE DAY 41
H175 HCS
READING 2
NEELY

4/09/97
3:21 PM
IN CHAIR: SPEAKER

STRUCTURED SENTENCE. /TECH. & CLARIFY A.

AYES - 113

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

NOES - 0

EXCUSED ABSENCE - 5

BARBEE	BLUE	CRAWFORD	ESPOSITO
BERRY			

EXCUSED VOTE - 0

NOT VOTING - 2

SPEAKER	NICHOLS

NORTH CAROLINA GENERAL ASSEMBLY
SENATE

RECORDED VOTE

1997 SESSION

SEQ. 676/10-- 2:44 PM MAY 14, 1997 LEGISLATIVE DAY 61

SENATOR BASNIGHT -- Presiding

NEELY
STRUCTURED SENTENCING/TECHNICAL AND
2ND EDITION

CLARIFYING AMENDMENTS

HOUSE BILL 175
READING 2

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

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

GENERAL ASSEMBLY
SENATE

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1997

H.B. FILED
0176 FEB 13 97
HOUSE PRINCIPAL CLERK

H D

HOUSE DRH7029-LD001(1.1)

Short Title: Equine Activities/Duties and Liability. (Public)

Sponsors: Representative Ives.

Referred to:

A BILL TO BE ENTITLED

AN ACT TO CLARIFY RESPONSIBILITIES FOR EQUINE ACTIVITIES AND TO PROVIDE QUALIFIED IMMUNITY FROM LIABILITY.

The General Assembly of North Carolina enacts:

Section 1. Chapter 106 of the General Statutes is amended by adding a new Article to read:

"ARTICLE 68.

"Equine Activity Liability Immunity.

"§ 106-810. Purpose; findings.

The General Assembly finds that persons who participate in equine activities may incur injuries as a result of the risks involved in such activities. The General Assembly also finds that the State and its citizens derive numerous economic and personal benefits from such activities. The General Assembly further finds, determines, and declares that this Article is necessary for the immediate preservation of the public peace, health, and safety. It is, therefore, the intent of the General Assembly to encourage equine activities by limiting the civil liability of those involved in such activities.

"§ 106-811. Definitions.

As used in this Article, the term:

(1) 'Engage in an equine activity' means participate in an equine activity, assist a participant in an equine activity, or assist an equine activity sponsor or equine professional. The term 'engage in an equine activity' does not include being a spectator at an equine activity, except in cases in which the spectator places

NORTH CAROLINA

HOUSE OF REPRESENTATIVES

ROLL CALL

EV

[redacted]Q. # 395
[redacted]ISLATIVE DAY 51
[redacted]76 HCS
READING 2
IVES

4/28/97
5:10 PM
IN CHAIR: SPEAKER

EQUINE ACTIVITIES/ DUTIES & LIABILITY

AYES - 115

SPEAKER	CUNNINGHAM	HOWARD	OWENS
ADAMS	DAUGHTRY	HUNTER, H.	PRESTON
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	SHUBERT
BLACK	ESPOSITO	MCALLISTER	SMITH
BLUE	FITCH	MCCOMAS	STARNES
BONNER	FOX	MCCOMBS	SUTTON
BOWIE	GAMBLE	MCCRARY	TALLENT
BOYD-MCINTYRE	GARDNER	MCMAHAN	THOMPSON
BRAWLEY	GOODWIN	MERCER	TOLSON
BROWN	GRADY	MICHAUX	WAINWRIGHT
BUCHANAN	GRAY	MILLER	WARNER
CANSLER	GULLEY	MINER	WARWICK
CAPPS	HACKNEY	MITCHELL	WATSON
CARPENTER	HALL	MOORE	WEATHERLY
CHURCH	HARDAWAY	MORGAN	WILKINS
CLARY	HARDY	MORRIS	WILSON, C.
COLE	HENSLEY	MOSLEY	WILSON, G.
CRAWFORD	HIATT	NESBITT	WOMBLE
CREECH	HIGHTOWER	NICHOLS	WOOD
CULP	HILL	NYE	YONGUE
CULPEPPER	HOLMES	OLDHAM	

NOES - 0

EXCUSED ABSENCE - 3

LUEBKE	NEELY	WRIGHT

EXCUSED VOTE - 0

NOT VOTING - 2

BRASWELL	RAMSEY

NORTH CAROLINA GENERAL ASSEMBLY
AMENDMENT
House Bill 176

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

H176-ARU-015

Page 1 of 1

Date 7/23 ,1997

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

Senator Carpenter

moves to amend the bill on page 3, line 21,
by deleting the words "Department of Agriculture", and substituting
the words "Department of Agriculture and Consumer Services".

SIGNED R. C. Carpenter
Amendment Sponsor

SIGNED _____
Committee Chair if Senate Committee Amendment

ADOPTED V 41-5 FAILED _____ TABLED _____

Janet Pruitt 7/23/97

NORTH CAROLINA GENERAL ASSEMBLY
SENATE

RECORDED VOTE

1997 SESSION

SEQ. 1187/12--11:37 AM JULY 23, 1997 LEGISLATIVE DAY 101

LT. GOVERNOR WICKER -- Presiding

IVES
EQUINE ACTIVITIES/SKATING RINK LIAB
SENATE COMM. SUB./3RD EDITION

HOUSE BILL 176

AMEND 1

AYE	41	ALBERTSON	FORRESTER	LEE	PURCELL
		ALLRAN	GARWOOD	LUCAS	RAND
		BALLANCE	GULLEY	MARTIN R.	REEVES
		BASNIGHT	HARTSELL	MARTIN W.	SHAW L.
		BLUST	HORTON	MILLER	SHAW R.
		CARPENTER	HOYLE	ODOM	SOLES
		CLARK	JENKINS	PAGE	WARREN
		COOPER	JORDAN	PERDUE	WEINSTEIN
		DALTON	KINCAID	PHILLIPS	WELLONS
		DANNELLY	LEDBETTER	PLYLER	WINNER
		EAST			
NO	5	BALLANTINE	FOXX	KINNAIRD	MCDANIEL
		COCHRANE			
EXCUSED	0				
NOT CAST	4	CARRINGTON	KERR	RUCHO	WEBSTER
ABSENT	0				
PAIRS	0				
AYE					
NO					

GENERAL ASSEMBLY
SENATE

NORTH CAROLINA GENERAL ASSEMBLY
AMENDMENT
House Bill 176

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

H176-ARU-016

Date 7-23 ,1997

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

Senator Rand

1 moves to amend the bill on page 5, line 24,
2 by deleting the word "and", and substituting the word "or".

SIGNED Tony Rand
Amendment Sponsor

SIGNED _____
Committee Chair if Senate Committee Amendment

ADOPTED ✓ 48-2 FAILED _____ TABLED _____

7/23/97 Janet Pruitt

NORTH CAROLINA GENERAL ASSEMBLY
SENATE

RECORDED VOTE

1997 SESSION

SEQ. 1188/13--11:42 AM JULY 23, 1997 LEGISLATIVE DAY 101

LT. GOVERNOR WICKER -- Presiding

IVES
EQUINE ACTIVITIES/SKATING RINK LIAB
SENATE COMM. SUB./3RD EDITION

HOUSE BILL 176

AMEND 2

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

EXCUSED 0

NOT CAST 0

ABSENT 0

PAIRS 0
AYE
NO

GENERAL ASSEMBLY
SENATE

NORTH CAROLINA GENERAL ASSEMBLY
SENATE

RECORDED VOTE

1997 SESSION

SEQ. 1189/14--12:01 PM JULY 23, 1997 LEGISLATIVE DAY 101

LT. GOVERNOR WICKER -- Presiding

IVES
EQUINE ACTIVITIES/SKATING RINK LIAB
SENATE COMM. SUB./3RD EDITION

HOUSE BILL 176
READING 2

AYE	40	ALBERTSON	EAST	LEDBETTER	PURCELL
		ALLRAN	FORRESTER	LEE	RAND
		BALLANCE	FOXX	LUCAS	RUCHO
		BALLANTINE	GARWOOD	MARTIN R.	SHAW L.
		BASNIGHT	HARTSELL	MCDANIEL	SHAW R.
		CARPENTER	HOYLE	ODOM	SOLES
		CARRINGTON	JENKINS	PAGE	WARREN
		COCHRANE	JORDAN	PERDUE	WEBSTER
		COOPER	KERR	PHILLIPS	WEINSTEIN
		DANNELLY	KINCAID	PLYLER	WELLONS
NO	10	BLUST	GULLEY	MARTIN W.	REEVES
		CLARK	HORTON	MILLER	WINNER
		DALTON	KINNAIRD		

EXCUSED 0

NOT CAST 0

ABSENT 0

PAIRS 0
AYE
NO

(COPY)

GENERAL ASSEMBLY
SENATE

NORTH CAROLINA
HOUSE OF REPRESENTATIVES
ROLL CALL

EV

SEQ. # 1279
LEGISLATIVE DAY 104
H176 SCS

7/29/97
10:40 AM
IN CHAIR: SPEAKER

IVES

EQUINE ACTIVITIES/ SKATING RINK LIAB.
MOTION #11 - TO CONCUR IN SCS

AYES - 78

ALDRIDGE	DAUGHTRY	IVES	RAYFIELD
ALLRED	DECKER	JEFFUS	REDWINE
ARNOLD	DEDMON	JUSTUS	REYNOLDS
BAKER	DICKSON	KISER	ROGERS
BARBEE	DOCKHAM	MCCOMAS	RUSSELL
BEALL	EDDINS	MCCOMBS	SEXTON
BERRY	ESPOSITO	MCMAHAN	SHERRILL
BLACK	GARDNER	MERCER	SMITH
BOWIE	GOODWIN	MINER	STARNES
BRAWLEY	GRADY	MITCHELL	TALLENT
BROWN	GRAY	MOORE	THOMPSON
BUCHANAN	GULLEY	MORGAN	TOLSON
CANSLER	HALL	MOSLEY	WARWICK
CARPENTER	HARDY	NEELY	WATSON
CHURCH	HIGHTOWER	NESBITT	WEATHERLY
CLARY	HILL	NYE	WILSON, C.
CRAWFORD	HOLMES	OWENS	WILSON, G.
CREECH	HOWARD	PRESTON	WOOD
CULP	HUNTER, R.	RAMSEY	YONGUE
CULPEPPER	HURLEY		

NOES - 36

ADAMS	CUNNINGHAM	HENSLEY	MILLER
ALEXANDER	DAVIS	HIATT	OLDHAM
BADDOUR	EARLE	INSKO	SAUNDERS
BLUE	EASTERLING	JARRELL	SUTTON
BONNER	ELLIS	KINNEY	WAINWRIGHT
BOYD-MCINTYRE	FITCH	LUEBKE	WARNER
BRASWELL	GAMBLE	MCALLISTER	WILKINS
CAPPS	HACKNEY	MCCRARY	WOMBLE
COLE	HARDAWAY	MICHAUX	WRIGHT

EXCUSED ABSENCE - 3

FOX	NICHOLS	SHUBERT

EXCUSED VOTE - 0

NOT VOTING - 3

SPEAKER	HUNTER, H.	MORRIS

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1997

H.B. FILED 0177 FEB 13 97 HOUSE PRINCIPAL CLERK

H D

HOUSE DRH4024*-LL045(2.4)

Short Title: Pineville Telephone System. (Local)

Sponsors: Representative McMahan.

