FILED - SENATE
JAN 2 9 1997
PRINCIPAL CLERK

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1997

S D

SENATE DRS1504-RR021A(1.23)

Short Title: Campaign Reform Act of 1997. (Public)

Sponsors: Senator Gulley.

Referred to:

A BILL TO BE ENTITLED

AN ACT TO REFORM THE CAMPAIGN LAWS OF NORTH CAROLINA.

The General Assembly of North Carolina enacts:

--LOWER THE CONTRIBUTION LIMIT AND CLOSE THE LOOPHOLES FOR PARTY CONTRIBUTIONS, FAMILY CONTRIBUTIONS, AND SECOND PRIMARIES.

Section 1. (a) 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~~ two thousand dollars ~~($4,000)~~ ($2,000) 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~~ two thousand dollars ~~($4,000)~~ ($2,000) 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~~ two thousand dollars ~~($4,000)~~ ($2,000) 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

NORTH CAROLINA GENERAL ASSEMBLY
SENATE

RECORDED VOTE

1997 SESSION

SEQ. 18/10-- 1:51 PM FEBRUARY 6, 1997 LEGISLATIVE DAY 6

LT. GOVERNOR WICKER -- Presiding

GULLEY
CAMPAIGN REFORM ACT OF 1997
2ND EDITION

SENATE BILL 1
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
AMENDMENT
Senate Bill 1

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

S1-ARR-002

Date 2/6 ,1997

Comm. Sub. [y]
Amends Title []

Senator Gulley

moves to amend the bill on page 2, line 20,
by placing a period after the word "FILING" and deleting the
remainder of the line; and

on page 2, lines 32 and 33,
by deleting the language on those lines and substituting the
following:

"(b) The State Board of Elections shall implement G.S.
163-278.9(j), as enacted by subsection (a) of this section,
without additional appropriations of funds by the General
Assembly."; and

on page 3, lines 20 through 29,
by deleting the language on those lines and substituting the
following:

" (5a) Quarterly Reports. -- During even-numbered years during which there is an election for that candidate or in which the campaign committee is supporting a candidate, the treasurer shall file a report with the Board not later than seven days after the end of each calendar quarter, covering the prior calendar quarter, except that:

a. The report for the first quarter shall also cover the period in April through the seventeenth day before the election, the third quarter report shall be due seven days after that date, and the second quarter report shall not include that period if a first quarter report was required to be filed.

b. The report for the third quarter shall also cover the period in October through the seventeenth day before the election, the third quarter report shall be due seven days after that date, and the fourth quarter report shall

not include that period if a third quarter report was required to be filed.; and

on page 2, lines 38 and 39,
by deleting the language on those lines and substituting the following:

"(a) ~~The-~~ Except as provided in G.S. 163-278.10A, the treasurer of each candidate and of each political committee shall file under verification with the Board the following reports:"; and

on page 4, lines 12 through 44,
by inserting after that line the following:

"--REPORTING IN LOCAL ELECTIONS.

Section 5. (a) G.S. 163-278.6(1) reads as rewritten:

"(1) The term 'board' means the State Board of Elections with respect to all candidates for State and multi-county district offices and the county or municipal board of elections with respect to all candidates for single-county district, county and municipal offices. The term means the State Board of Elections with respect to all statewide ~~referenda.~~ referenda and the county or municipal board of elections conducting all local referenda."

(b) G.S. 163-278.6(18) reads as rewritten:

"(18) The term 'public office' means any office filled by election by the people on a statewide, county, municipal or district basis, and this Article shall be applicable to such elective offices whether the election therefor is partisan or ~~nonpartisan, provided candidates for municipal and county offices in those municipalities and counties having less than 50,000 population, according to the most recent decennial census figures, shall not be required to file reports required by this Article, but this Article shall otherwise be applicable to such candidates for municipal and county offices.~~ nonpartisan."

(c) G.S. 163-278.6(18a) reads as rewritten:

"(18a) The term 'referendum' means any question, issue, or act referred to a vote of the people of the entire State by the General ~~Assembly~~ Assembly, a unit of local government, or by the people under any applicable local act and

includes constitutional amendments and State bond issues. The term 'referendum' ~~does not include~~ includes any type of municipal, county, or special district referendum."

(d) G.S. 163-278.40(2) reads as rewritten:

"(2) The term 'city' means any incorporated city, town, or ~~village with a population of 50,000 or over, according to the most recent decennial federal census,~~ village."

(e) G.S. 163-278.9(d) reads as rewritten:

'(d) Candidates and committees for municipal offices in a city ~~with a population of 50,000 or greater, which~~ that are required to submit reports by G.S. 163-278.6(18) are not subject to subsections (a), (b), and (c) of this section. Reports for those candidates are covered by Part 2 of this ~~Article.~~ Article, except as provided in G.S. 163-278.10A.'

(f) G.S. 163-278.10A reads as rewritten:

'§ 163-278.10A. Threshold ~~of $1,000.00~~ for Financial Reports.

(a) Candidates. -- Notwithstanding any other provision of this Chapter, a candidate shall be exempted from the reports of contributions, loans, and expenditures required in G.S. 163-278.9(a), 163-278.40B, 163-278.40C, 163-278.40D, and 163-278.40E if to further his campaign that candidate:

(1) Does not receive more than ~~one thousand dollars ($1,000.00)~~ the threshold amount in contributions, and

(2) Does not receive more than ~~one thousand dollars ($1,000.00)~~ the threshold amount in loans, and

(3) Does not spend more than ~~one thousand dollars ($1,000.00),~~ the threshold amount.

To qualify for the exemption from those reports, the candidate's treasurer shall file a certification under oath that ~~he does not intend~~ there is no intent to receive in contributions or loans or expend more than ~~one thousand dollars ($1,000.00)~~ the threshold amount to further ~~his~~ the campaign. The certification shall be filed with the Board ~~at the same time the candidate files his Organizational Report as required in G.S. 163-278.7, G.S. 163-278.9, and G.S. 163-278.40A,~~ as a part of the candidate's notice of candidacy. If the candidate's campaign is being conducted by a political committee which is handling all contributions, loans, and expenditures for ~~his~~ the campaign, the treasurer of the political committee shall file a certification of intent to stay within the threshold ~~amount,~~ at the time the candidate files notice of candidacy. If the intent to stay within the threshold changes, or if the ~~$1,000~~ threshold is exceeded, the treasurer shall immediately notify the Board and shall be

responsible for filing all reports required in G.S. 163-278.9 and 163-278.40B, 163-278.40C, 163-278.40D, and 163-278.40E; provided that any contribution, loan, or expenditure which would have been required to be reported on an earlier report but for this section shall be included on the next report required after the intent changes or the threshold is exceeded.

For the purposes of this subsection, the 'threshold amount' shall be as follows:

(1) With regard to candidates for municipal and county offices in municipalities and counties having less than 15,000 in population, according to the most recent decennial census, three thousand dollars ($3,000); and

(2) With regard to candidates for other offices, one thousand dollars ($1,000).

Any candidate exempted from reporting contributions, loans, and expenditures under subdivision (1) of this subsection is also exempted from filing an Organizational Report under G.S. 163-278.9(a)(1), 163-278.40B, 163-278.40C, 163-278.40D, and 163-278.40E.

(b) Political Party Committees. -- The exemption in subsection (a) of this section applies to political party committees under the same terms as for candidates, except that the term "to further his campaign" does not relate to a political party committee's exemption, and all contributions, expenditures, and loans during an election shall be counted against the political party committee's threshold amount.

(c) Referendum Committees. -- Regardless of the population of the municipality or county for which a referendum takes place, a referendum committees shall be exempted from the reports of contributions, loans, and expenditures required in G.S. 163-278.9A if to further the referendum campaign the referendum committee:

(1) Does not receive more than one thousand dollars ($1,000) in contributions; and

(2) Does not receive more than one thousand dollars ($1,000) in loans; and

(3) Does not spend more than one thousand dollars ($1,000).

A referendum committee is not exempted from the requirement for an Organizational Report under G.S. 163-278.9A. To qualify for the exemption from reporting contributions, loans, and expenditures, the treasurer of the referendum committee shall file a certification under oath that there is no intent to exceed the amounts listed in subdivisions (1), (2), and (3). The

NORTH CAROLINA GENERAL ASSEMBLY
AMENDMENT
Senate Bill 1

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

S1-ARR-002

certification shall be made as part of the Organizational Report.'

(g) This section becomes effective January 1, 1998, and applies to elections beginning in 1998."

SIGNED _____
Amendment Sponsor

SIGNED _____
Committee Chair if Senate Committee Amendment

ADOPTED 1/ FAILED _____ TABLED _____

50-0 J. Pruitt 2/4/97

NORTH CAROLINA GENERAL ASSEMBLY
SENATE

RECORDED VOTE

1997 SESSION

SEQ. 20/12-- 2:08 PM FEBRUARY 6, 1997 LEGISLATIVE DAY 6

LT. GOVERNOR WICKER -- Presiding

GULLEY
CAMPAIGN REFORM ACT OF 1997
2ND EDITION

SENATE BILL 1

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

PY)

GENERAL ASSEMBLY
SENATE

NORTH CAROLINA GENERAL ASSEMBLY AMENDMENT

(Please type or use ballpoint pen)

EDITION No. _____

H. B. No. _____ DATE February 6, 1997

S. B. No. 1 Amendment No. 2
(to be filled in by Principal Clerk)

COMMITTEE SUBSTITUTE ✓

Rep.)
) Blust
(Sen.))

1 moves to amend the bill on page 1, line 11
2 ( ) WHICH CHANGES THE TITLE
3 by deleting the period after the word "election" and adding thereto the
4 words "nor shall any political committee that is affiliated with
5 or related in any manner to a political party or to a candidate or
6 candidates of a political party, make any expenditure for or on behalf
7 of any candidate or other political committee in excess of $2000 for that
8 election. This limitation does not apply to get out the vote efforts of a
9 political party for its candidates."
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19

SIGNED John M. Blust

ADOPTED _____ FAILED ✓ TABLED _____
20-30 & Pruitt
2/6/97

GA-33-A

PRINCIPAL CLERK'S OFFICE (FOR ENGROSSMENT)

NORTH CAROLINA GENERAL ASSEMBLY
SENATE

RECORDED VOTE

1997 SESSION

SEQ. 19/11-- 2:02 PM FEBRUARY 6, 1997 LEGISLATIVE DAY 6

LT. GOVERNOR WICKER -- Presiding

GULLEY
CAMPAIGN REFORM ACT OF 1997
2ND EDITION

SENATE BILL 1

AMEND 2

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

EXCUSED 0

NOT CAST 0

ABSENT 0

PAIRS 0
AYE
NO

(COPY)

GENERAL ASSEMBLY
SENATE

NORTH CAROLINA GENERAL ASSEMBLY
AMENDMENT
Senate Bill 1

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

S1-ALB-3

Date 2-6 ,1997

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

SENATOR KINCAID

moves to amend the bill on page 6, line 11
by adding the following between lines 11 and 12:
"Section 7. G.S. 163-278.19(b) reads as rewritten:
'(b) It shall, however, be lawful for any corporation, business entity, labor union, professional association or insurance company to communicate with its employees, stockholders or members and their families on any subject; to conduct nonpartisan registration and get-out-the-vote campaigns aimed at their employees, stockholders, or members and their families; or for officials and employees of any corporation, insurance company or business entity or the officials and members of any labor union or professional association to establish, administer, contribute to, and to receive and solicit contributions to a separate segregated fund to be utilized for political purposes except as provided in G.S. 163-278.20, and those individuals shall be deemed to become and be a political committee as that term is defined in G.S. 163-278.6(14) or a referendum committee as defined in G.S. 163-278.6(18b); provided, however, that it shall be unlawful for any such fund to make a contribution or expenditure by utilizing contributions secured by physical force, job discrimination, financial reprisals or the threat of force, job discrimination or financial reprisals, or by dues, fees, or other moneys required as a condition of membership or employment or as a requirement with respect to any terms or conditions of employment, including, without limitation, hiring, firing, transferring, promoting, demoting, or granting seniority or employment-related benefits of any kind, or by moneys obtained in any commercial transaction whatsoever. Even if use of funds received from an employee or member is otherwise not unlawful, no business entity, labor union, professional association or insurance company may use any funds received from an employee or member by payroll deduction for any political action committee unless the employee or member has separately consented in writing.'"

NORTH CAROLINA GENERAL ASSEMBLY
SENATE

RECORDED VOTE

1997 SESSION

SEQ. 12/4--12:49 PM FEBRUARY 6, 1997 LEGISLATIVE DAY 6

LT. GOVERNOR WICKER -- Presiding

GULLEY
CAMPAIGN REFORM ACT OF 1997
2ND EDITION

SENATE BILL 1

AMEND 3

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

EXCUSED 0

NOT CAST 0

ABSENT 0

PAIRS 0
AYE
NO

GENERAL ASSEMBLY
SENATE

NORTH CAROLINA GENERAL ASSEMBLY
AMENDMENT
Senate Bill 1

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

S1-ARR-003

Date 2/6 ,1997

Comm. Sub. [y]
Amends Title []

Senator Eleanor Kinnaird

moves to amend the bill on page 4, line 6,
by inserting after the word "occupation" the term "and employer".

SIGNED _____
Amendment Sponsor

SIGNED _____
Committee Chair if Senate Committee Amendment

ADOPTED ✓ FAILED _____ TABLED _____

34-16 J. Pruitt
2/6/97

NORTH CAROLINA GENERAL ASSEMBLY
AMENDMENT
Senate Bill 1

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

S1-ALB-3

1 further moves to amend the bill on page 6, line 12 by renumbering
2 that section.

SIGNED _____
Amendment Sponsor

SIGNED _____
Committee Chair if Senate Committee Amendment

ADOPTED _____ FAILED ✓ TABLED _____

20-30 J. Pruitt
2/4/97

NORTH CAROLINA GENERAL ASSEMBLY
SENATE

RECORDED VOTE

1997 SESSION

SEQ. 13/5-- 1:15 PM FEBRUARY 6, 1997 LEGISLATIVE DAY 6

LT. GOVERNOR WICKER -- Presiding

GULLEY
CAMPAIGN REFORM ACT OF 1997
2ND EDITION

SENATE BILL 1

AMEND 4

AYE	34	ALLRAN	FOXX	LUCAS	REEVES
		BALLANCE	GULLEY	MCDANIEL	SHAW L.
		BALLANTINE	HARTSELL	MILLER	SHAW R.
		BASNIGHT	HORTON	PAGE	SOLES
		BLUST	JENKINS	PERDUE	WARREN
		CARPENTER	JORDAN	PHILLIPS	WEBSTER
		CONDER	KINNAIRD	PLYLER	WELLONS
		COOPER	LEDBETTER	RAND	WINNER
		FORRESTER	LEE		
NO	16	ALBERTSON	DALTON	HOYLE	MARTIN W.
		CARRINGTON	DANNELLY	KERR	ODOM
		CLARK	EAST	KINCAID	RUCHO
		COCHRANE	GARWOOD	MARTIN R.	WEINSTEIN

EXCUSED	0
NOT CAST	0
ABSENT	0
PAIRS	0
AYE	
NO	

GENERAL ASSEMBLY
SENATE

NORTH CAROLINA GENERAL ASSEMBLY
AMENDMENT
Senate Bill 1

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

S1-ARR-004

Page 1 of 1

Date FEB 6 ,1997

Comm. Sub. [y]
Amends Title []

Senator WEBSTER

moves to amend the bill on page 6, line 11, by inserting after that line the following:

"--CAMPAIGN OFFENSES.

Section 7. G.S. 163-274 is amended by adding two new subdivisions to read:

' (14) For any owner or employee of an institution that receives tax-exempt status under Section 501(c)(3) of the Code to engage in or permit political acts that endanger the tax-exempt status of the institution. For purposes of this subdivision, the term 'Code' has the same meaning as defined in G.S. 105-228.90.

(15) For any employee of the State of North Carolina or any county or municipality or school district while on duty or in the workplace to use his or her official authority or influence to interfere with or affect the result of an election or nomination for political office, or for any supervisor to permit such acts by employees under that supervisor's supervision.'"; and

by renumbering any subsequent section of the bill accordingly.

SIGNED Hugh Webster
Amendment Sponsor

SIGNED _____
Committee Chair if Senate Committee Amendment

ADOPTED _____ FAILED ✓ TABLED _____

20-30
J. Pruitt
2/6/97

NORTH CAROLINA GENERAL ASSEMBLY
SENATE

RECORDED VOTE

1997 SESSION

SEQ. 14/6-- 1:21 PM FEBRUARY 6, 1997 LEGISLATIVE DAY 6

LT. GOVERNOR WICKER -- Presiding

GULLEY
CAMPAIGN REFORM ACT OF 1997
2ND EDITION

SENATE BILL 1

AMEND 5

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

EXCUSED	0
NOT CAST	0
ABSENT	0
PAIRS	0
AYE	
NO	

GENERAL ASSEMBLY
SENATE

NORTH CAROLINA GENERAL ASSEMBLY AMENDMENT

(Please type or use ballpoint pen)

EDITION No. _____

H. B. No. _____ DATE 2/6/97

S. B. No. 1 Amendment No. 6

(to be filled in by Principal Clerk)

COMMITTEE SUBSTITUTE ✓

Rep.)
Sen.) MCDANIEL

moves to amend the bill on page 4, line 44

( ) WHICH CHANGES THE TITLE

by

SECTION 5.1. G.S. 163-278.16 is AMENDED BY ADDING A NEW SUBSECTION to READ:

"(g) ALL PRINTED MATTER FOR A POLITICAL PURPOSE ~~FROM OR FOR A~~ POLITICAL PARTY OR POLITICAL COMMITTEE WHICH IDENTIFIES A CANDIDATE THAT PARTY OR COMMITTEE IS OPPOSING SHALL INDICATE IN TYPE NO SMALLER THAN 12 POINT THE NAME OF THE POLITICAL PARTY OR POLITICAL COMMITTEE AND THE NAME OF THE CANDIDATE THAT IS INTENDED TO BENEFIT FROM THE PRINTED MATTER."

SIGNED J McDaniel

ADOPTED ✓ FAILED _____ TABLED _____

50-0 J. Pruitt 2/6/97

GA-33-A

PRINCIPAL CLERK'S OFFICE FOR ENGROSSMENT

NORTH CAROLINA GENERAL ASSEMBLY
SENATE

RECORDED VOTE

1997 SESSION

SEQ. 15/7-- 1:34 PM FEBRUARY 6, 1997 LEGISLATIVE DAY 6

LT. GOVERNOR WICKER -- Presiding

GULLEY
CAMPAIGN REFORM ACT OF 1997
2ND EDITION

SENATE BILL 1

AMEND 6

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

Shaw

NORTH CAROLINA GENERAL ASSEMBLY
AMENDMENT
Senate Bill 1

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

S1-ARR-005

Date Feb 6 ,1997

Comm. Sub. [y]
Amends Title []

Senator Shaw

moves to amend the bill on page 2, line 19, by adding the following at the end of that line:

"Notwithstanding the previous sentence, the following shall apply to any candidate challenging an incumbent in the first election for the office after January 1, 1998:

(1) If the incumbent's Annual Report or Organizational Report, as required by G.S. 163-278.9(a) for the current year, shows the incumbent's campaign to have had in its treasury on December 31 of the year before the election a net amount greater than the net amount the campaign of the challenging candidate had accumulated by December 31 of the year before the election, then the challenging candidate may solicit and accept contributions according to G.S. 163-278.13 as it existed before January 1, 1998 until the challenging candidate has accumulated an gross amount equal to the net amount the incumbent had on December 31 of the year before the election.

(2) Any candidate permitted by subdivision (1) of this subsection to raise money under the pre-1998 law shall make to the appropriate board of elections a report of receipts and expenditures, as described in G.S. 163-278.11, on the fifteenth and thirtieth days of every month, until the challenger has received a gross amount equal to the incumbent's net amount as of December 31 of the year before the election.

(3) When a challenging candidate has received gross receipts equal to the incumbent's net amount as of December 31 of the year before the election, as shown by the challenger's semi-monthly reports, then the challenger shall be subject to G.S. 163-

Shaw

NORTH CAROLINA GENERAL ASSEMBLY
AMENDMENT
Senate Bill 1

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

S1-ARR-005

278.13 as enacted by this act and shall no longer be required to make semi-monthly reports. The State Board of Elections shall issue directives to implement the provisions of this subsection."

SIGNED Shaw
Amendment Sponsor

SIGNED _____
Committee Chair if Senate Committee Amendment

ADOPTED _____ FAILED V TABLED _____

20-30 D. Pruitt
2/6/97

NORTH CAROLINA GENERAL ASSEMBLY
SENATE

RECORDED VOTE

1997 SESSION

SEQ. 16/8-- 1:44 PM FEBRUARY 6, 1997 LEGISLATIVE DAY 6

LT. GOVERNOR WICKER -- Presiding

GULLEY
CAMPAIGN REFORM ACT OF 1997
2ND EDITION

SENATE BILL 1

AMEND 7

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

EXCUSED	0
NOT CAST	0
ABSENT	0
PAIRS	0
AYE	
NO	

GENERAL ASSEMBLY
SENATE

NORTH CAROLINA GENERAL ASSEMBLY
AMENDMENT
Senate Bill 1

AMENDMENT NO. 8
(to be filled in by
Principal Clerk)

S1-ARR-006

Date 2/6 ,1997

Comm. Sub. [y]
Amends Title []

Senator Gulley

moves to amend the bill as amended by Amendment #1, on page 1, line 27 of that amendment, by deleting the word "election" and substituting the word "primary" and by deleting the word "third" and substituting the word "first".

SIGNED _____
Amendment Sponsor

SIGNED _____
Committee Chair if Senate Committee Amendment

ADOPTED 1 FAILED _____ TABLED _____

50-0 J. Pruitt 2/6/97

NORTH CAROLINA GENERAL ASSEMBLY
SENATE

RECORDED VOTE

1997 SESSION

SEQ. 17/9-- 1:45 PM FEBRUARY 6, 1997 LEGISLATIVE DAY 6

LT. GOVERNOR WICKER -- Presiding

GULLEY
CAMPAIGN REFORM ACT OF 1997
2ND EDITION

SENATE BILL 1

AMEND 8

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
AMENDMENT
Senate Bill 1

AMENDMENT NO. 9
(to be filled in by
Principal Clerk)

S1-ARR-009

Date 2-10 ,1997

Comm. Sub. [y]
Amends Title []

Senator Page

moves to amend the bill on page 5, line 14,
by inserting after that line the following language:

"(a1) A contribution that shall not be solicited by a prohibited solicitor in subsection (a) of this section from a prohibited solicitee in that subsection also means a contribution to benefit any entity other than the solicitor.

(a2) No entity shall make a solicitation for a contribution to benefit any entity, purporting to do so representing an entity that would be prohibited from making the solicitation by subsections (a) or (a1) of this section."; and

on page 5, line 21,
by deleting the term "This" and substituting the term "~~This~~ Except as provided in subsections (a1) and (a2) of this section, this".

SIGNED _____
Amendment Sponsor

SIGNED _____
Committee Chair if Senate Committee Amendment

ADOPTED _____ FAILED ✓ TABLED _____

20-30 J. Pruitt

NORTH CAROLINA GENERAL ASSEMBLY
SENATE

RECORDED VOTE

1997 SESSION

SEQ. 23/3-- 7:27 PM FEBRUARY 10, 1997 LEGISLATIVE DAY 7

LT. GOVERNOR WICKER -- Presiding

GULLEY
CAMPAIGN REFORM ACT OF 1997
2ND EDITION

SENATE BILL 1

AMEND 9

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

EXCUSED	0
NOT CAST	0
ABSENT	0
PAIRS	0
AYE	
NO	

GENERAL ASSEMBLY
SENATE

NORTH CAROLINA GENERAL ASSEMBLY
SENATE

RECORDED VOTE

1997 SESSION

SEQ. 24/4-- 7:33 PM FEBRUARY 10, 1997 LEGISLATIVE DAY 7

LT. GOVERNOR WICKER -- Presiding

GULLEY
CAMPAIGN REFORM ACT OF 1997
2ND EDITION

SENATE BILL 1
READING 3

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
AMENDMENT
Senate Bill 1

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

S1-ARR-022

Date 5/20 ,1997

Comm. Sub. [Y]
Amends Title []

MAY 20 1997

Representative

on page 6, line 15,
by striking through the word "a"; and

on page 2, lines 35 and 36,
by deleting the term "mail the report" and substituting the term "file a report by mailing or otherwise delivering it".

SIGNED Cowie Wilson
Amendment Sponsor

SIGNED _____
Committee Chair if Senate Committee Amendment

ADOPTED MAY 20 1997 FAILED _____ TABLED _____

113-0 EV

NORTH CAROLINA
HOUSE OF REPRESENTATIVES
ROLL CALL

EV

677
SLATIVE DAY 64
S1 HCS # 2
READING 2

5/20/97
2:26 PM
IN CHAIR: SPEAKER

AMEND #1 - REP CONNIE WILSON
FULL DISCLOSURE ACT OF 1997

AYES - 113

ADAMS	DAUGHTRY	HUNTER, R.	PRESTON
ALDRIDGE	DAVIS	HURLEY	RAMSEY
ALLRED	DECKER	INSKO	RAYFIELD
ARNOLD	DEDMON	IVES	REDWINE
BADDOUR	DICKSON	JARRELL	REYNOLDS
BAKER	DOCKHAM	JEFFUS	ROGERS
BARBEE	EARLE	JUSTUS	RUSSELL
BEALL	EASTERLING	KINNEY	SAUNDERS
BERRY	EDDINS	KISER	SEXTON
BLACK	ELLIS	LUEBKE	SHERRILL
BLUE	ESPOSITO	MCALLISTER	SHUBERT
BONNER	FOX	MCCOMAS	SMITH
BOWIE	GAMBLE	MCCRARY	STARNES
BOYD-MCINTYRE	GARDNER	MCMAHAN	SUTTON
BRASWELL	GOODWIN	MERCER	TALLENT
BRAWLEY	GRADY	MILLER	THOMPSON
BROWN	GRAY	MINER	TOLSON
BUCHANAN	GULLEY	MITCHELL	WAINWRIGHT
CANSLER	HACKNEY	MOORE	WARNER
CAPPS	HARDAWAY	MORGAN	WARWICK
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 - 2

MCCOMBS	WATSON

EXCUSED VOTE - 0

NOT VOTING - 5

SPEAKER	FITCH	HALL	MICHAUX
ALEXANDER			

NORTH CAROLINA
HOUSE OF REPRESENTATIVES
ROLL CALL

EV

[redacted] # 678
[redacted]SLATIVE DAY 64
[redacted] HCS
READING 2

5/20/97
2:37 PM
IN CHAIR: SPEAKER

FULL DISCLOSURE ACT OF 1997
MOTION #12 - REP. MCCOMBS
TO SUSPEND RULE 31(d) (TITLE CHANGE)
(FAILS 2/3 MAJORITY)

AYES - 57

ADAMS	EASTERLING	INSKO	RAMSEY
ALLRED	ELLIS	IVES	REDWINE
BADDOUR	GAMBLE	JARRELL	ROGERS
BEALL	GARDNER	JEFFUS	SAUNDERS
BLACK	GOODWIN	KINNEY	SMITH
BLUE	GRADY	LUEBKE	SUTTON
BONNER	HACKNEY	MCALLISTER	WAINWRIGHT
BOYD-MCINTYRE	HENSLEY	MCCOMAS	WARNER
BRASWELL	HIGHTOWER	MCCRARY	WARWICK
CHURCH	HILL	MILLER	WILKINS
COLE	HOWARD	MOSLEY	WOMBLE
CRAWFORD	HUNTER, H.	NESBITT	WOOD
CULPEPPER	HUNTER, R.	NYE	WRIGHT
[redacted]CUNNINGHAM	HURLEY	OWENS	YONGUE
EARLE			

NOES - 57

ALDRIDGE	DAUGHTRY	HIATT	PRESTON
ARNOLD	DAVIS	HOLMES	RAYFIELD
BAKER	DECKER	JUSTUS	REYNOLDS
BARBEE	DEDMON	KISER	RUSSELL
BERRY	DICKSON	MCMAHAN	SEXTON
BOWIE	DOCKHAM	MERCER	SHERRILL
BRAWLEY	EDDINS	MINER	SHUBERT
BROWN	ESPOSITO	MITCHELL	STARNES
BUCHANAN	FOX	MOORE	TALLENT
CANSLER	GRAY	MORGAN	THOMPSON
CAPPS	GULLEY	MORRIS	TOLSON
CARPENTER	HALL	NEELY	WEATHERLY
CLARY	HARDAWAY	NICHOLS	WILSON, C.
CREECH	HARDY	OLDHAM	WILSON, G.
CULP			

EXCUSED ABSENCE - 2

MCCOMBS	WATSON

EXCUSED VOTE - 0

NOT VOTING - 4

[redacted]SPEAKER	ALEXANDER	FITCH	MICHAUX

NORTH CAROLINA
HOUSE OF REPRESENTATIVES
ROLL CALL

EV

[redacted] # 679
[redacted]SLATIVE DAY 64
[redacted] HCS
READING 2

5/20/97
2:52 PM
IN CHAIR: SPEAKER

FULL DISCLOSURE ACT OF 1997
MOTION #12 - REP. BADDOUR TO SUSPEND RULE 31(d) (TITLE CHANGE) (FAILS 2/3 MAJORITY)

AYES - 60

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

NOES - 54

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

EXCUSED ABSENCE - 3

FITCH	MCCOMBS	WATSON

EXCUSED VOTE - 0

NOT VOTING - 3

SPEAKER	ALEXANDER	MICHAUX

PLEASE PHOTOCOPY - 3 COPIES

NORTH CAROLINA GENERAL ASSEMBLY AMENDMENT

(Please type or use ballpoint pen)

EDITION No. _____

H. B. No. _____ DATE 5/20/97

S. B. No. 1 Amendment No. 2
(to be filled in by Principal Clerk)

HOUSE COMMITTEE SUBSTITUTE #2

(Rep.) ALLRED
Sen.)

1 moves to amend the bill on page 9, line 5
2 ( ) WHICH CHANGES THE TITLE
3 by insert the phrase [redacted]
4 "or offer to make" after
5 the word "make"
6
7
8
9
10
11
12
13
14
15
16
17
18
19

SIGNED _____

ADOPTED 5/20/97 FAILED _____ TABLED _____
98-13 EV

PRINCIPAL CLERK'S OFFICE (FOR ENGROSSMENT)

NORTH CAROLINA

HOUSE OF REPRESENTATIVES

ROLL CALL

EV

[redacted] # 680
[redacted]SLATIVE DAY 64
[redacted] HCS
READING 2

5/20/97
3:02 PM
IN CHAIR: SPEAKER

AMEND #2 - REP ALLRED
FULL DISCLOSURE ACT OF 1997

AYES - 98

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

NOES - 13

BARBEE	HARDAWAY	RAMSEY	TOLSON
BEALL	KISER	RAYFIELD	WARWICK
CARPENTER	OLDHAM	SUTTON	WEATHERLY
COLE			

EXCUSED ABSENCE - 3

FITCH	MCCOMBS	WATSON

EXCUSED VOTE - 0

NOT VOTING - 6

SPEAKER	BOWIE	JUSTUS	MICHAUX
ALEXANDER	HOLMES		

S1 HCS

NORTH CAROLINA
HOUSE OF REPRESENTATIVES
ROLL CALL

EV

[redacted] # 681
[redacted] SLATIVE DAY 64
S1 HCS
READING 2

5/20/97
3:14 PM
IN CHAIR: SPEAKER

FULL DISCLOSURE ACT OF 1997
MOTION #12 - REP WOOD
TO SUSPEND 31(d) (TITLE CHANGE)

AYES - 61

ADAMS	DEDMON	INSKO	OWENS
ALLRED	EARLE	JARRELL	RAMSEY
BADDOUR	EASTERLING	JEFFUS	REDWINE
BEALL	ELLIS	KINNEY	SAUNDERS
BERRY	GAMBLE	LUEBKE	SMITH
BLACK	GARDNER	MCALLISTER	SUTTON
BLUE	GOODWIN	MCCRARY	TOLSON
BONNER	HACKNEY	MERCER	WAINWRIGHT
BOYD-MCINTYRE	HARDAWAY	MILLER	WARNER
BRASWELL	HENSLEY	MOORE	WARWICK
BRAWLEY	HIATT	MOSLEY	WILKINS
BUCHANAN	HILL	NESBITT	WOMBLE
CHURCH	HUNTER, H.	NICHOLS	WOOD
CULPEPPER	HUNTER, R.	NYE	WRIGHT
CUNNINGHAM	HURLEY	OLDHAM	YONGUE
DECKER			

NOES - 52

ALDRIDGE	CULP	HIGHTOWER	RAYFIELD
ARNOLD	DAUGHTRY	HOLMES	REYNOLDS
BAKER	DAVIS	HOWARD	ROGERS
BARBEE	DICKSON	IVES	RUSSELL
BOWIE	DOCKHAM	KISER	SEXTON
BROWN	EDDINS	MCCOMAS	SHERRILL
CANSLER	ESPOSITO	MCMAHAN	SHUBERT
CAPPS	FOX	MINER	STARNES
CARPENTER	GRADY	MITCHELL	TALLENT
CLARY	GRAY	MORGAN	THOMPSON
COLE	GULLEY	MORRIS	WEATHERLY
CRAWFORD	HALL	NEELY	WILSON, C.
CREECH	HARDY	PRESTON	WILSON, G.

EXCUSED ABSENCE - 3

FITCH	MCCOMBS	WATSON

EXCUSED VOTE - 0

NOT VOTING - 4

SPEAKER	ALEXANDER	JUSTUS	MICHAUX

NORTH CAROLINA
HOUSE OF REPRESENTATIVES
ROLL CALL

EV

SEQ. # 682
LEGISLATIVE DAY 64
S1 HCS

5/20/97
3:45 PM
IN CHAIR: SPEAKER

FULL DISCLOSURE ACT OF 1997
MOTION #3 PREVIOUS QUESTION ON MOTION TO RE-REFER TO WAYS AND MEANS
REP. REDWINE

AYES - 74

ADAMS	DICKSON	IVES	RAMSEY
ALLRED	DOCKHAM	JARRELL	REDWINE
BADDOUR	EARLE	JEFFUS	ROGERS
BARBEE	EASTERLING	JUSTUS	RUSSELL
BEALL	GAMBLE	KINNEY	SAUNDERS
BLACK	GOODWIN	MCALLISTER	SHERRILL
BONNER	GRADY	MCCOMAS	SMITH
BOYD-MCINTYRE	GRAY	MCCRARY	STARNES
BRASWELL	HALL	MERCER	SUTTON
BROWN	HARDAWAY	MITCHELL	TALLENT
CHURCH	HARDY	MOORE	THOMPSON
CLARY	HENSLEY	MORRIS	TOLSON
COLE	HIATT	MOSLEY	WAINWRIGHT
CRAWFORD	HIGHTOWER	NESBITT	WARNER
CULP	HILL	NICHOLS	WARWICK
CULPEPPER	HOLMES	NYE	WEATHERLY
CUNNINGHAM	HUNTER, R.	OLDHAM	WILKINS
DECKER	HURLEY	PRESTON	YONGUE
DEDMON	INSKO		

NOES - 38

ALDRIDGE	CARPENTER	HACKNEY	NEELY
ARNOLD	CREECH	HOWARD	OWENS
BAKER	DAUGHTRY	HUNTER, H.	RAYFIELD
BERRY	DAVIS	KISER	REYNOLDS
BLUE	EDDINS	LUEBKE	SEXTON
BOWIE	ELLIS	MCMAHAN	SHUBERT
BRAWLEY	ESPOSITO	MILLER	WILSON, C.
BUCHANAN	FOX	MINER	WILSON, G.
CANSLER	GARDNER	MORGAN	WOOD
CAPPS	GULLEY		

EXCUSED ABSENCE - 3

FITCH	MCCOMBS	WATSON

EXCUSED VOTE - 0

NOT VOTING - 5

SPEAKER	MICHAUX	WOMBLE	WRIGHT
ALEXANDER			

NORTH CAROLINA
HOUSE OF REPRESENTATIVES
ROLL CALL

EV

683
ISLATIVE DAY 64
S1 HCS
READING 2

5/20/97
3:45 PM
IN CHAIR: SPEAKER

FULL DISCLOSURE ACT OF 1997
MOTION #7 REP REDWINE
MOTION TO RE-REFER TO WAYS AND MEANS

AYES - 65

ADAMS	DEDMON	INSKO	REDWINE
ALLRED	DOCKHAM	JARRELL	ROGERS
BADDOUR	EARLE	JEFFUS	SAUNDERS
BEALL	EASTERLING	KINNEY	SHERRILL
BLACK	GAMBLE	LUEBKE	SMITH
BLUE	GOODWIN	MCALLISTER	STARNES
BONNER	GRADY	MCCRARY	SUTTON
BOYD-MCINTYRE	HACKNEY	MILLER	TOLSON
BRASWELL	HALL	MOORE	WAINWRIGHT
BROWN	HARDAWAY	MOSLEY	WARNER
CARPENTER	HENSLEY	NESBITT	WARWICK
CHURCH	HIGHTOWER	NYE	WILKINS
COLE	HILL	OLDHAM	WOMBLE
CRAWFORD	HUNTER, H.	OWENS	WOOD
CUNNINGHAM	HUNTER, R.	PRESTON	WRIGHT
DAVIS	HURLEY	RAMSEY	YONGUE
DECKER			

NOES - 49

SPEAKER	CULP	HIATT	NEELY
ALDRIDGE	CULPEPPER	HOLMES	NICHOLS
ARNOLD	DAUGHTRY	HOWARD	RAYFIELD
BAKER	DICKSON	IVES	REYNOLDS
BARBEE	EDDINS	KISER	RUSSELL
BERRY	ELLIS	MCCOMAS	SEXTON
BOWIE	ESPOSITO	MCMAHAN	SHUBERT
BRAWLEY	FOX	MERCER	TALLENT
BUCHANAN	GARDNER	MINER	THOMPSON
CANSLER	GRAY	MITCHELL	WEATHERLY
CAPPS	GULLEY	MORGAN	WILSON, C.
CLARY	HARDY	MORRIS	WILSON, G.
CREECH			

EXCUSED ABSENCE - 3

FITCH	MCCOMBS	WATSON

EXCUSED VOTE - 0

NOT VOTING - 3

ALEXANDER	JUSTUS	MICHAUX

NORTH CAROLINA
HOUSE OF REPRESENTATIVES
ROLL CALL

EV

1308
LEGISLATIVE DAY 106
S1

7/31/97
11:28 AM
IN CHAIR: SPEAKER

MOTION #7 - TO RE-REFER TO RULES, CALENDAR & OPERATIONS OF THE HOUSE

AYES - 97

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

NOES - 7

BEALL	HARDAWAY	LUEBKE	ROGERS
FITCH	HUNTER, R.	MILLER	

EXCUSED ABSENCE - 10

BROWN	HIATT	TALLENT	WATSON
CHURCH	NICHOLS	WAINWRIGHT	WOOD
DOCKHAM	SHUBERT		

EXCUSED VOTE - 0

NOT VOTING - 6

SPEAKER	BLUE	DEDMON	EARLE
ALDRIDGE	BRASWELL		

NORTH CAROLINA GENERAL ASSEMBLY
AMENDMENT
Senate Bill 1

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

S1-ARR-036

Date AUG 27 1997, 1997

Comm. Sub. [Y]
Amends Title []
Seventh Edition

Representative Goodwin

moves to amend the bill on page 11, line 42, by deleting the term "voice." and substituting the term "voice, except in case of State or national emergency and only if the announcement is a necessary function of that Council of State officer.".

SIGNED Wayne Goodwin
Amendment Sponsor

SIGNED _____
Committee Chair if Senate Committee Amendment

ADOPTED AUG 27 1997 FAILED _____ TABLED _____

65 - 46 EV

NORTH CAROLINA
HOUSE OF REPRESENTATIVES
ROLL CALL

EV

8/27/97

[redacted]

SEQ. # 1531
LEGISLATIVE DAY 122
HCS #3
READING 2

IN CHAIR: SPEAKER

AMEND #1- REP GOODWIN
FULL DISCLOSURE ACT OF 1997

AYES - 65

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

NOES - 46

ALDRIDGE	CRAWFORD	IVES	RAYFIELD
ALLRED	CREECH	JUSTUS	REYNOLDS
ARNOLD	CULP	KISER	RUSSELL
BARBEE	DAUGHTRY	MCCOMAS	SEXTON
BERRY	DOCKHAM	MCCOMBS	SHUBERT
BRAWLEY	ESPOSITO	MINER	STARNES
BROWN	GULLEY	MITCHELL	TALLENT
BUCHANAN	HALL	MORGAN	THOMPSON
CANSLER	HARDY	MORRIS	WEATHERLY
CAPPS	HIATT	NEELY	WILSON, C.
CARPENTER	HILL	NICHOLS	WILSON, G.
CLARY	HOWARD		

EXCUSED ABSENCE - 5

GARDNER	HOLMES	MCMAHAN	WATSON
GRAY			

EXCUSED VOTE - 0

NOT VOTING - 4

SPEAKER	BOWIE	BRASWELL	GAMBLE

S1 HCS

NORTH CAROLINA
HOUSE OF REPRESENTATIVES
ROLL CALL

EV

8/27/97

[redacted]

SEQ. # 1532
LEGISLATIVE DAY 122
S1 HCS #3
READING 2

IN CHAIR: SPEAKER

FULL DISCLOSURE ACT OF 1997
MOTION #3 PREVIOUS QUESTION ON REP. BADDOUR'S MOTION TO SUSPEND THE RULES TO THE END THAT HE MIGHT OFFER AN AMENDMENT WHICH WOULD CHANGE THE TITLE

AYES - 65

ALDRIDGE	CULP	HILL	NICHOLS
ALLRED	CUNNINGHAM	HOWARD	PRESTON
ARNOLD	DAUGHTRY	HURLEY	RAYFIELD
BAKER	DAVIS	IVES	REYNOLDS
BARBEE	DECKER	JUSTUS	RUSSELL
BEALL	DICKSON	KISER	SEXTON
BERRY	DOCKHAM	MCALLISTER	SHUBERT
BRAWLEY	EDDINS	MCCOMAS	STARNES
BROWN	ELLIS	MCCOMBS	TALLENT
BUCHANAN	ESPOSITO	MERCER	THOMPSON
CANSLER	FOX	MINER	TOLSON
CAPPS	GRADY	MITCHELL	WARWICK
CARPENTER	GULLEY	MOORE	WEATHERLY
CHURCH	HALL	MORGAN	WILSON, C.
CLARY	HARDY	MORRIS	WILSON, G.
CRAWFORD	HIATT	NEELY	WOOD
CREECH			

NOES - 45

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

EXCUSED ABSENCE - 5

GARDNER	HOLMES	MCMAHAN	WATSON
GRAY			

EXCUSED VOTE - 0

NOT VOTING - 5

SPEAKER	BRASWELL	GAMBLE	SHERRILL
BOWIE			

NORTH CAROLINA
HOUSE OF REPRESENTATIVES
ROLL CALL

SEQ. # 1533 EX
LEGISLATIVE DAY 122 8/27/97
[redacted] HCS#3
READING 2 IN CHAIR: SPEAKER [redacted]

FULL DISCLOSURE ACT OF 1997
MOTION #12 - REP. BADDOUR'S MOTION TO SUSPEND RULE 31(d) TO OFFER AN AMENDMENT WHICH WOULD CHANGE THE TITLE (FAILS FOR LACK OF 2/3)

AYES - ~~57~~ 56 dWeeks

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

NOES - ~~54~~ 55 dWeeks

SPEAKER	CLARY	HARDY	NEELY
ALDRIDGE	CRAWFORD	HIATT	PRESTON
ARNOLD	CREECH	HILL	RAYFIELD
BAKER	CULP	HOWARD	REYNOLDS
BARBEE	DAUGHTRY	IVES	RUSSELL
BEALL	DAVIS	JUSTUS	SEXTON
BERRY	DECKER	KISER	SHUBERT
BRAWLEY	DICKSON	MCALLISTER	STARNES
BROWN	DOCKHAM	MCCOMBS	TALLENT
BUCHANAN	ELLIS	MINER	THOMPSON
CANSLER	ESPOSITO	MITCHELL	WEATHERLY
CAPPS	GRADY	MORGAN	WILSON, C.
CARPENTER	GULLEY	MORRIS	WILSON, G.
CHURCH	HALL		McCOMAS dWeeks

EXCUSED ABSENCE - 5

GARDNER	HOLMES	MCMAHAN	WATSON
GRAY			

EXCUSED VOTE - 0

NOT VOTING - 4

BOWIE	BRASWELL	GAMBLE	SHERRILL

S1 HCS

NORTH CAROLINA

HOUSE OF REPRESENTATIVES

ROLL CALL

EV

[redacted] # 1534
[redacted]SLATIVE DAY 122
S1 HCS #3
READING 2

8/27/97

[redacted]

IN CHAIR: SPEAKER

FULL DISCLOSURE ACT OF 1997

AYES - 97

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

NOES - 16

ADAMS	BROWN	ELLIS	MCALLISTER
BEALL	BUCHANAN	FITCH	MICHAUX
BLUE	CUNNINGHAM	HENSLEY	THOMPSON
BRAWLEY	DAVIS	KINNEY	WOMBLE

EXCUSED ABSENCE - 5

GARDNER	HOLMES	MCMAHAN	WATSON
GRAY			

EXCUSED VOTE - 0

NOT VOTING - 2

[redacted]RASWELL	GAMBLE

NORTH CAROLINA
HOUSE OF REPRESENTATIVES
ROLL CALL

EV

SEQ. # 1536
[redacted]ISLATIVE DAY 122
[redacted] HCS#3
READING 3

8/27/97
[redacted]

IN CHAIR: SPEAKER

FULL DISCLOSURE ACT OF 1997

AYES - 98

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

NOES - 12

BEALL	BUCHANAN	FITCH	MICHAUX
BRAWLEY	CUNNINGHAM	HARDY	THOMPSON
BROWN	ELLIS	HUNTER, H.	WOMBLE

EXCUSED ABSENCE - 5

GARDNER	HOLMES	MCMAHAN	WATSON
GRAY			

EXCUSED VOTE - 0

NOT VOTING - 5

BERRY	DICKSON	GAMBLE	HALL
BRASWELL			

S1 HCS

NORTH CAROLINA GENERAL ASSEMBLY
CONFERENCE REPORT
Senate Bill 1

S1-CRRR-003-97S

[YES] Title Change [YES] For Committee Substitute

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

The conferees appointed to resolve the differences between the Senate and the House of Representatives on Senate Bill 1, A BILL TO BE ENTITLED AN ACT TO CHANGE THE FILING SCHEDULE OF CAMPAIGN REPORTS; TO REQUIRE THE LISTING OF A CONTRIBUTOR'S PRINCIPAL OCCUPATION AND TO PROVIDE FOR A "BEST EFFORTS" RULE; TO REQUIRE THAT COORDINATED PARTY EXPENDITURES BE REPORTED; TO EXPAND REPORTING IN LOCAL ELECTIONS AND REFERENDA AND TO SET A THREE THOUSAND DOLLAR THRESHOLD FOR REPORTING GENERALLY; TO REQUIRE ELECTRONIC FILING OF CERTAIN CAMPAIGN REPORTS AND INTERNET ACCESS; TO PROVIDE FOR CIVIL PENALTIES FOR LATE FILING OF CAMPAIGN REPORTS; TO CLOSE THE SECOND PRIMARY LOOPHOLE FOR CONTRIBUTION LIMITS; TO REWRITE AND EXPAND THE LIMITS ON FUND-RAISING DURING LEGISLATIVE SESSIONS; TO CHANGE THE METHOD FOR DISTRIBUTING MONEY FROM THE POLITICAL PARTIES FINANCING FUND; TO REQUIRE THE DISCLOSURE OF SPENDING FOR MATERIAL THAT NAMES CANDIDATES; TO DISCLOSE THE FLOW OF MONEY THROUGH NORTH CAROLINA AND NATIONAL POLITICAL ORGANIZATIONS AND TO PROHIBIT A COUNCIL OF STATE MEMBER FROM USING STATE FUNDS FOR ADS AND ANNOUNCEMENTS WITHIN A YEAR BEFORE AN ELECTION CONTAINING THE MEMBER'S NAME, PICTURE, OR VOICE, House Committee Substitute #3 Favorable 8/13/87, Eighth Edition Engrossed 8/27/97, submit the following report:

The Senate agrees to House Committee Substitute #3 Favorable 8/13/87, Eighth Edition Engrossed 8/27/97, and the Senate and the House and Senate agree to the following amendment:

On page 3, line 12,
rewrite that line to read:

"(b) The State Board of Elections shall study the feasibility of requiring monthly reporting by campaign treasurers during even-numbered years, with weekly reports required during the month before each primary and election. The State Board shall report in writing to the General Assembly by March 1, 1998.

(c) Subsection (a) of this section becomes effective January 1, 1998, and applies to all financial activity occurring on

or after that date. Subsection (b) of this section is effective when it becomes law."; and

On page 3, lines 13 through 39,
delete the language on those lines and substitute the following:

"--DONOR'S PRINCIPAL OCCUPATION; BEST EFFORTS RULE.

Section 2. (a) G.S. 163-278.11(a)(1) reads as rewritten:

'(1) Contributions. -- A list of all contributions required to be listed under G.S. 163-278.8 received by or on behalf of a candidate, political committee, or referendum committee. The statement shall list the name and complete mailing address of each contributor, the amount contributed, the principal occupation of the contributor, and the date such contribution was received. The total sum of all contributions to date shall be plainly exhibited. Forms for required repor shall be prescribed by the Board. As used in this section, 'principal occupation of the contributor' means the contributor's:

a. Job title or profession; and
b. Employer's name or employer's specific field of business activity.

The State Board of Elections shall prepare a schedule of specific fields of business activity, adapting or modifying as it deems suitable the business activity classifications of the Internal Revenue Code or other relevant classification schedules. In reporting a contributor's specific field of business activity, the treasurer shall use the classification schedule prepared by the State Board.'

(b) G.S. 163-278.11 is amended by adding a new subsection to read:

'(c) Best Efforts. -- When a treasurer shows that best efforts have been used to obtain, maintain, and submit the information required by this Article for the candidate or political committee, any report of that candidate or committee shall be considered in compliance with this Article. The State Board of Elections shall promulgate rules that specify what are 'best efforts' for purposes of this Article, adapting as it deems suitable

the provisions of 11 C.F.R. § 104.7. The rules shall include the provision that if the treasurer, after complying with the rules, does not know the occupation of the contributor, it shall suffice for the treasurer to report "unable to obtain".'

(c) This section becomes effective February 1, 1998, and applies to all reports due on or after that date."; and

On page 5, line 40, through page 6, line 14,
delete the language on those lines and substituting the following:

"-- ELECTRONIC REPORTING.

Section 5. (a) G.S. 163-278.9 is amended by adding a new subsection to read:

'(j) Treasurers for the following entities shall electronically file each report required by this section that shows in excess of five thousand dollars ($5,000) in contributions, in expenditures, or in loans, according to rules adopted by the State Board of Elections:

(1) A candidate for statewide office;

(2) A State, district, county, or precinct executive committee of a political party, if the committee makes contributions or independent expenditures in excess of five thousand dollars ($5,000) that affect contests for statewide office;

(3) A political committee that makes contributions in excess of five thousand dollars ($5,000) to candidates for statewide office or makes independent expenditures in excess of five thousand dollars ($5,000) that affect contests for statewide office.

The State Board of Elections shall provide the software necessary to file an electronic report to a treasurer required to file an electronic report at no cost to the treasurer.'

(b) This section applies to reports to be filed during or after 1998."; and

On page 9, line 28,
insert after that line the following:

"(c1) Exception. -- The provisions of this section do not apply with regard to a limited contributee during the three weeks

prior to the day of a second primary if that limited contributee is a candidate who will be on the ballot in that second primary."; and

On page 1, line 18, through page 2, line 3,
delete the language on those lines and substituting the following:

"ORGANIZATIONS; TO PROHIBIT A DECLARED COUNCIL OF STATE CANDIDATE FROM USING STATE FUNDS FOR ADS AND ANNOUNCEMENTS CONTAINING THE CANDIDATE'S NAME, PICTURE, OR VOICE DURING THE CALENDAR YEAR PRECEDING AN ELECTION; AND TO REQUIRE 12-POINT DISCLAIMERS IN OPPOSITION PRINT ADS."; and

On page 11, line 36, through page 12, line 5,
delete the language on those lines and substituting the following:

"--PROHIBIT A DECLARED COUNCIL OF STATE CANDIDATE FROM USING STATE FUNDS FOR ADS AND ANNOUNCEMENTS CONTAINING THE CANDIDATE'S NAME, PICTURE, OR VOICE DURING THE CALENDAR YEAR PRECEDING AN ELECTION.

Section 13. (a) Article 22A of Chapter 163 of the General Statutes is amended by adding a new section to read:

'**§ 163-278.16A. Restriction on use of State funds by declared candidate for Council of State for advertising or public service announcements using their names, pictures, or voices.**

After December 31 prior to a general election in which a Council of State office will be on the ballot, no declared candidate for that Council of State office shall use or permit the use of State funds for any advertisement or public service announcement in a newspaper, on radio, or on television that contains that declared candidate's name, picture, or voice, except in case of State or national emergency and only if the announcement is reasonably necessary to that candidate's official function. For purposes of this section, 'declared candidate' means someone who has publicly announced an intention to run.'

(b) This section becomes effective January 1, 1998.

--REQUIRE 12-POINT DISCLAIMERS IN OPPOSITION PRINT ADS.

Section 13.1. (a) G.S. 163-278.16 is amended by adding a new subsection to read:

'(g) All printed matter for a political purpose from a political party or political committee which identifies a candidate that party or committee is opposing shall indicate in type no

NORTH CAROLINA GENERAL ASSEMBLY
CONFERENCE REPORT
Senate Bill 1

S1-CRRR-003-97S

smaller than 12 point the name of the political party or political committee and the name of the candidate that is intended to benefit from the printed matter.'

(b) This section becomes effective December 1, 1997.'".

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	Conferees for the House of Representatives
Wilbur P. Gulley, Chairman	Constance K. Wilson, Chair
Roy A. Cooper	Phillip J. Baddour
Robert G. Shaw	Lanier Cansler
Leslie J. Winner	Lyons Gray
	Fern H. Shubert

House Submitted 8/28/97 w/o objection placed on calendar for immediate consideration
House ADOPTED 8/28/97 (86/5 EV) Message Received
ADOPTED / / (/) Ordered Enrolled

Senate notified

Special Message AUG 2 8 1997

NORTH CAROLINA GENERAL ASSEMBLY
SENATE

RECORDED VOTE

1997 SESSION

SEQ. 1532/10--10:41 AM AUGUST 28, 1997 LEGISLATIVE DAY 123

LT. GOVERNOR WICKER -- Presiding

GULLEY
FULL DISCLOSURE ACT OF 1997
HOUSE COM SUB #3/8TH EDITION

SENATE BILL 1

MOTION 8
TO CONCUR

AYE	4	BLUST	CLARK	HORTON	LEDBETTER
NO	43	ALBERTSON	EAST	LEE	PLYLER
		ALLRAN	FORRESTER	LUCAS	PURCELL
		BALLANCE	FOXX	MARTIN R.	RAND
		BALLANTINE	GARWOOD	MARTIN W.	REEVES
		BASNIGHT	GULLEY	MCDANIEL	SHAW L.
		CARPENTER	HARTSELL	MILLER	SHAW R.
		CARRINGTON	HOYLE	MOORE	SOLES
		COCHRANE	JENKINS	ODOM	WEBSTER
		COOPER	JORDAN	PAGE	WELLONS
		DALTON	KERR	PERDUE	WINNER
		DANNELLY	KINNAIRD	PHILLIPS	

EXCUSED	0			
NOT CAST	0			
ABSENT	3	RUCHO	WARREN	WEINSTEIN
PAIRS	0			
AYE				
NO				

NORTH CAROLINA GENERAL ASSEMBLY
CONFERENCE REPORT
Senate Bill 1

S1-CRRR-003-97S

[YES] 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
Senate Bill 1

S1-CRRR-003-97S

smaller than 12 point the name of the political party or political committee and the name of the candidate that is intended to benefit from the printed matter.'

(b) This section becomes effective December 1, 1997.'".

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	Conferees for the House of Representatives
Wilbur P. Gulley, Chairman	Constance K. Wilson, Chair
Roy A. Cooper	Phillip J. Baddour
Robert G. Shaw	Lanier Cansler
Leslie J. Winner	Lyons Gray
	Fern H. Shubert

Placed on Calendar 8/28/97.

Senate Submitted 8/28/97
Senate ADOPTED 8/28/97 (39/0) Message Received 8/28/97
House ADOPTED 8/28/97 (/) Ordered Enrolled 8/28/97
Senate

J Pruitt

ORDERED SENT TO GOVERNOR
BY SPECIAL MESSENGER Janet Pruitt

CHANGES TITLE

G F

NORTH CAROLINA GENERAL ASSEMBLY
SENATE

RECORDED VOTE

1997 SESSION

SEQ. 1574/52-- 8:22 PM AUGUST 28, 1997 LEGISLATIVE DAY 123

SENATOR BASNIGHT -- Presiding

GULLEY
FULL DISCLOSURE ACT OF 1997
HOUSE COM SUB #3/8TH EDITION

SENATE BILL 1

CONFERENCE REPORT

MOTION 7
TO ADOPT

AYE	39	ALBERTSON	FORRESTER	KINNAIRD	PERDUE
		ALLRAN	FOXX	LEDBETTER	PHILLIPS
		BALLANCE	GARWOOD	LEE	PLYLER
		BALLANTINE	GULLEY	LUCAS	PURCELL
		BASNIGHT	HARTSELL	MARTIN W.	REEVES
		BLUST	HORTON	MCDANIEL	SHAW R.
		CARPENTER	HOYLE	MILLER	SOLES
		COOPER	JENKINS	MOORE	WELLONS
		DALTON	JORDAN	ODOM	WINNER
		DANNELLY	KERR	PAGE	
NO	0				
EXCUSED	0				
NOT CAST	3	COCHRANE	MARTIN R.	SHAW L.	
ABSENT	8	CARRINGTON	EAST	RUCHO	WEBSTER
		CLARK	RAND	WARREN	WEINSTEIN
PAIRS	0				
AYE					
NO					

GENERAL ASSEMBLY
SENATE

NORTH CAROLINA
HOUSE OF REPRESENTATIVES
ROLL CALL

EV

[redacted]. # 1588
[redacted]ISLATIVE DAY 123
[redacted]
CONFERENCE REPORT

8/28/97
8:37 PM
IN CHAIR: SPEAKER

FULL DISCLOSURE ACT OF 1997

AYES - 86

SPEAKER	DAUGHTRY	INSKO	RAMSEY
ADAMS	DAVIS	JARRELL	REDWINE
ALEXANDER	DEDMON	JEFFUS	REYNOLDS
ALLRED	DOCKHAM	MCALLISTER	ROGERS
ARNOLD	EARLE	MCCOMBS	RUSSELL
BADDOUR	EASTERLING	MCCRARY	SAUNDERS
BAKER	EDDINS	MERCER	SEXTON
BARBEE	ELLIS	MICHAUX	SHERRILL
BLACK	ESPOSITO	MILLER	SHUBERT
BLUE	FOX	MITCHELL	SMITH
BONNER	GOODWIN	MOORE	SUTTON
BOYD-MCINTYRE	GRAY	MORGAN	TOLSON
BRAWLEY	GULLEY	MORRIS	WAINWRIGHT
BROWN	HACKNEY	MOSLEY	WARWICK
CANSLER	HENSLEY	NEELY	WILKINS
CAPPS	HIATT	NESBITT	WILSON, C.
CARPENTER	HIGHTOWER	NICHOLS	WILSON, G.
COLE	HILL	NYE	WOMBLE
CRAWFORD	HOWARD	OLDHAM	WOOD
CREECH	HUNTER, H.	OWENS	WRIGHT
CULP	HUNTER, R.	PRESTON	YONGUE
CULPEPPER	HURLEY		

NOES - 5

CUNNINGHAM	HARDY	STARNES	THOMPSON
FITCH			

EXCUSED ABSENCE - 9

BERRY	GARDNER	LUEBKE	WARNER
DICKSON	HARDAWAY	MCMAHAN	WATSON
GAMBLE			

EXCUSED VOTE - 0

NOT VOTING - 20

ALDRIDGE	CHURCH	HOLMES	MCCOMAS
BEALL	CLARY	IVES	MINER
BOWIE	DECKER	JUSTUS	RAYFIELD
BRASWELL	GRADY	KINNEY	TALLENT
BUCHANAN	HALL	KISER	WEATHERLY

S1

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1997

FILED - SENATE
S 2
JAN 29 1997
PRINCIPAL CLERK

S D

SENATE DRS8510-LB008A(11.21)

Short Title: Change Primary Date. (Public)

Sponsors: Senator Gulley.

Referred to:

A BILL TO BE ENTITLED

AN ACT TO PROVIDE FOR A LATER PRIMARY DATE.

The General Assembly of North Carolina enacts:

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

"(b) On ~~Tuesday next after the first Monday in May~~ the second Tuesday after the first Monday in September preceding each general election to be held in November for the officers referred to in subsection (a) of this section, there shall be held in all election precincts within the territory for which the officers are to be elected a primary election for the purpose of nominating candidates for each political party in the State for those offices."

Section 2. G.S. 163-111(e) reads as rewritten:

"(e) Date of Second Primary; Procedures. -- If a second primary is required under the provisions of this section, the appropriate board of elections, State or county, shall order that it be held ~~four~~ three weeks after the first primary.

There shall be no registration of voters between the dates of the first and second primaries. Persons whose qualifications to register and vote mature after the day of the first primary and before the day of the second primary may register on the day of the second primary and, when thus registered, shall be entitled to vote in the second primary. The second primary is a continuation of the first primary and any voter who files a proper and timely affidavit of transfer of precinct, under the provisions of G.S. 163-72(c), before the first primary may vote in the second primary without having to refile the affidavit of transfer if he is otherwise qualified to vote in the second primary. Subject to this provision for registration, the second primary shall be held under the laws, rules, and regulations provided for the first primary."

Section 3. (a) G.S. 163-106(c) reads as rewritten:

NORTH CAROLINA GENERAL ASSEMBLY
AMENDMENT
Senate Bill 2

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

S2-ARR-001

Date 3/5 ,1997

Comm. Sub. [y]
Amends Title [ ]

Senator McDaniel

moves to amend the bill on page 1, line 9,
by deleting the word "September" and substituting "July"; and

on page 1, lines 17 through 19,
on page 2, lines 6 through 8, and
on page 2, lines 16 and 17,
by deleting the language "no earlier than 12:00 noon on the ~~first Monday in January~~ last Monday in June and no later than 12:00 noon on the ~~first Monday in February~~ second Monday thereafter" on those lines and substituting the following:

"~~no earlier than 12:00 noon on the first Monday in January and~~ no later than 12:00 noon on the first Monday in ~~February~~ May and no earlier than 12:00 noon on the Monday two weeks preceding the first Monday in May".

SIGNED _____
Amendment Sponsor

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

ADOPTED _____ FAILED ✓ TABLED _____
21-29 g. Pruitt
3/5/97

NORTH CAROLINA GENERAL ASSEMBLY
SENATE

RECORDED VOTE

1997 SESSION

SEQ. 64/2-- 1:51 PM MARCH 5, 1997 LEGISLATIVE DAY 21

SENATOR BASNIGHT -- Presiding

GULLEY
CHANGE PRIMARY DATE
2ND EDITION

SENATE BILL 2

AMEND 1

AYE	21	ALLRAN	COCHRANE	HARTSELL	MCDANIEL
		BALLANTINE	EAST	HORTON	PAGE
		BLUST	FORRESTER	KINCAID	RUCHO
		CARPENTER	FOXX	KINNAIRD	SHAW R.
		CARRINGTON	GARWOOD	LEDBETTER	WEBSTER
		CLARK			
	29	ALBERTSON	HOYLE	MARTIN W.	REEVES
		BALLANCE	JENKINS	MILLER	SHAW L.
		BASNIGHT	JORDAN	ODOM	SOLES
		CONDER	KERR	PERDUE	WARREN
		COOPER	LEE	PHILLIPS	WEINSTEIN
		DALTON	LUCAS	PLYLER	WELLONS
		DANNELLY	MARTIN R.	RAND	WINNER
		GULLEY			

EXCUSED 0

NOT CAST 0

ABSENT 0

PAIRS 0
AYE
NO

GENERAL ASSEMBLY
SENATE

NORTH CAROLINA GENERAL ASSEMBLY
SENATE

RECORDED VOTE

1997 SESSION

SEQ. 65/3-- 2:53 PM MARCH 5, 1997 LEGISLATIVE DAY 21

LT. GOVERNOR WICKER -- Presiding

GULLEY
CHANGE PRIMARY DATE
2ND EDITION

SENATE BILL 2

MOTION 2
FOR PREVIOUS QUESTION

AYE	27	ALBERTSON	DANNELLY	MARTIN W.	REEVES
		BALLANCE	GULLEY	MILLER	SOLES
		BASNIGHT	HOYLE	ODOM	WARREN
		CARRINGTON	JENKINS	PERDUE	WEINSTEIN
		CONDER	LEE	PHILLIPS	WELLONS
		COOPER	LUCAS	PLYLER	WINNER
		DALTON	MARTIN R.	RAND	
NO	19	ALLRAN	COCHRANE	HORTON	PAGE
		BALLANTINE	EAST	KINCAID	RUCHO
		BLUST	FORRESTER	KINNAIRD	SHAW R.
		CARPENTER	FOXX	LEDBETTER	WEBSTER
		CLARK	HARTSELL	MCDANIEL	

EXCUSED	0				
NOT CAST	4	GARWOOD	JORDAN	KERR	SHAW L.
ABSENT	0				
PAIRS	0				
AYE					
NO					

GENERAL ASSEMBLY
SENATE

NORTH CAROLINA GENERAL ASSEMBLY
SENATE

RECORDED VOTE

1997 SESSION

SEQ. 66/4-- 2:53 PM MARCH 5, 1997 LEGISLATIVE DAY 21

LT. GOVERNOR WICKER -- Presiding

GULLEY
CHANGE PRIMARY DATE
2ND EDITION

SENATE BILL 2
READING 2

AYE	28	ALBERTSON	DANNELLY	MARTIN R.	RAND
		BALLANCE	GULLEY	MARTIN W.	REEVES
		BASNIGHT	HORTON	MILLER	SOLES
		CARRINGTON	HOYLE	ODOM	WARREN
		CONDER	JENKINS	PERDUE	WEINSTEIN
		COOPER	LEE	PHILLIPS	WELLONS
		DALTON	LUCAS	PLYLER	WINNER
NO	18	ALLRAN	COCHRANE	KINCAID	PAGE
		BALLANTINE	EAST	KINNAIRD	RUCHO
		BLUST	FORRESTER	LEDBETTER	SHAW R.
		CARPENTER	FOXX	MCDANIEL	WEBSTER
		CLARK	HARTSELL		

EXCUSED	0				
NOT CAST	4	GARWOOD	JORDAN	KERR	SHAW L.
ABSENT	0				
PAIRS	0				
AYE					
NO					

GENERAL ASSEMBLY
SENATE

NORTH CAROLINA GENERAL ASSEMBLY
SENATE

RECORDED VOTE

1997 SESSION

SEQ. 85/4-- 3:00 PM MARCH 11, 1997 LEGISLATIVE DAY 24

LT. GOVERNOR WICKER -- Presiding

GULLEY
CHANGE PRIMARY DATE
2ND EDITION

SENATE BILL 2
READING 3

AYE	32	ALBERTSON	GULLEY	MARTIN R.	REEVES
		BALLANCE	HORTON	MARTIN W.	RUCHO
		BASNIGHT	HOYLE	MILLER	SHAW L.
		CARRINGTON	JENKINS	ODOM	SOLES
		CONDER	JORDAN	PERDUE	WARREN
		COOPER	KERR	PHILLIPS	WEINSTEIN
		DALTON	LEE	PLYLER	WELLONS
		DANNELLY	LUCAS	RAND	WINNER
NO	18	ALLRAN	COCHRANE	HARTSELL	MCDANIEL
		BALLANTINE	EAST	KINCAID	PAGE
		BLUST	FORRESTER	KINNAIRD	SHAW R.
		CARPENTER	FOXX	LEDBETTER	WEBSTER
		CLARK	GARWOOD		

EXCUSED 0

NOT CAST 0

ABSENT 0

PAIRS 0
AYE
NO

GENERAL ASSEMBLY
SENATE

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1997

FILED - SENATE
S 3
JAN 2 9 1997
PRINCIPAL CLERK

S

SENATE DRSA502-RR018A(1.16)

Short Title: Lobbyist Waiting Period. (Public)

Sponsors: Senator Jenkins.

Referred to:

A BILL TO BE ENTITLED

AN ACT TO PROVIDE A ONE-YEAR WAITING PERIOD BEFORE FORMER LEGISLATORS MAY BECOME LOBBYISTS.

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:

"**§ 120-47.5A. Waiting period before former legislators may lobby.**

Notwithstanding the provisions of G.S. 120-47.8, no individual may be employed or retained or may act as a lobbyist within one year after having served as a member of either house of the General Assembly."

Section 2. This act becomes effective January 1, 1999, and applies only to individuals who leave office after January 1, 1999.

NORTH CAROLINA GENERAL ASSEMBLY
AMENDMENT
Senate Bill 3

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

S3-ARU-004

Date FEBRUARY 20, 1997

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

Senator Hartsell

moves to amend the bill on page 1, line 3,
by rewriting the line to read:
"LEGISLATORS AND FORMER MEMBERS OF THE COUNCIL OF STATE MAY BECOME LOBBYISTS.";

and, on page 1, line 7,
by rewriting the line to read:
"**§ 120-47.5A. Waiting period before certain former state officials may lobby.**";

and, on page 1, line 9,
by inserting between the words "Assembly" and "may" the words "or the Council of State";

and, on page 1, line 11,
by rewriting the line to read:
"or appointed to serve in that position.";

and, on page 1, line 17,
by inserting between the words "Assembly" and "and" the words "or the Council of State,".

SIGNED ~~SIGNED~~ Hobert L. Hartsell, Jr.
Amendment Sponsor

SIGNED _____
Committee Chair if Senate Committee Amendment

ADOPTED 1 FAILED _____ TABLED _____

49-0 2/20/97 J. Pruitt

NORTH CAROLINA GENERAL ASSEMBLY
SENATE

RECORDED VOTE

1997 SESSION

SEQ. 37/4--10:37 AM FEBRUARY 20, 1997 LEGISLATIVE DAY 14

SENATOR BASNIGHT -- Presiding

JENKINS
LOBBYIST WAITING PERIOD

SENATE BILL 3

AMEND 1

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	HARTSELL	MARTIN W.	SHAW R.
		CARPENTER	HORTON	MCDANIEL	SOLES
		CARRINGTON	HOYLE	MILLER	WARREN
		CLARK	JENKINS	ODOM	WEBSTER
		COCHRANE	JORDAN	PAGE	WEINSTEIN
		CONDER	KERR	PERDUE	WELLONS
		COOPER	KINCAID	PHILLIPS	WINNER
		DALTON			
NO	0				

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

GENERAL ASSEMBLY
SENATE

NORTH CAROLINA GENERAL ASSEMBLY
SENATE

RECORDED VOTE

1997 SESSION

SEQ. 38/5--11:06 AM FEBRUARY 20, 1997 LEGISLATIVE DAY 14

LT. GOVERNOR WICKER -- Presiding

JENKINS
LOBBYIST WAITING PERIOD

SENATE BILL 3

MOTION 5
TO REFER

AYE	13	BALLANTINE	FOXX	MARTIN R.	RUCHO
		CARRINGTON	KINCAID	MCDANIEL	SHAW R.
		COCHRANE	LEDBETTER	PAGE	WEBSTER
		EAST			
NO	36	ALBERTSON	DALTON	KERR	PLYLER
		ALLRAN	DANNELLY	KINNAIRD	RAND
		BALLANCE	FORRESTER	LEE	REEVES
		BASNIGHT	GARWOOD	LUCAS	SHAW L.
		BLUST	HARTSELL	MARTIN W.	SOLES
		CARPENTER	HORTON	MILLER	WARREN
		CLARK	HOYLE	ODOM	WEINSTEIN
		CONDER	JENKINS	PERDUE	WELLONS
		COOPER	JORDAN	PHILLIPS	WINNER

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

GENERAL ASSEMBLY
SENATE

NORTH CAROLINA GENERAL ASSEMBLY
SENATE

RECORDED VOTE

1997 SESSION

SEQ. 39/6--11:07 AM FEBRUARY 20, 1997 LEGISLATIVE DAY 14

LT. GOVERNOR WICKER -- Presiding

JENKINS
LOBBYIST WAITING PERIOD

SENATE BILL 3
READING 2

AYE	44	ALBERTSON	DALTON	KINNAIRD	RAND
		ALLRAN	DANNELLY	LEDBETTER	REEVES
		BALLANCE	EAST	LEE	RUCHO
		BALLANTINE	FORRESTER	LUCAS	SHAW L.
		BASNIGHT	HARTSELL	MARTIN R.	SHAW R.
		BLUST	HORTON	MARTIN W.	SOLES
		CARPENTER	HOYLE	MILLER	WARREN
		CLARK	JENKINS	PAGE	WEBSTER
		COCHRANE	JORDAN	PERDUE	WEINSTEIN
		CONDER	KERR	PHILLIPS	WELLONS
		COOPER	KINCAID	PLYLER	WINNER
NO	5	CARRINGTON	GARWOOD	MCDANIEL	ODOM
		FOXX			

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

GENERAL ASSEMBLY
SENATE

NORTH CAROLINA GENERAL ASSEMBLY AMENDMENT

(Please type or use ballpoint pen)

EDITION No. _____

H. B. No. _____ DATE 2/24/97

S. B. No. 3 Amendment No. 2
(to be filled in by Principal Clerk)

COMMITTEE SUBSTITUTE V

Rep.)
) MCDANIEL
Sen.)

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

2 ( ) WHICH CHANGES THE TITLE

3 by _____

4 _____

5 Delete the words "within one year"

6 and add "until"

7 _____

8 CHANGE TITLE ACCORDINGLY

9 _____

10 _____

11 _____

12 _____

13 _____

14 _____

15 _____

16 _____

17 _____

18 _____

19 _____

SIGNED _____

ADOPTED _____ FAILED V 12-37 TABLED _____

D. Pruitt 2/24/97

GA-33-A

PRINCIPAL CLERK'S OFFICE (FOR ENGROSSMENT)

NORTH CAROLINA GENERAL ASSEMBLY
SENATE

RECORDED VOTE

1997 SESSION

SEQ. 43/4-- 8:10 PM FEBRUARY 24, 1997 LEGISLATIVE DAY 15

LT. GOVERNOR WICKER -- Presiding

JENKINS
LOBBYIST WAITING PERIOD

SENATE BILL 3

AMEND 2

AYE	12	ALLRAN	CARRINGTON	FOXX	PAGE
		BALLANTINE	COCHRANE	KINCAID	RUCHO
		CARPENTER	EAST	MCDANIEL	SHAW R.
NO	37	ALBERTSON	GARWOOD	LEDBETTER	PLYLER
		BALLANCE	GULLEY	LEE	RAND
		BASNIGHT	HARTSELL	LUCAS	REEVES
		BLUST	HORTON	MARTIN R.	SHAW L.
		CLARK	HOYLE	MARTIN W.	WARREN
		CONDER	JENKINS	MILLER	WEBSTER
		COOPER	JORDAN	ODOM	WEINSTEIN
		DALTON	KERR	PERDUE	WELLONS
		DANNELLY	KINNAIRD	PHILLIPS	WINNER
		FORRESTER			

EXCUSED 0

NOT CAST 0

ABSENT 1 SOLES

PAIRS 0
AYE
NO

GENERAL ASSEMBLY
SENATE

NORTH CAROLINA GENERAL ASSEMBLY
SENATE

RECORDED VOTE

1997 SESSION

SEQ. 44/5-- 8:12 PM FEBRUARY 24, 1997 LEGISLATIVE DAY 15

LT. GOVERNOR WICKER -- Presiding

JENKINS
LOBBYIST WAITING PERIOD

SENATE BILL 3
READING 3

AYE	44	ALBERTSON	DALTON	KINCAID	PHILLIPS
		ALLRAN	DANNELLY	KINNAIRD	PLYLER
		BALLANCE	FORRESTER	LEDBETTER	RAND
		BALLANTINE	GARWOOD	LEE	REEVES
		BASNIGHT	GULLEY	LUCAS	RUCHO
		BLUST	HARTSELL	MARTIN R.	SHAW L.
		CARPENTER	HORTON	MARTIN W.	SHAW R.
		CLARK	HOYLE	MILLER	WARREN
		COCHRANE	JENKINS	ODOM	WEBSTER
		CONDER	JORDAN	PAGE	WELLONS
		COOPER	KERR	PERDUE	WINNER
NO	5	CARRINGTON	FOXX	MCDANIEL	WEINSTEIN
		EAST			

EXCUSED 0

NOT CAST 0

ABSENT 1 SOLES

PAIRS 0
AYE
NO

GENERAL ASSEMBLY
SENATE

FILED - SENATE
S 4
JAN 2 9 1997
PRINCIPAL CLERK

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1997

S D

SENATE DRS1509-LE010(1.24)

Short Title: Safe Schools Act of 1997. (Public)

Sponsors: Senator Winner.

Referred to:

A BILL TO BE ENTITLED

AN ACT TO ENACT THE SAFE SCHOOLS ACT OF 1997.

The General Assembly of North Carolina enacts:

Whereas, many schools in North Carolina have achieved a safe and orderly environment but others have not; and

Whereas, students, teachers, and other school personnel in all schools are entitled to a school environment that is safe, secure, and orderly; and

Whereas, students cannot learn in schools that are not safe, secure, and orderly; and

Whereas, recent statistics compiled by the Department of Public Instruction show an unacceptable level of violent acts and drug-related offenses in public schools; and

Whereas, many teachers leaving the profession cite lack of school safety and lack of discipline as one of their reasons for leaving; and

Whereas, national surveys show that one of parents' greatest concerns about public schools in this country is the lack of school safety and discipline; and

Whereas, all schools must be free of drugs, violence, and weapons; and

Whereas, all schools must be free of disruption, there must be a climate of respect, and appropriate personal conduct must be a priority; and

Whereas, the General Assembly has given local boards of education greater flexibility in serving the needs of violent and disruptive students and in removing violent students from the classroom, funded alternative schools, provided school resource officers for schools that need them, funded local school safety initiatives, and funded local efforts to coordinate services for students at risk of academic failure and students with discipline problems; and

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1997

S

FILED - SENATE D

SENATE DRS1502-LEX008(1.23)

S 5 JAN 2 9 1997

PRINCIPAL CLERK

Short Title: Education Governance Changes. (Public)

Sponsors: Senator Winner.

Referred to:

A BILL TO BE ENTITLED

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

The General Assembly of North Carolina enacts:

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

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

NORTH CAROLINA GENERAL ASSEMBLY
SENATE

RECORDED VOTE

1997 SESSION

SEQ. 383/6-- 5:44 PM APRIL 28, 1997 LEGISLATIVE DAY 51

LT. GOVERNOR WICKER -- Presiding

WINNER
EDUCATION GOVERNANCE CHANGES

SENATE BILL 5
READING 2

REQUIRES 3/5THS MAJORITY

AYE	45	ALBERTSON	EAST	KINNAIRD	PLYLER
		ALLRAN	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	MILLER	WARREN
		CLARK	HOYLE	ODOM	WEBSTER
		COCHRANE	JENKINS	PAGE	WEINSTEIN
		CONDER	KERR	PERDUE	WELLONS
		COOPER	KINCAID	PHILLIPS	WINNER
		DALTON			
NO	2	DANNELLY	MCDANIEL		

EXCUSED	0			
NOT CAST	3	BALLANCE	JORDAN	SOLES
ABSENT	0			
PAIRS	0			
AYE				
NO				

GENERAL ASSEMBLY
SENATE

NORTH CAROLINA GENERAL ASSEMBLY
SENATE

RECORDED VOTE

1997 SESSION

SEQ. 408/2-- 3:52 PM APRIL 29, 1997 LEGISLATIVE DAY 52

LT. GOVERNOR WICKER -- Presiding

WINNER
EDUCATION GOVERNANCE CHANGES

SENATE BILL 5
READING 3

REQUIRES 3/5 MAJORITY

AYE	46	ALBERTSON	DANNELLY	KINNAIRD	PLYLER
		ALLRAN	EAST	LEDBETTER	RAND
		BALLANTINE	FORRESTER	LEE	REEVES
		BASNIGHT	FOXX	LUCAS	RUCHO
		BLUST	GARWOOD	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	KINCAID		
NO	2	BALLANCE	MCDANIEL		

EXCUSED	0	
NOT CAST	1	SHAW L.
ABSENT	1	GULLEY
PAIRS	0	
AYE		
NO		

GENERAL ASSEMBLY
SENATE

NORTH CAROLINA GENERAL ASSEMBLY
AMENDMENT
Senate Bill 5

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

S5-ARC-002

Page 1 of 1

Date JUN 2 5 1997, 1997

Comm. Sub. [ ]
Amends Title [ ]

Representative Decker

moves to amend the bill on page 2, line 8,
by inserting after the word "Education." the following:
"The General Assembly may provide by statute for any qualifications of the Superintendent of Public Instruction.".

SIGNED _____
Amendment Sponsor

SIGNED _____
Committee Chair if Senate Committee Amendment

ADOPTED JUN 2 5 1997 FAILED _____ TABLED _____

90-23 EV

NORTH CAROLINA
HOUSE OF REPRESENTATIVES
ROLL CALL

EV

SEQ. # 991
LEGISLATIVE DAY 85
DATE
READING 2

6/25/97
11:34 AM
IN CHAIR: SPEAKER

AMEND #1 - REP. DECKER
EDUCATION GOVERNANCE CHANGES

AYES - 90

ADAMS	DAUGHTRY	HUNTER, R.	RAMSEY
ALDRIDGE	DAVIS	HURLEY	RAYFIELD
ALEXANDER	DECKER	INSKO	REYNOLDS
ALLRED	DICKSON	IVES	ROGERS
BADDOUR	DOCKHAM	JEFFUS	RUSSELL
BAKER	EARLE	JUSTUS	SEXTON
BARBEE	EDDINS	KISER	SHERRILL
BLACK	ELLIS	LUEBKE	SHUBERT
BLUE	ESPOSITO	MCALLISTER	STARNES
BRASWELL	FITCH	MCCOMAS	SUTTON
BRAWLEY	FOX	MCCRARY	TALLENT
BROWN	GOODWIN	MCMAHAN	THOMPSON
BUCHANAN	GRADY	MERCER	TOLSON
CANSLER	GRAY	MILLER	WARNER
CAPPS	GULLEY	MINER	WEATHERLY
CARPENTER	HACKNEY	MORGAN	WILKINS
CHURCH	HARDY	MORRIS	WILSON, C.
CLARY	HENSLEY	MOSLEY	WILSON, G.
COLE	HIATT	NICHOLS	WOMBLE
CRAWFORD	HIGHTOWER	NYE	WOOD
CREECH	HOLMES	OWENS	WRIGHT
CULP	HOWARD	PRESTON	YONGUE
CULPEPPER	HUNTER, H.		