Referred to:

A BILL TO BE ENTITLED

AN ACT ALLOW THE TOWN OF PINEVILLE TO PROVIDE LOCAL EXCHANGE AND EXCHANGE ACCESS SERVICES TO THE TERRITORY WITHIN ITS CORPORATE LIMITS AND IN CONTIGUOUS AREAS OUTSIDE THE CORPORATE LIMITS IN THE GENERAL VICINITY OF THE TOWN.

The General Assembly of North Carolina enacts:

Section 1. G.S. 62-3(23)f. reads as rewritten:

"f. The term 'public utility' shall include the Town of Pineville insofar as ~~said town~~ the Town supplies telephone and telecommunications services to the public for compensation. ~~The territory to be served by the Town of Pineville in furnishing telephone services, subject to the Public Utilities Act, shall include the town limits as they exist on May 8, 1973, and shall also include the area proposed to be annexed under the town's ordinance adopted May 3, 1971, until January 1, 1975.~~ The Town may furnish telephone and telecommunications services to the territory within its corporate limits and contiguous areas in the general vicinity of the Town, subject to the provisions of this Chapter."

Section 2. The North Carolina Utilities Commission shall grant a franchise to the Town of Pineville for local exchange and exchange access service in the area within the corporate limits of the Town as they exist on the effective date of this act. The Town shall apply to the Utilities Commission for certificates to provide local exchange service or any other telecommunications services in future annexation

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1997

H D

H.B. FILED
0178 FEB 13 97
HOUSE PRINCIPAL CLERK

HOUSE DRHA135-LJXZ21(2.11)

Short Title: Make Two Changes Proposed by DMV. (Public)

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

Referred to:

A BILL TO BE ENTITLED

AN ACT TO EXTEND THE RENEWAL PERIOD FOR LICENSES ISSUED BY THE DIVISION OF MOTOR VEHICLES TO COMMERCIAL DRIVER TRAINING SCHOOLS AND INSTRUCTORS AND TO ESTABLISH A STANDARD TIME PERIOD OF SIXTY DAYS IN WHICH TO OBTAIN OR CHANGE A DRIVERS LICENSE, A SPECIAL IDENTIFICATION CARD, OR A VEHICLE REGISTRATION.

The General Assembly of North Carolina enacts:

Section 1. G.S. 20-4.6 is repealed.

Section 2. G.S. 20-7(a) reads as rewritten:

"(a) License Required. -- To drive a motor vehicle on a highway, a person must be licensed by the Division under this Article or Article 2C of this Chapter to drive the vehicle and must carry the license while driving the vehicle. The Division issues regular drivers licenses under this Article and issues commercial drivers licenses under Article 2C.

A license authorizes the holder of the license to drive any vehicle included in the class of the license and any vehicle included in a lesser class of license, except a vehicle for which an endorsement is required. To drive a vehicle for which an endorsement is required, a person must obtain both a license and an endorsement for the vehicle. A regular drivers license is considered a lesser class of license than its commercial counterpart.

The classes of regular drivers licenses and the motor vehicles that can be driven with each class of license are:

NORTH CAROLINA
HOUSE OF REPRESENTATIVES
ROLL CALL

RC

. # 147
ISLATIVE DAY 29
H178 HCS
READING 2
MCMAHAN

3/19/97
2:19 PM
IN CHAIR: SPEAKER

TWO-YEAR DRIVER INSTRUCTION LICENSE

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	ESPOSITO	MCALLISTER	SHUBERT
BLUE	FOX	MCCOMAS	SMITH
BONNER	GAMBLE	MCCOMBS	STARNES
BOWIE	GARDNER	MCCRARY	SUTTON
BOYD-MCINTYRE	GOODWIN	MCMAHAN	TALLENT
BRASWELL	GRADY	MERCER	THOMPSON
BRAWLEY	GRAY	MICHAUX	TOLSON
BROWN	GULLEY	MILLER	WAINWRIGHT
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.
COLE	HIGHTOWER	NESBITT	WILSON, G.
CRAWFORD	HILL	NICHOLS	WOMBLE
CREECH	HOLMES	NYE	WOOD
CULP	HOWARD	OLDHAM	WRIGHT
CULPEPPER	HUNTER, H.	OWENS	YONGUE

NOES - 0

EXCUSED ABSENCE - 2

ELLIS	NEELY

EXCUSED VOTE - 0

NOT VOTING - 2

SPEAKER	FITCH

NORTH CAROLINA
HOUSE OF REPRESENTATIVES
ROLL CALL

RC

160
ISLATIVE DAY 30
H178 HCS
READING 3
MCMAHAN

3/20/97
1:55 PM
IN CHAIR: SPEAKER

TWO-YEAR DRIVER INSTRUCTOR LICENSE

AYES - 109

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

NOES - 0

EXCUSED ABSENCE - 6

BROWN	MERCER	SHERRILL	THOMPSON
MCALLISTER	NEELY		

EXCUSED VOTE - 0

NOT VOTING - 5

SPEAKER	BERRY	DECKER	HURLEY
ADAMS			

NORTH CAROLINA GENERAL ASSEMBLY
SENATE

RECORDED VOTE

1997 SESSION

SEQ. 233/5-- 2:45 PM APRIL 10, 1997 LEGISLATIVE DAY 42

LT. GOVERNOR WICKER -- Presiding

MCMAHAN
2-YEAR DRIVER INSTRUCTOR LICENSE
2ND EDITION

HOUSE BILL 178
READING 2

AYE	42	ALBERTSON	EAST	KINNAIRD	RAND
		ALLRAN	FORRESTER	LEDBETTER	REEVES
		BALLANCE	FOXX	LEE	RUCHO
		BALLANTINE	GARWOOD	LUCAS	SHAW L.
		BLUST	HARTSELL	MARTIN R.	SOLES
		CARPENTER	HORTON	MARTIN W.	WARREN
		CARRINGTON	HOYLE	MCDANIEL	WEBSTER
		CLARK	JENKINS	MILLER	WEINSTEIN
		COCHRANE	JORDAN	PAGE	WELLONS
		COOPER	KERR	PHILLIPS	WINNER
		DALTON	KINCAID		
NO	0				
EXCUSED	0				
NOT CAST	2	BASNIGHT	DANNELLY		
ABSENT	6	CONDER	ODOM	PLYLER	SHAW R.
		GULLEY	PERDUE		
PAIRS	0				
AYE					
NO					

GENERAL ASSEMBLY
SENATE

NORTH CAROLINA GENERAL ASSEMBLY
SENATE

RECORDED VOTE

1997 SESSION

SEQ. 250/4-- 6:44 PM APRIL 14, 1997 LEGISLATIVE DAY 43

LT. GOVERNOR WICKER -- Presiding

MCMAHAN
2-YEAR DRIVER INSTRUCTOR LICENSE
2ND EDITION

HOUSE BILL 178
READING 3

AYE	48	ALBERTSON	DANNELLY	KINCAID	PHILLIPS
		ALLRAN	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
		COCHRANE	HOYLE	MILLER	WARREN
		CONDER	JENKINS	ODOM	WEINSTEIN
		COOPER	JORDAN	PAGE	WELLONS
		DALTON	KERR	PERDUE	WINNER
NO	0				
EXCUSED	0				
NOT CAST	0				
ABSENT	2	CLARK		WEBSTER	
PAIRS	0				
AYE					
NO					

(COPY)

GENERAL ASSEMBLY
SENATE

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1997

FILED
FEB 13 97
0179
HOUSE PRINCIPAL CLERK

H D

HOUSE DRH8023*-RVZ001(2.12)

Short Title: DAPP Performance Audit. (Public)

Sponsors: Representative Justus.

Referred to:

A BILL TO BE ENTITLED

AN ACT TO PROVIDE FOR A PERFORMANCE AUDIT OF THE DIVISION OF ADULT PROBATION AND PAROLE IN THE DEPARTMENT OF CORRECTION.

The General Assembly of North Carolina enacts:

Section 1. The State Auditor shall select an independent firm recognized in performance auditing to conduct an independent performance audit of the Division of Adult Probation and Parole in the Department of Correction. The State Auditor shall report the results of this audit to the Chairmen of the Senate and House Appropriations Committees, the Chairmen of the House Appropriations Subcommittees on Justice and Public Safety, the Chairmen of the Senate Appropriations Committee on Justice and Public Safety, the Chairmen of the Joint Legislative Corrections Oversight Committee, and the Joint Legislative Commission on Governmental Operations on or before March 1, 1998.