NOES - 23

ARNOLD	GAMBLE	MCCOMBS	REDWINE
BERRY	HALL	MICHAUX	SAUNDERS
BONNER	HARDAWAY	MITCHELL	SMITH
BOYD-MCINTYRE	HILL	MOORE	WARWICK
DEDMON	JARRELL	NEELY	WATSON
EASTERLING	KINNEY	OLDHAM	

EXCUSED ABSENCE - 2

GARDNER	NESBITT

EXCUSED VOTE - 0

NOT VOTING - 5

SPEAKER	BOWIE	CUNNINGHAM	WAINWRIGHT
BEALL			

NORTH CAROLINA GENERAL ASSEMBLY
AMENDMENT
Senate Bill 5

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

S5-ARC-003

Page 1 of 1

Date 6-24, 1997

JUN 25 1997

Comm. Sub. [ ]
Amends Title [ ]

Representative Sherrill

moves to amend the bill on page 2, by rewriting lines 33-34 to read:
"Education. No spouse of any public school employee paid from State or local funds, ~~and~~ no employee of the Department of Public ~~Instruction or his spouse,~~ Instruction, and no spouse of an employee of the Department of Public Instruction, may".

SIGNED Wilma D Sherrill
Amendment Sponsor

SIGNED _____
Committee Chair if Senate Committee Amendment

ADOPTED JUN 25 1997 FAILED _____ TABLED _____

105-9 EV

NORTH CAROLINA
HOUSE OF REPRESENTATIVES
ROLL CALL

EV

SEQ. # 992
LEGISLATIVE DAY 85
6/25/97
11:46 AM
IN CHAIR: SPEAKER

READING 2

AMEND #2 - REP. SHERRILL
EDUCATION GOVERNANCE CHANGES

AYES - 105

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

NOES - 9

ADAMS	HUNTER, R.	KINNEY	WARWICK
DEDMON	INSKO	REDWINE	WOMBLE
HALL			

EXCUSED ABSENCE - 2

GARDNER	NESBITT

EXCUSED VOTE - 0

NOT VOTING - 4

SPEAKER	DECKER	NEELY	NICHOLS

NORTH CAROLINA
HOUSE OF REPRESENTATIVES
ROLL CALL

SEQ. # 993
LEGISLATIVE DAY 85
READING 2

6/25/97
12:19 PM
IN CHAIR: SPEAKER

EDUCATION GOVERNANCE CHANGES
MOTION #3 - PREVIOUS QUESTION
REP RUSSELL

AYES - 62

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

NOES - 55

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

EXCUSED ABSENCE - 2

GARDNER NESBITT

EXCUSED VOTE - 0

NOT VOTING - 1

SPEAKER

NORTH CAROLINA
HOUSE OF REPRESENTATIVES
ROLL CALL

SEQ. # 994
LEGISLATIVE DAY 85
READING 2

6/25/97
12:19 PM
IN CHAIR: SPEAKER

EDUCATION GOVERNANCE CHANGES
FAILS FOR LACK OF 3/5 MAJORITY VOTE

AYES - 70

SPEAKER	CULP	IVES	REYNOLDS
ALDRIDGE	CULPEPPER	JUSTUS	ROGERS
ALEXANDER	DAUGHTRY	KISER	RUSSELL
ARNOLD	DECKER	MCCOMAS	SAUNDERS
BADDOUR	DEDMON	MCCOMBS	SEXTON
BAKER	DICKSON	MCCRARY	SHERRILL
BARBEE	DOCKHAM	MCMAHAN	SHUBERT
BERRY	EASTERLING	MERCER	SMITH
BLACK	ESPOSITO	MINER	STARNES
BOWIE	FOX	MITCHELL	TALLENT
BRAWLEY	GAMBLE	MOORE	THOMPSON
BROWN	GRAY	MORGAN	TOLSON
BUCHANAN	HARDY	MORRIS	WATSON
CANSLER	HIATT	NEELY	WEATHERLY
CARPENTER	HOLMES	OWENS	WILKINS
CLARY	HOWARD	PRESTON	WILSON, C.
COLE	HURLEY	RAYFIELD	WILSON, G.
CREECH	INSKO		

NOES - 48

ADAMS	EARLE	HILL	NYE
ALLRED	EDDINS	HUNTER, H.	OLDHAM
BEALL	ELLIS	HUNTER, R.	RAMSEY
BLUE	FITCH	JARRELL	REDWINE
BONNER	GOODWIN	JEFFUS	SUTTON
BOYD-MCINTYRE	GRADY	KINNEY	WAINWRIGHT
BRASWELL	GULLEY	LUEBKE	WARNER
CAPPS	HACKNEY	MCALLISTER	WARWICK
CHURCH	HALL	MICHAUX	WOMBLE
CRAWFORD	HARDAWAY	MILLER	WOOD
CUNNINGHAM	HENSLEY	MOSLEY	WRIGHT
DAVIS	HIGHTOWER	NICHOLS	YONGUE

EXCUSED ABSENCE - 2

GARDNER NESBITT

EXCUSED VOTE - 0

NOT VOTING - 0

NORTH CAROLINA

HOUSE OF REPRESENTATIVES

ROLL CALL

. # 997
EGISLATIVE DAY 86
S5

EV
6/26/97
11:21 AM
IN CHAIR: SPEAKER

MOTION #3 - PREVIOUS QUESTION ON THE MOTION TO RECONSIDER THE VOTE ON SB #5

AYES - 62

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

NOES - 50

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

EXCUSED ABSENCE - ~~3~~ 4

NESBITT	NICHOLS	SUTTON	GARDNER

EXCUSED VOTE - 0

NOT VOTING - ~~5~~ 4

SPEAKER	BRAWLEY	~~GARDNER~~	MERCER
BLACK			

NORTH CAROLINA
HOUSE OF REPRESENTATIVES
ROLL CALL

. # 998
LEGISLATIVE DAY 86
S5

6/26/97
11:22 AM
IN CHAIR: SPEAKER

MOTION #5 - TO RECONSIDER THE VOTE ON SB #5
REP ELLIS

AYES - 66

SPEAKER	CREECH	HOWARD	PRESTON
ALDRIDGE	CULP	HURLEY	RAYFIELD
ALEXANDER	DAUGHTRY	INSKO	REYNOLDS
ALLRED	DECKER	IVES	ROGERS
ARNOLD	DICKSON	JUSTUS	RUSSELL
BADDOUR	DOCKHAM	KISER	SEXTON
BAKER	EASTERLING	MCCOMAS	SHERRILL
BARBEE	ELLIS	MCCOMBS	SHUBERT
BERRY	ESPOSITO	MCMAHAN	SMITH
BOWIE	FOX	MINER	TALLENT
BROWN	GRADY	MITCHELL	THOMPSON
BUCHANAN	GRAY	MOORE	WATSON
CANSLER	GULLEY	MORGAN	WEATHERLY
CAPPS	HARDY	MORRIS	WILKINS
CARPENTER	HIATT	NEELY	WILSON, C.
CHURCH	HILL	OWENS	WILSON, G.
CLARY	HOLMES		

NOES - 47

ADAMS	EARLE	JARRELL	REDWINE
BEALL	EDDINS	JEFFUS	SAUNDERS
BLUE	FITCH	KINNEY	STARNES
BONNER	GAMBLE	LUEBKE	TOLSON
BOYD-MCINTYRE	GOODWIN	MCALLISTER	WAINWRIGHT
BRASWELL	HACKNEY	MCCRARY	WARNER
COLE	HALL	MICHAUX	WARWICK
CRAWFORD	HARDAWAY	MILLER	WOMBLE
CULPEPPER	HENSLEY	MOSLEY	WOOD
CUNNINGHAM	HIGHTOWER	NYE	WRIGHT
DAVIS	HUNTER, H.	OLDHAM	YONGUE
DEDMON	HUNTER, R.	RAMSEY	

EXCUSED ABSENCE - ~~3~~ 4

NESBITT	NICHOLS	SUTTON	GARDNER

EXCUSED VOTE - 0

NOT VOTING - ~~4~~ 3

BLACK	BRAWLEY	~~GARDNER~~	MERCER

PLEASE PRESS HARD - 5 COPIES

NORTH CAROLINA GENERAL ASSEMBLY AMENDMENT

(Please type or use ballpoint pen)

EDITION No. 1

H. B. No. _____ DATE 6/26/97

S. B. No. 5 Amendment No. 3
(to be filled in by Principal Clerk)

COMMITTEE SUBSTITUTE _____

(Rep.) Sen.) Boyd-McIntyre

moves to amend the bill on page 8, line 18-21

( ) WHICH CHANGES THE TITLE

by rewriting the lines to read:

"Constitutional amendments to change the position of the Superintendent of Public Instruction from one elected by the citizens of the State to one appointed by the State Board of Education, to change the composition of the State Board of Education, and to change the length of terms of the State Board of Education."

SIGNED J. Boyd-McIntyre

ADOPTED 6/26/97 FAILED _____ TABLED _____

109-0 EV

NORTH CAROLINA
HOUSE OF REPRESENTATIVES
ROLL CALL

EV

. # 1004
EGISLATIVE DAY 86
S5
READING 2

6/26/97
11:47 AM
IN CHAIR: SPEAKER

AMEND #3 DWeiss
EDUCATION GOVERNANCE CHANGES
REP BOYD-MCINTYRE

AYES - 109

ADAMS	DAUGHTRY	HUNTER, H.	PRESTON
ALDRIDGE	DAVIS	HUNTER, R.	RAMSEY
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	MCALLISTER	SMITH
BOWIE	FOX	MCCOMAS	STARNES
BOYD-MCINTYRE	GAMBLE	MCCOMBS	THOMPSON
BRASWELL	GOODWIN	MCCRARY	TOLSON
BRAWLEY	GRADY	MCMAHAN	WAINWRIGHT
BROWN	GRAY	MERCER	WARNER
BUCHANAN	GULLEY	MICHAUX	WARWICK
CANSLER	HACKNEY	MINER	WATSON
CAPPS	HALL	MITCHELL	WEATHERLY
CHURCH	HARDY	MOORE	WILKINS
CLARY	HENSLEY	MORGAN	WILSON, C.
COLE	HIATT	MOSLEY	WILSON, G.
CRAWFORD	HIGHTOWER	NEELY	WOMBLE
CREECH	HILL	NYE	WOOD
CULP	HOLMES	OLDHAM	WRIGHT
CULPEPPER	HOWARD	OWENS	YONGUE
CUNNINGHAM			

NOES - 0

EXCUSED ABSENCE - 5

GARDNER	NESBITT	NICHOLS	SUTTON
MILLER			

EXCUSED VOTE - 0

NOT VOTING - 6

SPEAKER	CARPENTER	MORRIS	TALLENT
BLACK	HARDAWAY		

NORTH CAROLINA GENERAL ASSEMBLY
AMENDMENT
Senate Bill 5

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

S5-ARC-004

Date JUN 2 6 1997, 1997

Comm. Sub. [ ]
Amends Title [ ]

Representative Wood

moves to amend the bill on page 1, line 19, by deleting the phrase "who shall serve as chair";

and on page 2, line 38, by deleting the phrase "one, who shall serve as chair", and substituting "one";

and on page 3, lines 18-19, by deleting the underlined sentence;

and on page 3, line 20, by deleting the phrase "~~chairman and~~" and substituting "chairman and".

SIGNED _____
Amendment Sponsor

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

ADOPTED 6/26/97 FAILED _____ TABLED _____
70-42 EV

NORTH CAROLINA
HOUSE OF REPRESENTATIVES
ROLL CALL

EV

. # 1005
EGISLATIVE DAY 86
S5
READING 2

6/26/97
11:49 AM
IN CHAIR: SPEAKER

AMEND #2 4 DWeiss
EDUCATION GOVERNANCE CHANGES
REP. WOOD

AYES - 70

ADAMS	DECKER	HURLEY	OWENS
ALEXANDER	DEDMON	INSKO	RAMSEY
ALLRED	EARLE	IVES	RAYFIELD
ARNOLD	EASTERLING	JARRELL	REDWINE
BARBEE	EDDINS	JEFFUS	SAUNDERS
BEALL	FITCH	KINNEY	SEXTON
BLUE	FOX	LUEBKE	SMITH
BONNER	GAMBLE	MCALLISTER	TOLSON
BOYD-MCINTYRE	GOODWIN	MCCOMBS	WAINWRIGHT
BRASWELL	GULLEY	MCCRARY	WARNER
BRAWLEY	HACKNEY	MERCER	WARWICK
CAPPS	HALL	MICHAUX	WATSON
CHURCH	HARDAWAY	MOORE	WILKINS
COLE	HENSLEY	MORRIS	WOMBLE
CRAWFORD	HIATT	MOSLEY	WOOD
CULPEPPER	HIGHTOWER	NYE	WRIGHT
CUNNINGHAM	HILL	OLDHAM	YONGUE
DAVIS	HUNTER, H.		

NOES - 42

ALDRIDGE	CULP	HUNTER, R.	REYNOLDS
BADDOUR	DAUGHTRY	JUSTUS	RUSSELL
BAKER	DICKSON	KISER	SHERRILL
BERRY	DOCKHAM	MCCOMAS	SHUBERT
BOWIE	ELLIS	MCMAHAN	STARNES
BROWN	ESPOSITO	MINER	TALLENT
BUCHANAN	GRADY	MITCHELL	THOMPSON
CANSLER	GRAY	MORGAN	WEATHERLY
CARPENTER	HARDY	NEELY	WILSON, C.
CLARY	HOLMES	PRESTON	WILSON, G.
CREECH	HOWARD		

EXCUSED ABSENCE - 5

GARDNER	NESBITT	NICHOLS	SUTTON
MILLER			

EXCUSED VOTE - 0

NOT VOTING - 3

SPEAKER	BLACK	ROGERS

NORTH CAROLINA
HOUSE OF REPRESENTATIVES
ROLL CALL

RC

. # 1006
GISLATIVE DAY 86
S5
READING 2

6/26/97
11:50 AM
IN CHAIR: SPEAKER

EDUCATION GOVERNANCE CHANGES
FAILS FOR LACK of 3/5 MAJORITY

AYES - 68

SPEAKER	CREECH	IVES	REYNOLDS
ALDRIDGE	CULP	JUSTUS	ROGERS
ALEXANDER	DAUGHTRY	KISER	RUSSELL
ALLRED	DECKER	MCCOMAS	SAUNDERS
ARNOLD	DEDMON	MCCOMBS	SEXTON
BADDOUR	DICKSON	MCCRARY	SHERRILL
BAKER	DOCKHAM	MCMAHAN	SHUBERT
BARBEE	EASTERLING	MERCER	SMITH
BERRY	ELLIS	MINER	STARNES
BOWIE	ESPOSITO	MITCHELL	TALLENT
BROWN	FOX	MOORE	THOMPSON
BUCHANAN	GRAY	MORGAN	TOLSON
CANSLER	GULLEY	MORRIS	WATSON
CAPPS	HARDY	NEELY	WEATHERLY
CARPENTER	HIATT	OWENS	WILKINS
CLARY	HOLMES	PRESTON	WILSON, C.
COLE	HURLEY	RAYFIELD	WILSON, G.

NOES - 44

ADAMS	EDDINS	HOWARD	NYE
BEALL	FITCH	HUNTER, H.	OLDHAM
BLUE	GAMBLE	HUNTER, R.	RAMSEY
BONNER	GOODWIN	INSKO	REDWINE
BOYD-MCINTYRE	GRADY	JARRELL	WAINWRIGHT
BRASWELL	HACKNEY	JEFFUS	WARNER
CHURCH	HALL	KINNEY	WARWICK
CRAWFORD	HARDAWAY	LUEBKE	WOMBLE
CUNNINGHAM	HENSLEY	MCALLISTER	WOOD
DAVIS	HIGHTOWER	MICHAUX	WRIGHT
EARLE	HILL	MOSLEY	YONGUE

EXCUSED ABSENCE - 5

GARDNER	NESBITT	NICHOLS	SUTTON
MILLER			

EXCUSED VOTE - 0

NOT VOTING - 3

BLACK	BRAWLEY	CULPEPPER

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1997

FILED - SENATE
JAN 29 1997
S 6
PRINCIPAL CLERK

S D

SENATE DRS8506-RC005(1.28)

Short Title: Revise School Calendar. (Public)

Sponsors: Senator Winner.

Referred to:

A BILL TO BE ENTITLED

AN ACT TO REVISE THE LAWS RELATED TO THE PUBLIC SCHOOL CALENDAR TO PROVIDE LOCAL BOARDS OF EDUCATION AND SCHOOLS GREATER FLEXIBILITY AND LOCAL CONTROL.

The General Assembly of North Carolina enacts:

Section 1. G.S. 115C-84 is repealed.

Section 2. G.S. 115C-84.1 is repealed.

Section 3. Part 2 of Article 8 of Chapter 115C of the General Statutes is amended by adding a new section to read:

"**§ 115C-84.2. School calendar.**

(a) School Calendar. -- Each local board of education shall adopt a school calendar consisting of 220 days all of which must fall within the fiscal year. A school calendar shall include the following:

(1) A minimum of 180 days and 1,000 hours of instruction covering at least nine calendar months. The local board shall designate when the 180 instructional days shall occur. The number of instructional hours in an instructional day may vary according to local board policy and does not have to be uniform among schools in the administrative unit. Local boards may approve school improvement plans that include days with varying amounts of instructional time. If school is closed early due to inclement weather, the day and the scheduled amount of instructional time may count towards the required minimum. The school calendar should include a plan for making up days when schools are not opened due to inclement weather.

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1997

FILED - SENATE

JAN 2 9 1997

PRINCIPAL CLERK

S D

S7

SENATE DRSA504-LHZ031(1.27)

Short Title: Increase Penalty for Certain Drug Sales. (Public)

Sponsors: Senator Cooper.

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

FILED - SENATE

S 8 JAN 2 9 1997

PRINCIPAL CLERK

S D

SENATE DRS1506-LHZ028(1.27)

Short Title: Amend Struc. Sent. Prior Record Calculation. (Public)

Sponsors: Senator Cooper.

Referred to:

A BILL TO BE ENTITLED

AN ACT TO IMPLEMENT THE NORTH CAROLINA SENTENCING AND POLICY ADVISORY COMMISSION'S RECOMMENDATION TO AMEND THE STRUCTURED SENTENCING PROVISIONS REGARDING THE CALCULATION OF PRIOR RECORD LEVELS.

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 a preponderance of the evidence that the current offenses are not transactionally related. In determining whether offenses are not transactionally related, the following

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1997

FILED - SENATE

S D

SENATE DRS7507-LHZ030(1.27) S9 JAN 2 9 1997

PRINCIPAL CLERK

Short Title: Embezzlement/Increase Penalty. (Public)

Sponsors: Senator Miller.

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,

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1997

FILED - SENATE
JAN 29 1997
PRINCIPAL CLERK

S

S10

D

SENATE DRSA505-LHZ033(1.28)

Short Title: Amend Accessory After the Fact. (Public)

Sponsors: Senator Reeves.

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

FILED - SENATE
S 1 1 JAN 2 9 1997
PRINCIPAL CLERK

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1997

S D

SENATE DRS1505-LHZ029(1.27)

Short Title: Voluntary Manslaughter/Class D Felony. (Public)

Sponsors: Senator Gulley.

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.

FILED - SENATE
JAN 29 1997
PRINCIPAL CLERK

GENERAL ASSEMBLY OF NORTH CAROLINA S 1 2

SESSION 1997

S D

SENATE DRS1508-LHZ034(1.28)

Short Title: Habitual DWI/Active Time. (Public)

Sponsors: Senator Phillips.

Referred to:

A BILL TO BE ENTITLED

AN ACT TO IMPLEMENT THE NORTH CAROLINA SENTENCING AND POLICY ADVISORY COMMISSION'S RECOMMENDATION TO REQUIRE ACTIVE TIME FOR HABITUAL IMPAIRED DRIVING CONVICTIONS.

The General Assembly of North Carolina enacts:

Section 1. G.S. 20-138.5(b) reads as rewritten:

"(b) A person convicted of violating this section shall be punished as a Class G felon. Notwithstanding the dispositions authorized in G.S. 15A-1340.17 for Class G felonies, the court shall impose an active term of imprisonment. The term of imprisonment shall be consistent with the durations specified for that class of offense and prior record level. Sentences imposed under this subsection shall run consecutively with and shall commence at the expiration of any sentence being served."

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

FILED - SENATE

S 13 JAN 29 1997

S D

PRINCIPAL CLERK

SENATE DRS8503-LB008A(11.21)

Short Title: Change Primary Date. (Public)

Sponsors: Senators Conder and Plyler.

Referred to:

A BILL TO BE ENTITLED

AN ACT TO PROVIDE FOR A LATER PRIMARY DATE.

The General Assembly of North Carolina enacts:

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

"(b) On ~~Tuesday next after the first Monday in May~~ the first Tuesday in September preceding each general election to be held in November for the officers referred to in subsection (a) of this section, there shall be held in all election precincts within the territory for which the officers are to be elected a primary election for the purpose of nominating candidates for each political party in the State for those offices."

Section 2. G.S. 163-111(e) reads as rewritten:

"(e) Date of Second Primary; Procedures. -- If a second primary is required under the provisions of this section, the appropriate board of elections, State or county, shall order that it be held ~~four~~ three weeks after the first primary.

There shall be no registration of voters between the dates of the first and second primaries. Persons whose qualifications to register and vote mature after the day of the first primary and before the day of the second primary may register on the day of the second primary and, when thus registered, shall be entitled to vote in the second primary. The second primary is a continuation of the first primary and any voter who files a proper and timely affidavit of transfer of precinct, under the provisions of G.S. 163-72(c), before the first primary may vote in the second primary without having to refile the affidavit of transfer if he is otherwise qualified to vote in the second primary. Subject to this provision for registration, the second primary shall be held under the laws, rules, and regulations provided for the first primary."

Section 3. (a) G.S. 163-106(c) reads as rewritten:

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1997

FILED - SENATE
JAN 29 1997
PRINCIPAL CLERK

S

S 14

D

SENATE DRS8508-LHZ035(1.28)

Short Title: Reclassify Prison Offenses. (Public)

Sponsors: Senator Jenkins.

Referred to:

A BILL TO BE ENTITLED

AN ACT TO INCREASE THE PENALTY FOR CERTAIN OFFENSES COMMITTED WHILE A PERSON IS INCARCERATED.

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.**

FILED - SENATE

S 1 5 JAN 2 9 1997

PRINCIPAL CLERK

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1997

S D

SENATE DRS7508-LHZ032(1.27)

Short Title: Aggravating Factor/Injure Official. (Public)

Sponsors: Senator Ballance.

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

29153 SHIELDS BUSINESS FORMS, RALEIGH, NC 27605

PLEASE PRESS HARD - 5 COPIES

NORTH CAROLINA GENERAL ASSEMBLY AMENDMENT

(Please type or use ballpoint pen)

EDITION No. _____

H. B. No. _____ DATE 2-11-97

S. B. No. 15 Amendment No. 1 (to be filled in by Principal Clerk)

COMMITTEE SUBSTITUTE _____

Rep.) WINNER
Sen.)

moves to amend the bill on page 1, line 20

( ) WHICH CHANGES THE TITLE

by DELETING THE WORDS "RESULTED IN" AND SUBSTITUTING THE WORDS "PROXIMATELY CAUSED".

SIGNED J Winner

Adopted by the Committee on Judiciary

ADOPTED ✓ R Cox FAILED _____ TABLED _____

2-11-97 J. Pruitt

GA-33-A

PRINCIPAL CLERK'S OFFICE (FOR ENGROSSMENT)

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1997

FILED - SENATE

S 1 6

JAN 2 9 1997

PRINCIPAL CLERK

S D

SENATE DRS8509-LLZ038(1.27)

Short Title: Clarify Community-Based Corrections. (Public)

Sponsors: Senator Ballance.

Referred to:

A BILL TO BE ENTITLED

AN ACT TO IMPLEMENT THE RECOMMENDATIONS OF THE NORTH CAROLINA SENTENCING AND POLICY ADVISORY COMMISSION TO MODIFY STATUTORY LANGUAGE DEFINING CERTAIN INTERMEDIATE PUNISHMENTS, TO CHANGE THE JUDICIAL AUTHORITY TO DELEGATE RESPONSIBILITIES TO PROBATION OFFICERS AND TO MODIFY THOSE DELEGATED RESPONSIBILITIES, TO MODIFY THE TARGET POPULATION FOR COMMUNITY PENALTIES, AND TO IDENTIFY THE POPULATION INELIGIBLE FOR COMMUNITY SERVICE.

The General Assembly of North Carolina enacts:

Section 1. G.S. 143B-262(c) reads as rewritten:

"(c) The Department shall establish within the Division of Adult Probation and Parole a program of Intensive ~~Probation and Parole.~~ Supervision. This program shall provide intensive supervision for ~~probationers,~~ probationers, post-release supervisees, and parolees who require close supervision in order to remain in the community pursuant to a community penalties plan, community work plan, community restitution plan, or other plan of rehabilitation. The intensive ~~probation and parole~~ supervision program shall be available to both felons and misdemeanants. Each offender shall be required to comply with the rules adopted for the Program as well as the requirements specified in G.S. 15A-1340.11(5)."

Section 2. G.S. 15A-1340.11(5) reads as rewritten:

"(5) Intensive probation. -- Probation that requires the offender to submit to supervision by officers assigned to the Intensive ~~Probation~~ Supervision Program established pursuant to G.S. 143B-262(c), and to comply with the rules adopted for that Program.

NORTH CAROLINA GENERAL ASSEMBLY
SENATE

RECORDED VOTE

1997 SESSION

SEQ. 131/5-- 7:39 PM MARCH 24, 1997 LEGISLATIVE DAY 31

LT. GOVERNOR WICKER -- Presiding

BALLANCE
CLARIFY COMMUNITY-BASED CORRECTIONS
2ND EDITION

SENATE BILL 16
READING 2

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	HORTON	MCDANIEL	SOLES
		CARRINGTON	HOYLE	MILLER	WARREN
		COCHRANE	JENKINS	ODOM	WEBSTER
		CONDER	JORDAN	PAGE	WEINSTEIN
		COOPER	KERR	PERDUE	WELLONS
		DALTON	KINCAID	PHILLIPS	WINNER
NO	1	CLARK			

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

GENERAL ASSEMBLY
SENATE

NORTH CAROLINA GENERAL ASSEMBLY
SENATE

RECORDED VOTE

1997 SESSION

SEQ. 145/10-- 4:57 PM MARCH 25, 1997 LEGISLATIVE DAY 32

LT. GOVERNOR WICKER -- Presiding

BALLANCE
CLARIFY COMMUNITY-BASED CORRECTIONS
2ND EDITION

SENATE BILL 16
READING 3

AYE	44	ALBERTSON	DALTON	KINCAID	PHILLIPS
		ALLRAN	DANNELLY	KINNAIRD	PLYLER
		BALLANCE	EAST	LEDBETTER	RAND
		BALLANTINE	FORRESTER	LEE	REEVES
		BASNIGHT	FOXX	LUCAS	RUCHO
		BLUST	GARWOOD	MARTIN R.	SOLES
		CARPENTER	GULLEY	MARTIN W.	WARREN
		CARRINGTON	HARTSELL	MCDANIEL	WEBSTER
		COCHRANE	HORTON	MILLER	WEINSTEIN
		CONDER	HOYLE	PAGE	WELLONS
		COOPER	JENKINS	PERDUE	WINNER
NO	1	CLARK			
EXCUSED	0				
NOT CAST	3	JORDAN	KERR	SHAW R.	
ABSENT	2	ODOM	SHAW L.		
PAIRS	0				
AYE					
NO					

GENERAL ASSEMBLY
SENATE

NORTH CAROLINA GENERAL ASSEMBLY
SENATE

RECORDED VOTE

1997 SESSION

SEQ. 146/11-- 5:35 PM MARCH 25, 1913 LEGISLATIVE DAY 32

LT. GOVERNOR WICKER -- Presiding

BALLANCE
CLARIFY COMMUNITY-BASED CORRECTIONS
2ND EDITION

SENATE BILL 16
READING 3

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

EXCUSED	0		
NOT CAST	2	KERR	SHAW R.
ABSENT	2	ODOM	SHAW L.
PAIRS	0		
AYE			
NO			

(COPY)

GENERAL ASSEMBLY
SENATE

NORTH CAROLINA
HOUSE OF REPRESENTATIVES
ROLL CALL

EV

[redacted] # 610
[redacted]ISLATIVE DAY 57
S16 5[redacted]CS
READING 2

5/07/97
3:16 PM
IN CHAIR: SPEAKER

CLARIFY COMMUNITY- BASED CORRECTIONS

AYES - 113

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

NOES - 0

EXCUSED ABSENCE - 4

BLACK	BLUE	GAMBLE	MCMAHAN

EXCUSED VOTE - 0

NOT VOTING - 3

SPEAKER	HARDAWAY	NESBITT

GENERAL ASSEMBLY OF NORTH CAROLINA

FILED - SENATE

SESSION 1997

S 17

JAN 2 9 1997

S

PRINCIPAL CLERK D

SENATE RESOLUTION DRSR4502-RA001.05(1.27)

Sponsors: Senator Rand.

Referred to:

A SENATE RESOLUTION ADOPTING THE PERMANENT RULES OF THE SENATE FOR THE REGULAR SESSIONS OF THE 1997 GENERAL ASSEMBLY OF NORTH CAROLINA.

Be it resolved by the Senate:

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

PERMANENT RULES OF
THE REGULAR SESSIONS OF THE SENATE
1997 GENERAL ASSEMBLY OF NORTH CAROLINA

I. Order of Business, Rules 1-7
II. Conduct of Debate, Rules 8-17
III. Motions, Rules 18-24
IV. Voting, Rules 25-30
V. Committees, Rules 31-37
VI. Handling Bills, Rules 38-59.2
VII. Legislative Officers and Employees, Rules 60-65
VIII. General Rules, Rules 66-77.

I. Order of Business

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

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

NORTH CAROLINA GENERAL ASSEMBLY
SENATE

RECORDED VOTE

1997 SESSION

SEQ. 2/2-- 1:14 PM JANUARY 29, 1997 LEGISLATIVE DAY 1

LT. GOVERNOR WICKER -- Presiding

RAND
1997 RULES

SENATE RES. 17

MOTION 7
TO ADOPT

AYE	31	ALBERTSON	GULLEY	MARTIN R.	REEVES
		BALLANCE	HOYLE	MARTIN W.	SHAW L.
		BASNIGHT	JENKINS	MILLER	SOLES
		CARRINGTON	JORDAN	ODOM	WARREN
		CONDER	KERR	PERDUE	WEINSTEIN
		COOPER	KINNAIRD	PHILLIPS	WELLONS
		DALTON	LEE	PLYLER	WINNER
		DANNELLY	LUCAS	RAND	
NO	19	ALLRAN	COCHRANE	HARTSELL	PAGE
		BALLANTINE	EAST	HORTON	RUCHO
		BLUST	FORRESTER	KINCAID	SHAW R.
		CARPENTER	FOXX	LEDBETTER	WEBSTER
		CLARK	GARWOOD	MCDANIEL	

EXCUSED 0

NOT CAST 0

ABSENT 0

PAIRS 0
AYE
NO

(CONTINUED)

GENERAL ASSEMBLY
SENATE

FILED - SENATE
JAN 2 9 1997
PRINCIPAL CLERK

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1997

S 1 8

S D

SENATE JOINT RESOLUTION DRSJR8505-LG011(1.27)

Sponsors: Senator Rand.

Referred to:

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

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

Section 1. A committee of five Senators appointed by the President Pro Tempore of the Senate and five Representatives appointed by the Speaker of the House of Representatives shall notify His Excellency, Governor James B. Hunt, Jr., that the General Assembly is organized and is ready to proceed with public business, and to invite him to address a joint session of the Senate and House of Representatives in the Hall of the House of Representatives at 12:00 noon, Tuesday, February 11, 1997.

Section 2. This resolution is effective upon ratification.

NORTH CAROLINA GENERAL ASSEMBLY
SENATE

RECORDED VOTE

1997 SESSION

SEQ. 3/3-- 2:07 PM JANUARY 29, 1997 LEGISLATIVE DAY 1

LT. GOVERNOR WICKER -- Presiding

RAND
INVITE GOVERNOR

SENATE RES. 18
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	HARTSELL	MARTIN W.	SHAW R.
		CARPENTER	HORTON	MCDANIEL	SOLES
		CARRINGTON	HOYLE	MILLER	WARREN
		CLARK	JENKINS	ODOM	WEBSTER
		COCHRANE	JORDAN	PAGE	WEINSTEIN
		CONDER	KERR	PERDUE	WELLONS
		COOPER	KINCAID	PHILLIPS	WINNER
		DALTON			
NO	0				

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

(CONTINUED)

GENERAL ASSEMBLY
SENATE

NORTH CAROLINA GENERAL ASSEMBLY
SENATE

RECORDED VOTE

1997 SESSION

SEQ. 4/4-- 2:50 PM JANUARY 29, 1997 LEGISLATIVE DAY 1

LT. GOVERNOR WICKER -- Presiding

RAND
INVITE GOVERNOR

SENATE RES. 18
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

PY)

GENERAL ASSEMBLY
SENATE

NORTH CAROLINA

HOUSE OF REPRESENTATIVES

ROLL CALL

EV

. # 14
LEGISLATIVE DAY 5
SJR18 - INVITING GOVERNOR
READING 2

2/05/97
10:12 AM
IN CHAIR: SPEAKER

AYES - 114

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

NOES - 0

EXCUSED ABSENCE - 2

HURLEY	SUTTON

EXCUSED VOTE - 0

NOT VOTING - 4

CHURCH	CULPEPPER	IVES	TALLENT

SJR18

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1997

S D

FILED - SENATE
S 1 9 JAN 2 9 1997
PRINCIPAL CLERK

SENATE DRS1503-LE011(1.24)

Short Title: No Social Promotions Permitted. (Public)

Sponsors: Senator Perdue.

Referred to:

A BILL TO BE ENTITLED

AN ACT TO REQUIRE THAT STUDENTS MASTER THE BASICS AT ONE GRADE LEVEL BEFORE THEY ARE PROMOTED TO THE NEXT GRADE LEVEL.

Whereas, some students in North Carolina receive social promotions; that is, they are promoted to the next grade level before they master the basics at their grade level; and

Whereas, a student who has not mastered the basics at one grade level is unlikely to succeed at the next grade level; and

Whereas, it is imperative that the promotion standards we set for our students are high enough to provide them with the skills and knowledge they need to be successful as citizens and in the workplace; and

Whereas, it is imperative that the promotion standards we set for our students are high enough to ensure that a high school diploma means that a student has the skills and knowledge we should expect of a high school graduate; and

Whereas, it is imperative that every North Carolina school identify students who are lagging behind these high standards and help them meet these standards along with their age-level peers; Now, therefore,

The General Assembly of North Carolina enacts:

Section 1. G.S. 115C-174.11 reads as rewritten:

"**§ 115C-174.11. Components of the testing program.**

(a) Assessment Instruments for ~~First~~ Kindergarten, First, and Second Grades. -- The State Board of Education shall adopt and provide to the local school administrative units developmentally appropriate individualized assessment instruments in reading, writing, and mathematics consistent with the Basic Education

NORTH CAROLINA GENERAL ASSEMBLY
SENATE

RECORDED VOTE

1997 SESSION

SEQ. 385/8-- 5:51 PM APRIL 28, 1997 LEGISLATIVE DAY 51

LT. GOVERNOR WICKER -- Presiding

PERDUE
NO SOCIAL PROMOTIONS PERMITTED
2ND EDITION

SENATE BILL 19
READING 2

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	2	BALLANCE	JORDAN		
ABSENT	0				
PAIRS	0				
AYE					
NO					

GENERAL ASSEMBLY
SENATE

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1997

FILED - SENATE
JAN 29 1997
PRINCIPAL CLERK

S D

S20

SENATE DRS8504*-LGQ002(1.1)

Short Title: Women's Memorial Funds. (Public)

Sponsors: Senator Perdue.

Referred to:

A BILL TO BE ENTITLED

AN ACT TO APPROPRIATE FUNDS TO SUPPORT A NATIONAL MEMORIAL HONORING ALL WOMEN MILITARY PERSONNEL.

The General Assembly of North Carolina enacts:

Section 1. There is appropriated from the General Fund to the Women In Military Service For America Memorial Foundation, Inc., a nonprofit organization, the sum of two hundred fifty thousand dollars ($250,000) for the 1997-98 fiscal year to support the Women In Military Service Memorial, a national memorial honoring the more than 1.8 million women who have served, or are serving, in the United States' armed services. The memorial will be located at the entrance of the Arlington National Cemetery in Washington, D.C.

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

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1997

S D

FILED - SENATE

JAN 2 9 1997

PRINCIPAL CLERK

SENATE DRS4500-LB007(11.21) S 2 1

Short Title: Authorization for Political Ads. (Public)

Sponsors: Senators Conder and Plyler.

Referred to:

A BILL TO BE ENTITLED

AN ACT TO REQUIRE THAT POLITICAL ADVERTISEMENTS PLACED BY A POLITICAL COMMITTEE (WHICH INCLUDES POLITICAL PARTIES AND PACS) ON BEHALF OF A CANDIDATE TRUTHFULLY STATE WHETHER OR NOT THE ADVERTISEMENT WAS AUTHORIZED BY THE CANDIDATE.

The General Assembly of North Carolina enacts:

Section 1. G.S. 163-278.16(f) reads as rewritten:

"(f) No media advertisement of any kind may be made by a treasurer, candidate, political committee, referendum committee or individual unless

(1) It bears the legend or includes the statement: 'Paid for by (or Sponsored by) ..... (Name of candidate, political committee, referendum committee, individual)';

(2) The name used in the labeling required in subdivision (1) of this subsection is the name that appears on the statement of organization as required in G.S. 163-278.7(b)(1), provided that this subdivision applies only if the sponsor is a political committee or referendum committee;

(3) The sponsor states in the media advertisement its position:

a. For or against the candidate; or

b. For or against an opposing candidate

provided that this subdivision applies only if the media advertisement is made for or against a candidate; and

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1997

S

FILED - SENATE D

SENATE DRS4504-LGQ008(1.27) S 22 — JAN 2 9 1997

PRINCIPAL CLERK

Short Title: Dry Hydrant Funds. (Public)

Sponsors: Senator Conder.

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.

FILED - SENATE
S 2 3 JAN 2 9 1997
PRINCIPAL CLERK

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1997

S D

SENATE DRS7509-LM016A(1.22)

Short Title: Require Rental Property Heat. (Public)

Sponsors: Senator Reeves.

Referred to:

A BILL TO BE ENTITLED

AN ACT TO REQUIRE THAT EVERY DWELLING UNIT LEASED AS RENTAL PROPERTY IN CERTAIN CITIES BE FURNISHED WITH A SOURCE OF HEAT.

The General Assembly of North Carolina enacts:

Section 1. (a) By January 1, 1998, every dwelling unit leased as rental property shall have a central heating system or sufficient chimneys, flues, or gas vents, with heating appliances connected, so as to heat at least one habitable room, excluding the kitchen, to a minimum temperature of 68 degrees Fahrenheit measured three feet above the floor with an outside temperature of 20 degrees Fahrenheit.

(b) All heating systems and appliances shall be installed and maintained in a good and safe working condition by the owner of the dwelling unit.

(c) Portable kerosene heaters are not acceptable as a permanent source of heat as required by subsection (a) of this section, but may be used as a supplementary source in single family dwellings and duplex units. An owner who has complied with subsection (a) shall not be held in violation of this section where an occupant of a dwelling unit uses a kerosene heater as a primary source of heat.

(d) This section only applies to cities with a population of 200,000 or over, according to the most recent decennial federal census.

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

NORTH CAROLINA GENERAL ASSEMBLY
AMENDMENT
Senate Bill 23

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

S23-ALM-1

Date 3/19 ,1997

Comm. Sub. []
Amends Title []

Senator Miller

moves to amend the bill on page 1, lines 6-19, by rewriting those lines to read:

"Section 1. Part 6 of Article 19 of Chapter 160A of the General Statutes is amended by adding a new section to read:

'**§160A-443A. Heat source required.**

(a) A city shall, by ordinance, require that by January 1, 1998, every dwelling unit leased as rental property within the city shall have, at a minimum, a central heating system or sufficient chimneys, flues, or gas vents, with heating appliances connected, so as to heat at least one habitable room, excluding the kitchen, to a minimum temperature of 68 degrees Fahrenheit measured three feet above the floor with an outside temperature of 20 degrees Fahrenheit.

(b) All heating systems and appliances shall be installed and maintained in a good and safe working condition by the owner of the dwelling unit.

(c) Portable kerosene heaters are not acceptable as a permanent source of heat as required by subsection (a) of this section, but may be used as a supplementary source in single family dwellings and duplex units. An owner who has complied with subsection (a) shall not be held in violation of this section where an occupant of a dwelling unit uses a kerosene heater as a primary source of heat.

NORTH CAROLINA GENERAL ASSEMBLY
AMENDMENT
Senate Bill 23

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

S23-ALM-1 Page 2 of 2

(d) This section applies only to cities with a population of 200,000 or over, according to the most recent decennial federal census.

(e) Nothing in this section shall be construed as diminishing the rights of or remedies available to any tenant under a lease agreement, statute, or at common law.'"

SIGNED _____
Amendment Sponsor

SIGNED _____
Committee Chair if Senate Committee Amendment

ADOPTED ✓ FAILED _____ TABLED _____
46-2 Janet Pruitt

NORTH CAROLINA GENERAL ASSEMBLY
SENATE

RECORDED VOTE

1997 SESSION

SEQ. 110/2-- 2:32 PM MARCH 19, 1997 LEGISLATIVE DAY 29

LT. GOVERNOR WICKER -- Presiding

REEVES
REQUIRE RENTAL PROPERTY HEAT

SENATE BILL 23

AMEND 1

AYE	46	ALBERTSON	DANNELLY	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
		COCHRANE	JENKINS	ODOM	WEINSTEIN
		CONDER	JORDAN	PAGE	WELLONS
		COOPER	KERR	PHILLIPS	WINNER
		DALTON	KINCAID		
NO	2	CLARK	EAST		

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

GENERAL ASSEMBLY
SENATE

NORTH CAROLINA GENERAL ASSEMBLY
SENATE

RECORDED VOTE

1997 SESSION

SEQ. 111/3-- 2:34 PM MARCH 19, 1997 LEGISLATIVE DAY 29

LT. GOVERNOR WICKER -- Presiding

REEVES SENATE BILL 23
REQUIRE RENTAL PROPERTY HEAT READING 2

AYE	47	ALBERTSON	DANNELLY	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
		COCHRANE	JENKINS	ODOM	WEINSTEIN
		CONDER	JORDAN	PAGE	WELLONS
		COOPER	KERR	PERDUE	WINNER
		DALTON	KINCAID	PHILLIPS	
NO	2	CLARK	EAST		

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

GENERAL ASSEMBLY
SENATE

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1997

S D

SENATE JOINT RESOLUTION DRSJR7500*-LNZ007(12.2)

FILED - SENATE
S 24 : JAN 2 9 1997
PRINCIPAL CLERK

Sponsors: Senator Ballance.

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 Senate, the House of Representatives 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

S D

SENATE DRSA503-LC047(1.24)

S 2 5 JAN 2 9 1997

PRINCIPAL CLERK

Short Title: Reduce Food Tax. (Public)

Sponsors: Senator Horton.

Referred to:

A BILL TO BE ENTITLED

AN ACT TO REDUCE THE STATE SALES TAX ON FOOD BY ONE-THIRD.

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 July 1, 1997, and applies to sales made on or after that date.

NORTH CAROLINA GENERAL ASSEMBLY
SENATE

RECORDED VOTE

1997 SESSION

SEQ. 632/2-- 2:06 PM MAY 8, 1997 LEGISLATIVE DAY 58

LT. GOVERNOR WICKER -- Presiding

HORTON
REDUCE FOOD TAX

SENATE BILL 25
READING 2

AYE	7	ALBERTSON	BALLANTINE	CONDER	EAST
		ALLRAN	COCHRANE	DANNELLY	
NO	5	BALLANCE	GARWOOD	GULLEY	HARTSELL
		CLARK			
EXCUSED	0				
NOT CAST	38	BASNIGHT	JENKINS	MCDANIEL	RUCHO
		BLUST	JORDAN	MILLER	SHAW L.
		CARPENTER	KERR	ODOM	SHAW R.
		CARRINGTON	KINCAID	PAGE	SOLES
		COOPER	KINNAIRD	PERDUE	WARREN
		DALTON	LEDBETTER	PHILLIPS	WEBSTER
		FORRESTER	LEE	PLYLER	WEINSTEIN
		FOXX	LUCAS	RAND	WELLONS
		HORTON	MARTIN R.	REEVES	WINNER
		HOYLE	MARTIN W.		
ABSENT	0				
PAIRS	0				
AYE					
NO					

(COPY)

GENERAL ASSEMBLY
SENATE

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1997

S

FILED - SENATE

S 2 6 JAN 2 9 1997

PRINCIPAL CLERK

SENATE DRSA501-LGQ005(1.16)

Short Title: Food Bank Funds. (Public)

Sponsors: Senator Odom.

Referred to:

A BILL TO BE ENTITLED

AN ACT TO APPROPRIATE FUNDS TO THE FOOD BANKS IN NORTH CAROLINA.

The General Assembly of North Carolina enacts:

Section 1. There is appropriated from the General Fund the sum of two million two hundred fifty thousand dollars ($2,250,000) for the 1997-98 fiscal year to be equally divided among the following nonprofit corporations: the Metrolina Food Bank, Inc.; the Food Bank, Inc.; The Food Bank of Northwest North Carolina, Inc.; the MANNA Food Bank, Inc.; the Albemarle Food Bank/Food Pantry, Inc.; and the Cumberland Community Action Program, Inc., for the Cape Fear Community Food Bank, to enable the organizations to better serve persons seeking emergency food assistance throughout the State. Each corporation shall allocate the funds it receives as follows:

(1) $337,000 to purchase nutritious staple food items not received by the food bank in sufficient quantities; and

(2) $37,500 to offset the costs of transportation, handling, and distribution.

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

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1997

FILED - SENATE

S 527 D

JAN 30 1997

SENATE DRS4505-LB013A(12.4)

Short Title: Veto Procedural Changes. (Public)

Sponsors: Senator Rand.

Referred to:

A BILL TO BE ENTITLED

AN ACT TO MAKE PROCEDURAL CHANGES IN THE CONFORMING LEGISLATION CONCERNING GUBERNATORIAL VETO.

The General Assembly of North Carolina enacts:

Section 1. G.S. 120-33(d2) reads as rewritten:

"(d2) No bill required to be presented to the Governor under Article II, Section 22 of the Constitution of North Carolina shall be so presented until ~~the time for moving a reconsideration shall have expired,~~ the next business day after the bill was ratified, unless expressly ordered by that house where such bill was ordered enrolled. For the purpose of this section, a business day is a weekday other than on which there is both a State employee holiday and neither house is in session. No bill required to be presented to the Governor under Article II, Section 22 of the Constitution of North Carolina shall be recalled from the Enrolling Clerk or Governor after it has been ratified but before it has been acted upon by the Governor except by joint resolution. In calculating the period under Section 22(7) of Article II of the North Carolina Constitution, the day on which the bill is presented to the Governor shall be excluded and the entire last day of the period is included."

Section 2. G.S. 120-6.1(a) reads as rewritten:

"(a) As provided by Section 22(7) of Article II of the Constitution of North Carolina, if within 30 days after adjournment, a bill is returned by the Governor with objections and veto message to that house in which it shall have originated, the Governor shall reconvene that session as provided by Section 5(11) of Article III of the Constitution for reconsideration of the bill, unless the Governor prior to reconvening the session receives written requests dated no earlier than 30 days after such adjournment, signed by a majority of the members of each house that a

NORTH CAROLINA GENERAL ASSEMBLY
SENATE

RECORDED VOTE

1997 SESSION

SEQ. 22/2-- 7:16 PM FEBRUARY 10, 1997 LEGISLATIVE DAY 7

LT. GOVERNOR WICKER -- Presiding

RAND
VETO PROCEDURAL CHANGES
2ND EDITION

SENATE BILL 27
READING 2

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

EXCUSED	0
NOT CAST	0
ABSENT	0
PAIRS	0
AYE	
NO	

GENERAL ASSEMBLY
SENATE

NORTH CAROLINA

HOUSE OF REPRESENTATIVES

ROLL CALL

EV

23
LEGISLATIVE DAY 13
S27 CS
READING 2

2/19/97
2:20 PM
IN CHAIR: SPEAKER

VETO PROCEDURAL CHANGES

AYES - 114

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

NOES - 1

ALLRED

EXCUSED ABSENCE - 4

ARNOLD	BLUE	BONNER	WRIGHT

EXCUSED VOTE - 0

NOT VOTING - 1

SPEAKER

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1997

S D

FILED - SENATE
S 2 8 JAN 3 0 1997
PRINCIPAL CLERK

SENATE JOINT RESOLUTION DRSJR6501*-LNZ004(1.02)

Sponsors: Senators Jordan and Gulley.

Referred to:

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

Be it resolved by the Senate, the House of Representatives 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.

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1997

S

FILED - SENATE D

JAN 3 0 1997

PRINCIPAL CLERK

SENATE DRS2502*-LNZ005B(1.2) S 2 9

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

Sponsors: Senators Jordan and Gulley.

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.~~

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1997

FILED - SENATE
S 3 0 JAN 3 0 1997
PRINCIPAL CLERK

S D

SENATE DRS2503-LK015(12.16)

Short Title: Speeding in a Work Zone. (Public)

Sponsors: Senator Jordan.

Referred to:

A BILL TO BE ENTITLED

AN ACT TO CLARIFY THAT THE ONE HUNDRED DOLLAR PENALTY FOR SPEEDING IN A HIGHWAY WORK ZONE IS IN ADDITION TO, AND NOT IN LIEU OF, ANY OTHER PENALTY FOR A SPEEDING OFFENSE.

The General Assembly of North Carolina enacts:

Section 1. G.S. 20-141(j2) reads as rewritten:

"(j2) A person who drives a motor vehicle in a highway work zone at a speed greater than the speed limit set and posted under G.S. 20-141 ~~is~~ is, in addition to any other offense committed within the highway work zone, responsible for an infraction of 'Speeding in a Highway Work Zone' and ~~is~~ shall be required to pay a penalty of one hundred dollars ~~($100.00).~~ ($100.00) in addition to any other penalty imposed. The one hundred dollars ($100.00) is a penalty that is to be added as a surcharge to, and not substituted for, the penalty for exceeding the posted speed limit. A 'highway work zone' is the area between the first sign that informs motorists of the existence of a work zone on a highway and the last sign that informs motorists of the end of the work zone. This subsection applies only if a sign posted at the beginning of the highway work zone states the penalty for speeding in the work zone."

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

NORTH CAROLINA GENERAL ASSEMBLY AMENDMENT

(Please type or use ballpoint pen)

EDITION No. _____

H. B. No. _____ DATE 5.1.97

S. B. No. 30 Amendment No. 1

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

Rep. / Sen.) Gulley

1 moves to amend the bill on page 1, line 11-12

2 ( ) WHICH CHANGES THE TITLE

3 by _____

4 BY DELETING THE WORDS

5 ", IN ADDITION TO ANY OTHER NON-SPEEDING OFFENSE

6 COMMITTED WITHIN THE HIGHWAY WORK ZONE,"

7 _____

8 _____

9 _____

10 _____

11 _____

12 _____

13 _____

14 _____

15 _____

16 _____

17 _____

18 _____

19 _____

SIGNED W.S.D.

ADOPTED ✓ 43-0 FAILED _____ TABLED _____

5/1/97 J. Pruitt

GA-33-A

PRINCIPAL CLERK'S OFFICE (FOR ENGROSSMENT)

NORTH CAROLINA GENERAL ASSEMBLY
SENATE

RECORDED VOTE

1997 SESSION

SEQ. 592/73-- 4:26 PM MAY 1, 1997 LEGISLATIVE DAY 54

SENATOR BASNIGHT -- Presiding

JORDAN
SPEEDING IN A WORK ZONE
2ND EDITION

SENATE BILL 30

AMEND 1

AYE	43	ALBERTSON	FOXX	LEE	REEVES
		BALLANCE	GARWOOD	LUCAS	RUCHO
		BALLANTINE	GULLEY	MARTIN R.	SHAW L.
		BASNIGHT	HARTSELL	MARTIN W.	SHAW R.
		BLUST	HORTON	MCDANIEL	SOLES
		COCHRANE	HOYLE	MILLER	WARREN
		CONDER	JENKINS	ODOM	WEBSTER
		COOPER	JORDAN	PAGE	WEINSTEIN
		DALTON	KERR	PHILLIPS	WELLONS
		DANNELLY	KINCAID	PLYLER	WINNER
		FORRESTER	LEDBETTER	RAND	
NO	0				
EXCUSED	0				
NOT CAST	4	ALLRAN	CLARK	EAST	PERDUE
ABSENT	3	CARPENTER	CARRINGTON	KINNAIRD	
PAIRS	0				
AYE					
NO					

GENERAL ASSEMBLY
SENATE

NORTH CAROLINA GENERAL ASSEMBLY
SENATE

RECORDED VOTE

1997 SESSION

SEQ. 640/10-- 3:32 PM MAY 1, 1997 LEGISLATIVE DAY 54

SENATOR BASNIGHT -- Presiding

JORDAN
SPEEDING IN A WORK ZONE
2ND EDITION

SENATE BILL 30

AMEND 1

AYE	43	ALBERTSON	FOXX	LEE	REEVES
		BALLANCE	GARWOOD	LUCAS	RUCHO
		BALLANTINE	GULLEY	MARTIN R.	SHAW L.
		BASNIGHT	HARTSELL	MARTIN W.	SHAW R.
		BLUST	HORTON	MCDANIEL	SOLES
		COCHRANE	HOYLE	MILLER	WARREN
		CONDER	JENKINS	ODOM	WEBSTER
		COOPER	JORDAN	PAGE	WEINSTEIN
		DALTON	KERR	PHILLIPS	WELLONS
		DANNELLY	KINCAID	PLYLER	WINNER
		FORRESTER	LEDBETTER	RAND	
NO	0				
EXCUSED	0				
NOT CAST	3	ALLRAN	EAST	PERDUE	
ABSENT	4	CARPENTER	CARRINGTON	CLARK	KINNAIRD
PAIRS	0				
AYE					
NO					

(COPY)

GENERAL ASSEMBLY
SENATE

NORTH CAROLINA GENERAL ASSEMBLY
SENATE

RECORDED VOTE

1997 SESSION

SEQ. 641/11-- 2:24 PM MAY 8, 1997 LEGISLATIVE DAY 58

SENATOR BASNIGHT -- Presiding

JORDAN
SPEEDING IN A WORK ZONE
2ND EDITION

SENATE BILL 30

AMEND 1

AYE	43	ALBERTSON	FOXX	LEE	REEVES
		BALLANCE	GARWOOD	LUCAS	RUCHO
		BALLANTINE	GULLEY	MARTIN R.	SHAW L.
		BASNIGHT	HARTSELL	MARTIN W.	SHAW R.
		BLUST	HORTON	MCDANIEL	SOLES
		COCHRANE	HOYLE	MILLER	WARREN
		CONDER	JENKINS	ODOM	WEBSTER
		COOPER	JORDAN	PAGE	WEINSTEIN
		DALTON	KERR	PHILLIPS	WELLONS
		DANNELLY	KINCAID	PLYLER	WINNER
		FORRESTER	LEDBETTER	RAND	
NO	0				
EXCUSED	0				
NOT CAST	3	ALLRAN	EAST	PERDUE	
ABSENT	4	CARPENTER	CARRINGTON	CLARK	KINNAIRD
PAIRS	0				
AYE					
NO					

(COPY)

GENERAL ASSEMBLY
SENATE

NORTH CAROLINA GENERAL ASSEMBLY AMENDMENT

(Please type or use ballpoint pen)

EDITION No. _____

H. B. No. _____ DATE 5/1/97

S. B. No. 30 Amendment No. 2

(to be filled in by Principal Clerk)

COMMITTEE SUBSTITUTE X

Rep.)
Sen.) Webster

1 moves to amend the bill on page P1, line 18

2 ( ) WHICH CHANGES THE TITLE

3 by ADDING

4 AND SHALL APPLY ONLY WHEN

5 WORK IS BEING PERFORMED."

6

7

8

9

10

11

12

13

14

15

16

17

18

19

SIGNED Webster

ADOPTED _____ FAILED ✓ 12-33 TABLED _____

May 1, 1997 gp

GA-33-A

PRINCIPAL CLERK'S OFFICE (FOR ENGROSSMENT)

NORTH CAROLINA GENERAL ASSEMBLY
SENATE

RECORDED VOTE

1997 SESSION

SEQ. 593/74-- 4:38 PM MAY 1, 1997 LEGISLATIVE DAY 54

LT. GOVERNOR WICKER -- Presiding

JORDAN
SPEEDING IN A WORK ZONE
2ND EDITION

SENATE BILL 30

AMEND 2

AYE	12	BASNIGHT	EAST	HORTON	LEDBETTER
		BLUST	FORRESTER	KERR	SHAW R.
		COCHRANE	HARTSELL	KINCAID	WEBSTER
NO	33	ALBERTSON	GULLEY	MCDANIEL	REEVES
		BALLANCE	HOYLE	MILLER	RUCHO
		BALLANTINE	JENKINS	ODOM	SHAW L.
		CONDER	JORDAN	PAGE	SOLES
		COOPER	LEE	PERDUE	WARREN
		DALTON	LUCAS	PHILLIPS	WEINSTEIN
		DANNELLY	MARTIN R.	PLYLER	WELLONS
		FOXX	MARTIN W.	RAND	WINNER
		GARWOOD			

EXCUSED	0			
NOT CAST	2	ALLRAN	CLARK	
ABSENT	3	CARPENTER	CARRINGTON	KINNAIRD
PAIRS	0			
AYE				
NO				

GENERAL ASSEMBLY
SENATE

NORTH CAROLINA GENERAL ASSEMBLY
SENATE

RECORDED VOTE

1997 SESSION

SEQ. 594/75-- 4:41 PM MAY 1, 1997 LEGISLATIVE DAY 54

LT. GOVERNOR WICKER -- Presiding

JORDAN
SPEEDING IN A WORK ZONE
2ND EDITION

SENATE BILL 30
READING 2

AYE	28	ALBERTSON	GARWOOD	MARTIN R.	PLYLER
		BALLANTINE	GULLEY	MCDANIEL	REEVES
		BLUST	JENKINS	MILLER	SHAW L.
		COOPER	JORDAN	ODOM	SOLES
		DALTON	KERR	PAGE	WEINSTEIN
		FORRESTER	LEE	PERDUE	WELLONS
		FOXX	LUCAS	PHILLIPS	WINNER
NO	17	BALLANCE	EAST	KINCAID	RUCHO
		BASNIGHT	HARTSELL	LEDBETTER	SHAW R.
		COCHRANE	HORTON	MARTIN W.	WARREN
		CONDER	HOYLE	RAND	WEBSTER
		DANNELLY			

EXCUSED	0			
NOT CAST	2	ALLRAN	CLARK	
ABSENT	3	CARPENTER	CARRINGTON	KINNAIRD
PAIRS	0			
AYE				
NO				

GENERAL ASSEMBLY
SENATE

NORTH CAROLINA GENERAL ASSEMBLY
SENATE

RECORDED VOTE

1997 SESSION

SEQ. 594/75-- 4:41 PM MAY 1, 1997 LEGISLATIVE DAY 54

LT. GOVERNOR WICKER -- Presiding

JORDAN
SPEEDING IN A WORK ZONE
2ND EDITION

SENATE BILL 30
READING 2

AYE	28	ALBERTSON	GARWOOD	MARTIN R.	PLYLER
		BALLANTINE	GULLEY	MCDANIEL	REEVES
		BLUST	JENKINS	MILLER	SHAW L.
		COOPER	JORDAN	ODOM	SOLES
		DALTON	KERR	PAGE	WEINSTEIN
		FORRESTER	LEE	PERDUE	WELLONS
		FOXX	LUCAS	PHILLIPS	WINNER
NO	17	BALLANCE	EAST	KINCAID	RUCHO
		BASNIGHT	HARTSELL	LEDBETTER	SHAW R.
		COCHRANE	HORTON	MARTIN W.	WARREN
		CONDER	HOYLE	RAND	WEBSTER
		DANNELLY			

EXCUSED	0			
NOT CAST	2	ALLRAN	CLARK	
ABSENT	3	CARPENTER	CARRINGTON	KINNAIRD
PAIRS	0			
AYE				
NO				

(CONTINUED)

GENERAL ASSEMBLY
SENATE

NORTH CAROLINA GENERAL ASSEMBLY
SENATE

RECORDED VOTE

1997 SESSION

SEQ. 641/11-- 3:32 PM MAY 1, 1997 LEGISLATIVE DAY 54

LT. GOVERNOR WICKER -- Presiding

JORDAN
SPEEDING IN A WORK ZONE
2ND EDITION

SENATE BILL 30

AMEND 2

AYE	12	BASNIGHT	EAST	HORTON	LEDBETTER
		BLUST	FORRESTER	KERR	SHAW R.
		COCHRANE	HARTSELL	KINCAID	WEBSTER
NO	33	ALBERTSON	GULLEY	MCDANIEL	REEVES
		BALLANCE	HOYLE	MILLER	RUCHO
		BALLANTINE	JENKINS	ODOM	SHAW L.
		CONDER	JORDAN	PAGE	SOLES
		COOPER	LEE	PERDUE	WARREN
		DALTON	LUCAS	PHILLIPS	WEINSTEIN
		DANNELLY	MARTIN R.	PLYLER	WELLONS
		FOXX	MARTIN W.	RAND	WINNER
		GARWOOD			

EXCUSED	0				
NOT CAST	1	ALLRAN			
ABSENT	4	CARPENTER	CARRINGTON	CLARK	KINNAIRD
PAIRS	0				
AYE					
NO					

(COPY)

GENERAL ASSEMBLY
SENATE

NORTH CAROLINA GENERAL ASSEMBLY
SENATE

RECORDED VOTE

1997 SESSION

SEQ. 641/11-- 3:32 PM MAY 1, 1997 LEGISLATIVE DAY 54

LT. GOVERNOR WICKER -- Presiding

JORDAN
SPEEDING IN A WORK ZONE
2ND EDITION

SENATE BILL 30

AMEND 2

RECORDED
ABSENT 1 CLARK
ADJUSTED TOTAL
AYE 12
NO 33
NOT CAST 1
ABSENT 4

(COPY)

GENERAL ASSEMBLY
SENATE

NORTH CAROLINA GENERAL ASSEMBLY
SENATE

RECORDED VOTE

1997 SESSION

SEQ. 642/12-- 3:32 PM MAY 1, 1997 LEGISLATIVE DAY 54

LT. GOVERNOR WICKER -- Presiding

JORDAN
SPEEDING IN A WORK ZONE
2ND EDITION

SENATE BILL 30
READING 2

RECORDED
ABSENT 1 CLARK
ADJUSTED TOTAL
AYE 28
NO 17
NOT CAST 1
ABSENT 4

(COPY)

GENERAL ASSEMBLY
SENATE

NORTH CAROLINA GENERAL ASSEMBLY
SENATE

RECORDED VOTE

1997 SESSION

SEQ. 642/12-- 3:32 PM MAY 1, 1997 LEGISLATIVE DAY 54

LT. GOVERNOR WICKER -- Presiding

JORDAN
SPEEDING IN A WORK ZONE
2ND EDITION

SENATE BILL 30
READING 2

AYE	28	ALBERTSON	GARWOOD	MARTIN R.	PLYLER
		BALLANTINE	GULLEY	MCDANIEL	REEVES
		BLUST	JENKINS	MILLER	SHAW L.
		COOPER	JORDAN	ODOM	SOLES
		DALTON	KERR	PAGE	WEINSTEIN
		FORRESTER	LEE	PERDUE	WELLONS
		FOXX	LUCAS	PHILLIPS	WINNER
NO	17	BALLANCE	EAST	KINCAID	RUCHO
		BASNIGHT	HARTSELL	LEDBETTER	SHAW R.
		COCHRANE	HORTON	MARTIN W.	WARREN
		CONDER	HOYLE	RAND	WEBSTER
		DANNELLY			

EXCUSED	0			
NOT CAST	1	ALLRAN		
ABSENT	4	CARPENTER	CARRINGTON	CLARK	KINNAIRD
PAIRS	0			
AYE				
NO				

(COPY)

GENERAL ASSEMBLY
SENATE

NORTH CAROLINA

HOUSE OF REPRESENTATIVES

ROLL CALL

SEQ. # 1519
LEGISLATIVE DAY 122
S30 HCS
READING 2

8/27/97
7:14 PM
IN CHAIR: SPEAKER

SPEEDING IN A WORK ZONE

AYES - 93

ADAMS	DECKER	HURLEY	RAMSEY
ALEXANDER	DEDMON	INSKO	RAYFIELD
ARNOLD	DICKSON	IVES	REDWINE
BADDOUR	DOCKHAM	JARRELL	ROGERS
BAKER	EARLE	JEFFUS	RUSSELL
BARBEE	EASTERLING	KINNEY	SAUNDERS
BEALL	EDDINS	LUEBKE	SEXTON
BERRY	ESPOSITO	MCCOMAS	SHERRILL
BLACK	FITCH	MCCRARY	SHUBERT
BLUE	FOX	MERCER	SMITH
BONNER	GOODWIN	MICHAUX	SUTTON
BOWIE	GRADY	MILLER	TALLENT
BOYD-MCINTYRE	GULLEY	MOORE	TOLSON
BRASWELL	HACKNEY	MORGAN	WAINWRIGHT
CANSLER	HARDAWAY	MORRIS	WARNER
CAPPS	HARDY	MOSLEY	WARWICK
CHURCH	HENSLEY	NEELY	WEATHERLY
CLARY	HIATT	NESBITT	WILKINS
CRAWFORD	HIGHTOWER	NICHOLS	WILSON, C.
CREECH	HOLMES	NYE	WILSON, G.
CULP	HOWARD	OLDHAM	WOMBLE
CULPEPPER	HUNTER, H.	OWENS	WRIGHT
CUNNINGHAM	HUNTER, R.	PRESTON	YONGUE
DAUGHTRY			

NOES - 23

SPEAKER	CARPENTER	HILL	MITCHELL
ALDRIDGE	COLE	JUSTUS	REYNOLDS
ALLRED	DAVIS	KISER	STARNES
BRAWLEY	ELLIS	MCALLISTER	THOMPSON
BROWN	GAMBLE	MCCOMBS	WOOD
BUCHANAN	HALL	MINER	

EXCUSED ABSENCE - 4

GARDNER	GRAY	MCMAHAN	WATSON

EXCUSED VOTE - 0

NOT VOTING - 0

NORTH CAROLINA GENERAL ASSEMBLY
SENATE

RECORDED VOTE

1997 SESSION

SEQ. 1530/8--10:29 AM AUGUST 28, 1997 LEGISLATIVE DAY 123

LT. GOVERNOR WICKER -- Presiding

JORDAN
SPEEDING IN A WORK ZONE
HOUSE COM SUB/4TH EDITION

SENATE BILL 30

MOTION 8
TO CONCUR

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

EXCUSED	0		
NOT CAST	1	SHAW R.	
ABSENT	2	WARREN	WEINSTEIN
PAIRS	0		
AYE			
NO			

(CONTINUED)

NORTH CAROLINA GENERAL ASSEMBLY
SENATE

RECORDED VOTE

1997 SESSION

SEQ. 1543/21--11:41 AM AUGUST 28, 1997 LEGISLATIVE DAY 123

LT. GOVERNOR WICKER -- Presiding

JORDAN
SPEEDING IN A WORK ZONE
HOUSE COM SUB/4TH EDITION

SENATE BILL 30

MOTION 8
TO CONCUR

AYE	47	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	SOLES
		CLARK	HOYLE	MOORE	WEBSTER
		COCHRANE	JENKINS	ODOM	WELLONS
		COOPER	JORDAN	PAGE	WINNER
		DALTON	KERR	PERDUE	
NO	0				
EXCUSED	0				
NOT CAST	1	SHAW R.			
ABSENT	2	WARREN	WEINSTEIN		
PAIRS	0				
AYE					
NO					

(COPY)

NORTH CAROLINA GENERAL ASSEMBLY
SENATE

RECORDED VOTE

1997 SESSION

SEQ. 1543/21--11:41 AM AUGUST 28, 1997 LEGISLATIVE DAY 123

LT. GOVERNOR WICKER -- Presiding

JORDAN
SPEEDING IN A WORK ZONE
HOUSE COM SUB/4TH EDITION

SENATE BILL 30

MOTION 8
TO CONCUR

RECORDED		
AYE	1	RUCHO
NO	-1	
ADJUSTED TOTAL		
AYE	47	
NO	0	
NOT CAST	1	
[illegible]ENT	2	

(COPY)

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1997

FILED - SENATE

S

S 3 1

JAN 30 1997

SENATE DRS8502*-LNZ009A(1.02)

PRINCIPAL CLERK

Short Title: Amend LP Gas Code. (Public)

Sponsors: Senator Jordan.

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

S D

FILED - SENATE
JAN 30 1997
PRINCIPAL CLERK

SENATE DRS2504*-RKZ001.3(1.27) S 32

Short Title: Job Training Study. (Public)

Sponsors: Senator Rand.

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

NORTH CAROLINA GENERAL ASSEMBLY
SENATE

RECORDED VOTE

1997 SESSION

SEQ. 1544/22-- 1:38 PM AUGUST 28, 1997 LEGISLATIVE DAY 123

LT. GOVERNOR WICKER -- Presiding

RAND
JOB TRAINING STUDY
COM SUB/3RD EDITION

SENATE BILL 32
READING 2

AYE	40	ALBERTSON	EAST	KERR	PHILLIPS
		ALLRAN	FORRESTER	KINNAIRD	PLYLER
		BALLANCE	FOXX	LEDBETTER	PURCELL
		BALLANTINE	GARWOOD	LUCAS	RAND
		BASNIGHT	GULLEY	MARTIN R.	REEVES
		BLUST	HARTSELL	MARTIN W.	SHAW R.
		CARPENTER	HORTON	MCDANIEL	SOLES
		COCHRANE	HOYLE	MOORE	WEBSTER
		COOPER	JENKINS	ODOM	WELLONS
		DANNELLY	JORDAN	PAGE	WINNER
NO	1	PERDUE			
EXCUSED	0				
NOT CAST	4	DALTON	LEE	MILLER	SHAW L.
ABSENT	5	CARRINGTON	RUCHO	WARREN	WEINSTEIN
		CLARK			
PAIRS	0				
AYE					
NO					

NORTH CAROLINA
HOUSE OF REPRESENTATIVES
ROLL CALL

EV

SEQ. # 1582
LEGISLATIVE DAY 123
S32 HCS
READING 2

8/28/97
5:26 PM
IN CHAIR: SPEAKER

STUDIES ACT

AYES - 103

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

NOES - 1

FITCH

EXCUSED ABSENCE - 8

BADDOUR	DICKSON	GARDNER	MCMAHAN
BERRY	GAMBLE	HARDAWAY	WATSON

EXCUSED VOTE - 0

NOT VOTING - 8

ALDRIDGE	IVES	MCALLISTER	WILSON, C.
HUNTER, R.	KISER	RAYFIELD	WOMBLE

NORTH CAROLINA GENERAL ASSEMBLY
SENATE

RECORDED VOTE

1997 SESSION

SEQ. 1569/47-- 6:41 PM AUGUST 28, 1997 LEGISLATIVE DAY 123

SENATOR BASNIGHT -- Presiding

RAND
JOB TRAINING STUDY
COM SUB/3RD EDITION

SENATE BILL 32

MOTION 8
TO CONCUR

AYE	0				
NO	40	ALBERTSON	DANNELLY	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	KINNAIRD	PAGE	WINNER
EXCUSED	0				
NOT CAST	2	HARTSELL	KERR		
ABSENT	8	CARRINGTON	EAST	RUCHO	WEBSTER
		CLARK	RAND	WARREN	WEINSTEIN
PAIRS	0				
AYE					
NO					

GENERAL ASSEMBLY
SENATE

NORTH CAROLINA GENERAL ASSEMBLY
CONFERENCE REPORT
Senate Bill 32

S32-CRRG-8/28

[ ] Title Change [YES] For Committee Substitute

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

The conferees appointed to resolve the differences between the Senate and the House of Representatives on Senate Bill 32, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE STUDIES BY THE LEGISLATIVE RESEARCH COMMISSION, TO CREATE VARIOUS COMMISSIONS, TO CONTINUE A COUNCIL, TO DIRECT STATE AGENCIES AND LEGISLATIVE OVERSIGHT COMMITTEES AND COMMISSIONS TO STUDY SPECIFIED ISSUES, AND TO IMPOSE A MORATORIUM ON SERVICE CORPORATION CONVERSIONS, House Committee Substitute Favorable 8/28/97, submit the following report:

The Senate and the House of Representatives agree to the following amendments to the Proposed House Committee Substitute Favorable S32-PCS7878, and the Senate concurs in the Proposed House Committee Substitute S32-PCS7878 as amended:

on page 14, lines 4-5, by rewriting those lines to read:
"a. One shall be a representative of Blue Cross Blue Shield of North Carolina, Incorporated; and";

and on page 14, lines 11-12, by rewriting those lines to read:

"a. One shall be a representative of the North Carolina Citizens for Business and Industry; and";

and on page 17, line 31, by deleting "Section 16.2" and substituting "Section 14.2";

and on page 18, line 1, by deleting "Section 16.3" and substituting "Section 14.3";

and on page 18, line 10, by deleting "H.B. 142" and substituting "H.B. 1242"; and

and on page 18, line 16, by deleting "H.B. 142" and substituting "H.B. 1242".

NORTH CAROLINA GENERAL ASSEMBLY
CONFERENCE REPORT
Senate Bill 32

S32-CRRG-8/28

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	Conferees for the House of Representatives
Roy A. Cooper, III, Chairman	Richard T. Morgan, Chair
Frank W. Ballance, Jr.	James W. Crawford, Jr.
James Forrester	David Miner
	Gregory J. Thompson

House Submitted 8/28/97 w/o objection placed on calendar
House ADOPTED 8/28/97 (86 to 27) Message Received
ADOPTED (/) Ordered Enrolled

Special Message Senate notified

AUG 28 1997

NORTH CAROLINA
HOUSE OF REPRESENTATIVES
ROLL CALL

EV

SEQ. # 1586
LEGISLATIVE DAY 123
HCS
CONFERENCE REPORT

8/28/97
8:12 PM
IN CHAIR: SPEAKER

STUDIES ACT

AYES - 86

SPEAKER	DECKER	HUNTER, H.	PRESTON
ALEXANDER	DEDMON	HUNTER, R.	REDWINE
ALLRED	DOCKHAM	HURLEY	REYNOLDS
ARNOLD	EARLE	INSKO	ROGERS
BAKER	EASTERLING	JARRELL	RUSSELL
BARBEE	EDDINS	JEFFUS	SAUNDERS
BLACK	ELLIS	JUSTUS	SEXTON
BLUE	ESPOSITO	MCCOMBS	SHERRILL
BONNER	FITCH	MICHAUX	SHUBERT
BOYD-MCINTYRE	FOX	MILLER	STARNES
BRAWLEY	GOODWIN	MITCHELL	SUTTON
BROWN	GRADY	MOORE	THOMPSON
CANSLER	GRAY	MORGAN	TOLSON
CAPPS	GULLEY	MORRIS	WAINWRIGHT
CARPENTER	HACKNEY	MOSLEY	WARWICK
COLE	HARDY	NEELY	WILKINS
CRAWFORD	HENSLEY	NESBITT	WILSON, G.
CREECH	HIATT	NICHOLS	WOMBLE
CULP	HIGHTOWER	NYE	WOOD
CULPEPPER	HILL	OLDHAM	WRIGHT
DAUGHTRY	HOLMES	OWENS	YONGUE
DAVIS	HOWARD		

NOES - 0

EXCUSED ABSENCE - 9

BERRY	GARDNER	LUEBKE	WARNER
DICKSON	HARDAWAY	MCMAHAN	WATSON
GAMBLE			

EXCUSED VOTE - 0

NOT VOTING - 25

ADAMS	CHURCH	KISER	RAMSEY
ALDRIDGE	CLARY	MCALLISTER	RAYFIELD
BADDOUR	CUNNINGHAM	MCCOMAS	SMITH
BEALL	HALL	MCCRARY	TALLENT
BOWIE	IVES	MERCER	WEATHERLY
BRASWELL	KINNEY	MINER	WILSON, C.
BUCHANAN			

S32 HCS

NORTH CAROLINA GENERAL ASSEMBLY
SENATE

RECORDED VOTE

1997 SESSION

SEQ. 1575/53-- 8:26 PM AUGUST 28, 1997 LEGISLATIVE DAY 123

SENATOR BASNIGHT -- Presiding

RAND
JOB TRAINING STUDY
COM SUB/3RD EDITION

SENATE BILL 32

CONFERENCE REPORT

MOTION 7
TO ADOPT

AYE	39	ALBERTSON	FORRESTER	KINNAIRD	PERDUE
		ALLRAN	FOXX	LEDBETTER	PHILLIPS
		BALLANCE	GARWOOD	LEE	PLYLER
		BALLANTINE	GULLEY	LUCAS	PURCELL
		BASNIGHT	HARTSELL	MARTIN W.	REEVES
		BLUST	HORTON	MCDANIEL	SHAW R.
		CARPENTER	HOYLE	MILLER	SOLES
		COOPER	JENKINS	MOORE	WELLONS
		DALTON	JORDAN	ODOM	WINNER
		DANNELLY	KERR	PAGE	
NO	0				
EXCUSED	0				
NOT CAST	3	COCHRANE	MARTIN R.	SHAW L.	
ABSENT	8	CARRINGTON	EAST	RUCHO	WEBSTER
		CLARK	RAND	WARREN	WEINSTEIN
PAIRS	0				
AYE					
NO					

GENERAL ASSEMBLY
SENATE

NORTH CAROLINA GENERAL ASSEMBLY
CONFERENCE REPORT
Senate Bill 32

S32-CRRG-8/28

[] Title Change [YES] For Committee Substitute

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

The conferees appointed to resolve the differences between the Senate and the House of Representatives on Senate Bill 32, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE STUDIES BY THE LEGISLATIVE RESEARCH COMMISSION, TO CREATE VARIOUS COMMISSIONS, TO CONTINUE A COUNCIL, TO DIRECT STATE AGENCIES AND LEGISLATIVE OVERSIGHT COMMITTEES AND COMMISSIONS TO STUDY SPECIFIED ISSUES, AND TO IMPOSE A MORATORIUM ON SERVICE CORPORATION CONVERSIONS, House Committee Substitute Favorable 8/28/97, submit the following report:

The Senate and the House of Representatives agree to the following amendments to the Proposed House Committee Substitute Favorable S32-PCS7878, and the Senate concurs in the Proposed House Committee Substitute S32-PCS7878 as amended:

on page 14, lines 4-5, by rewriting those lines to read:
"a. One shall be a representative of Blue Cross Blue Shield of North Carolina, Incorporated; and";

and on page 14, lines 11-12, by rewriting those lines to read:

"a. One shall be a representative of the North Carolina Citizens for Business and Industry; and";

and on page 17, line 31, by deleting "Section 16.2" and substituting "Section 14.2";

and on page 18, line 1, by deleting "Section 16.3" and substituting "Section 14.3";

and on page 18, line 10, by deleting "H.B. 142" and substituting "H.B. 1242"; and

and on page 18, line 16, by deleting "H.B. 142" and substituting "H.B. 1242".

NORTH CAROLINA GENERAL ASSEMBLY
CONFERENCE REPORT
Senate Bill 32

S32-CRRG-8/28

[ ] Title Change [YES] For Committee Substitute

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

The conferees appointed to resolve the differences between the Senate and the House of Representatives on Senate Bill 32, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE STUDIES BY THE LEGISLATIVE RESEARCH COMMISSION, TO CREATE VARIOUS COMMISSIONS, TO CONTINUE A COUNCIL, TO DIRECT STATE AGENCIES AND LEGISLATIVE OVERSIGHT COMMITTEES AND COMMISSIONS TO STUDY SPECIFIED ISSUES, AND TO IMPOSE A MORATORIUM ON SERVICE CORPORATION CONVERSIONS, House Committee Substitute Favorable 8/28/97, submit the following report:

The Senate and the House of Representatives agree to the following amendments to the Proposed House Committee Substitute Favorable S32-PCS7878, and the Senate concurs in the Proposed House Committee Substitute S32-PCS7878 as amended:

on page 14, lines 4-5, by rewriting those lines to read:
"a. One shall be a representative of Blue Cross Blue Shield of North Carolina, Incorporated; and";

and on page 14, lines 11-12, by rewriting those lines to read:

"a. One shall be a representative of the North Carolina Citizens for Business and Industry; and";

and on page 17, line 31, by deleting "Section 16.2" and substituting "Section 14.2";

and on page 18, line 1, by deleting "Section 16.3" and substituting "Section 14.3";

and on page 18, line 10, by deleting "H.B. 142" and substituting "H.B. 1242"; and

and on page 18, line 16, by deleting "H.B. 142" and substituting "H.B. 1242".

NORTH CAROLINA GENERAL ASSEMBLY
CONFERENCE REPORT
Senate Bill 32

S32-CRRG-8/28

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 A. Cooper, III, Chairman

Frank W. Ballance, Jr.

James Forrester

Conferees for the House of Representatives

Richard T. Morgan, Chair

James W. Crawford, Jr.