The performance audit of the Division of Adult Probation and Parole shall review the efficiency and effectiveness of major management policies, practices, and functions, including the following areas:

(1) Organization and structure.
(2) Effect of organizational relationships with other community correction programs.
(3) Current staffing patterns and workload.
(4) Personnel practices.
(5) General effectiveness of probation and parole.

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1997

H.B. FILED
0180 FEB 13 97
HOUSE PRINCIPAL CLERK

H D

HOUSE DRHA126*-LGQ008(1.27)

Short Title: Dry Hydrant Funds. (Public)

Sponsors: Representative Culp.

Referred to:

A BILL TO BE ENTITLED

AN ACT TO APPROPRIATE FUNDS FOR THE INSTALLATION OF NONPRESSURIZED DRY FIRE HYDRANTS IN RURAL AREAS OF THE STATE.

Whereas, there are approximately 950 rural volunteer fire departments serving over 4,000 square miles of privately owned land and property in North Carolina; and

Whereas, many areas of the State lack water mains and domestic fire hydrants, which causes a delayed response time to fire emergencies; and

Whereas, nonpressurized dry hydrants can be placed on existing natural and man-made water sources such as ponds, rivers, creeks, drainage canals, and lakes to provide dependable fire protection in all weather conditions; and

Whereas, dry hydrants provide safe water intake points for volunteer fire-fighting personnel; and

Whereas, the use of dry hydrants will increase rural fire protection capability and efficiency and may save lives and reduce property loss; Now, therefore, 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 three million three hundred thousand dollars ($3,300,000) for the 1997-98 fiscal year for the North Carolina Resource Conservation and Development Association, a nonprofit corporation, to be used to provide all counties of the State with materials and equipment to install approximately 5,000 dry hydrants in rural areas, consisting of at least 15 dry hydrants per county upon application of the county.

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

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1997

FILED
0181 FEB 13 97
HOUSE PRINCIPAL CLERK

H D

HOUSE DRH7039-LDQ036(1.30)

Short Title: Randolph Forest Ranger Funds. (Public)

Sponsors: Representative Culp.

Referred to:

A BILL TO BE ENTITLED

AN ACT TO APPROPRIATE FUNDS FOR A NEW ASSISTANT COUNTY FOREST RANGER POSITION IN RANDOLPH COUNTY.

The General Assembly of North Carolina enacts:

Section 1. There is appropriated from the General Fund to the Department of Environment, Health, and Natural Resources, Division of Forest Resources, the sum of forty thousand nine hundred twenty-eight dollars ($40,928) for the 1997-98 fiscal year and the sum of forty thousand nine hundred twenty-eight dollars ($40,928) for the 1998-99 fiscal year to establish and support a new Randolph County assistant county ranger position, including the purchase of equipment and operating costs associated with the new position.

Section 2. Pursuant to G.S. 113-54, Randolph County shall contribute as its county share the sum of twenty-seven thousand two hundred eighty-five dollars ($27,285) for the 1997-98 fiscal year and the sum of twenty-seven thousand two hundred eighty-five dollars ($27,285) for the 1998-99 fiscal year.

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

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1997

H.B. FILED
0182 FEB 13 97
HOUSE PRINCIPAL CLERK

H D

HOUSE DRH1058-LHZ056(2.6)

Short Title: Exclude 10 Yr. Conviction. (Public)

Sponsors: Representative Bowie.

Referred to:

A BILL TO BE ENTITLED

AN ACT TO EXCLUDE FROM PRIOR RECORD LEVEL CALCULATIONS CERTAIN PRIOR CONVICTIONS THAT ARE OVER TEN YEARS OLD.

The General Assembly of North Carolina enacts:

Section 1. G.S. 15A-1340.14 is amended by adding a new subsection to read:

"(a1) Conviction-Free Period. -- If, within the 10 years immediately preceding the date of the commission of the current offense, an offender:

(1) Has not been convicted of any felony, and

(2) Has not been convicted of any misdemeanor as that term is defined in this subsection, and

(3) Has not been incarcerated as a result of a conviction of any felony or misdemeanor,

then prior Class H and I felony convictions and Class A1 and 1 misdemeanor convictions are not assigned points. For purposes of this subsection, misdemeanor is defined as any nontraffic misdemeanor offense, impaired driving (G.S. 20-138.1), impaired driving in a commercial vehicle (G.S. 20-138.2), misdemeanor death by vehicle (G.S. 20-141.4(a2)), and driving while license revoked (G.S. 20-28(a)), but not any other misdemeanor traffic offense under Chapter 20 of the General Statutes."

Section 2. G.S. 15A-1340.21 is amended by adding a new subsection to read:

"(a1) Conviction-Free Period. -- If, within the 10 years immediately preceding the date of the commission of the current offense, an offender:

(1) Has not been convicted of any felony, and

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1997

H.B. FILED
0183 FEB 13 97
HOUSE PRINCIPAL CLERK

H D

HOUSE DRH6010-LK019(1.14)

Short Title: DWI/Felony Prior Record Level. (Public)

Sponsors: Representatives Bowie and McComas.

Referred to:

A BILL TO BE ENTITLED

AN ACT TO INCLUDE PRIOR IMPAIRED DRIVING CONVICTIONS IN FELONY PRIOR RECORD LEVEL CALCULATION, TO PROVIDE FOR AN INDEFINITE CIVIL SUSPENSION OF A DRIVERS LICENSE WHEN A DRIVER IS CHARGED WITH AN IMPAIRED DRIVING OFFENSE WHILE ANOTHER IMPAIRED DRIVING OFFENSE IS PENDING DISPOSITION, AND TO ALLOW FOR MODIFICATION OF SENTENCE FOR IMPAIRED DRIVING ON REMAND TO DISTRICT COURT OR WITHDRAWAL OF APPEAL.

The General Assembly of North Carolina enacts:

Section 1. G.S. 15A-1340.14(b) reads as rewritten:

"(b) Points. -- Points are assigned as follows:

(1) For each prior felony Class A conviction, 10 points.

(1a) For each prior felony Class B1 conviction, 9 points.

(2) For each prior felony Class B2, C, or D conviction, 6 points.

(3) For each prior felony Class E, F, or G conviction, 4 points.

(4) For each prior felony Class H or I conviction, 2 points.

(5) For each prior Class A1 or Class 1 misdemeanor ~~conviction~~ conviction or prior impaired driving conviction under G.S. 20-138.1, 1 point, except that convictions for Class 1 misdemeanor offenses under Chapter 20 of the General Statutes, other than conviction for misdemeanor death by vehicle ~~(G.S. 20-141.4(a2)),~~ (G.S. 20-141.4(a2)) and conviction for impaired driving in a commercial vehicle (G.S. 20-138.2), shall not be assigned any

NORTH CAROLINA

HOUSE OF REPRESENTATIVES

ROLL CALL

EV

. # 353
ISLATIVE DAY 49
H183 HCS
READING 2
BOWIE

4/23/97
4:52 PM
IN CHAIR: SPEAKER

DRIVE WHILE IMPAIR- ED/FELONY PRIOR RECORD

AYES - 114

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

NOES - 1

FITCH

EXCUSED ABSENCE - 0

EXCUSED VOTE - 0

NOT VOTING - 5

BROWN	DAUGHTRY	GAMBLE	NYE
CUNNINGHAM			

NORTH CAROLINA GENERAL ASSEMBLY
SENATE

RECORDED VOTE

1997 SESSION

SEQ. 1310/15--12:07 PM AUGUST 6, 1997 LEGISLATIVE DAY 109

LT. GOVERNOR WICKER -- Presiding

BOWIE
DWI/FELONY PRIOR RECORD LEVEL
SENATE COM SUB/3RD EDITION

HOUSE BILL 183
READING 2

AYE	49	ALBERTSON	EAST	LEE	PURCELL
		ALLRAN	FORRESTER	LUCAS	RAND
		BALLANCE	FOXX	MARTIN R.	REEVES
		BALLANTINE	GARWOOD	MARTIN W.	RUCHO
		BASNIGHT	GULLEY	MCDANIEL	SHAW L.
		BLUST	HARTSELL	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	1	HORTON			

EXCUSED	0
NOT CAST	0
ABSENT	0
PAIRS	0
AYE	
NO	

GENERAL ASSEMBLY
SENATE

NORTH CAROLINA

HOUSE OF REPRESENTATIVES

ROLL CALL

EV

1412
ISLATIVE DAY 115
H183 SCS

8/18/97
4:21 PM
IN CHAIR: SPEAKER

BOWIE

DWI/FELONY PRIOR RECORD LEVEL
MOTION #11 - TO NOT CONCUR IN SCS

AYES - ~~97~~ 98 Switch

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

NOES - ~~1~~ 0

~~SMITH~~

EXCUSED ABSENCE - 11

CANSLER	ELLIS	HUNTER, R.	WOOD
CREECH	HARDAWAY	MCMAHAN	WRIGHT
CUNNINGHAM	HOLMES	WAINWRIGHT	

EXCUSED VOTE - 0

NOT VOTING - 11

SPEAKER	EARLE	HUNTER, H.	NESBITT
ALDRIDGE	FITCH	JUSTUS	STARNES
BERRY	HACKNEY	MCALLISTER	

NORTH CAROLINA GENERAL ASSEMBLY
CONFERENCE REPORT
House Bill 183

H183-CRRV-001

[] Title Change [YES] For Committee Substitute

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

The conferees appointed to resolve the differences between the Senate and the House of Representatives on House Bill 183, A BILL TO BE ENTITLED AN ACT TO INCLUDE PRIOR IMPAIRED DRIVING CONVICTIONS IN FELONY PRIOR RECORD LEVEL CALCULATION, AND TO PROVIDE FOR AN INDEFINITE CIVIL SUSPENSION OF A DRIVERS LICENSE WHEN A DRIVER IS CHARGED WITH AN IMPAIRED DRIVING OFFENSE WHILE ANOTHER IMPAIRED DRIVING OFFENSE IS PENDING DISPOSITION, 3rd Edition, Senate Judiciary Committee Substitute Adopted 8/4/97, submit the following report:

The Senate and House agree to the following amendment to the 3rd Edition, Senate Judiciary Committee Substitute Adopted 8/4/97, and the House concurs in the Senate Committee Substitute as amended:

Delete the entire 3rd Edition, Senate Judiciary Committee Substitute Adopted 8/4/97, and substitute the attached Proposed Conference Committee Substitute H183-PCCS1455.