David Miner

Gregory J. Thompson

Senate Submitted 8/28/97
Senate ADOPTED 8/28/97 (~~39~~ 40 / 0)
House ADOPTED 8/28/97 (/)
Message Received 8/28/97
Ordered Enrolled 8/28/97

J. Pruitt

ORDERED SENT TO GOVERNOR
BY SPECIAL MESSENGER
Janet Pruitt

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1997

S

FILED - SENATE

D

SENATE DRS8501-LCX001(1.1)(Z)

S 33

JAN 3 0 1997

PRINCIPAL CLERK

Short Title: Revenue Laws Technical Changes. (Public)

Sponsors: Senators Cochrane, Cooper, Kerr, Shaw of Cumberland, and Soles.

Referred to:

A BILL TO BE ENTITLED

AN ACT TO MAKE TECHNICAL AND CONFORMING CHANGES TO THE REVENUE LAWS AND RELATED STATUTES.

The General Assembly of North Carolina enacts:

Section 1. G.S. 14-407 is repealed.

Section 2. Effective January 1, 1997, G.S. 105-23(b) reads as rewritten:

"(b) Exception. -- An inheritance tax return is not required to be filed for an estate that meets all of the following conditions:

(1) Its beneficiaries are all either Class A beneficiaries, as described in G.S. 105-4(a), or the surviving spouse.

(2) Its gross value, including the value of transfers over which the decedent retained an interest and the value of gifts made within three years before the decedent's death, as provided in G.S. 105-2(a)(3), is less than ~~four hundred fifty thousand dollars ($450,000).~~ six hundred thousand dollars ($600,000)."

Section 3. G.S. 105-130.22 reads as rewritten:

"**§ 105-130.22. Tax credit for construction of dwelling units for handicapped persons.**

There ~~shall be~~ is allowed to corporate owners of multifamily rental units located in ~~North Carolina~~ this State as a credit against the tax imposed by this Division, an amount equal to five hundred fifty dollars ($550.00) for each dwelling unit constructed by ~~such corporate owner which~~ the corporate owner that comforms to ~~the requirements of section (11x)~~ Volume I-C of the North Carolina Building Code for the taxable year within which the construction of ~~such~~ the dwelling unit is ~~completed; provided, that credit will be allowed under this section only for the number of such~~ completed. The credit is allowed only for dwelling units completed

NORTH CAROLINA GENERAL ASSEMBLY
AMENDMENT
Senate Bill 33

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

S33-ALJ-1 Page 1 of __

Date February 19, 1997

Comm. Sub. []
Amends Title []

Senator Cochrane

moves to amend the bill on page 1, line 21, by deleting the word "comforms" and substituting the word "conforms";

and on page 8, lines 38 through 44, and page 9, lines 1 through 15, by deleting Section 10 of the bill;

and on page 9, line 16 through page 13, line 33, by renumbering the succeeding sections of the bill accordingly;

and on page 13, lines 22 and 23, by rewriting those lines to read: "bond order or ~~trust,~~ trust agreement under which it is authorized or ~~secured, provided that:~~ secured. The following limitations apply to payment from the specified sources:".

SIGNED Stan Cochrane
Amendment Sponsor

SIGNED _____
Committee Chair if Senate Committee Amendment

ADOPTED V FAILED _____ TABLED _____

J. Pruitt
2/19/97

NORTH CAROLINA GENERAL ASSEMBLY
SENATE

RECORDED VOTE

1997 SESSION

SEQ. 35/2--10:28 AM FEBRUARY 20, 1997 LEGISLATIVE DAY 14

LT. GOVERNOR WICKER -- Presiding

COCHRANE
REVENUE LAWS TECHNICAL CHANGES
2ND EDITION

SENATE BILL 33
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	HARTSELL	MARTIN W.	SHAW R.
		CARPENTER	HORTON	MCDANIEL	SOLES
		CARRINGTON	HOYLE	MILLER	WARREN
		CLARK	JENKINS	ODOM	WEBSTER
		COCHRANE	JORDAN	PAGE	WEINSTEIN
		CONDER	KERR	PERDUE	WELLONS
		COOPER	KINCAID	PHILLIPS	WINNER
		DALTON			
NO	0				

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

GENERAL ASSEMBLY
SENATE

NORTH CAROLINA GENERAL ASSEMBLY
SENATE

RECORDED VOTE

1997 SESSION

SEQ. 41/2-- 7:12 PM FEBRUARY 24, 1997 LEGISLATIVE DAY 15

LT. GOVERNOR WICKER -- Presiding

COCHRANE
REVENUE LAWS TECHNICAL CHANGES
2ND EDITION

SENATE BILL 33
READING 3

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	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	SOLES
PAIRS	0	
AYE		
NO		

GENERAL ASSEMBLY
SENATE

NORTH CAROLINA
HOUSE OF REPRESENTATIVES
ROLL CALL

Re

79
ISLATIVE DAY 22
S33
READING 2

3/06/97
1:58 PM
IN CHAIR: SPEAKER

REVENUE LAWS TECHNICAL CHANGES

AYES - 107

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

NOES - 0

EXCUSED ABSENCE - 4

BRAWLEY	ELLIS	FOX	REDWINE

EXCUSED VOTE - 0

NOT VOTING - 9

SPEAKER	EASTERLING	HOLMES	MILLER
BLUE	FITCH	MICHAUX	NESBITT
CAPPS			

NORTH CAROLINA
HOUSE OF REPRESENTATIVES
ROLL CALL

RC

NO. # 88
LEGISLATIVE DAY 23
S33
READING 3

3/10/97
7:29 PM
IN CHAIR: SPEAKER

REVENUE LAWS TECHNICAL CHANGES

AYES - 110

ADAMS	DAUGHTRY	IVES	RAMSEY
ALDRIDGE	DAVIS	JARRELL	RAYFIELD
ALEXANDER	DEDMON	JEFFUS	REDWINE
ALLRED	DICKSON	JUSTUS	ROGERS
ARNOLD	DOCKHAM	KINNEY	RUSSELL
BADDOUR	EARLE	KISER	SAUNDERS
BAKER	EASTERLING	LUEBKE	SEXTON
BARBEE	EDDINS	MCALLISTER	SHERRILL
BEALL	ELLIS	MCCOMAS	SHUBERT
BERRY	ESPOSITO	MCCOMBS	SMITH
BLACK	FOX	MCCRARY	STARNES
BLUE	GARDNER	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	HUNTER, H.	PRESTON	YONGUE
CUNNINGHAM	INSKO		

NOES - 0

EXCUSED ABSENCE - 3

BRASWELL	HUNTER, R.	MCMAHAN

EXCUSED VOTE - 0

NOT VOTING - 7

SPEAKER	DECKER	GAMBLE	REYNOLDS
CRAWFORD	FITCH	HURLEY	

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1997

S D

SENATE DRS6502*-LJ002(1.1)(Z)

FILED - SENATE
S 34 JAN 30 1997
PRINCIPAL CLERK

Short Title: Adjust City Receipts Tax Share. (Public)

Sponsors: Senators Cochrane, Cooper, Kerr, Shaw of Cumberland, and Soles.

Referred to:

A BILL TO BE ENTITLED

AN ACT TO ADJUST THE SHARE THE CITIES RECEIVE FROM THE STATE GROSS RECEIPTS TAX TO MAKE THE DISTRIBUTION MORE EQUITABLE.

The General Assembly of North Carolina enacts:

Section 1. Article 3 of Chapter 105 of the General Statutes is amended by adding a new section to read:

"**§ 105-116.1. Distribution of gross receipts taxes to cities.**

(a) Distribution. -- The Secretary shall distribute to the cities part of the taxes collected under this Article on electric power companies, natural gas companies, and telephone companies. Each city's share for a calendar quarter is the percentage distribution amount for that city minus one-fourth of the hold-back amount for that city. The Secretary shall make the distribution within 75 days after the end of each calendar quarter.

(b) Percentage Amount. -- The percentage distribution amount for a city is three and nine hundredths percent (3.09%) of the gross receipts derived during the preceding quarter by an electric power company, a natural gas company, or a telephone company from sales within the city that are taxable under G.S. 105-116 or G.S. 105-120.

(c) Hold-back Amount. -- The hold-back amount reflects the amount of growth in the gross receipts taxes that occurred during the 1991-92 through 1994-95 fiscal years, the 'freeze' years. The total amount distributed to cities during that period was fixed at the total amount that would have been distributed during the 1990-91 fiscal year if the Governor had not reduced the distribution for that year as part of the effort to balance the State budget. During the freeze years, cities received a part of the fixed

NORTH CAROLINA GENERAL ASSEMBLY
SENATE

RECORDED VOTE

1997 SESSION

SEQ. 410/4-- 3:58 PM APRIL 29, 1997 LEGISLATIVE DAY 52

LT. GOVERNOR WICKER -- Presiding

COCHRANE
ADJUST CITY RECEIPTS TAX SHARE
2ND EDITION

SENATE BILL 34
READING 2

AYE	48	ALBERTSON	DALTON	KINNAIRD	PLYLER
		ALLRAN	EAST	LEDBETTER	RAND
		BALLANCE	FORRESTER	LEE	REEVES
		BALLANTINE	FOXX	LUCAS	RUCHO
		BASNIGHT	GARWOOD	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
		CONDER	KERR	PERDUE	WELLONS
		COOPER	KINCAID	PHILLIPS	WINNER
NO	0				
EXCUSED	0				
NOT CAST	1	DANNELLY			
ABSENT	1	GULLEY			
PAIRS	0				
AYE					
NO					

GENERAL ASSEMBLY
SENATE

NORTH CAROLINA
HOUSE OF REPRESENTATIVES
ROLL CALL

EV

[redacted]. # 669
[redacted]ISLATIVE DAY 63
S34 SCS
READING 2

5/19/97
7:26 PM
IN CHAIR: SPEAKER

ADJUST CITY RECEIPTS TAX SHARE

AYES - 112

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

NOES - 0

EXCUSED ABSENCE - 4

ALEXANDER	BERRY	ELLIS	MCCOMBS

EXCUSED VOTE - 0

NOT VOTING - 4

SPEAKER	BRASWELL	CUNNINGHAM	WRIGHT

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1997

FILED - SENATE

S

S 3 5 JAN 3 0 1997 D

SENATE DRS2501*-RBZ024(1.1) PRINCIPAL CLERK

Short Title: Permanent Revenue Laws Study Committee. (Public)

Sponsors: Senators Kerr, Cochrane, Cooper, Shaw of Cumberland, and Soles.

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

FILED - SENATE

S

S 36

JAN 30 1997

D

SENATE DRS8500-LJX001A(1.5)(Z)

PRINCIPAL CLERK

Short Title: Uniform Tax on Piped Natural Gas. (Public)

Sponsors: Senators Kerr, Cochrane, Cooper, Shaw of Cumberland, and Soles.

Referred to:

A BILL TO BE ENTITLED

AN ACT TO ESTABLISH A UNIFORM TAX ON PIPED NATURAL GAS BY CONVERTING THE SALES TAX AND GROSS RECEIPTS TAX ON PIPED NATURAL GAS INTO A TAX BASED ON VOLUME OF THERMS.

The General Assembly of North Carolina enacts:

Section 1. G.S. 105-116 reads as rewritten:

"**§ 105-116. Franchise or privilege tax on electric power, ~~natural gas,~~ water, and sewerage companies.**

(a) Tax. -- An annual franchise or privilege tax is imposed on a person, firm, or corporation, other than a municipal corporation, that is:

(1) An electric power company engaged in the business of furnishing electricity, electric lights, current, or power.

~~(2) A natural gas company engaged in the business of furnishing piped natural gas.~~

(3) A water company engaged in owning or operating a water system subject to regulation by the North Carolina Utilities Commission.

(4) A public sewerage company engaged in owning or operating a public sewerage system.

The tax on an electric power company is three and twenty-two hundredths percent (3.22%) of the company's taxable gross receipts from the business of furnishing electricity, electric lights, current, or power. ~~The tax on a natural gas company is three and twenty-two hundredths percent (3.22%) of the company's taxable gross receipts from the business of furnishing piped natural gas.~~ The tax on a water company is four percent (4%) of the company's taxable gross receipts from owning or operating a water system subject to regulation by the North Carolina Utilities

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1997

S

FILED - SENATE

JAN 30 1997

PRINCIPAL CLERK

SENATE DRS7510*-LN036(1.29) S 37

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

Sponsors: Senator Martin of Guilford.

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

FILED - SENATE
JAN 30 1997
PRINCIPAL CLERK

S 38

S D

SENATE DRS1500*-LL028A(1.14)

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

Sponsors: Senator Hoyle.

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;

NORTH CAROLINA GENERAL ASSEMBLY
SENATE

RECORDED VOTE

1997 SESSION

SEQ. 29/3--11:17 AM FEBRUARY 13, 1997 LEGISLATIVE DAY 10

LT. GOVERNOR WICKER -- Presiding

HOYLE
STDY. COMM./FUTURE OF ELECTRIC SRV.

SENATE BILL 38
READING 2

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
		CARRINGTON	HORTON	MILLER	WARREN
		CLARK	HOYLE	ODOM	WEBSTER
		COCHRANE	JENKINS	PAGE	WEINSTEIN
		COOPER	JORDAN	PERDUE	WELLONS
		DALTON	KERR	PHILLIPS	WINNER
NO	0				
EXCUSED	0				
NOT CAST	2	CONDER	KINCAID		
ABSENT	0				
PAIRS	0				
AYE					
NO					

GENERAL ASSEMBLY
SENATE

NORTH CAROLINA

HOUSE OF REPRESENTATIVES

ROLL CALL

EV

171
ISLATIVE DAY 31
S38 HCS
READING 2

3/24/97
8:05 PM
IN CHAIR: SPEAKER

STUDY COMM./FUTURE OF ELECTRIC SERVICE

AYES - 115

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

NOES - 2

BEALL RAMSEY

EXCUSED ABSENCE - 2

CUNNINGHAM MOSLEY

EXCUSED VOTE - 0

NOT VOTING - 1

HOWARD

NORTH CAROLINA GENERAL ASSEMBLY
AMENDMENT
Senate Bill 38

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

S38-ARL-003

Date 3/25 ,1997

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

Representative Allred

moves to amend the bill on page 1, line 6, by deleting the number "24" and substituting the number "25"; and

on page 2, line 11, by deleting the word "and"; and

on page 2, line 13, by deleting the period and substituting the word "; and"; and

on page 2, between lines 13 and 14, by inserting:

"(13) The Chief Executive Officer of Hydrodyne Industries LLC (a small hydroelectric producer), or his designee.".

SIGNED _____
Amendment Sponsor

SIGNED _____
Committee Chair if Senate Committee Amendment

[redacted] MAR 25 1997 FAILED _____ TABLED _____

FAILED 36-79 EV

EV

NORTH CAROLINA

HOUSE OF REPRESENTATIVES

ROLL CALL

[redacted] # 178
[redacted]ISLATIVE DAY 32
S38 HCS
READING 3

3/25/97
2:28 PM
IN CHAIR: SPEAKER

AMEND #1 REP ALLRED
STUDY COMM./FUTURE OF ELECTRIC SERVICE

AYES - 36

ALLRED	DECKER	INSKO	SEXTON
BADDOUR	EASTERLING	JUSTUS	SMITH
BERRY	FITCH	MCALLISTER	STARNES
BOYD-MCINTYRE	GOODWIN	MCCRARY	SUTTON
BROWN	HACKNEY	MILLER	WARNER
BUCHANAN	HARDY	NEELY	WARWICK
CRAWFORD	HIATT	NESBITT	WATSON
CULP	HILL	NYE	WOOD
CULPEPPER	HOWARD	OLDHAM	YONGUE

NOES - 79

ADAMS	DAUGHTRY	HUNTER, R.	PRESTON
ALDRIDGE	DAVIS	HURLEY	RAMSEY
ALEXANDER	DEDMON	IVES	RAYFIELD
ARNOLD	DICKSON	JARRELL	REDWINE
BAKER	DOCKHAM	JEFFUS	ROGERS
BARBEE	EARLE	KISER	RUSSELL
BEALL	EDDINS	LUEBKE	SAUNDERS
BLUE	ELLIS	MCCOMAS	SHERRILL
BONNER	ESPOSITO	MCCOMBS	SHUBERT
BOWIE	FOX	MCMAHAN	TALLENT
BRASWELL	GAMBLE	MERCER	THOMPSON
BRAWLEY	GARDNER	MICHAUX	TOLSON
CANSLER	GRADY	MINER	WAINWRIGHT
CAPPS	GRAY	MITCHELL	WEATHERLY
CARPENTER	GULLEY	MOORE	WILKINS
CHURCH	HALL	MORGAN	WILSON, C.
CLARY	HARDAWAY	MORRIS	WILSON, G.
COLE	HENSLEY	MOSLEY	WOMBLE
CREECH	HIGHTOWER	NICHOLS	WRIGHT
CUNNINGHAM	HOLMES	OWENS	

EXCUSED ABSENCE - 0

EXCUSED VOTE - 0

NOT VOTING - 5

SPEAKER	HUNTER, H.	KINNEY	REYNOLDS
BLACK			

NORTH CAROLINA GENERAL ASSEMBLY
AMENDMENT
Senate Bill 38

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

S38-ARL-001

Date 3/25 ,1997

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

Representative Allred

moves to amend the bill on page 1, line 6, by deleting the number "24" and substituting the number "25"; and

on page 2, line 11, by deleting the word "and"; and

on page 2, line 13, by deleting the period and substituting the word "; and"; and

on page 2, between lines 13 and 14, by inserting:

"(13) One person who owns or operates a hydroelectric generating facility having a generating capacity of five megawatts or less to be appointed by the Speaker of the House of Representatives.".

SIGNED _____
Amendment Sponsor

SIGNED _____
Committee Chair if Senate Committee Amendment

ADOPTED _____ FAILED MAR 25 1997 TABLED _____

49-67 EV

NORTH CAROLINA

HOUSE OF REPRESENTATIVES

ROLL CALL

EV

179
ISLATIVE DAY 32
S38 HCS
READING 3

3/25/97
2:32 PM
IN CHAIR: SPEAKER

AMEND #2 REP AIRED
STUDY COMM./FUTURE OF ELECTRIC SERVICE

AYES - 49

ALLRED	DEDMON	IVES	OWENS
BERRY	FITCH	JARRELL	SEXTON
BLUE	FOX	JUSTUS	SHERRILL
BRAWLEY	GARDNER	KINNEY	SMITH
BROWN	GOODWIN	LUEBKE	STARNES
BUCHANAN	HACKNEY	MCALLISTER	TOLSON
CAPPS	HARDAWAY	MCCRARY	WARNER
COLE	HARDY	MICHAUX	WARWICK
CRAWFORD	HENSLEY	MILLER	WATSON
CULP	HOWARD	NICHOLS	WOOD
CULPEPPER	HUNTER, H.	NYE	WRIGHT
DAVIS	INSKO	OLDHAM	YONGUE
DECKER			

NOES - 67

ADAMS	CUNNINGHAM	HOLMES	PRESTON
ALDRIDGE	DAUGHTRY	HUNTER, R.	RAMSEY
ALEXANDER	DICKSON	HURLEY	RAYFIELD
ARNOLD	DOCKHAM	JEFFUS	REDWINE
BADDOUR	EARLE	KISER	ROGERS
BAKER	EASTERLING	MCCOMAS	RUSSELL
BARBEE	EDDINS	MCCOMBS	SAUNDERS
BEALL	ELLIS	MCMAHAN	SHUBERT
BONNER	ESPOSITO	MERCER	TALLENT
BOWIE	GAMBLE	MINER	THOMPSON
BOYD-MCINTYRE	GRADY	MITCHELL	WAINWRIGHT
BRASWELL	GRAY	MOORE	WEATHERLY
CANSLER	GULLEY	MORGAN	WILKINS
CARPENTER	HALL	MORRIS	WILSON, C.
CHURCH	HIATT	MOSLEY	WILSON, G.
CLARY	HIGHTOWER	NEELY	WOMBLE
CREECH	HILL	NESBITT	

EXCUSED ABSENCE - 0

EXCUSED VOTE - 0

NOT VOTING - 4

SPEAKER	BLACK	REYNOLDS	SUTTON

NORTH CAROLINA

HOUSE OF REPRESENTATIVES

ROLL CALL

EV

180
LEGISLATIVE DAY 32
S38 HCS
READING 3

3/25/97
2:33 PM
IN CHAIR: SPEAKER

STUDY COMM./FUTURE OF ELECTRIC SERVICE

116 DWicker

AYES - ~~112~~

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

PRESTON BOWIE DWicker

NOES - ~~4~~ 2

ALLRED	~~BOWIE~~	CULP	~~PRESTON~~

EXCUSED ABSENCE - 0

EXCUSED VOTE - 0

NOT VOTING - ~~4~~ 2

BLACK	~~CAPPS~~	~~ELLIS~~	SUTTON

SENATE of the 1997 NORTH CAROLINA GENERAL ASSEMBLY

DATE 4/2/97 S. B. 38

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

ACTION Concurrence LT. GOVERNOR 0 AYES/NOES 50

g/97/forms/mroll

APR 2 1997
Janet Powell

NORTH CAROLINA GENERAL ASSEMBLY
SENATE

RECORDED VOTE

1997 SESSION

SEQ. 277/4-- 2:25 PM APRIL 16, 1997 LEGISLATIVE DAY 45

LT. GOVERNOR WICKER -- Presiding

HOYLE
STDY. COMM./FUTURE OF ELECTRIC SRV.
HOUSE COMM. SUB./4TH EDITION

SENATE BILL 38

CONFERENCE REPORT

MOTION 7
TO ADOPT

AYE	46	ALBERTSON	DANNELLY	LEDBETTER	PLYLER
		ALLRAN	EAST	LEE	RAND
		BALLANTINE	FORRESTER	LUCAS	REEVES
		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	JORDAN	PHILLIPS	WINNER
		DALTON	KINNAIRD		
NO	0				
EXCUSED	0				
NOT CAST	3	KERR	KINCAID	RUCHO	
ABSENT	1	BALLANCE			
PAIRS	0				
AYE					
NO					

GENERAL ASSEMBLY
SENATE

CONFERENCE REPORT

S38-CCSRL-007

Senate Bill 38
Fourth Edition

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

We, your conferees, appointed to resolve the differences arising between the Senate and the House of Representatives on A BILL TO BE ENTITLED AN ACT TO ESTABLISH THE STUDY COMMISSION ON THE FUTURE OF ELECTRIC SERVICE IN NORTH CAROLINA, House Committee Substitute Favorable 3/20/97 (Fourth Edition), wish to report as follows:

The House and Senate agree to the following amendment to the House Committee Substitute Favorable 3/20/97 (Fourth Edition), and the Senate concurs in the House Committee Substitute as amended:

on page 1, line 6, by deleting the number "24" and substituting the number "23"; and

on page 1, lines 19 and 20, by deleting those lines in their entirety; and

on page 2, line 1, by deleting "(7)" and substituting "(6)"; and

on page 2, lines 3 through 6, by rewriting those lines to read:

"(7) Two residential consumers of electricity, one to be appointed by the President Pro Tempore of the Senate and one to be appointed by the Speaker of the House of Representatives;

(8) One commercial consumer of electricity to be appointed by the President Pro Tempore of the Senate;"; and

CONFERENCE REPORT

S38-CCSRL-007

Senate Bill 38
Fourth Edition

on page 2, lines 7 through 12, by renumbering subdivisions (10) through (12) as subdivisions (9) through (11).

To this end, the conferees recommend that the Senate and House of Representatives adopt the foregoing report.

This the 16 day of April, 1997.

Conferees for the Senate	Conferees for the House of Representatives
Senator David W. Hoyle	Rep. Richard T. Morgan
Senator Anthony E. Rand	Rep. W.W. "Dub" Dickson
	Rep. Timothy N. Tallent

Senate
ADOPTED
Conference Report
APR 16 1997
47-0

CONFERENCE REPORT

S38-CCSRL-007

Senate Bill 38
Fourth Edition

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

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CONFERENCE REPORT

S38-CCSRL-007

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	Rep. Timothy N. Tallent

Senate
ADOPTED
Conference Report
APR 16 1997
47-0

EV

NORTH CAROLINA
HOUSE OF REPRESENTATIVES
ROLL CALL

[redacted]. # 322
[redacted]ISLATIVE DAY 46
S38 HCS
CONFERENCE REPORT

4/17/97
1:18 PM
IN CHAIR: SPEAKER

STUDY COMM./FUTURE OF ELECTRIC SERVICE

AYES - 110

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

NOES - 0

EXCUSED ABSENCE - 6

ALEXANDER	GRAY	NICHOLS	ROGERS
CANSLER	HARDAWAY		

EXCUSED VOTE - 0

NOT VOTING - 4

ARNOLD	BOYD-MCINTYRE	HARDY	SUTTON

CONFERENCE REPORT

S38-CCSRL-007

Senate Bill 38
Fourth Edition

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

We, your conferees, appointed to resolve the differences arising between the Senate and the House of Representatives on A BILL TO BE ENTITLED AN ACT TO ESTABLISH THE STUDY COMMISSION ON THE FUTURE OF ELECTRIC SERVICE IN NORTH CAROLINA, House Committee Substitute Favorable 3/20/97 (Fourth Edition), wish to report as follows:

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(8) One commercial consumer of electricity to be appointed by the President Pro Tempore of the Senate;"; and

CONFERENCE REPORT

S38-CCSRL-007

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Conferees for the Senate	Conferees for the House of Representatives
Senator David W. Hoyle	Rep. Richard T. Morgan
Senator Anthony E. Rand	Rep. W.W. "Dub" Dickson
	Rep. Timothy N. Tallent

Submitted APR 16 1997 placed on calendar for April 17, 1997.

Senate adopted APR 16 1997

House adopts 110-0 EV APR 17 1997

Senate notified

Special Message

CONFERENCE REPORT

S38-CCSRL-007

Senate Bill 38
Fourth Edition

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

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(8) One commercial consumer of electricity to be appointed by the President Pro Tempore of the Senate;"; and

CONFERENCE REPORT

S38-CCSRL-007

Senate Bill 38
Fourth Edition

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Senator Anthony E. Rand	Rep. W.W. "Dub" Dickson
	Rep. Timothy N. Tallent

Senate
ADOPTED
Conference Report
APR 16 1997
47-0

House
ADOPTED
Conference Report
APR 21 1997
Ordered Enrolled

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1997

FILED - SENATE

S 3 9 - JAN 3 0 1997

S D

PRINCIPAL CLERK

SENATE DRS7501-LCX008(1.1)(Z)

Short Title: Modify Setoff Debt Collection. (Public)

Sponsors: Senators Shaw of Cumberland, Cochrane, Cooper, Kerr, and Soles.

Referred to:

A BILL TO BE ENTITLED

AN ACT TO REVISE THE SETOFF DEBT COLLECTION ACT.

The General Assembly of North Carolina enacts:

Section 1. Chapter 105A of the General Statutes reads as rewritten:

"Chapter 105A.

"Setoff Debt Collection Act.

~~"ARTICLE 1.~~

~~"In General.~~

"§ 105A-1. Purposes.

The purpose of this ~~Article~~ Chapter is to establish as policy that all claimant agencies and the Department of Revenue shall cooperate in identifying debtors who owe money to the State through its various ~~claimant~~ agencies or to a local government and who qualify for refunds from the Department of Revenue. It is also the intent of this ~~Article~~ Chapter that procedures be established for setting off against any ~~such~~ refund the sum of any debt owed to the ~~State.~~ State or to a local government. Furthermore, it is the legislative intent that this ~~Article~~ Chapter be liberally construed so as to effectuate these purposes as far as legally and practically possible.

"§ 105A-2. Definitions.

The following definitions apply in this Chapter:

(1) Claimant agency. -- A State agency or a local agency acting through a clearinghouse or organization pursuant to G.S. 105A-3(b1).

NORTH CAROLINA GENERAL ASSEMBLY
SENATE

RECORDED VOTE

1997 SESSION

SEQ. 1286/11--10:39 AM AUGUST 5, 1997 LEGISLATIVE DAY 108

SENATOR BASNIGHT -- Presiding

SHAW L.
MODIFY SETOFF DEBT COLLECTION
COM SUB #2/3RD EDITION

SENATE BILL 39
READING 2

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

EXCUSED 0

NOT CAST 0

ABSENT 1 SOLES

PAIRS 0
AYE
NO

GENERAL ASSEMBLY
SENATE

NORTH CAROLINA GENERAL ASSEMBLY
SENATE

RECORDED VOTE

1997 SESSION

SEQ. 1355/12--11:46 AM AUGUST 13, 1997 LEGISLATIVE DAY 113

LT. GOVERNOR WICKER -- Presiding

SHAW L.
MODIFY SETOFF DEBT COLLECTION
COM SUB #2/3RD EDITION

SENATE BILL 39
READING 3

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

GENERAL ASSEMBLY
SENATE

NORTH CAROLINA
HOUSE OF REPRESENTATIVES
ROLL CALL

RC

SEQ. # 1517
LEGISLATIVE DAY 122
SCS # 2
READING 2

8/27/97
6:58 PM
IN CHAIR: SPEAKER

MODIFY SETOFF DEBT COLLECTION

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	REDWINE
BADDOUR	DOCKHAM	JEFFUS	REYNOLDS
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	GOODWIN	MERCER	THOMPSON
BRASWELL	GRADY	MICHAUX	TOLSON
BROWN	GULLEY	MILLER	WAINWRIGHT
BUCHANAN	HACKNEY	MINER	WARNER
CANSLER	HALL	MITCHELL	WARWICK
CAPPS	HARDAWAY	MOORE	WEATHERLY
CARPENTER	HARDY	MORGAN	WILKINS
CHURCH	HENSLEY	MORRIS	WILSON, C.
CLARY	HIATT	MOSLEY	WILSON, G.
COLE	HIGHTOWER	NEELY	WOMBLE
CRAWFORD	HILL	NESBITT	WOOD
CREECH	HOLMES	NICHOLS	WRIGHT
CULP	HOWARD	NYE	YONGUE
CULPEPPER			

NOES - 0

EXCUSED ABSENCE - 4

GARDNER	GRAY	MCMAHAN	WATSON

EXCUSED VOTE - 0

NOT VOTING - 3

BRAWLEY	ROGERS	TALLENT

S39 SCS

NORTH CAROLINA
HOUSE OF REPRESENTATIVES
ROLL CALL

RC

SEQ. # 1559
LEGISLATIVE DAY 123
SCS #2
READING 3

8/28/97
11:56 AM
IN CHAIR: SPEAKER

MODIFY SETOFF DEBIT COLLECTION

AYES - 107

SPEAKER	CUNNINGHAM	HURLEY	PRESTON
ADAMS	DAVIS	INSKO	RAMSEY
ALEXANDER	DECKER	IVES	REDWINE
ALLRED	DEDMON	JARRELL	REYNOLDS
ARNOLD	DICKSON	JEFFUS	ROGERS
BADDOUR	DOCKHAM	JUSTUS	SAUNDERS
BAKER	EARLE	KINNEY	SEXTON
BARBEE	EASTERLING	KISER	SHERRILL
BEALL	EDDINS	LUEBKE	SHUBERT
BLACK	ELLIS	MCALLISTER	SMITH
BLUE	ESPOSITO	MCCOMAS	STARNES
BONNER	FITCH	MCCOMBS	SUTTON
BOYD-MCINTYRE	FOX	MCCRARY	TALLENT
BRASWELL	GOODWIN	MERCER	THOMPSON
BRAWLEY	GRADY	MICHAUX	TOLSON
BROWN	GRAY	MILLER	WAINWRIGHT
BUCHANAN	GULLEY	MITCHELL	WARNER
CANSLER	HACKNEY	MOORE	WARWICK
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
CULPEPPER	HUNTER, H.	OWENS	

NOES - 0

EXCUSED ABSENCE - 6

BERRY	HARDAWAY	RUSSELL	WATSON
GARDNER	MCMAHAN		

EXCUSED VOTE - 0

NOT VOTING - 7

ALDRIDGE	DAUGHTRY	HUNTER, R.	RAYFIELD
BOWIE	GAMBLE	MINER	

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1997

S D

FILED - SENATE
S 40
JAN 30 1997
PRINCIPAL CLERK

SENATE DRS2506-LB046(1.24)

Short Title: Limit Legislative Per Diem. (Public)

Sponsors: Senator Horton.

Referred to:

A BILL TO BE ENTITLED

AN ACT TO END PAYMENT OF LEGISLATIVE PER DIEM FOR THE REGULAR SESSION AFTER JUNE 30.

The General Assembly of North Carolina enacts:

Section 1. G.S. 120-3.1(c) reads as rewritten:

"(c) When the General Assembly by joint action of the two houses adjourns to a day certain, which day is more than three days after the date of adjournment, the period between the date of adjournment and the date of reconvening shall for the purposes of this section be deemed to be a period when the General Assembly is not in session, and no member shall be entitled to subsistence and travel allowance during that period, except under circumstances which would entitle him to subsistence and travel allowance when the General Assembly is not in session. No member shall be entitled to subsistence and travel allowance during the period beginning July 1 and ending December 31 of each year based on attendance at the regular session."

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

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1997

FILED - SENATE
S 4 1
JAN 3 0 1997
PRINCIPAL CLERK

S D

SENATE DRS4503-LC032(1.14)

Short Title: No Sales Tax on Prescription Drugs. (Public)

Sponsors: Senator Webster.

Referred to:

A BILL TO BE ENTITLED

AN ACT TO EXEMPT ALL PRESCRIPTION DRUGS FROM SALES AND USE TAX.

The General Assembly of North Carolina enacts:

Section 1. G.S. 105-164.13(13b) reads as rewritten:

"(13b) Prescription ~~drugs distributed free of charge by the manufacturer,~~ drugs, including the constituent elements and ingredients used to produce the drugs, the packaging materials, and any instructions or information about the product included in the package with the drugs."

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

FILED - SENATE
S42
FEB 3 1997
PRINCIPAL CLERK

S D

SENATE DRSA510-LN040(1.30)

Short Title: Home/Comm. Care Aging Funds. (Public)

Sponsors: Senator Perdue.

Referred to:

A BILL TO BE ENTITLED

AN ACT TO APPROPRIATE FUNDS FOR COMMUNITY AND HOME CARE SERVICES FOR THE AGING.

The General Assembly of North Carolina enacts:

Section 1. There is appropriated from the General Fund to the Division of Aging, Department of Human Resources, the sum of ten million dollars ($10,000,000) for the 1997-98 fiscal year and the sum of ten million dollars ($10,000,000) for the 1998-99 fiscal year for community and home care services for the aging for those 15,500 people who are not eligible for Medicaid who are on the waiting list for these services. These funds shall be used for home care, home-delivered meals, adult day care, and related services that enable seniors to remain in their own homes and communities and shall be distributed pursuant to the income eligibility rules and the other rules adopted for the Division of Aging's use of these funds pursuant to G.S. 143B-181.1(a)(10).

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

NORTH CAROLINA GENERAL ASSEMBLY
SENATE

RECORDED VOTE

1997 SESSION

SEQ. 1004/2--11:00 AM JUNE 26, 1997 LEGISLATIVE DAY 86

LT. GOVERNOR WICKER -- Presiding

PERDUE
HOME/COMM. CARE AGING FUNDS

SENATE BILL 42

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

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1997

FILED - SENATE
S 43 FEB 3 1997
PRINCIPAL CLERK

S D

SENATE DRS8507-LT002(1.28)

Short Title: Forsyth Jails House Juveniles. (Local)

Sponsors: Senator McDaniel.

Referred to:

A BILL TO BE ENTITLED

AN ACT TO ALLOW THE FORSYTH COUNTY JAIL TO HOUSE JUVENILES ON A SEPARATE FLOOR.

The General Assembly of North Carolina enacts:

Section 1. G.S. 7A-576(b) reads as rewritten:

"(b) A juvenile meeting the criteria set out in G.S. 7A-574(b) may be temporarily detained in an approved county detention home or a regional detention facility which shall be separate from any jail, lockup, prison, or other adult penal ~~institution.~~ institution, except that juveniles may be housed on a separate floor of a jail if the jail meets the following requirements:

(1) There is total separation between juvenile and adult spatial areas so that there could be no haphazard or accidental contact between juvenile and adult residents in the facilities.

(2) There is total separation of all juvenile and adult program activities, including recreation, education, counseling, health care, dining, sleeping, and other living activities.

(3) There is separate juvenile and adult staff, including management, security, and direct care staff such as recreation, education, and counseling. Specialized services staff, such as cooks, bookkeepers, and medical professionals who are not normally in contact with detainees or whose infrequent contacts occur under conditions of separation of juveniles and adults, are allowed to serve both juveniles and adults.

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1997

S D

SENATE DRS6506*-RSZ002(1.21)

FILED - SENATE
§ 44 FEB 3 1997
PRINCIPAL CLERK

Short Title: Grandparent Visitation. (Public)

Sponsors: Senator Lucas.

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

FILED - SENATE
S 45 FEB 4 1997
PRINCIPAL CLERK

S D

SENATE DRS1515-LL033(1.23)

Short Title: Transfer Ports Authority to DOT. (Public)

Sponsors: Senator Jordan.

Referred to:

A BILL TO BE ENTITLED

AN ACT TO TRANSFER THE NORTH CAROLINA STATE PORTS AUTHORITY AND THE NORTH CAROLINA PORTS RAILWAY COMMISSION TO THE DEPARTMENT OF TRANSPORTATION, AND TO AMEND THE RESPONSIBILITIES OF THE BOARD OF TRANSPORTATION.

The General Assembly of North Carolina enacts:

Section 1. The North Carolina State Ports Authority, as set forth in Part 10 of Article 10 of Chapter 143B of the General Statutes, is transferred to the Department of Transportation in accordance with this act. Except as otherwise provided in this act, this transfer has all the elements of a Type II transfer as defined by G.S. 143A-6(b).

Section 2. Part 10 of Article 10 of Chapter 143B of the General Statutes is recodified as Part 10 of Article 8 of Chapter 143B of the General Statutes, G.S. 143B-363.1 through G.S. 143B-363.16.

Section 3. The North Carolina Ports Railway Commission, as set forth in Part 11 of Article 10 of Chapter 143B of the General Statutes, is transferred to the Department of Transportation in accordance with this act. This transfer has all the elements of a Type II transfer as defined by G.S. 143A-6(b).

Section 4. Part 11 of Article 10 of Chapter 143B of the General Statutes is recodified as Part 11 of Article 8 of Chapter 143B of the General Statutes, G.S. 143B-364.1 through G.S. 143B-364.4.

Section 5. G.S. 143B-452, as recodified as G.S. 143B-363.1 by Section 2 of this act, reads as rewritten:

"**§ 143B-363.1. Creation of Authority -- membership; appointment, terms and vacancies; officers; meetings and quorum; compensation.**

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1997

FILED - SENATE
S 46 FEB 4 1997
PRINCIPAL CLERK

S D

SENATE DRS2507-LH005(1.30)

Short Title: Felony to Shoot a Horse. (Public)

Sponsors: Senator McDaniel.

Referred to:

A BILL TO BE ENTITLED

AN ACT TO MAKE IT A CLASS I FELONY TO SHOOT A HORSE.

The General Assembly of North Carolina enacts:

Section 1. Article 23 of Chapter 14 of the General Statutes is amended by adding a new section to read:

"**§ 14-163.2. Shooting a horse.**

Notwithstanding G.S. 14-360 or G.S. 14-366, if any person willfully and unlawfully shoots a horse that is the property of another, the person is guilty of a Class I felony."

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

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1997

FILED - SENATE
847 FEB 5 1997
PRINCIPAL CLERK

S D

SENATE DRS8513-LL011(1.1)

Short Title: Washington Road Hunting. (Local)

Sponsors: Senator Martin of Pitt.

Referred to:

A BILL TO BE ENTITLED

AN ACT TO PROHIBIT THE RECKLESS USE OF A FIREARM OR BOW AND ARROW AND TO REGULATE HUNTING FROM THE RIGHT-OF-WAY IN WASHINGTON COUNTY.

The General Assembly of North Carolina enacts:

Section 1. It is unlawful to use a firearm, bow and arrow, or crossbow carelessly or heedlessly or in willful or wanton disregard of the rights or safety of others. Such reckless use of a weapon in violation of this section includes using a firearm, bow and arrow, or crossbow in a manner that poses a hazard to any person or property, or involves the discharge of a firearm sending a projectile across the property of another without that person's permission.

Section 2. It is unlawful to hunt, take, or kill, or to attempt to hunt, take, or kill, any wild animal or wild bird with firearm, bow and arrow, or crossbow, on, from, or across the right-of-way of any State-maintained road or highway, or to discharge any firearm, bow and arrow, or crossbow on, from, or across the right-of-way of any State-maintained road or highway. A hunter recovering dogs shall not be in violation of this section so long as all the hunter's weapons remain in a motor vehicle.

Section 3. It is unlawful to possess a loaded shotgun or center-fire rifle while on the right-of-way of any State-maintained road or highway outside the confines of the passenger area of a vehicle. This section does not apply to the owner in fee of the land adjacent to the right-of-way.

Section 4. It is unlawful for any person to hunt, take, or kill a wild animal or wild bird with firearms or dogs, or to possess a loaded firearm outside the

FILED - SENATE
S 48 FEB 5 1997
PRINCIPAL CLERK

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1997

S D

SENATE DRS6513-RB3Z(1.29)

Short Title: Credit for Long-Term Care Insurance. (Public)

Sponsors: Senators Cochrane, Martin of Pitt, Carpenter, and Dannelly.

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.

FILED - SENATE

S 49 FEB 5 1997

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1997

S D

SENATE DRS4506-RIZ03(1.29)

Short Title: In-Home Funds. (Public)

Sponsors: Senators Cochrane, Martin of Pitt, Carpenter, and Dannelly.