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

NORTH CAROLINA GENERAL ASSEMBLY
CONFERENCE REPORT
House Bill 183

H183-CRRV-001

Date conferees approved report: August 21, 1997.

Conferees for the Senate	Conferees for the House of Representatives
Roy A. Cooper, III - Chairman	Joanne W. Bowie, Chair
James S. Forrester	Daniel F. McComas
Jim W. Phillips, Sr.	Charles B. Neely, Jr.
	Warren C. Oldham

House Submitted 8/21/97 placed on the calendar 8/22/97
ADOPTED _____(/) Message Received _____
ADOPTED _____(/) Ordered Enrolled _____

NORTH CAROLINA GENERAL ASSEMBLY
CONFERENCE REPORT
House Bill 183

H183-CRRV-001

[ ] Title Change [YES] For Committee Substitute

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

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CONFERENCE REPORT
House Bill 183

H183-CRRV-001

Date conferees approved report: August 21, 1997.

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Roy A. Cooper, III - Chairman	Joanne W. Bowie, Chair
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Jim W. Phillips, Sr.	Charles B. Neely, Jr.
	Warren C. Oldham

House Submitted 8/21/97 placed on the calendar 8/22/97
House ADOPTED 8/22/97 (104/0 cv) Message Received
ADOPTED / / (/) Ordered Enrolled

Senate notified

Special Message
AUG 22 1997

3
4

NORTH CAROLINA
HOUSE OF REPRESENTATIVES
ROLL CALL

SV

[redacted] # 1467
[redacted]ISLATIVE DAY 119
H183
CONFERENCE REPORT
BOWIE

8/22/97
10:34 AM
IN CHAIR: SPEAKER

DWI FELONY/PRIOR RECORD LEVEL

AYES - 104

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

NOES - 0

EXCUSED ABSENCE - 10

BLACK	GOODWIN	MCALLISTER	MOORE
CULPEPPER	KINNEY	MILLER	MOSLEY
CUNNINGHAM	LUEBKE		

EXCUSED VOTE - 0

NOT VOTING - 6

CLARY	FITCH	TALLENT	WOMBLE
DECKER	GAMBLE		

NORTH CAROLINA GENERAL ASSEMBLY
CONFERENCE REPORT
House Bill 183

H183-CRRV-001

[ ] Title Change [YES] For Committee Substitute

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

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NORTH CAROLINA GENERAL ASSEMBLY
CONFERENCE REPORT
House Bill 183

H183-CRRV-001

Date conferees approved report: August 21, 1997.

Conferees for the Senate	Conferees for the House of Representatives
Roy A. Cooper, III - Chairman	Joanne W. Bowie, Chair
James S. Forrester	Daniel F. McComas
Jim W. Phillips, Sr.	Charles B. Neely, Jr.
	Warren C. Oldham

Placed on Calendar for 8/26/97.

Senate	Submitted	8/25/97			
House	ADOPTED	8/22/97	(/)	Message Received	8/22/97
Senate	ADOPTED	8/26/97	(49/0)	Ordered Enrolled	

Janet Pruitt

61

NORTH CAROLINA GENERAL ASSEMBLY
SENATE

RECORDED VOTE

1997 SESSION

SEQ. 1479/14--11:57 AM AUGUST 26, 1997 LEGISLATIVE DAY 121

SENATOR BASNIGHT -- Presiding

BOWIE
DWI/FELONY PRIOR RECORD LEVEL
SENATE COM SUB/3RD EDITION

HOUSE BILL 183

CONFERENCE REPORT

MOTION 7
TO ADOPT

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		

GENERAL ASSEMBLY
SENATE

NORTH CAROLINA GENERAL ASSEMBLY
CONFERENCE REPORT
House Bill 183

H183-CRRV-001

[ ] Title Change [YES] For Committee Substitute

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

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

NORTH CAROLINA GENERAL ASSEMBLY
CONFERENCE REPORT
House Bill 183

H183-CRRV-001

Date conferees approved report: August 21, 1997.

Conferees for the Senate	Conferees for the House of Representatives
Roy A. Cooper, III - Chairman	Joanne W. Bowie, Chair
James S. Forrester	Daniel F. McComas
Jim W. Phillips, Sr.	Charles B. Neely, Jr.
	Warren C. Oldham

Placed on Calendar for 8/26/97.

Senate Submitted 8/25/97
House ADOPTED 8/22/97 (/) Message Received 8/22/97
Senate ADOPTED 8/26/97 (49/0) Ordered Enrolled

Janet Pruitt

6/1

NORTH CAROLINA GENERAL ASSEMBLY
CONFERENCE REPORT
House Bill 183

H183-CRRV-001

[] Title Change [YES] For Committee Substitute

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

The conferees appointed to resolve the differences between the Senate and the House of Representatives on House Bill 183, A BILL TO BE ENTITLED AN ACT TO INCLUDE PRIOR IMPAIRED DRIVING CONVICTIONS IN FELONY PRIOR RECORD LEVEL CALCULATION, AND TO PROVIDE FOR AN INDEFINITE CIVIL SUSPENSION OF A DRIVERS LICENSE WHEN A DRIVER IS CHARGED WITH AN IMPAIRED DRIVING OFFENSE WHILE ANOTHER IMPAIRED DRIVING OFFENSE IS PENDING DISPOSITION, 3rd Edition, Senate Judiciary Committee Substitute Adopted 8/4/97, 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 183

H183-CRRV-001

Date conferees approved report: August 21, 1997.

Conferees for the Senate	Conferees for the House of Representatives
Roy A. Cooper, III - Chairman	Joanne W. Bowie, Chair
James S. Forrester	Daniel F. McComas
Jim W. Phillips, Sr.	Charles B. Neely, Jr.
	Warren C. Oldham

House Submitted 8/21/97 placed on the calendar 8/22/97
House ADOPTED 8/22/97 (104/0 CV) Message Received 8/26/97
ADOPTED (/) Ordered Enrolled 8/26/97

Senate notified

Special Message
AUG 22 1997

AUG 26 1997
ORDERED SENT TO GOVERNOR

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1997

FILED
0184 FEB 13 97
HOUSE PRINCIPAL CLERK

H D

HOUSE DRH1059-ROZ001(2.12)

Short Title: Exempt State Health Plan From APA. (Public)

Sponsors: Representatives Redwine, Creech, Nichols, Mitchell, and Mercer.

Referred to:

A BILL TO BE ENTITLED

AN ACT TO EXEMPT THE NORTH CAROLINA TEACHERS' AND STATE EMPLOYEES' COMPREHENSIVE MAJOR MEDICAL PLAN FROM ARTICLE 2A OF THE ADMINISTRATIVE PROCEDURE ACT AND TO REQUIRE THE EMPLOYEE HOSPITAL AND MEDICAL BENEFITS COMMITTEE TO MEET AT LEAST QUARTERLY.

The General Assembly of North Carolina enacts:

Section 1. G.S. 150B-1(d) reads as rewritten:

"(d) Exemptions from Rule Making. -- Article 2A of this Chapter does not apply to the following:

(1) The Commission.

(2) The North Carolina Low-Level Radioactive Waste Management Authority in administering the provisions of G.S. 104G-10 and G.S. 104G-11.

(3) The North Carolina Hazardous Waste Management Commission in administering the provisions of G.S. 130B-13 and G.S. 130B-14.

(4) The Department of Revenue, with respect to the notice and hearing requirements contained in Part 2 of Article 2A.

(5) The North Carolina Global TransPark Authority with respect to the acquisition, construction, operation, or use, including fees or charges, of any portion of a cargo airport complex.

(6) The Department of Correction, with respect to matters relating solely to persons in its custody or under its supervision, including prisoners, probationers, and parolees.

NORTH CAROLINA
HOUSE OF REPRESENTATIVES
ROLL CALL

EV

. # 189
ISLATIVE DAY 33
H184
READING 2
REDWINE

3/26/97
2:44 PM
IN CHAIR: SPEAKER

EXEMPT STATE HEALTH PLAN FR. ADMIN. PROC

AYES - 115

ADAMS	DAUGHTRY	HUNTER, R.	PRESTON
ALDRIDGE	DAVIS	HURLEY	RAMSEY
ALEXANDER	DECKER	INSKO	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	ELLIS	MCALLISTER	SHERRILL
BLACK	ESPOSITO	MCCOMAS	SHUBERT
BLUE	FITCH	MCCOMBS	SMITH
BONNER	FOX	MCCRARY	STARNES
BOWIE	GAMBLE	MCMAHAN	SUTTON
BOYD-MCINTYRE	GARDNER	MERCER	TALLENT
BRASWELL	GOODWIN	MICHAUX	THOMPSON
BRAWLEY	GRADY	MILLER	TOLSON
BROWN	GRAY	MINER	WAINWRIGHT
BUCHANAN	GULLEY	MITCHELL	WARNER
CANSLER	HACKNEY	MOORE	WATSON
CAPPS	HALL	MORGAN	WEATHERLY
CARPENTER	HARDY	MORRIS	WILKINS
CHURCH	HENSLEY	MOSLEY	WILSON, C.
CLARY	HIATT	NEELY	WILSON, G.
COLE	HIGHTOWER	NESBITT	WOMBLE
CRAWFORD	HILL	NICHOLS	WOOD
CREECH	HOLMES	NYE	WRIGHT
CULP	HOWARD	OLDHAM	YONGUE
CUNNINGHAM	HUNTER, H.	OWENS	

NOES - 0

EXCUSED ABSENCE - 2

CULPEPPER	IVES

EXCUSED VOTE - 0

NOT VOTING - 3

SPEAKER	HARDAWAY	WARWICK

NORTH CAROLINA GENERAL ASSEMBLY
SENATE

RECORDED VOTE

1997 SESSION

SEQ. 1007/5--11:08 AM JUNE 26, 1997 LEGISLATIVE DAY 86

LT. GOVERNOR WICKER -- Presiding

REDWINE
EXEMPT STATE HEALTH PLAN FROM

HOUSE BILL 184
READING 2

ADMINISTRATIVE PROCEDURE ACT

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

GENERAL ASSEMBLY
SENATE

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1997

H.B. FILED
0185 FEB 13 97
HOUSE PRINCIPAL CLERK

H D

HOUSE DRHA142-RUZ025.4(2.6)

Short Title: Amend Family Care Home Reporting. (Public)

Sponsors: Representatives Mitchell, Allred, Creech, Mercer, Nichols, and Redwine (Cosponsors).