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.

FILED - SENATE
S 5 0 FEB 5 1997
PRINCIPAL CLERK

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1997

S **D**

SENATE DRS2505-RIZ02(1.29)

Short Title: Alzheimer's Association/Funds. (Public)

Sponsors: Senators Cochrane, Martin of Pitt, Carpenter, and Dannelly.

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.

FILED - SENATE

S 51 - FEB 5 1997

PRINCIPAL CLERK

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1997

S D

SENATE DRS1510-RIZ01.5(1.29)

Short Title: Adult Day Care Funds. (Public)

Sponsors: Senators Martin of Pitt, Cochrane, Dannelly, and Carpenter.

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.

FILED - SENATE

S 52 FEB 5 1997

PRINCIPAL CLERK

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1997

S D

SENATE DRS6504-RIZ04(1.29)

Short Title: Adult Care Homes Annual Reporting Req. (Public)

Sponsors: Senators Carpenter, Cochrane, Martin of Pitt, and Dannelly.

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.

FILED - SENATE
S 53 FEB 5 1997
PRINCIPAL CLERK

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1997

S D

SENATE DRSA507-RIZ07.9(1.29)

Short Title: Penalties for Adult Care/Nursing Homes. (Public)

Sponsors: Senators Dannelly, Carpenter, Martin of Pitt, and Cochrane.

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. 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. The Department shall impose a civil penalty in an amount not less than two hundred fifty dollars ($250.00) nor more than five thousand

NORTH CAROLINA GENERAL ASSEMBLY
SENATE

RECORDED VOTE

1997 SESSION

SEQ. 370/7--12:52 PM APRIL 24, 1997 LEGISLATIVE DAY 50

LT. GOVERNOR WICKER -- Presiding

DANNELLY
PENALT. FOR ADULT CARE/NURS. HOMES
2ND EDITION

SENATE BILL 53
READING 2

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

GENERAL ASSEMBLY
SENATE

NORTH CAROLINA GENERAL ASSEMBLY
SENATE

RECORDED VOTE

1997 SESSION

SEQ. 405/28-- 6:58 PM APRIL 28, 1997 LEGISLATIVE DAY 51

LT. GOVERNOR WICKER -- Presiding

DANNELLY
PENALT. FOR ADULT CARE/NURS. HOMES
2ND EDITION

SENATE BILL 53
READING 3

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	HOYLE	MILLER	WARREN
		CLARK	JENKINS	ODOM	WEBSTER
		COCHRANE	JORDAN	PAGE	WEINSTEIN
		CONDER	KERR	PERDUE	WELLONS
		COOPER	KINCAID	PHILLIPS	WINNER
		DALTON			
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

SEQ. # 1336
[redacted]SLATIVE DAY 109
HCS
READING 2

8/06/97
10:30 AM
IN CHAIR: SPEAKER

PENALTIES FOR ADULT CARE/NURSING HOMES

96 DWilkins

AYES - ~~95~~

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

NOES - 1

LUEBKE

EXCUSED ABSENCE - ~~17~~ 16 DWilkins

ALDRIDGE	DAVIS	HURLEY	SAUNDERS
BARBEE	HACKNEY	MCALLISTER	SHUBERT
BLUE	HARDAWAY	PRESTON	SUTTON
BRAWLEY	HIGHTOWER	~~REDWINE~~ DW	WOOD
CUNNINGHAM			

EXCUSED VOTE - 0

NOT VOTING - 7

SPEAKER	BOWIE	COLE	FITCH
BONNER	BRASWELL	EARLE	

S53 HCS

NORTH CAROLINA GENERAL ASSEMBLY
SENATE

RECORDED VOTE

1997 SESSION

SEQ. 1313/2--10:32 AM AUGUST 7, 1997 LEGISLATIVE DAY 110

LT. GOVERNOR WICKER -- Presiding

DANNELLY
PENALTIES/ADULT CARE/NURSING HOMES
HOUSE COMM. SUB./4TH EDITION

SENATE BILL 53

MOTION 8
TO CONCUR

AYE	48	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
		COCHRANE	JENKINS	ODOM	WARREN
		COOPER	JORDAN	PAGE	WEBSTER
		DALTON	KERR	PERDUE	WEINSTEIN
		DANNELLY	KINNAIRD	PHILLIPS	WELLONS
		EAST	LEDBETTER	PLYLER	WINNER
NO	0				

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

GENERAL ASSEMBLY
SENATE

FILED - SENATE

S 54 FEB 5 1997

PRINCIPAL CLERK

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1997

S D

SENATE DRS6507-RIZ05(1.29)

Short Title: Residency Req. for Special Assistance. (Public)

Sponsors: Senators Cochrane, Martin of Pitt, Carpenter, and Dannelly.

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.

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1997

S

FILED - SENATE

SENATE DRS7505-LB045(1.24) S 5 5 FEB 5 1997

PRINCIPAL CLERK

Short Title: Change Primary Date. (Public)

Sponsors: Senator Horton.

Referred to:

A BILL TO BE ENTITLED

AN ACT TO PROVIDE FOR A LATER PRIMARY DATE.

The General Assembly of North Carolina enacts:

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

"(b) On ~~Tuesday next after the first Monday in May~~ the Tuesday after the first Monday in September preceding each general election to be held in November for the officers referred to in subsection (a) of this section, there shall be held in all election precincts within the territory for which the officers are to be elected a primary election for the purpose of nominating candidates for each political party in the State for those offices."

Section 2. G.S. 163-111(e) reads as rewritten:

"(e) Date of Second Primary; Procedures. -- If a second primary is required under the provisions of this section, the appropriate board of elections, State or county, shall order that it be held ~~four~~ three weeks after the first primary.

There shall be no registration of voters between the dates of the first and second primaries. Persons whose qualifications to register and vote mature after the day of the first primary and before the day of the second primary may register on the day of the second primary and, when thus registered, shall be entitled to vote in the second primary. The second primary is a continuation of the first primary and any voter who files a proper and timely affidavit of transfer of precinct, under the provisions of G.S. 163-72(c), before the first primary may vote in the second primary without having to refile the affidavit of transfer if he is otherwise qualified to vote in the second primary. Subject to this provision for registration, the second primary shall be held under the laws, rules, and regulations provided for the first primary."

Section 3. (a) G.S. 163-106(c) reads as rewritten:

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1997

FILED - SENATE

S

S56 — FEB 5 1997

SENATE DRS2513*-LMX017(1.22)

PRINCIPAL CLERK

Short Title: Catawba Annexations. (Local)

Sponsors: Senator Allran.

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.

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1997

FILED - SENATE
S57 FEB 5 1997
PRINCIPAL CLERK

S D

SENATE DRS8516-LH008A(1.1)

Short Title: Guilty but Mentally Ill. (Public)

Sponsors: Senators McDaniel and Ballantine.

Referred to:

A BILL TO BE ENTITLED

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

The General Assembly of North Carolina enacts:

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

"ARTICLE 2D.

"Insanity.

"**§ 14-7.30. Presumption of sanity; defense of insanity; guilty but mentally ill.**

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

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

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

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

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

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

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1997

FILED - SENATE

S

S 5 8 FEB 5 D 1997

SENATE DRSA517-LL042(2.4)

PRINCIPAL CLERK

Short Title: Unlawful to Remove Collars. (Local)

Sponsors: Senator Kincaid.

Referred to:

A BILL TO BE ENTITLED

AN ACT TO ADD BURKE, CALDWELL, AND WILKES COUNTIES TO THOSE COUNTIES IN WHICH IT IS UNLAWFUL TO REMOVE OR DESTROY ELECTRONIC COLLARS ON DOGS.

The General Assembly of North Carolina enacts:

Section 1. Section 4 of Chapter 699 of the 1993 Session Laws reads as rewritten:

"Sec. 4. This act applies only to Burke, Caldwell, Haywood, Jackson, Swain, Macon, Henderson, ~~and Transylvania~~ Transylvania, and Wilkes Counties."

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

Reorder from: MEL DAVIS & ASSOC., P.O. Box 27523, Raleigh, NC 27611, (919) 828-0637

NORTH CAROLINA GENERAL ASSEMBLY AMENDMENT

(Please type or use ballpoint pen)

H. B. No. _____ DATE 5/28/97

S. B. No. 58 Amendment No. 1
(to be filled in by Principal Clerk)

Rep.) Allred
~~Sen.~~)

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

by rewriting the line to read:
"AN ACT TO ADD ALAMANCE, BEAUFORT, BURKE, CALDWELL, CASWELL, CRAVEN, CUMBERLAND, HYDE, ORANGE, PITT, ROCKINGHAM UNION, AND WILKES COUNTIES TO THOSE";

and on page 1, lines 8 and 9
by rewriting those lines to read:
"Sec. 4. This act applies only to Alamance, Beaufort, Burke, Caldwell, Caswell, Craven, Cumberland, Haywood, Hyde, Jackson, Orange, Pitt, Rockingham, Swain, Macon, Henderson, ~~and Transylvania~~ Transylvania, Union, and Wilkes Counties."

SIGNED _____

ADOPTED 5/28/97 FAILED _____ TABLED _____
112-0 EV

NORTH CAROLINA
HOUSE OF REPRESENTATIVES
ROLL CALL

EV

[redacted]. # 734
[redacted]ISLATIVE DAY 69
[redacted]
READING 2

5/28/97
2:24 PM
IN CHAIR: SPEAKER

AMEND #1 - REP ALLRED
UNLAWFUL TO REMOVE COLLARS

AYES - 112

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

NOES - 0

EXCUSED ABSENCE - 5

ALEXANDER	CUNNINGHAM	HILL	NICHOLS
CREECH			

EXCUSED VOTE - 0

NOT VOTING - 3

SPEAKER	BADDOUR	BEALL

NORTH CAROLINA
HOUSE OF REPRESENTATIVES
ROLL CALL

EV

[redacted]. # 735
[redacted]SLATIVE DAY 69
[redacted]
READING 2

5/28/97
2:25 PM
IN CHAIR: SPEAKER

UNLAWFUL TO REMOVE COLLARS

AYES - 106

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

NOES - 0

EXCUSED ABSENCE - 5

ALEXANDER	CUNNINGHAM	HILL	NICHOLS
CREECH			

EXCUSED VOTE - 0

NOT VOTING - 9

SPEAKER	BRASWELL	FITCH	GRAY
BEALL	EARLE	GAMBLE	WILSON, C.
BOYD-MCINTYRE			

Reorder from: MEL DAVIS & ASSOC., P.O. Box 27523, Raleigh, NC 27611, (919) 828-0637

NORTH CAROLINA GENERAL ASSEMBLY AMENDMENT

(Please type or use ballpoint pen)

H. B. No. _____ DATE 5/29/97

S. B. No. 58 Amendment No. 2
(to be filled in by Principal Clerk)

Rep.) R. Hunter
Sen.)

moves to amend the bill on page 1, line 2,
as amended by Amendment #1
by inserting the word "MCDOWELL" between the words "HYDE," and "ORANGE," on ~~Amendment #1~~;

and on page 1, lines 8 and 9
as amended by Amendment #1
by inserting the word "McDowell," between the words "Jackson," and "Orange," on Amendment #1.

SIGNED R. Hunter

ADOPTED 5/29/97 FAILED _____ TABLED _____
112-0 EV

NORTH CAROLINA
HOUSE OF REPRESENTATIVES
ROLL CALL

EV

[redacted] # 762
[redacted]ISLATIVE DAY 70
[redacted]
READING 3

5/29/97
1:14 PM
IN CHAIR: SPEAKER

AMEND #2 - REP R. HUNTER
UNLAWFUL TO REMOVE COLLARS

AYES - 112

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	EDDINS	KISER	SAUNDERS
BARBEE	ELLIS	LUEBKE	SEXTON
BEALL	FITCH	MCCOMAS	SHERRILL
BERRY	FOX	MCCOMBS	SHUBERT
BLACK	GARDNER	MCCRARY	SMITH
BLUE	GOODWIN	MCMAHAN	STARNES
BONNER	GRADY	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
CULP	HUNTER, H.	OLDHAM	WOOD
CULPEPPER	HUNTER, R.	OWENS	WRIGHT
DAUGHTRY	HURLEY	PRESTON	YONGUE

NOES - 0

EXCUSED ABSENCE - 2

CREECH	CUNNINGHAM

EXCUSED VOTE - 0

NOT VOTING - 6

SPEAKER	EASTERLING	GAMBLE	MCALLISTER
CLARY	ESPOSITO		

NORTH CAROLINA
HOUSE OF REPRESENTATIVES
ROLL CALL

EV

[redacted] # 771
[redacted]ISLATIVE DAY 71
S58
READING 3

6/02/97
7:14 PM
IN CHAIR: SPEAKER

UNLAWFUL TO REMOVE COLLARS

AYES - 96

ADAMS	DAVIS	INSKO	PRESTON
ALDRIDGE	DECKER	JARRELL	RAMSEY
ALLRED	DEDMON	JUSTUS	RAYFIELD
ARNOLD	DICKSON	KINNEY	REDWINE
BADDOUR	EASTERLING	KISER	REYNOLDS
BAKER	EDDINS	LUEBKE	ROGERS
BARBEE	ELLIS	MCALLISTER	SAUNDERS
BEALL	ESPOSITO	MCCOMAS	SEXTON
BERRY	FITCH	MCCOMBS	SHERRILL
BLUE	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	WARWICK
CANSLER	HALL	MORGAN	WATSON
CAPPS	HARDY	MORRIS	WEATHERLY
CARPENTER	HENSLEY	MOSLEY	WILKINS
CHURCH	HIATT	NEELY	WILSON, C.
CRAWFORD	HILL	NICHOLS	WILSON, G.
CULP	HOWARD	NYE	WOMBLE
CULPEPPER	HURLEY	OWENS	YONGUE

NOES - 0

EXCUSED ABSENCE - 10

ALEXANDER	DOCKHAM	RUSSELL	WOOD
COLE	HUNTER, R.	SHUBERT	WRIGHT
CREECH	IVES		

EXCUSED VOTE - 0

NOT VOTING - 14

SPEAKER	DAUGHTRY	HOLMES	NESBITT
BLACK	EARLE	HUNTER, H.	OLDHAM
CLARY	HARDAWAY	JEFFUS	WARNER
CUNNINGHAM	HIGHTOWER		

NORTH CAROLINA GENERAL ASSEMBLY
SENATE

RECORDED VOTE

1997 SESSION

SEQ. 808/6-- 3:31 PM JUNE 4, 1997 LEGISLATIVE DAY 73

LT. GOVERNOR WICKER -- Presiding

KINCAID
UNLAWFUL TO REMOVE COLLARS

SENATE BILL 58

MOTION 8
TO CONCUR

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
		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	0	
ABSENT	1	CARRINGTON
PAIRS	0	
AYE		
NO		

GENERAL ASSEMBLY
SENATE

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1997

FILED - SENATE

S D

SENATE DRS6514-LC039(1.16) S 5 9 FEB 5 1997

PRINCIPAL CLERK

Short Title: Gates School Acquisition. (Local)

Sponsors: Senator Ballance.

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

. # 245
ISLATIVE DAY 40
S59
READING 2

4/08/97
2:58 PM
IN CHAIR: SPEAKER

AMEND #1 REP GARDY - RULED MATERIAL
GATES SCHOOL ACQUISITION

AYES - 110

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

NOES - 2

CAPPS	DAVIS

EXCUSED ABSENCE - 3

BARBEE	CRAWFORD	HENSLEY

EXCUSED VOTE - 0

NOT VOTING - 5

SPEAKER	CREECH	GAMBLE	INSKO
CARPENTER			

NORTH CAROLINA
HOUSE OF REPRESENTATIVES
ROLL CALL

RC

264
ISLATIVE DAY 41
S59
READING 2

4/09/97
2:23 PM
IN CHAIR: SPEAKER

GATES SCHOOL ACQUISITION

AYES - 108

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

NOES - 3

CAPPS	DAVIS	ELLIS

EXCUSED ABSENCE - 6

BARBEE	BLUE	ESPOSITO	IVES
BERRY	CRAWFORD		

EXCUSED VOTE - 0

NOT VOTING - 3

SPEAKER	HIGHTOWER	HUNTER, H.

NORTH CAROLINA

HOUSE OF REPRESENTATIVES

ROLL CALL

RC

. # 279
ISLATIVE DAY 42
S59
READING 3

4/10/97
1:20 PM
IN CHAIR: SPEAKER

GATES SCHOOL ACQUISITION

AYES - 103

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

NOES - 0

EXCUSED ABSENCE - 6

BARBEE	CULP	MCALLISTER	MILLER
BERRY	GAMBLE		

EXCUSED VOTE - 0

NOT VOTING - 11

SPEAKER	GRAY	MCCRARY	WILSON, G.
ALDRIDGE	HACKNEY	MICHAUX	WOOD
BADDOUR	HOWARD	WEATHERLY	

NORTH CAROLINA GENERAL ASSEMBLY
SENATE

RECORDED VOTE

1997 SESSION

SEQ. 243/15-- 3:37 PM APRIL 10, 1997 LEGISLATIVE DAY 42

LT. GOVERNOR WICKER -- Presiding

BALLANCE
gates school acquisitions

SENATE BILL 59

MOTION 8
TO CONCUR

AYE	38	ALBERTSON	EAST	LEDBETTER	PHILLIPS
		ALLRAN	FORRESTER	LEE	RAND
		BALLANCE	FOXX	LUCAS	REEVES
		BALLANTINE	GARWOOD	MARTIN R.	RUCHO
		BASNIGHT	HARTSELL	MARTIN W.	SHAW L.
		BLUST	HORTON	MCDANIEL	SOLES
		COCHRANE	HOYLE	MILLER	WARREN
		COOPER	JENKINS	ODOM	WEINSTEIN
		DALTON	JORDAN	PAGE	WELLONS
		DANNELLY	KINNAIRD		
NO	1	WINNER			
EXCUSED	0				
NOT CAST	2	CARPENTER	KERR		
ABSENT	9	CARRINGTON	GULLEY	PERDUE	SHAW R.
		CLARK	KINCAID	PLYLER	WEBSTER
		CONDER			
PAIRS	0				
AYE					
NO					

GENERAL ASSEMBLY
SENATE

NORTH CAROLINA GENERAL ASSEMBLY
SENATE

RECORDED VOTE

1997 SESSION

SEQ. 249/3-- 6:42 PM APRIL 14, 1997 LEGISLATIVE DAY 43

LT. GOVERNOR WICKER -- Presiding

BALLANCE
GATES SCHOOL ACQUISITIONS

SENATE BILL 59

SECOND READING ROLL CALL

MOTION 8
TO CONCUR

AYE	47	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	WEINSTEIN
		CONDER	JENKINS	ODOM	WELLONS
		COOPER	JORDAN	PAGE	WINNER
		DALTON	KERR	PERDUE	
NO	0				
EXCUSED	0				
NOT CAST	1	WARREN			
ABSENT	2	CLARK	WEBSTER		
PAIRS	0				
AYE					
NO					

(COPY)

GENERAL ASSEMBLY
SENATE

NORTH CAROLINA GENERAL ASSEMBLY
SENATE

RECORDED VOTE

1997 SESSION

SEQ. 259/3-- 2:20 PM APRIL 15, 1997 LEGISLATIVE DAY 44

LT. GOVERNOR WICKER -- Presiding

BALLANCE
GATES SCHOOL ACQUISITIONS

SENATE BILL 59

THIRD READING ROLL CALL

MOTION 8
TO CONCUR

AYE	45	ALBERTSON	DANNELLY	KINCAID	PERDUE
		ALLRAN	EAST	KINNAIRD	PHILLIPS
		BALLANCE	FORRESTER	LEDBETTER	PLYLER
		BALLANTINE	FOXX	LEE	RAND
		BLUST	GARWOOD	LUCAS	REEVES
		CARPENTER	GULLEY	MARTIN R.	RUCHO
		CARRINGTON	HORTON	MARTIN W.	SHAW L.
		CLARK	HOYLE	MCDANIEL	SOLES
		COCHRANE	JENKINS	MILLER	WARREN
		CONDER	JORDAN	ODOM	WEINSTEIN
		COOPER	KERR	PAGE	WELLONS
		DALTON			
NO	1	WINNER			
EXCUSED	0				
NOT CAST	3	BASNIGHT	HARTSELL	SHAW R.	
ABSENT	1	WEBSTER			
PAIRS	0				
AYE					
NO					

GENERAL ASSEMBLY
SENATE

FILED - SENATE
FEB 5 1997
PRINCIPAL CLERK

GENERAL ASSEMBLY OF NORTH CAROLINA S6 0

SESSION 1997

S **D**

SENATE DRS1522-LK034A(1.29)

Short Title: Clarify Left-Turn Rules. (Public)

Sponsors: Senator Winner.

Referred to:

A BILL TO BE ENTITLED

AN ACT TO CLARIFY THE RULES FOR MAKING LEFT TURNS ON VARIOUS ROADWAYS.

The General Assembly of North Carolina enacts:

Section 1. G.S. 20-153(b) reads as rewritten:

"(b) Left Turns. -- The driver of a vehicle intending to turn left at any intersection shall approach the intersection in the extreme left-hand lane lawfully available to traffic moving in the direction of travel of ~~such~~ that vehicle, and, after entering the intersection, the left turn shall be made so as to leave the intersection in a lane lawfully available to traffic moving in ~~such~~ the direction upon the roadway being entered. ~~Whenever practicable the left turn shall be made in that portion of the intersection to the left of the center of the intersection.~~

When making a left turn, the following rules apply:

(1) When a vehicle on a one-way street makes a left turn onto a one-way street, with the traffic moving from the driver's right to the driver's left, the turn shall be initiated from the leftmost available lane of travel into the leftmost available lane of travel;

(2) When a vehicle on a one-way street makes a left turn onto a two-way street, the turn shall be initiated from the leftmost available lane of travel into the leftmost available lane of travel to the right of the center line with traffic moving from the driver's right to the driver's left;

(3) When a vehicle on a two-way street makes a left turn onto a one-way street, with traffic moving from the driver's right to the driver's left, the turn shall be initiated from the leftmost available

NORTH CAROLINA GENERAL ASSEMBLY
SENATE
1997 SESSION

VOTING EQUIPMENT INOPERATIVE

Bill No. SB 60

Short Title: Clarify Left Turn Rules

Date: 3/6/97

Pursuant to Rule 26, the following action was taken by voice vote:

2nd Reading Roll Call: Aye-48 Nay-0

* See attached Roll Call Talley Sheet.

From the Office of the Senate Principal Clerk—733-7761

SENATE of the 1997 NORTH CAROLINA GENERAL ASSEMBLY

DATE 3/6/97

S.B. 60 2nd reading

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

MOTION SB 60 2 read roll call LT. GOVERNOR 48 AYES/NOES 0

g/97/forms/mroll

Janet Pruitt
MAR 6 1997

NORTH CAROLINA

HOUSE OF REPRESENTATIVES

ROLL CALL

EV

. # 1303
EGISLATIVE DAY 106
S60 HCS
READING 2

7/31/97
10:49 AM
IN CHAIR: SPEAKER

CLARIFY LEFT-TURN RULES

AYES - 105

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

NOES - 0

EXCUSED ABSENCE - 10

BROWN	HIATT	TALLENT	WATSON
CHURCH	NICHOLS	WAINWRIGHT	WOOD
DOCKHAM	SHUBERT		

EXCUSED VOTE - 0

NOT VOTING - 5

SPEAKER	HARDY	HOLMES	STARNES
BLUE			

NORTH CAROLINA GENERAL ASSEMBLY
SENATE

RECORDED VOTE

1997 SESSION

SEQ. 1299/4--11:22 AM AUGUST 6, 1997 LEGISLATIVE DAY 109

LT. GOVERNOR WICKER -- Presiding

WINNER
CLARIFY LEFT-TURN RULES
HOUSE COMM. SUB./2ND EDITION

SENATE BILL 60

MOTION 8
TO CONCUR

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	

GENERAL ASSEMBLY
SENATE

FILED - SENATE
S 6 1 FEB 5 1997
PRINCIPAL CLERK

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1997

S D

SENATE DRS7511*-RWZ010(2.3)

Short Title: ETJ Changes. (Public)

Sponsors: Senator Hartsell.

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

S

FILED - SENATE D

SENATE DRS1517*-RWZ009(2.3) S 62 FEB 5 1997

PRINCIPAL CLERK

Short Title: Annexation/Municipal Services. (Public)

Sponsors: Senator Hartsell.

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

FILED - SENATE

S

S 63

FEB 5 D1997

SENATE DRS1516*-RWZ008(2.3)

PRINCIPAL CLERK

Short Title: Annexation Changes. (Public)

Sponsors: Senator Hartsell.

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

FILED - SENATE

S 64 FEB 6 1997

PRINCIPAL CLERK

S

SENATE DRS1525-LM020(1.23)

Short Title: Taboro Charter Amendment. (Local)

Sponsors: Senator Martin of Pitt.

Referred to:

A BILL TO BE ENTITLED

AN ACT TO AMEND THE CHARTER OF THE TOWN OF TARBORO TO PERMIT MEMBERS OF THE TOWN COUNCIL TO ENTER INTO UNDERTAKINGS OR CONTRACTS WITH THE TOWN UNDER CERTAIN CIRCUMSTANCES.

The General Assembly of North Carolina enacts:

Section 1. The Charter of the Town of Tarboro, being Chapter 73 of the 1995 Session Laws, is amended by adding a new section to read:

"Sec. 2.8. **Contracts With Council Members.** G.S. 14-234 shall not apply to any member of the Town Council if all of the following conditions are met:

(1) The undertaking or contract is for the purchase of apparatus, supplies, materials, or equipment which requires an expenditure during any single fiscal year of an amount that is less than the amounts stated in G.S. 143-129.

(2) The Town seeks informal bids from at least two other suppliers, in addition to the supplier in which the member of the Council has a financial interest.

(3) The other suppliers are either unwilling or unable to sell to the Town the needed apparatus, supplies, materials, or equipment, or the supplier in which the member of the Council has a financial interest is the lowest responsible bidder.

(4) The undertaking or contract between the Town and the member of the Council is approved by specific resolution of the Council adopted in an open meeting and is recorded in its minutes.

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1997

S D

FILED - SENATE

SENATE DRS4512*-RW232(2.5)

S 6 5 - FEB 6 1997

PRINCIPAL CLERK

Short Title: No Fee for Mail-In Registration. (Public)

Sponsors: Senator Hoyle.

Referred to:

A BILL TO BE ENTITLED

AN ACT TO ELIMINATE THE ONE-DOLLAR FEE FOR MAIL-IN VEHICLE REGISTRATION.

The General Assembly of North Carolina enacts:

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

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

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

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

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

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

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1997

S D

SENATE DRS7516*-RWZ001(2.5)

FILED - SENATE

S 66 FEB 6 1997

PRINCIPAL CLERK

Short Title: Motor Vehicle Salvage Changes. (Public)

Sponsors: Senator Hoyle.

Referred to:

A BILL TO BE ENTITLED

AN ACT TO REDUCE BY HALF THE NUMBER OF SALVAGE INSPECTIONS PERFORMED BY DMV ENFORCEMENT AND TO ELIMINATE ISSUANCE OF UNBRANDED TITLES FOR VEHICLES BRANDED IN OTHER STATES.

The General Assembly of North Carolina enacts:

Section 1. G.S. 20-71.3 reads as rewritten:

"**§ 20-71.3. Titles and registration cards to be branded.**

Motor Vehicle certificates of title and registration cards issued pursuant to G.S. 20-57 shall be branded. As used herein "branded" means that the title and registration card shall contain a designation that discloses if the vehicle is classified as (a) Flood Vehicle, (b) Non-U.S.A. Vehicle, (c) Reconstructed Vehicle, (d) Salvage Motor Vehicle, or (e) Salvage Rebuilt Vehicle or other classification authorized by law. Any motor vehicle damaged by collision or other occurrence up to six model years old which is to be retitled in this State shall be subject to preliminary and final inspections by the Enforcement Section of the Division, and the Division shall refuse to issue a title to a vehicle up to six model years old which has not undergone a preliminary inspection. These inspections serve as an antitheft measure and in no way should be construed to certify the safety or roadworthiness of a vehicle. Any motor vehicle which has been branded in another state shall be branded with the nearest applicable brand specified in this section, except that no junk vehicle or vehicle that has been branded junk in another state shall be titled or registered. ~~A motor vehicle titled in another state and damaged by collision or other occurrence may be repaired and an unbranded title issued in North Carolina only if the cost of repairs, including parts and labor, does not exceed seventy-five percent (75%) of its fair market retail value.~~ The Commissioner shall prepare necessary forms and may

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1997

FILED - SENATE
S 6 7 FEB 6 1997
PRINCIPAL CLERK

S D

SENATE JOINT RESOLUTION DRSJR2515*-RWZ230.1(2.5)

Sponsors: Senator Hoyle.

Referred to:

A JOINT RESOLUTION URGING CONGRESS TO REPEAL THE DRIVER'S PRIVACY PROTECTION ACT OF 1994.

Whereas, North Carolina has an open public records policy; and

Whereas, the Driver's Privacy Protection Act of 1994 (18 U.S.C. §§ 2721 et seq.) will substantially restrict access to North Carolina's public records; and

Whereas, the act is an unnecessary and unconstitutional intrusion on the right of the State to control its own public records; and

Whereas, the implementation of the act will increase costs in the Division of Motor Vehicles by requiring additional staff time, and by consuming limited staff time, constituting an "unfunded mandate";

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

Section 1. The General Assembly urges Congress to repeal the Driver's Privacy Protection Act of 1994 (18 U.S.C. §§ 2721, et seq.).

Section 2. This resolution is effective upon ratification.

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1997

FILED - SENATE

FEB 6 1997

S D

SENATE DRS2516*-RW231(2.5)

Short Title: Indemnify State Employees/Privacy Act. (Public)

Sponsors: Senator Hoyle.

Referred to:

A BILL TO BE ENTITLED

AN ACT TO INDEMNIFY STATE EMPLOYEES FOR ANY LEGAL COSTS ASSOCIATED WITH NONCOMPLIANCE WITH THE FEDERAL DRIVER'S PRIVACY PROTECTION ACT.

The General Assembly of North Carolina enacts:

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

"**§ 20-43.1. Indemnification.**

The State shall indemnify all employees or officers of the State for any attorneys' fees, damages, or other costs incurred due to any legal proceeding asserting noncompliance with the provision of the Driver's Privacy Protection Act of 1994 (18 U.S.C. §§ 2721, et seq.), or any amendments to that act."

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

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1997

S D

SENATE DRS2518-LC059B(1.16)

FILED - SENATE
S 69 FEB 6 1997
PRINCIPAL CLERK

Short Title: Stokes School Acquisition. (Local)

Sponsors: Senator Foxx.

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

[redacted]. # 880
[redacted]ISLATIVE DAY 77
[redacted] HCS
READING 2

6/11/97
1:19 PM
IN CHAIR: SPEAKER

STOKES SCHOOL ACQUISITION

AYES - 115

ADAMS	DAUGHTRY	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
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
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	WRIGHT
CULPEPPER	HUNTER, H.	OLDHAM	YONGUE
CUNNINGHAM	HUNTER, R.	OWENS	

NOES - 3

CAPPS	DAVIS	FITCH

EXCUSED ABSENCE - 1

WOOD

EXCUSED VOTE - 0

NOT VOTING - 1

SPEAKER

NORTH CAROLINA GENERAL ASSEMBLY
AMENDMENT
Senate Bill 69

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

S69-ARH-002

Date JUN 12 1997, 1997

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

Representative BAKER
moves to amend the bill on page 2, line 8, by deleting the word "Gates" and by substituting the word "Gates";

and on page 2, line 10, by deleting the word "Onslow" and by substituting the word "Onslow".

SIGNED _____
Amendment Sponsor

SIGNED _____
Committee Chair if Senate Committee Amendment

ADOPTED JUN 12 1997 FAILED _____ TABLED _____

106-0 EV

NORTH CAROLINA
HOUSE OF REPRESENTATIVES
ROLL CALL

EV

. # 911
ISLATIVE DAY 78
S69 HCS
READING 3

6/12/97
12:29 PM
IN CHAIR: SPEAKER

AMEND #1 - Rep BAKER
STOKES SCHOOL ACQUISITION

AYES - 106

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

NOES - 0

EXCUSED ABSENCE - 5

BARBEE	ELLIS	FOX	NICHOLS
BERRY			

EXCUSED VOTE - 0

NOT VOTING - 9

SPEAKER	GRAY	KISER	STARNES
BROWN	IVES	MCALLISTER	WILKINS
CLARY			

NORTH CAROLINA

HOUSE OF REPRESENTATIVES

ROLL CALL

RC

. # 912
EGISLATIVE DAY 78
S69 HCS
READING 3

6/12/97
12:30 PM
IN CHAIR: SPEAKER

STOKES SCHOOL ACQUISITION

AYES - ~~102~~ 104 DW

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

NOES - 0

EXCUSED ABSENCE - 5

BARBEE	ELLIS	FOX	NICHOLS
BERRY			

EXCUSED VOTE - 0

NOT VOTING - ~~13~~ 11 DW

SPEAKER	GAMBLE	IVES	STARNES
CLARY	GULLEY	NESBITT	~~TALLENT~~ DW
CULP	HURLEY	~~REDWINE~~ DW	WILKINS
DAUGHTRY			

NORTH CAROLINA GENERAL ASSEMBLY
SENATE

RECORDED VOTE

1997 SESSION

SEQ. 923/2--11:10 AM JUNE 17, 1997 LEGISLATIVE DAY 80

LT. GOVERNOR WICKER -- Presiding

FOXX
STOKES SCHOOL ACQUISITION
HOUSE COMM. SUB./3RD EDITION

SENATE BILL 69

2ND READING ROLL CALL

MOTION 8
TO CONCUR

AYE	37	ALBERTSON	EAST	LEE	PLYLER
		BALLANCE	FORRESTER	LUCAS	RAND
		BALLANTINE	FOXX	MARTIN R.	REEVES
		BLUST	HARTSELL	MARTIN W.	RUCHO
		CARPENTER	HOYLE	MCDANIEL	SOLES
		CARRINGTON	JENKINS	ODOM	WARREN
		CLARK	JORDAN	PAGE	WEBSTER
		COCHRANE	KINNAIRD	PERDUE	WEINSTEIN
		DALTON	LEDBETTER	PHILLIPS	WELLONS
		DANNELLY			
NO	1	WINNER			
EXCUSED	0				
NOT CAST	9	ALLRAN	HORTON	KINCAID	SHAW L.
		COOPER	KERR	MILLER	SHAW R.
		GULLEY			
ABSENT	3	BASNIGHT	CONDER	GARWOOD	
PAIRS	0				
AYE					
NO					

GENERAL ASSEMBLY
SENATE

NORTH CAROLINA GENERAL ASSEMBLY
SENATE

RECORDED VOTE

1997 SESSION

SEQ. 930/3--10:40 AM JUNE 18, 1997 LEGISLATIVE DAY 81

LT. GOVERNOR WICKER -- Presiding

FOXX
STOKES SCHOOL ACQUISITION
HOUSE COMM. SUB./3RD EDITION

SENATE BILL 69

3RD READING ROLL CALL

MOTION 8
TO CONCUR

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

EXCUSED	0
NOT CAST	0
ABSENT	0
PAIRS	0
AYE	
NO	

GENERAL ASSEMBLY
SENATE

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1997

FILED - SENATE
FEB 6 1997
PRINCIPAL CLERK

S D

SENATE DRS1513*-RHZ001.1(1.30) S70

Short Title: Obsolete School Laws. (Public)

Sponsors: Senators Lucas, Winner, Lee, Dannelly, Hartsell, and Perdue.

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.

NORTH CAROLINA GENERAL ASSEMBLY
AMENDMENT
Senate bill 70

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

S70-ARH-001

Date 2/24 ,1997

Comm. Sub. []
Amends Title []

Senator Lucas

moves to amend the bill on page 2, lines 40-41, by rewriting the lines to read:
"The State";

and on page 3, lines 7-8, by rewriting the lines to read:
"instruction or grade levels and that may have a kindergarten or other years of instruction or grade levels.";

and on page 3, lines 17-18, by rewriting the lines to read:
"levels and that may have a kindergarten.".

SIGNED Jeanne Lucas
Amendment Sponsor

SIGNED _____
Committee Chair if Senate Committee Amendment

ADOPTED V FAILED _____ TABLED _____

J. Pruitt
2/24/97

NORTH CAROLINA GENERAL ASSEMBLY
AMENDMENT
Senate Bill 70

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

S70-ARH-004

Date 2/25 ,1997

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

Senator Winner

moves to amend the bill on page 2, line 44,
by rewriting the line to read:
"instruction or grade levels that it considers appropriate. To the extent State funds are appropriated for this purpose or federal, local, or private funds are available, local boards of education may operate early childhood education programs for children younger than kindergarten age and may charge tuition for these programs."

SIGNED Leslie Winner
Amendment Sponsor

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

ADOPTED ✓ FAILED _____ TABLED _____
43-6 J. Pruitt 2-25-97

NORTH CAROLINA GENERAL ASSEMBLY
SENATE

RECORDED VOTE

1997 SESSION

SEQ. 46/2-- 2:02 PM | FEBRUARY 25, 1997 | LEGISLATIVE DAY 16

LT. GOVERNOR WICKER -- Presiding

LUCAS
OBSOLETE SCHOOL LAWS
2ND EDITION

SENATE BILL 70

AMEND 1

AYE	43	ALBERTSON	DANNELLY	KINNAIRD	PLYLER
		ALLRAN	EAST	LEE	RAND
		BALLANCE	FORRESTER	LUCAS	REEVES
		BALLANTINE	FOXX	MARTIN R.	RUCHO
		BASNIGHT	GARWOOD	MARTIN W.	SHAW R.
		CARPENTER	GULLEY	MCDANIEL	SOLES
		CARRINGTON	HARTSELL	MILLER	WARREN
		COCHRANE	HOYLE	ODOM	WEINSTEIN
		CONDER	JENKINS	PAGE	WELLONS
		COOPER	JORDAN	PERDUE	WINNER
		DALTON	KERR	PHILLIPS	
NO	6	BLUST	HORTON	LEDBETTER	WEBSTER
		CLARK	KINCAID		

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

GENERAL ASSEMBLY
SENATE

NORTH CAROLINA GENERAL ASSEMBLY
SENATE

RECORDED VOTE

1997 SESSION

SEQ. 47/3-- 2:02 PM FEBRUARY 25, 1997 LEGISLATIVE DAY 16

LT. GOVERNOR WICKER -- Presiding

LUCAS
OBSOLETE SCHOOL LAWS
2ND EDITION

SENATE BILL 70
READING 2

AYE	45	ALBERTSON	DANNELLY	KINNAIRD	PHILLIPS
		ALLRAN	EAST	LEDBETTER	PLYLER
		BALLANCE	FORRESTER	LEE	RAND
		BALLANTINE	FOXX	LUCAS	REEVES
		BASNIGHT	GARWOOD	MARTIN R.	RUCHO
		BLUST	GULLEY	MARTIN W.	SHAW R.
		CARPENTER	HARTSELL	MCDANIEL	SOLES
		CARRINGTON	HOYLE	MILLER	WARREN
		COCHRANE	JENKINS	ODOM	WEINSTEIN
		CONDER	JORDAN	PAGE	WELLONS
		COOPER	KERR	PERDUE	WINNER
		DALTON			
NO	4	CLARK	HORTON	KINCAID	WEBSTER

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

GENERAL ASSEMBLY
SENATE

NORTH CAROLINA

HOUSE OF REPRESENTATIVES

ROLL CALL

EV

[redacted] # 182
[redacted]ISLATIVE DAY 32
S70 HCS
READING 2

3/25/97
2:37 PM
IN CHAIR: SPEAKER

OBSOLETE SCHOOL LAWS

AYES - 116

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
BERRY	ELLIS	LUEBKE	SEXTON
BLUE	ESPOSITO	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	MILLER	TOLSON
CANSLER	HACKNEY	MINER	WAINWRIGHT
CAPPS	HALL	MITCHELL	WARNER
CARPENTER	HARDAWAY	MOORE	WARWICK
CHURCH	HARDY	MORGAN	WATSON
CLARY	HENSLEY	MORRIS	WEATHERLY
COLE	HIATT	MOSLEY	WILKINS
CRAWFORD	HIGHTOWER	NEELY	WILSON, C.
CREECH	HILL	NESBITT	WILSON, G.
CULP	HOLMES	NICHOLS	WOMBLE
CULPEPPER	HOWARD	NYE	WOOD
CUNNINGHAM	HUNTER, H.	OLDHAM	WRIGHT
DAUGHTRY	HUNTER, R.	OWENS	YONGUE

NOES - 0

EXCUSED ABSENCE - 0

EXCUSED VOTE - 0

NOT VOTING - 4

SPEAKER	BEALL	BLACK	GAMBLE

S70 HCS

NORTH CAROLINA GENERAL ASSEMBLY
SENATE

RECORDED VOTE

1997 SESSION

SEQ. 163/5-- 4:42 PM MARCH 31, 1997 LEGISLATIVE DAY 35

LT. GOVERNOR WICKER -- Presiding

LUCAS
OBSOLETE SCHOOL LAWS
HOUSE COMM. SUB./4TH EDITION

SENATE BILL 70

MOTION 8
TO CONCUR

AYE	44	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
		COCHRANE	HOYLE	MILLER	WEINSTEIN
		CONDER	JENKINS	PAGE	WELLONS
		DALTON	JORDAN	PERDUE	WINNER
NO	1	CLARK			

EXCUSED	0				
NOT CAST	1	RUCHO			
ABSENT	4	COOPER	KINCAID	ODOM	REEVES
PAIRS	0				
AYE					
NO					

(COPY)

GENERAL ASSEMBLY
SENATE

FILED - SENATE
FEB 6 1997
PRINCIPAL CLERK

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1997

S 71

S

SENATE DRS4507*-RCZ002.2(1.30)

Short Title: Sch. Bd. Leases of Sch. Bldgs. (Public)

Sponsors: Senators Hartsell, Winner, Lee, Dannelly, Lucas, and Perdue.