Referred to:

A BILL TO BE ENTITLED

AN ACT TO IMPLEMENT A RECOMMENDATION OF THE JOINT LEGISLATIVE ADMINISTRATIVE PROCEDURE OVERSIGHT COMMITTEE TO MODIFY THE METHOD AND REPORTING PERIOD FOR FAMILY CARE HOMES.

The General Assembly of North Carolina enacts:

Section 1. G.S.131D-4.2 reads as rewritten:

"**§ 131D-4.2. Adult care homes; family care homes; annual cost reports; exemptions; enforcement.**

(a) Except for family care homes, adult care homes with a licensed capacity of seven to twenty beds, which are licensed pursuant to this Chapter, to Chapter 122C of the General Statutes, and to Chapter 131E of the General Statutes, shall submit audited reports of actual costs to the Department at least every two years in accordance with rules adopted by the Department under G.S. 143B-10. For years in which an audited report of actual costs is not required, an annual cost report shall be submitted to the Department in accordance with rules adopted by the Department under G.S. 143B-10.

(b) Except for family care homes, adult care homes with a licensed capacity of twenty-one beds or more, which are licensed pursuant to this Chapter, to Chapter 122C of the General Statutes, and to Chapter 131E of the General Statutes, shall submit annual audited reports of actual costs to the Department of Human Resources, in accordance with rules adopted by the Department under G.S. 143B-10.

(c) Family care homes shall submit annual cost reports to the Department of Human Resources, in accordance with rules adopted by the Department under G.S.

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1997

H.B. FILED
0186 FEB 13 97
HOUSE PRINCIPAL CLERK

H D

HOUSE DRH7044-RUZ020(2.6)

Short Title: Foster Care Criminal Check Correction. (Public)

Sponsors: Representatives Mitchell, Allred, Creech, Mercer, Nichols, Redwine (Cosponsors).

Referred to:

A BILL TO BE ENTITLED

AN ACT TO MAKE CLARIFYING AMENDMENTS TO THE STATUTES PROVIDING FOR CRIMINAL HISTORY RECORD CHECKS OF INDIVIDUALS INVOLVED IN PROVIDING CHILD FOSTER CARE AS RECOMMENDED BY THE JOINT LEGISLATIVE ADMINISTRATIVE PROCEDURE OVERSIGHT COMMITTEE.

The General Assembly of North Carolina enacts:

Section 1. G.S. 131D-10.2 reads as rewritten:

"**§ 131D-10.2. Definitions.**

For purposes of this Article, unless the context clearly implies otherwise:

(1) 'Adoption' means the act of creating a legal relationship between parent and child where it did not exist genetically.

(2) 'Adoptive Home' means a family home approved by a child placing agency to accept a child for adoption.

(3) 'Child' means an individual less than 18 years of age, who has not been emancipated under the provisions of Article 56 of Chapter 7A of the General Statutes.

(4) 'Child Placing Agency' means a person authorized by statute or license under this Article to receive children for purposes of placement in residential group care, family foster homes or adoptive homes.

(5) 'Children's Camp' means a residential child-care facility which provides foster care at either a permanent camp site or in a wilderness setting.

NORTH CAROLINA

HOUSE OF REPRESENTATIVES

ROLL CALL

RC

NO. # 167
LEGISLATIVE DAY 31
H186
READING 2
MITCHELL

3/24/97
7:42 PM
IN CHAIR: SPEAKER

FOSTER CRIMINAL CHECK CORRECTION

AYES - 115

ADAMS	DAUGHTRY	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	SHUBERT
BLUE	FITCH	MCCOMAS	SMITH
BONNER	FOX	MCCOMBS	STARNES
BOWIE	GAMBLE	MCCRARY	SUTTON
BOYD-MCINTYRE	GARDNER	MCMAHAN	TALLENT
BRASWELL	GOODWIN	MERCER	THOMPSON
BRAWLEY	GRADY	MICHAUX	TOLSON
BROWN	GRAY	MILLER	WAINWRIGHT
BUCHANAN	GULLEY	MINER	WARNER
CANSLER	HACKNEY	MITCHELL	WARWICK
CAPPS	HALL	MOORE	WATSON
CARPENTER	HARDY	MORGAN	WEATHERLY
CHURCH	HENSLEY	MORRIS	WILKINS
CLARY	HIATT	NEELY	WILSON, G.
COLE	HIGHTOWER	NESBITT	WOMBLE
CRAWFORD	HILL	NICHOLS	WOOD
CREECH	HOLMES	NYE	WRIGHT
CULP	HOWARD	OLDHAM	YONGUE
CULPEPPER	HUNTER, H.	OWENS	

NOES - 0

EXCUSED ABSENCE - 2

CUNNINGHAM	MOSLEY

EXCUSED VOTE - 0

NOT VOTING - 3

SPEAKER	HARDAWAY	WILSON, C.

NORTH CAROLINA

HOUSE OF REPRESENTATIVES

ROLL CALL

RC

. # 175
ISLATIVE DAY 32
H186
READING 3
MITCHELL

3/25/97
2:12 PM
IN CHAIR: SPEAKER

FOSTER CARE CRIMINAL CHECK CORRECTION

AYES - 116

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

NOES - 0

EXCUSED ABSENCE - 0

EXCUSED VOTE - 0

NOT VOTING - 4

BEALL	HARDAWAY	RAMSEY	REYNOLDS

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1997

H.B. FILED 0187 FEB 13 97 HOUSE PRINCIPAL CLERK

H D

HOUSE DRH2057-LHZ057(2.6)

Short Title: Amend Prior Record Level Calculations. (Public)

Sponsors: Representative Bowie.

Referred to:

A BILL TO BE ENTITLED

AN ACT TO IMPLEMENT THE NORTH CAROLINA SENTENCING AND POLICY ADVISORY COMMISSION'S RECOMMENDATIONS TO PROVIDE THAT MULTIPLE PRIOR CONVICTIONS ARISING OUT OF SEPARATE TRANSACTIONS SHALL BE USED IN CALCULATING PRIOR RECORD LEVELS IF THOSE CONVICTIONS ARE NOT TRANSACTIONALLY RELATED OFFENSES.

The General Assembly of North Carolina enacts:

Section 1. G.S. 15A-1340.14(d) reads as rewritten:

"(d) Multiple Prior Convictions Obtained in One Court Week. -- For purposes of determining the prior record level, if an offender is convicted of more than one offense in a single superior court during one calendar week, or in a single session of district court, only the conviction for the offense with the highest point total is used. ~~If an offender is convicted of more than one offense in a single session of district court, only one of the convictions is used.~~ However, if at the time of sentencing for those convictions that court found that the offenses were not transactionally related pursuant to G.S. 15A-1340.15(c) or G.S. 15A-1340.22(c), each conviction is used for purposes of determining the prior record level."

Section 2. G.S. 15A-1340.15 is amended by adding a new subsection to read:

"(c) Transactionally Related Convictions. -- Unless otherwise specified by the court, if an offender is convicted of more than one offense in a single superior court during one calendar week, or in a single session of district court, those offenses are transactionally related. At the time of conviction the State may move the court to find that the current offenses are not transactionally related. The State must prove by

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1997

0188 FEB 13 97
HOUSE PRINCIPAL CLERK

H D

HOUSE DRH7056*-RTZ.054.01(2.5)

Short Title: Env. Tech. Corrections. (Public)

Sponsors: Representative Culp.

Referred to:

A BILL TO BE ENTITLED

AN ACT TO MAKE CLARIFYING, CONFORMING, AND TECHNICAL CHANGES TO VARIOUS LAWS RELATING TO ENVIRONMENT, HEALTH, AND NATURAL RESOURCES, AS RECOMMENDED BY THE ENVIRONMENTAL REVIEW COMMISSION.

The General Assembly of North Carolina enacts:

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

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

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

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

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

NORTH CAROLINA
HOUSE OF REPRESENTATIVES
ROLL CALL

EV

SEQ. # 327
LEGISLATIVE DAY 47
H188 HCS
READING 2
CULP

4/21/97
6:42 PM
IN CHAIR: SPEAKER

ENVIRONMENTAL TECHNICAL CORRECTION

AYES - 107

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

NOES - 0

EXCUSED ABSENCE - 6

CUNNINGHAM	GRAY	RUSSELL	WOOD
GOODWIN	HUNTER, R.		

EXCUSED VOTE - 0

NOT VOTING - 7

SPEAKER	FOX	HENSLEY	MICHAUX
CRAWFORD	GAMBLE	MCALLISTER	

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1997

H.B. FILED
0189 FEB 13 97
HOUSE PRINCIPAL CLERK

H D

HOUSE DRH6053*-LDZ015(1.16)

Short Title: Drinking Water/Conform with Fed. Law. (Public)

Sponsors: Representative Culp.

Referred to:

A BILL TO BE ENTITLED

AN ACT TO AMEND THE NORTH CAROLINA DRINKING WATER ACT SO THAT IT CONFORMS WITH FEDERAL LAW, AS RECOMMENDED BY THE ENVIRONMENTAL REVIEW COMMISSION.

The General Assembly of North Carolina enacts:

Section 1. G.S. 130A-313(10) reads as rewritten:

"(10) 'Public water system' means a system for the provision to the public of ~~piped water for human consumption~~ water for human consumption through pipes or other constructed conveyances if the system serves 15 or more service connections or which regularly serves 25 or more individuals. The term includes:

a. Any collection, treatment, storage or distribution facility under control of the operator of the system and used primarily in connection with the system; and

b. Any collection or pretreatment storage facility not under the control of the operator of the system ~~which~~ that is used primarily in connection with the system.

A public water system is either a 'community water system' or a 'noncommunity water system' as follows:

a. 'Community water system' means a public water system ~~which~~ that serves 15 or more service connections or ~~which~~ that regularly serves at least 25 year-round residents.

b. 'Noncommunity water system' means a public water system ~~which~~ that is not a community water system.

NORTH CAROLINA

HOUSE OF REPRESENTATIVES

ROLL CALL

. # 201
ISLATIVE DAY 35
H189
READING 2
CULP

3/31/97
8:22 PM
IN CHAIR: SPEAKER

DRINKING WATER/CON- FORM WITH FED. LAW

AYES - ~~103~~ 104

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

NOES - 0

EXCUSED ABSENCE - 6

BARBEE	HARDAWAY	RUSSELL	WRIGHT
HACKNEY	PRESTON		

EXCUSED VOTE - 0

NOT VOTING - ~~11~~ 10

SPEAKER	~~CUNNINGHAM~~ KW	HIATT	NESBITT
CRAWFORD	FITCH	HUNTER, H.	WARWICK
CULPEPPER	GAMBLE	HUNTER, R.	

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1997

H.B. FILED
0190 FEB 13 97
HOUSE PRINCIPAL CLERK

H D

HOUSE DRH1066-LG035(2.12)

Short Title: Madison Forestry Funds. (Public)

Sponsors: Representatives Ramsey and Beall.

Referred to:

A BILL TO BE ENTITLED

AN ACT TO APPROPRIATE FUNDS TO THE DEPARTMENT OF ENVIRONMENT, HEALTH, AND NATURAL RESOURCES, DIVISION OF FOREST RESOURCES, FOR A FORESTRY HEADQUARTERS FACILITY IN MADISON COUNTY.

The General Assembly of North Carolina enacts:

Section 1. There is appropriated from the General Fund to the Department of Environment, Health, and Natural Resources, Division of Forest Resources, the sum of four hundred sixteen thousand nine hundred dollars ($416,900) for the 1997-98 fiscal year for a forestry headquarters facility in Madison County.

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

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1997

H.B. FILED 0191 FEB 13 97 HOUSE PRINCIPAL CLERK

H D

HOUSE DRH7021*-RSZ007(1.24)

Short Title: Cert. Copies/Custody & Wills. (Public)

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

Referred to:

A BILL TO BE ENTITLED

AN ACT TO PROVIDE FOR THE FILING AND REGISTRY OF CERTIFIED COPIES OF OUT-OF-STATE CUSTODY DECREES AND FOR THE VALIDATION OF CERTIFIED COPIES OF WILLS RECORDED WITHOUT PROBATE.

The General Assembly of North Carolina enacts:

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

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

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

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

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

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

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

(1) Exemplified and certified true copies of custody decrees of other states received for filing;

(2) Communications as to the pendency of custody proceedings in other states;

NORTH CAROLINA
HOUSE OF REPRESENTATIVES
ROLL CALL

EV

. # 141
ISLATIVE DAY 28
H191
READING 2
HUNTER, R.

3/18/97
2:31 PM
IN CHAIR: SPEAKER

CERTIFIED COPIES/ CUSTODY AND WILLS

AYES - 113

ADAMS	DECKER	IVES	RAMSEY
ALDRIDGE	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
BOWIE	GAMBLE	MCMAHAN	STARNES
BOYD-MCINTYRE	GARDNER	MERCER	SUTTON
BRASWELL	GOODWIN	MICHAUX	TALLENT
BRAWLEY	GRADY	MILLER	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	HOWARD	NYE	WOMBLE
CULPEPPER	HUNTER, H.	OLDHAM	WOOD
CUNNINGHAM	HURLEY	OWENS	WRIGHT
DAUGHTRY	INSKO	PRESTON	YONGUE
DAVIS			

NOES - 0

EXCUSED ABSENCE - 4

ALEXANDER	BONNER	CULP	GRAY

EXCUSED VOTE - 0

NOT VOTING - 3

SPEAKER	HOLMES	HUNTER, R.

NORTH CAROLINA GENERAL ASSEMBLY
SENATE

RECORDED VOTE

1997 SESSION

SEQ. 677/11-- 2:45 PM MAY 14, 1997 LEGISLATIVE DAY 61

SENATOR BASNIGHT -- Presiding

HUNTER R.
CERTIFIED COPIES/CUSTODY AND WILLS

HOUSE BILL 191
READING 2

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

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

GENERAL ASSEMBLY
SENATE

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1997

H.B. FILED
0192 FEB 13 97
HOUSE PRINCIPAL CLERK

H D

HOUSE DRH1022-RSZ009(1.24)

Short Title: Courts Commission Membership. (Public)

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

Referred to:

A BILL TO BE ENTITLED

AN ACT TO MAKE CHANGES IN THE MEMBERSHIP OF THE NORTH CAROLINA COURTS COMMISSION.

The General Assembly of North Carolina enacts:

Section 1. G.S. 7A-506 reads as rewritten:

"**§ 7A-506. Creation; members; terms; qualifications; vacancies.**

(a) The North Carolina Courts Commission is created. Effective July 1, 1993, it shall consist of ~~24~~ 28 members, ~~six~~ seven to be appointed by the Governor, ~~six~~ seven to be appointed by the Speaker of the House of Representatives, ~~six~~ seven to be appointed by the President Pro Tempore of the Senate, and ~~six~~ seven to be appointed by the Chief Justice of the Supreme Court.

(b) Of the appointees of the Chief Justice of the Supreme Court, one shall be a Justice of the Supreme Court, one shall be a Judge of the Court of Appeals, two shall be judges of superior court, ~~and~~ two shall be district court ~~judges.~~ judges, and one shall be a public member who is not an attorney and who is not an officer or employee of the Judicial Department.

(c) Of the ~~six~~ seven appointees of the Governor, one shall be a district attorney, one shall be a practicing attorney, one shall be a clerk of superior court, at least three shall be members of the General Assembly, ~~and~~ at least ~~one~~ two shall not be ~~an attorney.~~ attorneys, and of the nonattorneys, one shall be a public member who is not an officer or employee of the Judicial Department.

(d) Of the ~~six~~ seven appointees of the Speaker of the House, at least three shall be practicing attorneys, at least three shall be members of the General Assembly, ~~and~~ at least ~~one~~ two shall not be ~~an attorney.~~ attorneys, and of the non-attorneys, one shall be a public member who is not an officer or employee of the Judicial Department.

NORTH CAROLINA

HOUSE OF REPRESENTATIVES

ROLL CALL

EV

[redacted] # 181
[redacted]ISLATIVE DAY 32
H192
READING 2
HUNTER, R.

3/25/97
2:35 PM
IN CHAIR: SPEAKER

COURTS COMMISSION MEMBERSHIP

116 DWeeks

AYES - ~~115~~

ALDRIDGE	DAVIS	INSKO	RAMSEY
ALEXANDER	DECKER	IVES	RAYFIELD
ALLRED	DEDMON	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
BLUE	FITCH	MCCOMAS	SHUBERT
BONNER	FOX	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
CLARY	HIATT	MOSLEY	WILKINS
COLE	HIGHTOWER	NEELY	WILSON, C.
CRAWFORD	HILL	NESBITT	WILSON, G.
CREECH	HOLMES	NICHOLS	WOMBLE
CULP	HOWARD	NYE	WOOD
CULPEPPER	HUNTER, H.	OLDHAM	WRIGHT
CUNNINGHAM	HUNTER, R.	OWENS	YONGUE
DAUGHTRY	HURLEY	PRESTON	ADAMS DW

NOES - 0

EXCUSED ABSENCE - 0

EXCUSED VOTE - 0

NOT VOTING - ~~5~~ 4 DW

SPEAKER	BLACK	DICKSON	GAMBLE
~~ADAMS~~			

DWeeks

NORTH CAROLINA GENERAL ASSEMBLY
SENATE

RECORDED VOTE

1997 SESSION

SEQ. 678/12-- 2:47 PM MAY 14, 1997 LEGISLATIVE DAY 61

SENATOR BASNIGHT -- Presiding

HUNTER R.
COURTS COMMISSION MEMBERSHIP

HOUSE BILL 192
READING 2

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

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

GENERAL ASSEMBLY
SENATE

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1997

H.B. FILED
0193 FEB 13 97
HOUSE PRINCIPAL CLERK

H D

HOUSE DRH6018-RGZ02(1.24)

Short Title: No Ins. Points for Infractions. (Public)

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

Referred to:

A BILL TO BE ENTITLED

AN ACT TO ELIMINATE INFRACTIONS FROM CONSIDERATION IN THE SAFE DRIVER INCENTIVE PLAN, TO PROVIDE FOR A GRADUATED INSURANCE POINT AND SURCHARGE SCHEDULE FOR BODILY INJURY CAUSED IN AUTOMOBILE ACCIDENTS, AND TO PROHIBIT INSURANCE POINTS AND SURCHARGES IF BODILY INJURY DOES NOT OCCUR.

The General Assembly of North Carolina enacts:

Section 1. G.S. 58-36-65(b) reads as rewritten:

"(b) The Bureau shall file, subject to review, modification, and promulgation by the Commissioner, a Safe Driver Incentive Plan ('Plan') that adequately and factually distinguishes among various classes of drivers that have safe driving records and various classes of drivers that have a record of at-fault accidents; a record of convictions of ~~major~~ moving traffic violations; ~~a record of convictions of minor moving traffic violations;~~ or a combination thereof; and that provides for premium differentials among those classes of drivers. Subsequently, the Commissioner may require the Bureau to file modifications of the Plan. If the Bureau does not file the modifications within a reasonable time, the Commissioner may promulgate the modifications. The Commissioner is authorized to structure the Plan to provide for surcharges above and discounts below the rate otherwise charged."