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:

"**§ 115C-530. Operational leases of school buildings and school facilities.**

NORTH CAROLINA GENERAL ASSEMBLY
SENATE

RECORDED VOTE

1997 SESSION

SEQ. 48/4-- 2:08 PM FEBRUARY 25, 1997 LEGISLATIVE DAY 16

LT. GOVERNOR WICKER -- Presiding

HARTSELL
SCH. BRD. LEASES OF SCHOOL BLDGS.
2ND EDITION

SENATE BILL 71
READING 2

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	2	CLARK	WEBSTER		

EXCUSED 0

NOT CAST 0

ABSENT 0

PAIRS 0
AYE
NO

GENERAL ASSEMBLY
SENATE

NORTH CAROLINA
HOUSE OF REPRESENTATIVES
ROLL CALL

EY

[redacted]. # 891
[redacted]ISLATIVE DAY 77
S71 HCS
READING 2

6/11/97
2:39 PM
IN CHAIR: SPEAKER

SCHOOL BOARD LEASES OF SCHOOL BUILDINGS

AYES - 108

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

NOES - 3

FITCH	NESBITT	SMITH

EXCUSED ABSENCE - 1

HARDAWAY

EXCUSED VOTE - 0

NOT VOTING - 8

SPEAKER	HUNTER, R.	MCMAHAN	WILSON, C.
ADAMS	MCALLISTER	MOSLEY	YONGUE

NORTH CAROLINA GENERAL ASSEMBLY
SENATE

RECORDED VOTE

1997 SESSION

SEQ. 917/7-- 8:05 PM JUNE 16, 1997 LEGISLATIVE DAY 79

LT. GOVERNOR WICKER -- Presiding

HARTSELL
SCH. BRD. LEASES OF SCHOOL BLDGS.
HOUSE COMM. SUB./3RD EDITION

SENATE BILL 71

MOTION 8
TO CONCUR

AYE	45	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	HORTON	MCDANIEL	SOLES
		CARRINGTON	JENKINS	MILLER	WARREN
		CLARK	JORDAN	ODOM	WEINSTEIN
		COCHRANE	KERR	PAGE	WELLONS
		COOPER	KINCAID	PHILLIPS	WINNER
		DALTON			
NO	1	WEBSTER			

EXCUSED	0				
NOT CAST	0				
ABSENT	4	CONDER	HARTSELL	HOYLE	PERDUE
PAIRS	0				
AYE					
NO					

GENERAL ASSEMBLY
SENATE

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1997

S D

SENATE DRS6509*-RHZ004(1.23)

FILED - SENATE
S 7 2 FEB 6 1997
PRINCIPAL CLERK

Short Title: St. Bd. of Ed./Subpoena Power. (Public)

Sponsors: Senators Dannelly, Winner, Lee, Hartsell, Lucas, and Perdue.

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 GENERAL ASSEMBLY
SENATE

RECORDED VOTE

1997 SESSION

SEQ. 160/2-- 4:21 PM MARCH 31, 1997 LEGISLATIVE DAY 35

LT. GOVERNOR WICKER -- Presiding

DANNELLY
ST. BRD. OF EDUC./SUBPEONA POWER

SENATE BILL 72
READING 2

AYE	39	ALBERTSON	DALTON	JORDAN	PAGE
		ALLRAN	DANNELLY	KERR	PHILLIPS
		BALLANCE	FORRESTER	KINNAIRD	PLYLER
		BALLANTINE	FOXX	LEDBETTER	RAND
		BASNIGHT	GARWOOD	LEE	SOLES
		BLUST	GULLEY	LUCAS	WARREN
		CARPENTER	HARTSELL	MARTIN R.	WEINSTEIN
		CARRINGTON	HORTON	MARTIN W.	WELLONS
		COCHRANE	HOYLE	MCDANIEL	WINNER
		CONDER	JENKINS	MILLER	
NO	4	CLARK	EAST	SHAW R.	WEBSTER
EXCUSED	0				
NOT CAST	3	PERDUE	RUCHO	SHAW L.	
ABSENT	4	COOPER	KINCAID	ODOM	REEVES
PAIRS	0				
AYE					
NO					

(COPY)

GENERAL ASSEMBLY
SENATE

NORTH CAROLINA GENERAL ASSEMBLY
SENATE

RECORDED VOTE

1997 SESSION
SECOND SESSION 1998

SEQ. 1908/4--12:20 PM AUGUST 6, 1998 LEGISLATIVE DAY 175

LT. GOVERNOR WICKER -- Presiding

DECKER
OAK RIDGE INCORPORATED
SENATE COM SUB/3RD EDITION

HOUSE BILL 72
READING 2
CONFERENCE REPORT

MOTION 7
TO ADOPT

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	

GENERAL ASSEMBLY
SENATE

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1997

S

FILED - SENATE D
S 73 FEB 6 1997
PRINCIPAL CLERK

SENATE DRSA516*-RFZ02(2.3)

Short Title: Proposed Changes/Chapter 106. (Public)

Sponsors: Senator Albertson.

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.

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1997

S D

SENATE DRS4510*-RFZ06(2.3)

FILED - SENATE
S 74 FEB 6 1997
PRINCIPAL CLERK

Short Title: Funds for Ag. and Forestry Study Comm. (Public)

Sponsors: Senator Albertson.

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

S

FILED - SENATE D

SENATE DRS6510*-RFZ01(1.30) S 75 FEB 6 1997

PRINCIPAL CLERK

Short Title: Trespass/Theft of Pine Straw. (Public)

Sponsors: Senator Albertson.

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'

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1997

FILED - SENATE
S 76 FEB 6D 1997
PRINCIPAL CLERK

S

SENATE DRSA515*-RFZ05(2.3)

Short Title: Forest Fire Aircraft Funds. (Public)

Sponsors: Senator Albertson.

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

S D

SENATE DRS1511*-RCZ004(1.30)

FILED - SENATE

S 77 FEB 6 1997

PRINCIPAL CLERK

Short Title: Sales Tax Refund for Schools. (Public)

Sponsors: Senators Winner, Lee, Dannelly, Hartsell, Lucas, and Perdue.

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.

(2b) A local school administrative unit, but only with respect to sales and use tax paid by it on purchases made from its capital outlay fund under G.S. 115C-426.

Finance Committee
6/24/98

NORTH CAROLINA GENERAL ASSEMBLY
AMENDMENT
Senate Bill 77

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

S77-ALH-1

Date 6-24 ,1998

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

Sen. Albertson

moves to amend the bill on page 3, lines 13-14, by rewriting those lines to read:

Section 2. G.S. 105-134.1 is amended by adding the following new definitions in the appropriate alphabetical order:

'(3a) Elementary or secondary educational institution. -- An educational institution located in North Carolina that provides academic instruction at one or more of the grade levels from first to twelfth.

(6a) Home school. -- Defined in G.S. 115C-563.

(20) Tuition. -- The amount charged for registering for instruction at an educational institution. The term does not include any other fees or charges or the costs of textbooks or other educational material.'

Section 3. G.S. 105-134.6(d) is amended by adding two new subdivisions to read:

'(4) A taxpayer may deduct tuition paid during the taxable year for the taxpayer or a person the taxpayer claims as a dependent under the Code to attend first through twelfth grade at an elementary or secondary educational institution, to the extent the tuition has not already been deducted by the taxpayer under the Code. This deduction is not allowed to a taxpayer who can be claimed by another as a dependent under the Code.

(5) A taxpayer who educates one or more of the taxpayer's children in a home school operated by the taxpayer in this State may deduct one thousand seven hundred dollars ($1,700) for each of the taxpayer's children

NORTH CAROLINA GENERAL ASSEMBLY
AMENDMENT
Senate Bill 77

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

S77-ALH-1

educated in the home school per semester during the taxable year.

For the purposes of this subdivision, there are two semesters during each taxable year. To qualify for a deduction for the first semester, a child must be educated in a home school operated by the taxpayer for at least three of the first six months of the taxable year. To qualify for a deduction for the second semester, a child must be educated in a home school operated by the taxpayer for at least three of the second six months of the taxable year.

For the purposes of this subdivision, a taxpayer's child is a dependent child over the age of five and under the age of 18 for whom the taxpayer was allowed to deduct a personal exemption under the Code for the taxable year.'

Section 4. Sections 2 and 3 of this act are effective for taxable years beginning on or after January 1, 1998. The rest of this act is effective July 1, 1998, and applies to purchases made on or after that date. ";

SIGNED Allran
Amendment Sponsor

SIGNED _____
Committee Chair if Senate Committee Amendment

ADOPTED _____ FAILED _____ TABLED 1/29-19

J. Pruitt 1/24/98

and on page 1, line 3, by adding the following before the period: AND TO PROVIDE INCENTIVES FOR SCHOOL COSTS". AA

Fiscal note attached 4/24/98

NORTH CAROLINA GENERAL ASSEMBLY
AMENDMENT
Senate Bill 77

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

S77-ALH-1

Date 6-24 ,1998

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

Sen. Albertson

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(5) A taxpayer who educates one or more of the taxpayer's children in a home school operated by the taxpayer in this State may deduct one thousand seven hundred dollars ($1,700) for each of the taxpayer's children

NORTH CAROLINA GENERAL ASSEMBLY
AMENDMENT
Senate Bill 77

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

S77-ALH-1

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For the purposes of this subdivision, there are two semesters during each taxable year. To qualify for a deduction for the first semester, a child must be educated in a home school operated by the taxpayer for at least three of the first six months of the taxable year. To qualify for a deduction for the second semester, a child must be educated in a home school operated by the taxpayer for at least three of the second six months of the taxable year.

For the purposes of this subdivision, a taxpayer's child is a dependent child over the age of five and under the age of 18 for whom the taxpayer was allowed to deduct a personal exemption under the Code for the taxable year.'

Section 4. Sections 2 and 3 of this act are effective for taxable years beginning on or after January 1, 1998. The rest of this act is effective July 1, 1998, and applies to purchases made on or after that date. ";

SIGNED Allran
Amendment Sponsor

SIGNED _____
Committee Chair if Senate Committee Amendment

ADOPTED _____ FAILED _____ TABLED 1 28-19
J. Pruitt 6/24/98

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NORTH CAROLINA GENERAL ASSEMBLY
SENATE

RECORDED VOTE

1997 SESSION
SECOND SESSION 1998

SEQ. 1701/12-- 4:35 PM JUNE 24, 1998 LEGISLATIVE DAY 150

SENATOR BASNIGHT -- Presiding

WINNER
SALES TAX REFUND FOR SCHOOLS
COM SUB/2ND EDITION

SENATE BILL 77

AMEND 1
MOTION 1
TO TABLE

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

EXCUSED 0

NOT CAST 1 SOLES

ABSENT 1 CARPENTER

PAIRS 0
AYE
NO

GENERAL ASSEMBLY
SENATE

NORTH CAROLINA GENERAL ASSEMBLY
SENATE

RECORDED VOTE

1997 SESSION
SECOND SESSION 1998

SEQ. 1702/13-- 4:36 PM JUNE 24, 1998 LEGISLATIVE DAY 150

SENATOR BASNIGHT -- Presiding

WINNER
SALES TAX REFUND FOR SCHOOLS
COM SUB/2ND EDITION

SENATE BILL 77
READING 2

AYE	48	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.
		CARRINGTON	HORTON	MILLER	SHAW R.
		CLARK	HOYLE	MOORE	WARREN
		COCHRANE	JENKINS	ODOM	WEBSTER
		COOPER	JORDAN	PAGE	WEINSTEIN
		DALTON	KERR	PERDUE	WELLONS
		DANNELLY	KINNAIRD	PHILLIPS	WINNER
NO	0				

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

GENERAL ASSEMBLY
SENATE

NORTH CAROLINA GENERAL ASSEMBLY
SENATE

RECORDED VOTE

1997 SESSION
SECOND SESSION 1998

SEQ. 1703/14-- 4:37 PM JUNE 24, 1998 LEGISLATIVE DAY 150

SENATOR BASNIGHT -- Presiding

WINNER
SALES TAX REFUND FOR SCHOOLS
COM SUB/2ND EDITION

SENATE BILL 77
READING 3

AYE	48	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.
		CARRINGTON	HORTON	MILLER	SHAW R.
		CLARK	HOYLE	MOORE	WARREN
		COCHRANE	JENKINS	ODOM	WEBSTER
		COOPER	JORDAN	PAGE	WEINSTEIN
		DALTON	KERR	PERDUE	WELLONS
		DANNELLY	KINNAIRD	PHILLIPS	WINNER
NO	0				

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

GENERAL ASSEMBLY
SENATE

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1997

FILED - SENATE
FEB 6 1997
S 78
PRINCIPAL CLERK

S D

SENATE DRS4513*-LLZ025(1.9)

Short Title: State Building Evacuation. (Public)

Sponsors: Senator Ballance.

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
SENATE

RECORDED VOTE

1997 SESSION

SEQ. 137/2-- 3:04 PM MARCH 25, 1997 LEGISLATIVE DAY 32

LT. GOVERNOR WICKER -- Presiding

BALLANCE
STATE BUILDING EVACUATION
2ND EDITION

SENATE BILL 78
READING 2

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

GENERAL ASSEMBLY
SENATE

NORTH CAROLINA
HOUSE OF REPRESENTATIVES
ROLL CALL

EV

SEQ. # 1690
LEGISLATIVE DAY 150
HCS
READING 2

6/24/98
3:00 PM
IN CHAIR: SPEAKER

STATE EMPLOYEE SEXUAL HARASSMENT
MOTION #6. POSTPONE TO A DAY CERTAIN - 6/29/98

AYES - 13

ALLEN	BUCHANAN	GULLEY	SMITH
ALLRED	GRADY	JUSTUS	STARNES
BAKER	GRAY	KISER	THOMPSON
BROWN			

NOES - 95

ALDRIDGE	DAUGHTRY	HURLEY	RAMSEY
ALEXANDER	DAVIS	INSKO	RAYFIELD
ARNOLD	DECKER	JARRELL	REDWINE
BADDOUR	DEDMON	JEFFUS	REYNOLDS
BARBEE	DICKSON	KINNEY	ROGERS
BEALL	DOCKHAM	LUEBKE	RUSSELL
BERRY	EARLE	MCCOMAS	SAUNDERS
BLACK	EASTERLING	MCCOMBS	SEXTON
BLUE	EDDINS	MCCRARY	SHERRILL
BONNER	ELLIS	MCMAHAN	SHUBERT
BOWIE	FITCH	MICHAUX	SUTTON
BOYD-MCINTYRE	FOX	MILLER	TOLSON
BRAWLEY	GARDNER	MINER	WAINWRIGHT
CANSLER	GOODWIN	MITCHELL	WARNER
CAPPS	HACKNEY	MORGAN	WARWICK
CARPENTER	HALL	MORRIS	WATSON
CHURCH	HARDAWAY	MOSLEY	WEATHERLY
CLARY	HARDY	NEELY	WILSON, C.
COLE	HENSLEY	NESBITT	WILSON, G.
CRAWFORD	HIATT	NICHOLS	WOMBLE
CREECH	HIGHTOWER	NYE	WOOD
CULP	HILL	OLDHAM	WRIGHT
CULPEPPER	HOLMES	OWENS	YONGUE
CUNNINGHAM	HOWARD	PRESTON	

EXCUSED ABSENCE - 6

ADAMS	GAMBLE	MERCER	MOORE
ESPOSITO	MCALLISTER		

EXCUSED VOTE - 0

NOT VOTING - 6

SPEAKER	HUNTER, H.	IVES	TALLENT
BRASWELL	HUNTER, R.		

NORTH CAROLINA

HOUSE OF REPRESENTATIVES

ROLL CALL

EV

SEQ. # 1691
LEGISLATIVE DAY 150
HCS
READING 2

6/24/98
3:03 PM
IN CHAIR: SPEAKER

STATE EMPLOYEE SEXUAL HARASSMENT

AYES - 109

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

NOES - 0

EXCUSED ABSENCE - 6

ADAMS	GAMBLE	MERCER	MOORE
ESPOSITO	MCALLISTER		

EXCUSED VOTE - 0

NOT VOTING - 5

BARBEE	HUNTER, H.	HUNTER, R.	TALLENT
BRASWELL			

S78 HCS

NORTH CAROLINA GENERAL ASSEMBLY
SENATE

RECORDED VOTE

1997 SESSION
SECOND SESSION 1998

SEQ. 1748/13-- 4:32 PM JULY 1, 1998 LEGISLATIVE DAY 154

LT. GOVERNOR WICKER -- Presiding

BALLANCE
STATE EMPLOYEE SEXUAL HARASSMENT
HOUSE COM SUB/3RD EDITION

SENATE BILL 78

MOTION 8
TO CONCUR

AYE	14	BALLANTINE	COCHRANE	GARWOOD	MOORE
		BLUST	EAST	LEDBETTER	SHAW R.
		CARPENTER	FORRESTER	MCDANIEL	WEBSTER
		CARRINGTON	FOXX		
NO	32	ALBERTSON	HORTON	MARTIN W.	REEVES
		ALLRAN	JENKINS	MILLER	RUCHO
		BALLANCE	JORDAN	ODOM	SHAW L.
		BASNIGHT	KERR	PERDUE	SOLES
		COOPER	KINNAIRD	PHILLIPS	WARREN
		DALTON	LEE	PLYLER	WEINSTEIN
		DANNELLY	LUCAS	PURCELL	WELLONS
		GULLEY	MARTIN R.	RAND	WINNER

EXCUSED	0			
NOT CAST	3	CLARK	HOYLE	PAGE
ABSENT	1	HARTSELL		
PAIRS	0			
AYE				
NO				

(COPY)

GENERAL ASSEMBLY
SENATE

NORTH CAROLINA GENERAL ASSEMBLY
CONFERENCE REPORT
Senate Bill 78

S78-CRLR-1

[YES] Title Change [YES] For Committee Substitute

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

The conferees appointed to resolve the differences between the Senate and the House of Representatives on Senate Bill 78, 3rd Edition, House Committee Substitute Favorable 6/17/98, submit the following report:

The Senate and House agree to the following amendment to the House Committee Substitute, House Committee Substitute Favorable 6/17/98, and the Senate concurs in the House Committee Substitute as amended: Delete the entire House Committee Substitute and substitute the attached Proposed Conference Committee Substitute S78-PCCS2910-LR6, "A BILL TO BE ENTITLED AN ACT AMENDING THE STATE PERSONNEL ACT TO ESTABLISH JURISDICTION FOR THE HEARING OF STATE EMPLOYEE WORKPLACE HARASSMENT GRIEVANCES BEFORE THE OFFICE OF ADMINISTRATIVE HEARINGS AND THE STATE PERSONNEL COMMISSION."

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

NORTH CAROLINA GENERAL ASSEMBLY
CONFERENCE REPORT
Senate Bill 78

S78-CRLR-1

Date conferees approved report: August 31, 1998.

Conferees for the Senate	Conferees for the House of Representatives
Frank W. Ballance, Jr., Chair	Leo Daughtry, Chair
Leslie Winner	Edwin M. Hardy
Eleanor Kinnaird	Theresa Esposito
Beverly Perdue	Debbie Clary
Mark McDaniel	Jim Crawford

Senate Submitted 8/26/98
Senate ADOPTED 9/1/98 (44/0) Message Received 9/1/98
House ADOPTED 9/1/98 (/) ~~Ordered~~ Enrolled 9/1/98

Placed on Calendar for 9/1/98

Sent to Gov -
9/1/98
Janet Pruitt

NORTH CAROLINA GENERAL ASSEMBLY
SENATE

RECORDED VOTE

1997 SESSION
SECOND SESSION 1998

SEQ. 1996/5-- 2:24 PM SEPTEMBER 1, 1998 LEGISLATIVE DAY 189

LT. GOVERNOR WICKER -- Presiding

BALLANCE
STATE EMPLOYEE SEXUAL HARASSMENT
HOUSE COM SUB/3RD EDITION

SENATE BILL 78

CONFERENCE REPORT

MOTION 7
TO ADOPT

AYE	44	ALBERTSON	DANNELLY	LEDBETTER	PLYLER
		BALLANCE	EAST	LEE	PURCELL
		BALLANTINE	FOXX	LUCAS	RAND
		BASNIGHT	GULLEY	MARTIN R.	REEVES
		BLUST	HARTSELL	MARTIN W.	RUCHO
		CARPENTER	HORTON	MCDANIEL	SOLES
		CARRINGTON	HOYLE	MILLER	WARREN
		CLARK	JENKINS	ODOM	WEBSTER
		COCHRANE	JORDAN	PAGE	WEINSTEIN
		COOPER	KERR	PERDUE	WELLONS
		DALTON	KINNAIRD	PHILLIPS	WINNER
NO	0				
EXCUSED	0				
NOT CAST	2	ALLRAN	SHAW L.		
ABSENT	4	FORRESTER	GARWOOD	MOORE	SHAW R.
PAIRS	0				
AYE					
NO					

GENERAL ASSEMBLY
SENATE

NORTH CAROLINA GENERAL ASSEMBLY
CONFERENCE REPORT
Senate Bill 78

S78-CRLR-1

[YES] Title Change [YES] For Committee Substitute

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

The conferees appointed to resolve the differences between the Senate and the House of Representatives on Senate Bill 78, 3rd Edition, House Committee Substitute Favorable 6/17/98, submit the following report:

The Senate and House agree to the following amendment to the House Committee Substitute, House Committee Substitute Favorable 6/17/98, and the Senate concurs in the House Committee Substitute as amended: Delete the entire House Committee Substitute and substitute the attached Proposed Conference Committee Substitute S78-PCCS2910-LR6, "A BILL TO BE ENTITLED AN ACT AMENDING THE STATE PERSONNEL ACT TO ESTABLISH JURISDICTION FOR THE HEARING OF STATE EMPLOYEE WORKPLACE HARASSMENT GRIEVANCES BEFORE THE OFFICE OF ADMINISTRATIVE HEARINGS AND THE STATE PERSONNEL COMMISSION."

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

NORTH CAROLINA GENERAL ASSEMBLY
CONFERENCE REPORT
Senate Bill 78

S78-CRLR-1

Date conferees approved report: August 15th, 1998.

Conferees for the Senate	Conferees for the House of Representatives
Frank W. Ballance, Jr., Chair	Leo Daughtry, Chair
Leslie Winner	Edwin M. Hardy
Eleanor Kinnaird	Theresa Esposito
Beverly Perdue	Debbie Clary
Mark McDaniel	Jim Crawford

Submitted 8/31/98 placed on calendar for 9/1/98
House ADOPTED (111 / 0 ov) Message Received
ADOPTED (/) Ordered Enrolled

Senate notified

Special Message

NORTH CAROLINA
HOUSE OF REPRESENTATIVES
ROLL CALL

EV

SEQ. # 1956
LEGISLATIVE DAY 189
DAY
CONFERENCE REPORT

9/01/98
2:12 PM
IN CHAIR: SPEAKER

STATE EMPLOYEE SEXUAL HARASSMENT - ADOPT CONFERENCE REPORT

AYES - 111

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

NOES - 0

EXCUSED ABSENCE - 2

MCMAHAN	MOSLEY

EXCUSED VOTE - 0

NOT VOTING - 7

CREECH	DICKSON	HALL	WRIGHT
CULP	FITCH	REYNOLDS	

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1997

S D

FILED - SENATE
S 7 9 FEB 6 1997
PRINCIPAL CLERK

SENATE DRS7515-LBZ069(2.4)

Short Title: Repeal More Antiquated Laws. (Public)

Sponsors: Senator Hartsell.

Referred to:

A BILL TO BE ENTITLED

AN ACT TO REPEAL MORE ANTIQUATED LAWS AS RECOMMENDED BY THE GENERAL STATUTES COMMISSION.

The General Assembly of North Carolina enacts:

Section 1. G.S. 11-11 reads as rewritten:

"**§ 11-11. Oaths of sundry persons; forms.**

The oaths of office to be taken by the several persons hereafter named shall be in the words following the names of said persons respectively, after taking the separate oath required by Article VI, Section 7 of the Constitution of North Carolina:

Administrator

You swear (or affirm) that you believe A. B. died without leaving any last will and testament; that you will well and truly administer all and singular the goods and chattels, rights and credits of the said A. B., and a true and perfect inventory thereof return according to law; and that all other duties appertaining to the charge reposed in you, you will well and truly perform, according to law, and with your best skill and ability; so help you, God.

Attorney at Law

I, A. B., do swear (or affirm) that I will truly and honestly demean myself in the practice of an attorney, according to the best of my knowledge and ability; so help me, God.

Attorney General, State District Attorneys and County Attorneys

I, A. B., do solemnly swear (or affirm) that I will well and truly serve the State of North Carolina in the office of Attorney General (district attorney for the State or attorney for the State in the county of . . . . . .); I will, in the execution of my

NORTH CAROLINA GENERAL ASSEMBLY
SENATE

RECORDED VOTE

1997 SESSION

SEQ. 50/2-- 1:58 PM FEBRUARY 26, 1997 LEGISLATIVE DAY 17

SENATOR BASNIGHT -- Presiding

HARTSELL
REPEAL MORE ANTIQUATED LAWS

SENATE BILL 79
READING 2

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

EXCUSED	0
NOT CAST	0
ABSENT	0
PAIRS	0
AYE	
NO	

GENERAL ASSEMBLY
SENATE

NORTH CAROLINA

HOUSE OF REPRESENTATIVES

ROLL CALL

EV

183
ISLATIVE DAY 32
S79
READING 2

3/25/97
2:39 PM
IN CHAIR: SPEAKER

REPEAL MORE ANTIQUATED LAWS

AYES - 117

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

NOES - 0

EXCUSED ABSENCE - 0

EXCUSED VOTE - 0

NOT VOTING - 3

SPEAKER	BLACK	COLE

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1997

S D

SENATE DRSA514-LK036(2.3)

FILED - SENATE
S 8 0 FEB 6 1997
PRINCIPAL CLERK

Short Title: UNC Alcohol Ed. Endowment Fund. (Public)

Sponsors: Senators Plyler and Conder.

Referred to:

A BILL TO BE ENTITLED

AN ACT TO REMOVE THE CAP ON THE AMOUNT OF DRIVERS LICENSE RESTORATION FEES THAT ARE DEPOSITED IN A FUND FOR ALCOHOL STUDIES ENDOWMENT AT THE UNIVERSITY OF NORTH CAROLINA AT CHAPEL HILL.

The General Assembly of North Carolina enacts:

Section 1. G.S. 20-7(i1) reads as rewritten:

"(i1) Restoration Fee. -- Any person whose drivers license has been revoked pursuant to the provisions of this Chapter, other than G.S. 20-17(2), shall pay a restoration fee of twenty-five dollars ($25.00). A person whose drivers license has been revoked under G.S. 20-17(2) shall pay a restoration fee of fifty dollars ~~($50.00) until the end of the fiscal year in which the cumulative total amount of fees deposited under this subsection in the General Fund exceeds five million dollars ($5,000,000), and shall pay a restoration fee of twenty-five dollars ($25.00) thereafter.~~ ($50.00). The fee shall be paid to the Division prior to the issuance to ~~such~~ the person of a new drivers license or the restoration of the drivers license. The restoration fee shall be paid to the Division in addition to any and all fees which may be provided by law. This restoration fee shall not be required from any licensee whose license was revoked or voluntarily surrendered for medical or health reasons whether or not a medical evaluation was conducted pursuant to this Chapter. The twenty-five dollar ($25.00) fee, and the first twenty-five dollars ($25.00) of the fifty-dollar ($50.00) fee, shall be deposited in the Highway Fund. The remaining twenty-five dollars ($25.00) of the fifty-dollar ($50.00) fee shall be deposited in the General Fund of the State. ~~The Office of State Budget and Management shall certify to the Department of Transportation and the General Assembly when the cumulative total amount of fees~~

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1997

S

FILED - SENATE D

SENATE DRSA520-LG015(1.30) S 81 FEB 6 1997

PRINCIPAL CLERK

Short Title: NC Housing Trust Funds. (Public)

Sponsors: Senator Shaw of Cumberland.

Referred to:

A BILL TO BE ENTITLED

AN ACT TO APPROPRIATE FUNDS FOR THE NORTH CAROLINA HOUSING TRUST FUND.

The General Assembly of North Carolina enacts:

Section 1. There is appropriated from the General Fund to the North Carolina Housing Finance Authority the sum of twenty-two million dollars ($22,000,000) for the 1997-98 fiscal year to be deposited in the North Carolina Housing Trust Fund for any of the purposes set forth in Chapter 122E of the General Statutes.

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

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1997

S D

SENATE DRS7514-LC023(1.1)

FILED - SENATE
S 8 2 FEB 7 1997
PRINCIPAL CLERK

Short Title: Refund Intangibles Tax With Interest. (Public)

Sponsors: Senator Webster.

Referred to:

A BILL TO BE ENTITLED

AN ACT TO REFUND THE UNCONSTITUTIONAL INTANGIBLES TAX PAID ON STOCK WITH INTEREST FOR THE 1992 THROUGH 1994 TAX YEARS.

The General Assembly of North Carolina enacts:

Section 1. Effective retroactively for the 1992, 1993, and 1994 tax years, G.S. 105-203 is repealed.

Section 2. G.S. 105-266(c) is amended by adding a new subdivision to read:

"(5) Repealed Tax. -- If an act of the General Assembly repeals a tax retroactively, each taxpayer's payment of the repealed tax is an overpayment for the purpose of this section. On the date the act becomes law, the Secretary shall discover these overpayments of the repealed tax; the Secretary's discoveries are timely for the purposes of this section."

Section 3. If a taxpayer has a right to a refund under G.S. 105-267 of an overpayment of the tax repealed by Section 1 of this act, the refund shall be made pursuant to G.S. 105-267 rather than pursuant to this act. Refunds shall be made pursuant to Section 2 of this act and this section only for overpayments the refund of which would otherwise be barred by G.S. 105-267 if Section 1 of this act had not been enacted.

Section 4. The Department of Revenue shall use the personnel and resources formerly devoted to administration and enforcement of the now repealed intangible personal property tax to administer refunds. No additional appropriation is necessary to execute refunds.

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1997

FILED - SENATE
S 8 3
FEB 7 1997
PRINCIPAL CLERK

S D

SENATE DRSA509*-RHZ002(1.30)

Short Title: Sch. Admin. Stds. Exemption. (Public)

Sponsors: Senators Lee, Winner, Dannelly, Hartsell, Lucas, and Perdue.

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.

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1997

FILED - SENATE

S D

SENATE DRS6524*-LL053(2.6) S 84 FEB 10 1997

PRINCIPAL CLERK

Short Title: Atlantic Beach No-Wake Zone. (Local)

Sponsors: Senator Ballantine.

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.

NORTH CAROLINA GENERAL ASSEMBLY
SENATE

RECORDED VOTE

1997 SESSION

SEQ. 119/11-- 3:50 PM MARCH 19, 1997 LEGISLATIVE DAY 29

LT. GOVERNOR WICKER -- Presiding

BALLANTINE
ATLANTIC BEACH NO-WAKE ZONE
HOUSE COM SUB/2ND EDITION

SENATE BILL 84

MOTION 8
TO CONCUR

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
		CLARK	HOYLE	MILLER	WARREN
		COCHRANE	JENKINS	ODOM	WEINSTEIN
		COOPER	JORDAN	PAGE	WELLONS
		DALTON	KERR	PERDUE	WINNER
NO	0				

EXCUSED	0	
NOT CAST	1	CONDER
ABSENT	1	WEBSTER
PAIRS	0	
AYE		
NO		

GENERAL ASSEMBLY
SENATE

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1997

FILED - SENATE
S 8 5
FEB 10 1997
PRINCIPAL CLERK

S D

SENATE DRS2522*-LL051(2.5)

Short Title: Wilson Deer Hunting. (Local)

Sponsors: Senator Martin of Pitt.

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
SENATE

RECORDED VOTE

1997 SESSION

SEQ. 107/5-- 3:04 PM MARCH 18, 1997 LEGISLATIVE DAY 28

LT. GOVERNOR WICKER -- Presiding

MARTIN R.
WILSON DEER HUNTING
HOUSE COM SUB/2ND EDITION

SENATE BILL 85

MOTION 8
TO CONCUR

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

EXCUSED	0		
NOT CAST	2	MARTIN R.	SHAW R.
ABSENT	1	GARWOOD	
PAIRS	0		
AYE			
NO			

GENERAL ASSEMBLY
SENATE

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1997

S

FILED - SENATE
FEB 10 1997
PRINCIPAL CLERK

D

SENATE DRS6521*-LG027(2.6) S 86

Short Title: Fast-Track Technical Amendments. (Public)

Sponsors: Senator Hartsell.

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.

NORTH CAROLINA GENERAL ASSEMBLY
SENATE

RECORDED VOTE

1997 SESSION

SEQ. 33/2-- 2:21 PM FEBRUARY 19, 1997 LEGISLATIVE DAY 13

LT. GOVERNOR WICKER -- Presiding

HARTSELL
FAST TRACK TECHNICAL AMENDMENTS

SENATE BILL 86
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	HARTSELL	MARTIN W.	SHAW R.
		CARPENTER	HORTON	MCDANIEL	SOLES
		CARRINGTON	HOYLE	MILLER	WARREN
		CLARK	JENKINS	ODOM	WEBSTER
		COCHRANE	JORDAN	PAGE	WEINSTEIN
		CONDER	KERR	PERDUE	WELLONS
		COOPER	KINCAID	PHILLIPS	WINNER
		DALTON			
NO	0				

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

GENERAL ASSEMBLY
SENATE

NORTH CAROLINA
HOUSE OF REPRESENTATIVES
ROLL CALL

54

. # 118
ISLATIVE DAY 24
S86 HCS
READING 2

3/11/97
4:11 PM
IN CHAIR: SPEAKER

FAST-TRACK TECHNICAL AMENDMENTS

AYES - 115

ADAMS	DAVIS	HURLEY	RAMSEY
ALDRIDGE	DECKER	INSKO	RAYFIELD
ALEXANDER	DEDMON	IVES	REDWINE
ALLRED	DICKSON	JARRELL	REYNOLDS
ARNOLD	DOCKHAM	JEFFUS	ROGERS
BADDOUR	EARLE	JUSTUS	RUSSELL
BAKER	EASTERLING	KINNEY	SAUNDERS
BARBEE	EDDINS	KISER	SEXTON
BEALL	ELLIS	LUEBKE	SHERRILL
BERRY	ESPOSITO	MCCOMAS	SHUBERT
BLACK	FITCH	MCCOMBS	SMITH
BLUE	FOX	MCCRARY	STARNES
BONNER	GARDNER	MCMAHAN	SUTTON
BOWIE	GOODWIN	MERCER	TALLENT
BOYD-MCINTYRE	GRADY	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
DAUGHTRY	HUNTER, R.	PRESTON	

NOES - 0

EXCUSED ABSENCE - 1

BRASWELL

EXCUSED VOTE - 0

NOT VOTING - 4

SPEAKER	CRAWFORD	GAMBLE	MCALLISTER

S86 HCS

NORTH CAROLINA GENERAL ASSEMBLY
SENATE

RECORDED VOTE

1997 SESSION

SEQ. 108/6-- 3:06 PM MARCH 18, 1997 LEGISLATIVE DAY 28

LT. GOVERNOR WICKER -- Presiding

HARTSELL
FAST-TRACK TECHNICAL AMENDMENTS
HOUSE COM SUB/2ND EDITION

SENATE BILL 86

MOTION 8
TO CONCUR

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

GENERAL ASSEMBLY
SENATE

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1997

FILED - SENATE
FEB 10 1997
PRINCIPAL CLERK

S

S 87

D

SENATE DRS7504*-LTZ018(1.24)

Short Title: Investment Securities UCC Rewrite. (Public)

Sponsors: Senator Hartsell.

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.

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1997

FILED - SENATE
FEB 10 1997
PRINCIPAL CLERK

S 88 D

SENATE RESOLUTION DRSR4515-RC010(2.7)

Sponsors: Senators Lee and Winner.

Referred to:

A SENATE RESOLUTION TO ESTABLISH THE PROCEDURE FOR NOMINATING AND ELECTING MEMBERS OF THE BOARD OF GOVERNORS OF THE UNIVERSITY OF NORTH CAROLINA.

Be it resolved by the Senate:

Section 1. The following procedures for nominating and electing members of the Board of Governors of The University of North Carolina are adopted:

I. COMMITTEE RESPONSIBILITIES.

1. It is the duty of the Senate Committee on Education/Higher Education (hereinafter referred to as the "Senate Committee") to choose nominees for each opening in each category of seats on the Board of Governors of The University of North Carolina to which the Senate is to elect members.

2. The Senate Committee shall receive suggestions of proposed candidates for nomination for election to the University Board of Governors through February 18, 1997. A Senator may propose as a candidate for nomination as many persons in a category as there are positions to fill in a category. In 1997 the total number of positions is eight. In order for a person to have standing to be considered as a candidate for nomination by the Senate Committee, that person must be formally proposed as a candidate for nomination by a member of the Senate. Only a written nomination on a form provided by the cochairs of the Senate Committee for that purpose and received in the office of one of the cochairs of the Senate Committee by 5:00 p.m. on February 18, 1997, shall constitute formal proposal of a candidate. An individual cannot be a candidate for nomination or be nominated in more than one category.

NORTH CAROLINA GENERAL ASSEMBLY
SENATE

RECORDED VOTE

1997 SESSION

SEQ. 28/2--11:10 AM | FEBRUARY 13, 1997 | LEGISLATIVE DAY 10

LT. GOVERNOR WICKER -- Presiding

LEE
ELECTING MEMBERS/BD. OF GOV'S/UNC

SENATE RES. 88

MOTION 7
TO ADOPT

AYE	45	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	HORTON	ODOM	WARREN
		CLARK	HOYLE	PAGE	WEBSTER
		COCHRANE	JENKINS	PERDUE	WEINSTEIN
		CONDER	KERR	PHILLIPS	WELLONS
		COOPER	KINNAIRD	PLYLER	WINNER
		DALTON			
NO	2	BALLANTINE	MCDANIEL		

EXCUSED	0			
NOT CAST	3	HARTSELL	JORDAN	KINCAID
ABSENT	0			
PAIRS	0			
AYE				
NO				

GENERAL ASSEMBLY
SENATE

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1997

FILED - SENATE

S 89 FEB 1 1 1997

PRINCIPAL CLERK

S D

SENATE DRS1531*-LG003A(1.1)

Short Title: 1997 Technical Corrections. (Public)

Sponsors: Senator Hartsell.

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 created by the exercise of a power of appointment 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.

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1997

FILED - SENATE

S 90 FEB 10 1997

PRINCIPAL CLERK

S

SENATE DRS1529*-LTZ029(2.4)

Short Title: Repeal UCC Article on Bulk Transfers. (Public)

Sponsors: Senator Hartsell.

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.**

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1997

FILED - SENATE

S 91 FEB 11 1997

PRINCIPAL CLERK

S

SENATE DRSA523*-LB064(2.4)

Short Title: Avery Precincts. (Public)

Sponsors: Senator Kincaid.

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.

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1997

FILED - SENATE
S 92
FEB 11 1997
PRINCIPAL CLERK

S D

SENATE DRS6518-LV012(2.5)

Short Title: Juvenile Court Changes. (Public)

Sponsors: Senator Ballance.

Referred to:

A BILL TO BE ENTITLED

AN ACT TO CHANGE THE JUVENILE STATUTES TO PROVIDE GUIDELINES FOR AND MAKE DISCOVERY AVAILABLE PRIOR TO TRANSFER HEARINGS.

The General Assembly of North Carolina enacts:

Section 1. G.S. 7A-610 reads as rewritten:

"**§ 7A-610. Procedure upon finding of probable cause.**

(a) If probable cause is found and transfer to superior court is not required by G.S. 7A-608, the prosecutor or the juvenile may move that the case be transferred to the superior court for trial as in the case of adults. ~~The judge may proceed to determine whether the needs of the juvenile or the best interest of the State will be served by transfer of the case to superior court for trial as in the case of adults.~~ Upon a motion for transfer, a hearing shall be granted.

(a1) The transfer hearing is a dispositional hearing. At the transfer hearing:

(1) A prosecutor shall represent the State.

(2) The juvenile shall be represented by counsel in accordance with G.S. 7A-584.

(3) The juvenile may testify as a witness in the juvenile's own behalf and call and examine other witnesses and offer other evidence regarding the factors set out in subsection (c) of this section.

(4) The State may offer evidence regarding the facts set out in subsection (c) of this section.

(5) Information presented may be informal, and the judge may consider written reports or other evidence concerning the needs of the juvenile as is relevant under subsection (c) of this section.

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1997

FILED - SENATE
FEB 11 1997
PRINCIPAL CLERK

S

S93

D

SENATE DRS6516*-LLZ018(1.1)

Short Title: Remove Sunset/Ports Tax Credit. (Public)

Sponsors: Senators Hoyle and Perdue (Cosponsors).