Section 2. G.S. 58-36-65(i) reads as rewritten:

"(i) As used in this section, 'conviction' ~~means a conviction as defined in G.S. 20-279.1 and means~~ does not include an infraction as defined in G.S. 14-3.1."

Section 3. G.S. 58-36-75(a) reads as rewritten:

"(a) The subclassification plan promulgated pursuant to G.S. 58-36-65(b) may provide for separate surcharges for major, intermediate, and minor accidents. A

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1997

H.B. FILED
0194 FEB 13 97
HOUSE PRINCIPAL CLERK

H D

HOUSE DRH2060*-LDZ016(1.16)

Short Title: State Revolving Water Fund Account. (Public)

Sponsors: Representative Culp.

Referred to:

A BILL TO BE ENTITLED

AN ACT TO ESTABLISH AN ACCOUNT WITHIN THE STATE REVOLVING LOAN AND GRANT FUND SO THAT FUNDS MADE AVAILABLE UNDER THE FEDERAL SAFE DRINKING WATER ACT AMENDMENTS OF 1996 MAY BE USED BY THE STATE, AS RECOMMENDED BY THE ENVIRONMENTAL REVIEW COMMISSION.

The General Assembly of North Carolina enacts:

Section 1. G.S. 159G-5 is amended by adding a new subsection to read:

"(d) The State Revolving Water Fund is established as a special account within the Clean Water Revolving Loan and Grant Fund. This account shall be established and managed in accordance with the requirements of Title I, section 130 of the federal Safe Drinking Water Act Amendments of 1996 (Pub. L. 104-182), to achieve the purposes and goals of the federal Safe Drinking Water Act Amendments of 1996. The funds in the State Revolving Water Fund account may be used only for the purposes of providing revolving construction loans and other assistance as set forth in Title I, section 130 of the federal Safe Drinking Water Act Amendments of 1996 and the regulations thereunder, including making grants to the extent permitted by these amendments or these regulations."

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

NORTH CAROLINA

HOUSE OF REPRESENTATIVES

ROLL CALL

EV

202
ISLATIVE DAY 35
H194 HCS
READING 2
CULP

3/31/97
8:24 PM
IN CHAIR: SPEAKER

DRINKING WATER REVOLVING LOAN FUND

AYES - 105

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

NOES - 0

EXCUSED ABSENCE - 6

BARBEE	HARDAWAY	RUSSELL	WRIGHT
HACKNEY	PRESTON		

EXCUSED VOTE - 0

NOT VOTING - 9

SPEAKER	FITCH	HIATT	HUNTER, R.
CRAWFORD	GAMBLE	HUNTER, H.	NESBITT
CULPEPPER			

NORTH CAROLINA GENERAL ASSEMBLY
SENATE

RECORDED VOTE

1997 SESSION

SEQ. 832/13-- 1:48 PM JUNE 5, 1997 LEGISLATIVE DAY 74

LT. GOVERNOR WICKER -- Presiding

CULP
DRINKING WATER REVOLVING LOAN FUND
2ND EDITION

HOUSE BILL 194
READING 2

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

GENERAL ASSEMBLY
SENATE

GENERAL ASSEMBLY OF NORTH CAROLINA H.B. FILED

SESSION 1997 0195 FEB 13

H HOUSE PRINCIPAL CLERK

HOUSE DRH2058-LLZ056(2.6)

Short Title: Clarify Post-Release Supervision. (Public)

Sponsors: Representative Bowie.

Referred to:

A BILL TO BE ENTITLED

AN ACT TO IMPLEMENT THE RECOMMENDATION OF THE NORTH CAROLINA SENTENCING AND POLICY ADVISORY COMMISSION TO MAKE CLARIFYING CHANGES TO POST-RELEASE SUPERVISION.

The General Assembly of North Carolina enacts:

Section 1. G.S. 15A-1368.6(e) reads as rewritten:

"(e) Revocation Hearing. -- Before finally revoking post-release supervision, the Commission shall, unless the supervisee waived the hearing or the time limit, provide a hearing within 45 days of the supervisee's reconfinement to determine whether to revoke supervision finally. For purposes of this subsection, the 45-day period begins when the preliminary hearing required by subsection (b) of this section is held or waived, or upon the passage of seven working days after arrest, whichever is sooner. The Commission shall adopt rules governing the hearing and shall file and publish them as provided in Article 5 of Chapter 150B of the General Statutes."

Section 2. G.S. 15A-1368(a)(5) reads as rewritten:

"(5) Maximum imposed term. -- The maximum term of imprisonment imposed on an individual prisoner by a court judgment, as described in G.S. 15A-1340.13(c). When a prisoner is serving consecutive prison terms, the maximum imposed term, for purposes of this Article, is the sum of all maximum terms imposed in the court judgment or judgments, less nine months for each of the second and subsequent sentences imposed for Class B through Class E felonies."

Section 3. G.S. 15-196.1 reads as rewritten:

"**§ 15-196.1. Credits allowed.**

NORTH CAROLINA

HOUSE OF REPRESENTATIVES

ROLL CALL

EV

. # 259
ISLATIVE DAY 40
H195
READING 2
BOWIE

4/08/97
4:09 PM
IN CHAIR: SPEAKER

CLARIFY POST-RELEASE SUPERVISION

AYES - 107

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

NOES - 0

EXCUSED ABSENCE - 5

BARBEE	CRAWFORD	ESPOSITO	HENSLEY
COLE			

EXCUSED VOTE - 0

NOT VOTING - 8

SPEAKER	ELLIS	IVES	MOSLEY
BLUE	GRADY	MICHAUX	NESBITT

NORTH CAROLINA GENERAL ASSEMBLY
SENATE

RECORDED VOTE

1997 SESSION

SEQ. 905/11--12:40 PM JUNE 12, 1997 LEGISLATIVE DAY 78

LT. GOVERNOR WICKER -- Presiding

BOWIE
CLARIFY POST-RELEASE SUPERVISION

HOUSE BILL 195
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	MCDANIEL	WARREN
		CLARK	HOYLE	MILLER	WEBSTER
		COCHRANE	JENKINS	ODOM	WEINSTEIN
		CONDER	JORDAN	PAGE	WELLONS
		COOPER	KERR	PHILLIPS	WINNER
		DALTON			
NO	0				
EXCUSED	0				
NOT CAST	0				
ABSENT	1	PERDUE			
PAIRS	0				
AYE					
NO					

GENERAL ASSEMBLY
SENATE

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1997

H.B. FILED
0196 FEB 13
HOUSE PRINCIPAL CLERK

H D

HOUSE DRH1061-LLZ055(2.6)

Short Title: Post-Release Supervision/F and G Felons. (Public)

Sponsors: Representative Bowie.

Referred to:

A BILL TO BE ENTITLED

AN ACT TO IMPLEMENT THE RECOMMENDATIONS OF THE NORTH CAROLINA SENTENCING AND POLICY ADVISORY COMMISSION TO ADD POST-RELEASE SUPERVISION FOR CLASS F AND CLASS G FELONS AND TO MAKE OTHER SUBSTANTIVE CHANGES AFFECTING POST-RELEASE SUPERVISION.

The General Assembly of North Carolina enacts:

Section 1. G.S. 15A-1368(a)(5) reads as rewritten:

"(5) Maximum imposed term. -- The maximum term of imprisonment imposed on an individual prisoner by a court judgment, as described in G.S. 15A-1340.13(c). When a prisoner is serving consecutive prison terms, the maximum imposed term, for purposes of this Article, is the sum of all maximum terms imposed in the court judgment, less nine months for each of the second and subsequent sentences imposed for Class ~~B~~ B1 through Class ~~E~~ G felonies."

Section 2. G.S. 15A-1340.17(d) reads as rewritten:

"(d) Maximum Sentences Specified for Class ~~F~~ H through Class I Felonies. -- Unless provided otherwise in a statute establishing a punishment for a specific crime, for each minimum term of imprisonment in the chart in subsection (c) of this section, expressed in months, the corresponding maximum term of imprisonment, also expressed in months, is as specified in the table below for Class ~~F~~ H through Class I felonies. The first figure in each cell in the table is the minimum term and the second is the maximum term.

3-4	4-5	5-6	6-8	7-9	8-10	9-11	10-12

H.B. FILED
0197 FEB 13
HOUSE PRINCIPAL CLE

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1997

H **D**

HOUSE DRH1048*-LKZ043A(2.4)

Short Title: Judicial Timber Sale/Sealed Bid. (Public)

Sponsors: Representative Culpepper.

Referred to:

A BILL TO BE ENTITLED

AN ACT TO ESTABLISH A PROCEDURE FOR CONDUCTING JUDICIAL SALES OF TIMBER BY SEALED BID, AS RECOMMENDED BY THE GENERAL STATUTES COMMISSION.

The General Assembly of North Carolina enacts:

Section 1. G.S. 1-339.3A reads as rewritten:

"**§ 1-339.3A. Judge or clerk may order public or private sale.**

The judge or clerk of court having jurisdiction has authority in his discretion to determine whether a sale of either real or personal property shall be a public or private ~~sale.~~ sale and whether a public sale of timber, or of timber together with the tract of land upon which the timber is growing, shall be by auction or by sealed bid. Any private sale conducted under an order issued prior to July 1, 1955 by a judge or clerk of court having jurisdiction is hereby validated as to the order that ~~such~~ the sale be a private sale."

Section 2. G.S. 1-339.8(a) reads as rewritten:

"(a) When an order of public sale directs the sales of separate tracts of real property situated in different counties, exclusive jurisdiction over ~~such~~ the sale remains in the superior or district court of the county where the proceeding, in which the order of sale was issued, is pending, but there shall be a separate advertisement, sale and report of sale with respect to the property in each county. In any such sale proceeding, the clerk of the superior court of the county where the original order of sale was issued, has jurisdiction with respect to the resale of separate tracts of property situated in other counties as well as in the clerk's own county, and when the public sale is by auction an upset bid may be filed only with ~~such~~ that clerk, except in those cases where the judge retains resale jurisdiction pursuant to G.S. 1-339.27."

NORTH CAROLINA
HOUSE OF REPRESENTATIVES
ROLL CALL

EV

. # 117
ISLATIVE DAY 24
H197 HCS
READING 2
CULPEPPER

3/11/97
4:09 PM
IN CHAIR: SPEAKER

JUDICIAL TIMBER SALE /SEALED BID

AYES - 112

ADAMS	DAVIS	HUNTER, R.	PRESTON
ALDRIDGE	DECKER	HURLEY	RAYFIELD
ALEXANDER	DEDMON	IVES	REDWINE
ALLRED	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	MCCOMAS	SHUBERT
BLUE	FITCH	MCCOMBS	SMITH
BONNER	FOX	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	MOORE	WARWICK
CARPENTER	HARDAWAY	MORGAN	WATSON
CHURCH	HARDY	MORRIS	WEATHERLY
CLARY	HENSLEY	MOSLEY	WILKINS
COLE	HIATT	NEELY	WILSON, C.
CREECH	HIGHTOWER	NESBITT	WILSON, G.
CULP	HILL	NICHOLS	WOMBLE
CULPEPPER	HOLMES	NYE	WOOD
CUNNINGHAM	HOWARD	OLDHAM	WRIGHT
DAUGHTRY	HUNTER, H.	OWENS	YONGUE

NOES - 0

EXCUSED ABSENCE - 1

BRASWELL

EXCUSED VOTE - 0

NOT VOTING - 7

SPEAKER	CRAWFORD	INSKO	RAMSEY
ARNOLD	GAMBLE	MCALLISTER	

NORTH CAROLINA GENERAL ASSEMBLY
SENATE

RECORDED VOTE

1997 SESSION

SEQ. 629/9--12:08 PM MAY 8, 1997 LEGISLATIVE DAY 58

LT. GOVERNOR WICKER -- Presiding

CULPEPPER
JUDICIAL TIMBER SALE/SEALED BID
SENATE COMM. SUB./3RD EDITION

HOUSE BILL 197
READING 2

AYE	48	ALBERTSON	DALTON	KINCAID	PHILLIPS
		ALLRAN	DANNELLY	KINNAIRD	PLYLER
		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	JORDAN	PERDUE	WINNER
NO	0				

EXCUSED	0	
NOT CAST	1	KERR
ABSENT	1	RAND
PAIRS	0	
AYE		
NO		

(COPY)

GENERAL ASSEMBLY
SENATE

NORTH CAROLINA
HOUSE OF REPRESENTATIVES
ROLL CALL

EV

647
LEGISLATIVE DAY 61
H197 SCS

5/14/97
2:52 PM
IN CHAIR: SPEAKER

CULPEPPER

JUDICIAL TIMBER SALE/SEALED BID
MOTION #11 TO CONCUR IN SENATE COMM. SUB.

AYES - 111

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

NOES - 0

EXCUSED ABSENCE - 5

ALEXANDER	HIATT	WEATHERLY	WOOD
DICKSON			

EXCUSED VOTE - 0

NOT VOTING - 4

SPEAKER	COLE	CREECH	GRAY

H.B. FILED
0198 FEB 13 97
HOUSE PRINCIPAL CLERK

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1997

H **D**

HOUSE DRH1052-LL062(2.11)

Short Title: Supervision of Prisoners. (Public)

Sponsors: Representatives Sexton, Reynolds, and Allred.

Referred to:

A BILL TO BE ENTITLED

AN ACT TO AUTHORIZE A COUNTY TO ARRANGE FOR THE SUPERVISION OF WORKING PRISONERS BY EMPLOYEES OF ANOTHER UNIT OF STATE OR LOCAL GOVERNMENT.

The General Assembly of North Carolina enacts:

Section 1. G.S. 162-58 reads as rewritten:

"**§ 162-58. Counties may work prisoners.**

The board of commissioners of the several counties may enact by resolution all necessary rules and regulations for work on projects to benefit units of State or local government by persons convicted of crimes and imprisoned in the local confinement facilities or satellite jail/work release units of their respective counties. The sheriff shall approve rules and regulations enacted by the board. Prisoners working under this section shall be supervised by county ~~employees~~ employees, employees of another unit of State or local government, or by the sheriff. The rules enacted by the board of county commissioners and approved by the sheriff shall specify a procedure for ensuring that county employees or employees of another unit of State or local government supervising prisoners pursuant to this section be provided with notice that the persons placed under their supervision are inmates from a local confinement facility or a satellite jail/work release unit."

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

NORTH CAROLINA
HOUSE OF REPRESENTATIVES
ROLL CALL

EV

. # 115
ISLATIVE DAY 24
H198 HCS
READING 2
SEXTON

3/11/97
4:06 PM
IN CHAIR: SPEAKER

SUPERVISION OF PRISONERS
MOTION #7 TO RE-REFER (REP ALLRED)

AYES - 9

ALLRED	JARRELL	LUEBKE	NYE
CAPPS	KINNEY	MINER	WOOD
HIGHTOWER			

NOES - 104

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

EXCUSED ABSENCE - 1

BRASWELL

EXCUSED VOTE - 0

NOT VOTING - 6

SPEAKER	CRAWFORD	MCALLISTER	RAMSEY
ARNOLD	GAMBLE		

NORTH CAROLINA
HOUSE OF REPRESENTATIVES
ROLL CALL

EY

. # 116
ISLATIVE DAY 24
H198 HCS
READING 2
SEXTON

3/11/97
4:07 PM
IN CHAIR: SPEAKER

SUPERVISION OF PRISONERS

AYES - 110

ALDRIDGE	DECKER	HURLEY	RAYFIELD
ALEXANDER	DEDMON	INSKO	REDWINE
ALLRED	DICKSON	IVES	REYNOLDS
BADDOUR	DOCKHAM	JEFFUS	ROGERS
BAKER	EARLE	JUSTUS	RUSSELL
BARBEE	EASTERLING	KISER	SAUNDERS
BEALL	EDDINS	LUEBKE	SEXTON
BERRY	ELLIS	MCCOMAS	SHERRILL
BLACK	ESPOSITO	MCCOMBS	SHUBERT
BLUE	FITCH	MCCRARY	SMITH
BONNER	FOX	MCMAHAN	STARNES
BOWIE	GARDNER	MERCER	SUTTON
BOYD-MCINTYRE	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	WRIGHT
DAUGHTRY	HUNTER, H.	PRESTON	YONGUE
DAVIS	HUNTER, R.		

NOES - 3

ADAMS	JARRELL	KINNEY

EXCUSED ABSENCE - 1

BRASWELL

EXCUSED VOTE - 0

NOT VOTING - 6

SPEAKER	CRAWFORD	MCALLISTER	RAMSEY
ARNOLD	GAMBLE		

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1997

H.B. FILED
0199 FEB 13 97
HOUSE PRINCIPAL CLERK

H D

HOUSE DRH7038*-LDZ050(2.6)

Short Title: Amend Medical Providers' Liens. (Public)

Sponsors: Representative Culpepper.

Referred to:

A BILL TO BE ENTITLED

AN ACT TO AMEND THE LAW RELATING TO LIENS DUE MEDICAL PROVIDERS FOR MEDICAL SERVICES PROVIDED, AS RECOMMENDED BY THE GENERAL STATUTES COMMISSION.

The General Assembly of North Carolina enacts:

Section 1. G.S. 44-49, 44-50, and 44-51 are repealed.

Section 2. Article 9 of Chapter 44 of the General Statutes is amended by adding the following new sections to read:

"**§ 44-51.01. Definitions.**

As used in this Article:

(1) 'Claimant' means an injured person or the injured person's personal representative, collector, guardian, or parent responsible for payment for medical services.

(2) 'Injured person' means any individual who has sustained personal injuries.

(3) 'Medical provider' means all of the following:

a. Any physician, nurse, chiropractor, dentist, optometrist, podiatrist, physical therapist, psychologist, pharmacist, or other individual licensed, registered, or certified by this State or any other state to provide medical services.

b. Any employer of any individual listed in sub-subdivision a. of this subdivision, or any entity through which such an individual renders medical services, that has the right to receive the payment due for the individual's medical services to an injured person.

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1997

H.B. FILED
0200 FEB 13 97
HOUSE PRINCIPAL CLERK

H D

HOUSE DRH8021*-LTZX030A(2.4)

Short Title: Corporate Amendments. (Public)

Sponsors: Representative Culpepper.

Referred to:

A BILL TO BE ENTITLED

AN ACT TO AMEND THE LAW GOVERNING DISSENTERS' RIGHTS PROCEDURES AND THE FILING OF DOCUMENTS BY LIMITED LIABILITY COMPANIES, TO ALLOW FACSIMILE SIGNATURES AND ADVISORY REVIEW OF DOCUMENTS BY THE SECRETARY OF STATE, AND TO CLARIFY CORRECTIONS PROCEDURES, LIMITED LIABILITY NAME AVAILABILITY, AND THE DEFINITION OF FOREIGN PROFESSIONAL CORPORATIONS AS RECOMMENDED BY THE GENERAL STATUTES COMMISSION.

The General Assembly of North Carolina enacts:

PART I. AMENDMENT OF DISSENTERS' RIGHTS PROCEDURES.

Section 1. G.S. 55-13-22(b) reads as rewritten:

"(b) The dissenters' notice must be sent no later than 10 days after ~~the corporate action was taken,~~ shareholder approval, or if no shareholder approval is required, after the approval of the board of directors, of the corporate action creating dissenters' rights under G.S. 55-13-02, and must:

(1) State where the payment demand must be sent and where and when certificates for certificated shares must be deposited;

(2) Inform holders of uncertificated shares to what extent transfer of the shares will be restricted after the payment demand is received;

(3) Supply a form for demanding payment;

(4) Set a date by which the corporation must receive the payment demand, which date may not be fewer than 30 nor more than 60 days after the date the subsection (a) notice is mailed; and

(5) Be accompanied by a copy of this Article."