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

S D

SENATE DRS1527*-LLZ003A(1.1)

FILED - SENATE
S 94 FEB 1 1 1997
PRINCIPAL CLERK

Short Title: Earmark Corp. Tax for Ports. (Public)

Sponsors: Senator Hoyle.

Referred to:

A BILL TO BE ENTITLED

AN ACT TO IMPLEMENT THE RECOMMENDATION OF THE STATE PORTS STUDY COMMISSION TO ESTABLISH THE STATE PORTS FACILITIES IMPROVEMENTS FUND FROM ONE PERCENT OF CORPORATE INCOME TAX COLLECTIONS.

The General Assembly of North Carolina enacts:

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

"**§143B-468. Ports Facilities Improvements Fund.**

The State Ports Facilities Improvements Fund is established as a special revenue fund within the Department of Commerce. Each fiscal year, the State Controller shall credit to this Fund at the end of each quarter an amount equal to one percent (1%) of the net corporate income tax collections received under Division I of Article 4 of Chapter 105 of the General Statutes during the previous quarter.

The North Carolina State Ports Authority shall administer the State Ports Facilities Improvements Fund. The Authority shall use revenue in the Fund for capital improvements to the facilities and related infrastructure owned by the Authority."

Section 2. G.S. 143B-463 reads as rewritten:

"**§143B-463. Deposit and disbursement of funds.**

All Authority ~~funds~~ funds, other than funds credited to the Ports Facilities Improvements Fund pursuant to G.S. 143B-468, shall be deposited in a bank or banks to be designated by the Authority. Funds of the Authority deposited in a bank designated by the Authority shall be paid out only upon warrants signed by the treasurer or assistant treasurer of the Authority and countersigned by the chairman, the acting chairman or the executive director. No warrants shall be drawn or issued

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1997

S

FILED - SENATE

D

SENATE DRS1530-LV007(1.31) S 9 5

FEB 1 1 1997

PRINCIPAL CLERK

Short Title: Validate Notarial Acts. (Public)

Sponsors: Senator Rand.

Referred to:

A BILL TO BE ENTITLED

AN ACT TO VALIDATE NOTARIAL ACTS PERFORMED BY CERTAIN NOTARIES BEFORE DECEMBER 31, 1996.

The General Assembly of North Carolina enacts:

Section 1. G.S. 10A-16 reads as rewritten:

"**§ 10A-16. Acts of notaries public in certain instances validated.**

(a) Any acknowledgment taken and any instrument notarized by a person prior to qualification as a notary public but after commissioning or recommissioning as a notary public, or by a person whose notary commission has expired, is hereby validated. The acknowledgment and instrument shall have the same legal effect as if the person qualified as a notary public at the time the person performed the act.

(b) All documents bearing a notarial seal in which the date of the expiration of the notary's commission is erroneously stated, or having a notarial seal that does not contain a readable impression of the notary's name, fails to contain the words 'North Carolina' or the abbreviation 'N. C.', or contains correct information except that instead of the abbreviation for North Carolina contains the abbreviation for Georgia, are validated and given the same legal effect as if the errors had not occurred.

(c) All deeds of trust in which the notary was named in the document as a trustee only are validated.

(d) This section applies to notarial acts performed before ~~October 1, 1991.~~ December 31, 1996."

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

NORTH CAROLINA GENERAL ASSEMBLY
SENATE

RECORDED VOTE

1997 SESSION

SEQ. 51/3-- 1:59 PM | FEBRUARY 26, 1997 | LEGISLATIVE DAY 17

SENATOR BASNIGHT -- Presiding

RAND
VALIDATE NOTARIAL ACTS

SENATE 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
HOUSE OF REPRESENTATIVES
ROLL CALL

EV

191
ISLATIVE DAY 33
S95 HCS
READING 2

3/26/97
2:52 PM
IN CHAIR: SPEAKER

VALIDATE NOTARIAL ACTS

AYES - 114

ADAMS	DAUGHTRY	HURLEY	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
BARBEE	EASTERLING	MCALLISTER	SEXTON
BEALL	EDDINS	MCCOMAS	SHERRILL
BERRY	ELLIS	MCCOMBS	SHUBERT
BLACK	ESPOSITO	MCCRARY	SMITH
BLUE	FITCH	MCMAHAN	STARNES
BONNER	FOX	MERCER	SUTTON
BOWIE	GAMBLE	MICHAUX	TALLENT
BOYD-MCINTYRE	GARDNER	MILLER	THOMPSON
BRASWELL	GOODWIN	MINER	TOLSON
BRAWLEY	GRADY	MITCHELL	WAINWRIGHT
BROWN	GRAY	MOORE	WARNER
BUCHANAN	GULLEY	MORGAN	WARWICK
CANSLER	HACKNEY	MORRIS	WATSON
CAPPS	HALL	MOSLEY	WEATHERLY
CARPENTER	HARDY	NEELY	WILKINS
CHURCH	HIATT	NESBITT	WILSON, C.
CLARY	HIGHTOWER	NICHOLS	WILSON, G.
COLE	HILL	NYE	WOMBLE
CRAWFORD	HOLMES	OLDHAM	WOOD
CREECH	HOWARD	OWENS	WRIGHT
CULP	HUNTER, H.	PRESTON	YONGUE
CUNNINGHAM	HUNTER, R.		

NOES - 1

HENSLEY

EXCUSED ABSENCE - 2

CULPEPPER IVES

EXCUSED VOTE - 0

NOT VOTING - 3

SPEAKER HARDAWAY INSKO

NORTH CAROLINA GENERAL ASSEMBLY
SENATE

RECORDED VOTE

1997 SESSION

SEQ. 165/7-- 4:49 PM MARCH 31, 1997 LEGISLATIVE DAY 35

LT. GOVERNOR WICKER -- Presiding

RAND
VALIDATE NOTARIAL ACTS
HOUSE COM SUB/2ND EDITION

SENATE BILL 95

MOTION 8
TO CONCUR

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

S D

FILED - SENATE

SENATE DRSA524-LL015(1.1)

S 96 FEB 1 1 1997

PRINCIPAL CLERK

Short Title: Pawnshop Records Access. (Public)

Sponsors: Senator Kerr.

Referred to:

A BILL TO BE ENTITLED

AN ACT TO CLARIFY THE REQUIREMENT THAT PAWNSHOP RECORDS BE MADE AVAILABLE TO LOCAL LAW ENFORCEMENT.

The General Assembly of North Carolina enacts:

Section 1. G.S. 91A-7(d) reads as rewritten:

"(d) The pledgor shall sign the pawn ticket and shall receive an exact copy of the pawn ticket which shall be signed or initialed by the pawnbroker or any employee of the pawnbroker. These records shall be available for inspection and pickup each regular workday by the sheriff of the county ~~or the chief of police of the municipality in which the pawnshop is located.~~ in which the pawnshop is located or, in the case of a pawnshop located within a municipality, by both the sheriff and the chief of police. These records shall be a correct copy of the entries made of the pawn or purchase transaction and shall be carefully preserved without alteration, and shall be available during regular business hours."

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

NORTH CAROLINA GENERAL ASSEMBLY
SENATE

RECORDED VOTE

1997 SESSION

SEQ. 152/6-- 3:14 PM MARCH 26, 1997 LEGISLATIVE DAY 33

LT. GOVERNOR WICKER -- Presiding

KERR
PAWNSHOP RECORDS ACCESS

SENATE BILL 96
READING 2

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

EXCUSED	0		
NOT CAST	2	EAST	GARWOOD
ABSENT	1	SHAW R.	
PAIRS	0		
AYE			
NO			

GENERAL ASSEMBLY
SENATE

NORTH CAROLINA GENERAL ASSEMBLY
SENATE

RECORDED VOTE

1997 SESSION

SEQ. 168/3-- 2:36 PM APRIL 1, 1997 LEGISLATIVE DAY 36

LT. GOVERNOR WICKER -- Presiding

KERR
PAWNSHOP RECORDS ACCESS

SENATE BILL 96
READING 3

AYE	44	ALLRAN	FOXX	LEE	RAND
		BALLANTINE	GARWOOD	LUCAS	REEVES
		BASNIGHT	GULLEY	MARTIN R.	RUCHO
		BLUST	HARTSELL	MARTIN W.	SHAW L.
		CARRINGTON	HORTON	MCDANIEL	SHAW R.
		COCHRANE	HOYLE	MILLER	SOLES
		COOPER	JORDAN	ODOM	WARREN
		DALTON	KERR	PAGE	WEBSTER
		DANNELLY	KINCAID	PERDUE	WEINSTEIN
		EAST	KINNAIRD	PHILLIPS	WELLONS
		FORRESTER	LEDBETTER	PLYLER	WINNER
NO	2	BALLANCE	CLARK		

EXCUSED	0		
NOT CAST	2	ALBERTSON	CONDER
ABSENT	2	CARPENTER	JENKINS
PAIRS	0		
AYE			
NO			

(COPY)

GENERAL ASSEMBLY
SENATE

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1997

FILED - SENATE
S 9 7
FEB 1 1 1997
PRINCIPAL CLERK

S D

SENATE DRS7502*-LCZ014(1.1)

Short Title: Interstate Auditors/Regulatory Fund. (Public)

Sponsors: Senators Kerr, Cochrane, Cooper, Shaw of Cumberland, and Soles.

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

S D

FILED - SENATE

SENATE DRS1528-LJXZ005(1.4)

S 9 8 FEB 1 1 1997

PRINCIPAL CLERK

Short Title: Tax At Rack Improvements. (Public)

Sponsors: Senators Kerr, Cochrane, Cooper, Shaw of Cumberland, and Soles.

Referred to:

A BILL TO BE ENTITLED

AN ACT TO IMPROVE THE ADMINISTRATION OF THE MOTOR FUEL TAX LAWS.

The General Assembly of North Carolina enacts:

Section 1. Part 1 of Article 36C of Chapter 105 of the General Statutes is amended by adding a new section to read:

"**§ 105-449.62. Nature of tax.**

This Article imposes a tax on motor fuel to provide revenue for the State's transportation needs and for the other purposes listed in Part 7 of this Article. The tax is collected from the supplier or importer of the fuel because this method is the most efficient way to collect the tax. The tax is designed, however, to be paid ultimately by the person who consumes the fuel. The tax becomes a part of the cost of the fuel and is consequently paid by those who subsequently purchase and consume the fuel."

Section 2. G.S. 105-449.65(a)(5), as repealed by Section 3 of Chapter 647 of the 1995 Session Laws (Reg. Sess. 1996), is reenacted and G.S. 105-449.65, with the reenactment, reads as rewritten:

"**§ 105-449.65. List of persons who must have a license.**

(a) License. -- A person may not engage in business in this State as any of the following unless the person has a license issued by the Secretary authorizing the person to engage in that business:

(1) A refiner.

(2) A supplier.

(3) A terminal operator.

(4) An importer.

NORTH CAROLINA GENERAL ASSEMBLY
SENATE

RECORDED VOTE

1997 SESSION

SEQ. 36/3--10:31 AM FEBRUARY 20, 1997 LEGISLATIVE DAY 14

LT. GOVERNOR WICKER -- Presiding

KERR
TAX ACT RACK IMPROVEMENTS

SENATE BILL 98
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	HARTSELL	MARTIN W.	SHAW R.
		CARPENTER	HORTON	MCDANIEL	SOLES
		CARRINGTON	HOYLE	MILLER	WARREN
		CLARK	JENKINS	ODOM	WEBSTER
		COCHRANE	JORDAN	PAGE	WEINSTEIN
		CONDER	KERR	PERDUE	WELLONS
		COOPER	KINCAID	PHILLIPS	WINNER
		DALTON			
NO	0				

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

GENERAL ASSEMBLY
SENATE

NORTH CAROLINA GENERAL ASSEMBLY
SENATE

RECORDED VOTE

1997 SESSION

SEQ. 42/3-- 8:08 PM FEBRUARY 24, 1997 LEGISLATIVE DAY 15

LT. GOVERNOR WICKER -- Presiding

KERR
TAX ACT RACK IMPROVEMENTS

SENATE BILL 98
READING 3

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	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	SOLES
PAIRS	0	
AYE		
NO		

GENERAL ASSEMBLY
SENATE

NORTH CAROLINA
HOUSE OF REPRESENTATIVES
ROLL CALL

RC

596
ISLATIVE DAY 56
S98
READING 2

5/06/97
2:28 PM
IN CHAIR: SPEAKER

TAX AT RACK IMPROVEMENTS

AYES - 114

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	KISER	SAUNDERS
BEALL	EDDINS	LUEBKE	SEXTON
BLACK	ELLIS	MCALLISTER	SHERRILL
BLUE	ESPOSITO	MCCOMAS	SHUBERT
BONNER	FITCH	MCCOMBS	SMITH
BOWIE	FOX	MCCRARY	STARNES
BOYD-MCINTYRE	GAMBLE	MCMAHAN	SUTTON
BRASWELL	GARDNER	MERCER	TALLENT
BRAWLEY	GOODWIN	MICHAUX	THOMPSON
BROWN	GRADY	MILLER	TOLSON
BUCHANAN	GULLEY	MINER	WAINWRIGHT
CANSLER	HACKNEY	MITCHELL	WARNER
CAPPS	HALL	MOORE	WARWICK
CARPENTER	HARDAWAY	MORGAN	WATSON
CHURCH	HARDY	MORRIS	WEATHERLY
CLARY	HENSLEY	NEELY	WILKINS
COLE	HIATT	NESBITT	WILSON, C.
CRAWFORD	HIGHTOWER	NICHOLS	WILSON, G.
CREECH	HILL	NYE	WOMBLE
CULP	HOLMES	OLDHAM	WOOD
CULPEPPER	HOWARD	OWENS	YONGUE
CUNNINGHAM	HUNTER, H.		

NOES - 0

EXCUSED ABSENCE - 4

BERRY	KINNEY	MOSLEY	WRIGHT

EXCUSED VOTE - 0

NOT VOTING - 2

SPEAKER	GRAY

NORTH CAROLINA
HOUSE OF REPRESENTATIVES
ROLL CALL

RC

601
ISLATIVE DAY 57
S98
READING 3

5/07/97
2:18 PM
IN CHAIR: SPEAKER

TAX AT RACK IMPROVEMENTS

AYES - 113

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

NOES - 1

WATSON

EXCUSED ABSENCE - 3

BLACK	BLUE	MCMAHAN

EXCUSED VOTE - 0

NOT VOTING - 3

SPEAKER	HARDAWAY	RAMSEY

FILED - SENATE
FEB 11 1997
PRINCIPAL CLERK

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1997 S 99

S D

SENATE DRS8521-LH007(11.25)

Short Title: N.C. Botanical Garden Funds. (Public)

Sponsors: Senator Lee.

Referred to:

A BILL TO BE ENTITLED

AN ACT TO APPROPRIATE FUNDS FOR THE NORTH CAROLINA BOTANICAL GARDEN AT THE UNIVERSITY OF NORTH CAROLINA AT CHAPEL HILL AND TO PROVIDE THAT THE NORTH CAROLINA BOTANICAL GARDEN AT THE UNIVERSITY OF NORTH CAROLINA AT CHAPEL HILL IS THE OFFICIAL STATE BOTANICAL GARDEN.

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 one hundred sixty thousand dollars ($160,000) for the 1997-98 fiscal year for the operating and maintenance expenses of the North Carolina Botanical Garden of the University of North Carolina at Chapel Hill.

Section 2. There is appropriated from the General Fund to the Board of Governors of The University of North Carolina the sum of five million six hundred thousand dollars ($5,600,000) for the 1997-98 fiscal year to construct an herbarium and research center at the North Carolina Botanical Garden of the University of North Carolina at Chapel Hill.

Section 3. There is appropriated from the General Fund to the Board of Governors of The University of North Carolina the sum of two million nine hundred thousand dollars ($2,900,000) for the 1997-98 fiscal year to construct a visitor center at the North Carolina Botanical Garden of the University of North Carolina at Chapel Hill.

Section 4. Chapter 145 of the General Statutes is amended by adding a new section to read:

"**§ 145-18. State Botanical Garden.**

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1997

FILED - SENATE
S 100
FEB 11 1997
PRINCIPAL CLERK

S D

SENATE DRS6515-LG014(1.30)

Short Title: Economic Development Funds. (Public)

Sponsors: Senator Shaw of Cumberland.

Referred to:

A BILL TO BE ENTITLED

AN ACT TO APPROPRIATE FUNDS TO THE DEPARTMENT OF COMMERCE TO PROVIDE ECONOMIC INCENTIVES TO NORTH CAROLINA CITIES VYING TO HOST THE CENTRAL INTERCOLLEGIATE ATHLETIC ASSOCIATION (CIAA) BASKETBALL TOURNAMENT.

Whereas, over the last few years, the State of North Carolina has hosted the Central Intercollegiate Athletic Association (CIAA) Basketball Tournament; and

Whereas, the CIAA Basketball Tournament creates jobs and provides merchants and businesses within a 75-mile radius of the host city tremendous economic benefits; and

Whereas, past CIAA events have attracted over 30,000 fans and generated over $20,000,000 during the week of the tournament; and

Whereas, member institutions of the CIAA conference include Elizabeth City State University, St. Augustine's College, Shaw University, North Carolina Central University, Winston-Salem State University, Johnson C. Smith University, Fayetteville State University, and Livingstone College; and

Whereas, the CIAA Basketball Tournament serves as a fund-raising and scholarship mechanism for the member institutions thereby enabling many of North Carolina's citizens to attend these institutions; and

Whereas, in order for North Carolina to remain the host State of the CIAA Basketball Tournament, it is crucial that the State stimulate economic development in any North Carolina city vying to host future CIAA Basketball Tournaments; Now, therefore,

The General Assembly of North Carolina enacts:

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1997

FILED - SENATE

S 1 01 FEB 11 1997

PRINCIPAL CLERK

S D

SENATE DRSA529*-LGQ028(2.11)

Short Title: Folkmoot USA Funds. (Public)

Sponsors: Senator Jenkins.

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

FILED - SENATE
S 102
FEB 11 1997
PRINCIPAL CLERK

S D

SENATE DRSA525-LH039(1.30)

Short Title: Bomb Threat/Felony. (Public)

Sponsors: Senator McDaniel.

Referred to:

A BILL TO BE ENTITLED

AN ACT TO INCREASE THE PENALTY FROM A MISDEMEANOR TO A CLASS I FELONY FOR THE OFFENSES OF FALSELY REPORTING THAT A BOMB OR OTHER DESTRUCTIVE DEVICE MAY EXPLODE AND PERPETUATING A HOAX BY USING A FALSE DESTRUCTIVE DEVICE.

The General Assembly of North Carolina enacts:

Section 1. G.S. 14-69.1 reads as rewritten:

"**§ 14-69.1. Making a false report concerning destructive device.**

(a) If any person shall, by any means of communication to any person or group of persons, make a report, knowing or having reason to know the same to be false, that there is located in any building, house or other structure whatsoever or any vehicle, aircraft, vessel or boat any device designed to destroy or damage the building, house or structure or vehicle, aircraft, vessel or boat by explosion, blasting or burning, he shall be guilty of a Class ~~1 misdemeanor.~~ I felony.

~~(b) If any person shall, by any means of communication to any person or group of persons, make a report, knowing or having reason to know the same to be false, that there is located in any hospital facility as defined in G.S. 131E-6, which includes a health clinic facility, any device designed to destroy or damage the hospital or health clinic facility by explosion, blasting, or burning, he shall, upon a first conviction, be guilty of a Class 1 misdemeanor, punishable by a minimum of 100 hours of mandatory community service. Upon a second or subsequent conviction under this subsection, he shall be guilty of a Class I felony.~~"

Section 2. G.S. 14-69.2 reads as rewritten:

"**§ 14-69.2. Perpetrating hoax by use of false bomb or other device.**

GENERAL ASSEMBLY OF NORTH CAROLINA

FILED - SENATE

SESSION 1997

S 103

FEB 1 2 1997

S D

PRINCIPAL CLERK

SENATE DRSA526-LH011B(1.1)

Short Title: Concealed Handgun/Law Officer. (Public)

Sponsors: Senator East.

Referred to:

A BILL TO BE ENTITLED

AN ACT TO PROVIDE THAT QUALIFIED LAW ENFORCEMENT OFFICERS AND QUALIFIED FORMER LAW ENFORCEMENT OFFICERS ARE EXEMPT FROM THE FIREARMS SAFETY AND TRAINING INSTRUCTION AND FROM THE BACKGROUND CHECKS REQUIRED TO OBTAIN A CONCEALED HANDGUN PERMIT.

The General Assembly of North Carolina enacts:

Section 1. Article 54B of Chapter 14 of the General Statutes is amended by adding a new section to read:

"**§ 14-415.12A. Exemptions for qualified law enforcement officers and qualified former law enforcement officers; firearms safety and training course requirement; background checks.**

(a) A qualified law enforcement officer or a qualified former law enforcement officer is deemed to have satisfied the requirement under G.S. 14-415.12(a)(4) that an applicant successfully complete an approved firearms safety and training course.

(b) A qualified law enforcement officer or a qualified former law enforcement officer applying for a permit under this Article shall submit fingerprints with the application as required by G.S. 14-415.13(a), but the officer is deemed to have satisfied the requirements under this Article regarding background checks."

Section 2. G.S. 14-415.10 is amended by adding the following subdivisions:

"(4) Qualified former law enforcement officer. -- An individual who retired from service with a local, State, or federal agency as a law enforcement officer, other than for reasons of mental disability and who satisfies all of the following:

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1997

FILED - SENATE
FEB 12 1997
PRINCIPAL CLERK

S

S 104

D

SENATE DRSA530-LKZ060(2.1)

Short Title: Medical Information Waiver. (Public)

Sponsors: Senator Horton.

Referred to:

A BILL TO BE ENTITLED

AN ACT TO PROVIDE LIMITED IMMUNITY FOR PHYSICIANS AND PSYCHOLOGISTS PROVIDING MEDICAL INFORMATION ON DRIVERS TO THE COMMISSIONER OF MOTOR VEHICLES IMPLEMENTING THE RECOMMENDATIONS OF THE DRIVERS MEDICAL EVALUATION PROGRAM STUDY COMMISSION.

The General Assembly of North Carolina enacts:

Section 1. Article 2 of Chapter 20 of the General Statutes is amended by adding a new section to read:

"**§ 20-9.1. Physicians and psychologists providing medical information on drivers with physical and mental disabilities.**

(a) Notwithstanding G.S. 8-51 for physicians and G.S. 8-51.3 for psychologists, or any other law relating to confidentiality of communications between physicians or psychologists and their patients, a physician or a psychologist duly licensed in the State of North Carolina may disclose to the Commissioner information about a patient who has a mental or physical disability that the physician or psychologist believes may affect the patient's ability to safely operate a motor vehicle. This information shall be limited to the patient's name, address, date of birth, and diagnosis.

(b) The information provided to the Commissioner pursuant to subsection (a) of this section shall be confidential and shall be used only for the purpose of determining the qualifications of the patient to operate a motor vehicle.

(c) A physician or psychologist disclosing information pursuant to this section is immune from any civil or criminal liability that might otherwise be incurred or imposed based on the disclosure provided that the physician or psychologist was

NORTH CAROLINA GENERAL ASSEMBLY
AMENDMENT
Senate Bill 104

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

S104-ARW-001

Date Mar 10 ,1997

Comm. Sub. [ ]
Amends Title [ ]

Senator Horton

moves to amend the bill on page 1, line 12, by deleting "8-51" and inserting in lieu thereof "8-53" and by deleting "8-51.3" and inserting in lieu thereof "8-53.3";

and on page 2, line 2, by rewriting it as follows:

"faith and lack of malice is presumed."

SIGNED Horton
Amendment Sponsor

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

ADOPTED ✓ FAILED _____ TABLED _____

45-0 (JP) Janet Pruitt 3/10/97

NORTH CAROLINA GENERAL ASSEMBLY
SENATE

RECORDED VOTE

1997 SESSION

SEQ. 78/3-- 7:28 PM MARCH 10, 1997 LEGISLATIVE DAY 23

LT. GOVERNOR WICKER -- Presiding

HORTON
MEDICAL INFORMATION WAIVER

SENATE BILL 104

AMEND 1

AYE	45	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.	SOLES
		CARPENTER	GULLEY	MCDANIEL	WARREN
		CARRINGTON	HORTON	MILLER	WEBSTER
		CLARK	JENKINS	ODOM	WEINSTEIN
		COCHRANE	JORDAN	PAGE	WELLONS
		CONDER	KERR	PHILLIPS	WINNER
		COOPER			
NO	0				
EXCUSED	0				
NOT CAST	3	MARTIN R.	PERDUE	SHAW R.	
ABSENT	2	HARTSELL	HOYLE		
PAIRS	0				
AYE					
NO					

(CONTINUED)

GENERAL ASSEMBLY
SENATE

NORTH CAROLINA GENERAL ASSEMBLY
SENATE

RECORDED VOTE

1997 SESSION

SEQ. 80/5-- 8:04 PM MARCH 10, 1997 LEGISLATIVE DAY 23

LT. GOVERNOR WICKER -- Presiding

HORTON
MEDICAL INFORMATION WAIVER

SENATE BILL 104

AMEND 1

RECORDED
AYE 1 SHAW R.
ADJUSTED TOTAL
AYE 46
NO 0
NOT CAST 2
PRESENT 2

(COPY)

GENERAL ASSEMBLY
SENATE

NORTH CAROLINA GENERAL ASSEMBLY
SENATE

RECORDED VOTE

1997 SESSION

SEQ. 80/5-- 8:04 PM MARCH 10, 1997 LEGISLATIVE DAY 23

LT. GOVERNOR WICKER -- Presiding

HORTON
MEDICAL INFORMATION WAIVER

SENATE BILL 104

AMEND 1

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

(COPY)

GENERAL ASSEMBLY
SENATE

NORTH CAROLINA GENERAL ASSEMBLY AMENDMENT

(Please type or use ballpoint pen)

EDITION No. _____

H. B. No. _____ DATE 3/10/97

S. B. No. 104 Amendment No. 2
(to be filled in by Principal Clerk)

COMMITTEE SUBSTITUTE _____

~~Rep.~~)
) J. KERR
Sen.)

1 moves to amend the bill on page 1, line 23
2 ( ) WHICH CHANGES THE TITLE
3 by inserting after the word "disclosing" the
4 phrase:
5 "OR NOT disclosing"
6
7 and on page 1, line 25
8 by inserting after the word "disclosure" the
9 phrase: "or lack of disclosure".
10
11
12
13
14
15
16
17
18
19

SIGNED J Kerr

ADOPTED ✓ FAILED _____ TABLED _____

J. Pruitt 46-1
3-10-97

GA-33-A

PRINCIPAL CLERK'S OFFICE (FOR ENDORSEMENT)

NORTH CAROLINA GENERAL ASSEMBLY
SENATE

RECORDED VOTE

1997 SESSION

SEQ. 79/4-- 7:40 PM MARCH 10, 1997 LEGISLATIVE DAY 23

LT. GOVERNOR WICKER -- Presiding

HORTON
MEDICAL INFORMATION WAIVER

SENATE BILL 104

AMEND 2

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

EXCUSED	0		
NOT CAST	2	MARTIN R.	PERDUE
ABSENT	2	HARTSELL	HOYLE
PAIRS	0		
AYE			
NO			

GENERAL ASSEMBLY
SENATE

NORTH CAROLINA GENERAL ASSEMBLY AMENDMENT

(Please type or use ballpoint pen)

PENDING - DO NOT REMOVE

EDITION No. _____

H. B. No. _____ DATE 4-8-97

S. B. No. 104 Amendment No. 1

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

Rep.)
Sen.) COOPER

1 moves to amend the bill on page 1, line 19

2 ( ) WHICH CHANGES THE TITLE

3 by _____

4 by adding the following sentence after

5 the period

6

7 " A copy of this information shall be

8 furnished to the patient by the

9 physician or psychologist at the

10 time of its disclosure to the

11 Commissioner. "

12

13

14

15

16

17

18

19

SIGNED Roy Cooper

ADOPTED _____ FAILED _____ TABLED _____

GA-33-A

PRINCIPAL CLERK'S OFFICE (FOR ENGROSSMENT)

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1997

FILED - SENATE
S 105
FEB 12 1997
PRINCIPAL CLERK

S D

SENATE DRS1537-LR026(2.5)

Short Title: Local Orthophotography Boundaries. (Local)

Sponsors: Senator Foxx.

Referred to:

A BILL TO BE ENTITLED

AN ACT TO ADD ALLEGHANY AND ROCKINGHAM COUNTIES TO THOSE COUNTIES AUTHORIZED TO ESTABLISH THE BOUNDARIES BETWEEN AND AMONG THEM BY THE USE OF ORTHOPHOTOGRAPHY.

The General Assembly of North Carolina enacts:

Section 1. Section 5 of Chapter 357 of the 1985 Session Laws, as amended by Chapter 710 of the 1995 Session Laws, reads as rewritten:

"Sec. 5. Section 4 of this act applies to ~~Caswell, Orange, Person, and Chatham~~ Alleghany, Caswell, Chatham, Orange, Person, and Rockingham Counties only."

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

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1997

S

FILED - SENATE D
S 106 FEB 12 1997
PRINCIPAL CLERK

SENATE DRS2500-LC009(1.1)(Z)

Short Title: Sale of Property for Unpaid Taxes. (Public)

Sponsors: Senators Cooper, Cochrane, Kerr, Shaw of Cumberland, and Soles.

Referred to:

A BILL TO BE ENTITLED

AN ACT TO ALLOW REGIONAL SALES OF PERSONAL PROPERTY SEIZED FOR UNPAID TAXES TO BE HELD IN ANY COUNTY.

The General Assembly of North Carolina enacts:

Section 1. G.S. 105-242(a) reads as rewritten:

"(a) Warrants for Collection of Taxes. -- If any tax levied by the State and payable to the Secretary has not been paid within 30 days after the taxpayer was given a notice of final assessment of the tax under G.S. 105-241.1(d1), the Secretary may take either of the following actions to collect the tax:

(1) The Secretary may issue a warrant or an order under the Secretary's hand and official seal, directed to the sheriff of any county of the State, commanding him to levy upon and sell the real and personal property of the taxpayer found within the county for the payment of the tax, including penalties and interest, and the cost of executing the warrant and to return to the Secretary the money collected, within a time to be specified in the warrant, not less than 60 days from the date of the warrant; the sheriff upon receipt of the warrant shall proceed in all respects with like effect and in the same manner prescribed by law in respect to executions issued against property upon judgments of a court of record, and shall be entitled to the same fees for ~~his~~ services in executing the warrant, to be collected in the same manner.

(2) The Secretary may issue a warrant or order under the Secretary's hand and seal to any revenue officer or other employee of the Department of Revenue charged with the duty to collect taxes,

NORTH CAROLINA GENERAL ASSEMBLY
SENATE

RECORDED VOTE

1997 SESSION

SEQ. 55/3--11:20 AM | FEBRUARY 27, 1997 | LEGISLATIVE DAY 18

LT. GOVERNOR WICKER -- Presiding

COOPER
SALE OF PROPERTY FOR UNPAID TAXES

SENATE BILL 106
READING 2

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

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

GENERAL ASSEMBLY
SENATE

NORTH CAROLINA
HOUSE OF REPRESENTATIVES
ROLL CALL

EV

. # 642
ISLATIVE DAY 60
S106 HCS
READING 2

5/13/97
2:36 PM
IN CHAIR: SPEAKER

SALE OF PROPERTY FOR UNPAID TAXES

AYES - 113

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

NOES - 3

ALLRED	BLUE	WOOD

EXCUSED ABSENCE - 1

DAUGHTRY

EXCUSED VOTE - 0

NOT VOTING - 3

SPEAKER	CUNNINGHAM	LUEBKE

NORTH CAROLINA
HOUSE OF REPRESENTATIVES
ROLL CALL

EV

651
ISLATIVE DAY 61
S106 HCS
READING 3

5/14/97
2:57 PM
IN CHAIR: SPEAKER

SALE OF PROPERTY FOR UNPAID TAXES

AYES - 95

ADAMS	EASTERLING	KINNEY	REDWINE
ALDRIDGE	FITCH	KISER	REYNOLDS
ARNOLD	FOX	LUEBKE	ROGERS
BADDOUR	GAMBLE	MCALLISTER	RUSSELL
BARBEE	GARDNER	MCCOMBS	SAUNDERS
BEALL	GOODWIN	MCCRARY	SEXTON
BERRY	GRADY	MCMAHAN	SHERRILL
BLACK	GRAY	MERCER	SHUBERT
BONNER	GULLEY	MICHAUX	SMITH
BOWIE	HACKNEY	MILLER	STARNES
BRASWELL	HALL	MINER	TALLENT
BROWN	HARDAWAY	MITCHELL	THOMPSON
CANSLER	HARDY	MOORE	TOLSON
CHURCH	HENSLEY	MORGAN	WAINWRIGHT
CLARY	HIGHTOWER	MORRIS	WARNER
CRAWFORD	HILL	MOSLEY	WARWICK
CREECH	HOWARD	NEELY	WATSON
CULP	HUNTER, R.	NESBITT	WILKINS
CULPEPPER	HURLEY	NYE	WILSON, C.
DAUGHTRY	INSKO	OLDHAM	WILSON, G.
DECKER	IVES	OWENS	WOMBLE
DEDMON	JARRELL	PRESTON	WRIGHT
DOCKHAM	JEFFUS	RAMSEY	YONGUE
EARLE	JUSTUS	RAYFIELD	

NOES - 13

ALLRED	BUCHANAN	DAVIS	MCCOMAS
BAKER	CAPPS	EDDINS	NICHOLS
BOYD-MCINTYRE	CARPENTER	ELLIS	SUTTON
BRAWLEY			

EXCUSED ABSENCE - 5

ALEXANDER	HIATT	WEATHERLY	WOOD
DICKSON			

EXCUSED VOTE - 0

NOT VOTING - 7

SPEAKER	COLE	ESPOSITO	HUNTER, H.
BLUE	CUNNINGHAM	HOLMES	

NORTH CAROLINA GENERAL ASSEMBLY
SENATE

RECORDED VOTE

1997 SESSION

SEQ. 729/19-- 4:49 PM MAY 21, 1997 LEGISLATIVE DAY 65

LT. GOVERNOR WICKER -- Presiding

COOPER
SALE OF PROPERTY FOR UNPAID TAXES
HOUSE COMM. SUB./2ND EDITION

SENATE BILL 106

MOTION 8
TO CONCUR

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	HOYLE	PAGE	WEBSTER
		CLARK	JENKINS	PERDUE	WEINSTEIN
		COCHRANE	KERR	PHILLIPS	WELLONS
		COOPER	KINNAIRD	PLYLER	WINNER
		DALTON	LEDBETTER		
NO	0				
EXCUSED	0				
NOT CAST	2	CONDER	KINCAID		
ABSENT	2	HARTSELL	JORDAN		
PAIRS	0				
AYE					
NO					

GENERAL ASSEMBLY
SENATE

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1997

FILED - SENATE
S 107 FEB 12 1997
PRINCIPAL CLERK

S D

SENATE JOINT RESOLUTION DRSJRA521-LG020(2.5)

Sponsors: Senator Cooper.

Referred to:

A JOINT RESOLUTION PROVIDING FOR THE CONFIRMATION OF THE APPOINTMENT OF WILLIAM R. PITTMAN MADE BY THE GOVERNOR TO MEMBERSHIP ON THE NORTH CAROLINA UTILITIES COMMISSION.

Whereas, under the provisions of G.S. 62-10 appointments made by the Governor to membership on the North Carolina Utilities Commission are subject to confirmation by the General Assembly by joint resolution; and

Whereas, a vacancy has occurred on the North Carolina Utilities Commission because of the resignation of Hugh Wells; and

Whereas, the Governor has submitted to the presiding officers of the House of Representatives and the Senate, the name of his appointee to serve the remainder of the unexpired term of Hugh Wells on the North Carolina Utilities Commission, which will expire June 30, 2001;

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

Section 1. The appointment of William R. Pittman to the North Carolina Utilities Commission for a term to expire June 30, 2001, is confirmed.

Section 2. This resolution is effective upon ratification.

NORTH CAROLINA GENERAL ASSEMBLY
SENATE

RECORDED VOTE

1997 SESSION

SEQ. 67/5-- 2:57 PM MARCH 5, 1997 LEGISLATIVE DAY 21

LT. GOVERNOR WICKER -- Presiding

COOPER
CONFRMTN/WILLIAM PITTMAN/UTIL COMM.

SENATE RES. 107
READING 2

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

EXCUSED	0				
NOT CAST	4	GARWOOD	HORTON	JORDAN	SHAW L.
ABSENT	0				
PAIRS	0				
AYE					
NO					

GENERAL ASSEMBLY
SENATE

NORTH CAROLINA
HOUSE OF REPRESENTATIVES
ROLL CALL

EV

. # 2210
LEGISLATIVE DAY 223
SJR107
READING 2

10/29/98
9:18 AM
IN CHAIR: SPEAKER

PITTMAN, UTILITIES COMMISSION CONFIRM.

AYES - 77

SPEAKER	CREECH	HUNTER, H.	NYE
ADAMS	CULP	HURLEY	OLDHAM
ALEXANDER	CUNNINGHAM	INSKO	OWENS
ALLEN	DAUGHTRY	JARRELL	PRESTON
ARNOLD	DEDMON	JEFFUS	RAMSEY
BADDOUR	DOCKHAM	KINNEY	REDWINE
BAKER	EARLE	LUEBKE	REYNOLDS
BEALL	EASTERLING	MCALLISTER	ROGERS
BLACK	EDDINS	MCCOMAS	SEXTON
BLUE	ESPOSITO	MCMAHAN	SHERRILL
BONNER	FITCH	MERCER	SUTTON
BOWIE	GOODWIN	MICHAUX	THOMPSON
BOYD-MCINTYRE	GRADY	MILLER	TOLSON
BRASWELL	GRAY	MOORE	WARNER
BRAWLEY	HARDAWAY	MORGAN	WARWICK
BRYANT	HENSLEY	MORRIS	WILSON, G.
BUCHANAN	HIGHTOWER	MOSLEY	WOOD
CANSLER	HILL	NEELY	WRIGHT
CHURCH	HOLMES	NESBITT	YONGUE
CRAWFORD			

NOES - 25

ALLRED	DECKER	HOWARD	RUSSELL
BARBEE	ELLIS	JUSTUS	SHUBERT
BERRY	GARDNER	MCCOMBS	STARNES
BROWN	GULLEY	MITCHELL	WATSON
CAPPS	HALL	NICHOLS	WEATHERLY
CARPENTER	HIATT	RAYFIELD	WILSON, C.
DAVIS			

EXCUSED ABSENCE - 11

BAREFOOT	HACKNEY	KISER	WAINWRIGHT
CULPEPPER	HARDY	MCCRARY	WOMBLE
FOX	IVES	SMITH	

EXCUSED VOTE - 0

NOT VOTING - 7

ALDRIDGE	COLE	MINER	TALLENT
CLARY	DICKSON	SAUNDERS	

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1997

FILED - SENATE
FEB 12 1997
PRINCIPAL CLERK

S

S 108

D

SENATE DRS6526*-LNZ060(2.6)

Short Title: Strike Out Stroke Project. (Public)

Sponsors: Senator Warren.

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

FILED - SENATE
FEB 1 2 1997
PRINCIPAL CLERK

S

S 109

D

SENATE DRS2526*-LNZ058(2.6)

Short Title: Physical Fitness Act. (Public)

Sponsors: Senator Warren.

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 - SENATE
S 1 1 0
FEB 1 2 1997
PRINCIPAL CLERK

S D

SENATE DRS8524-RDZ003.2(1.15)

Short Title: Establish Environmental Cabinet. (Public)

Sponsors: Senator Perdue.

Referred to:

A BILL TO BE ENTITLED

AN ACT TO ESTABLISH AN ENVIRONMENTAL CABINET WITHIN THE OFFICE OF THE GOVERNOR.

The General Assembly of North Carolina enacts:

Section 1. Article 7 of Chapter 143B is amended by adding a new Part to read:

"Part 4B. Governor's Environmental Cabinet.

"**§ 143B-285.30. Environmental Cabinet created.**

(a) Creation. -- The Environmental Cabinet is created. The Environmental Cabinet shall be located administratively within, and shall exercise its powers within existing resources of, the Office of the Governor. However, the Environmental Cabinet shall exercise its statutory powers independently of the Office of the Governor.

(b) Membership; Meetings. -- The Environmental Cabinet shall consist of the Governor, who shall serve as Chair, the Secretary of Environment, Health, and Natural Resources, and the Chairs of each of the following Commissions: The Coastal Resources Commission, the Environmental Management Commission, and the Marine Fisheries Commission. The Environmental Cabinet shall invite representatives of the business community, environmentalists, agriculture, marine fisheries, and others to participate in its deliberations. The Environmental Cabinet shall meet at least quarterly.

(c) Duties. -- The Environmental Cabinet shall be a nonvoting body that develops and recommends action to take a comprehensive view of protecting the environment, including:

NORTH CAROLINA GENERAL ASSEMBLY
SENATE

RECORDED VOTE

1997 SESSION

SEQ. 56/4--11:22 AM | FEBRUARY 27, 1997 | LEGISLATIVE DAY 18

LT. GOVERNOR WICKER -- Presiding

PERDUE
ESTABLISH ENVIRONMENTAL CABINET
2ND EDITION

SENATE BILL 110
READING 2

AYE	45	ALBERTSON	FORRESTER	KINNAIRD	RAND
		ALLRAN	FOXX	LEE	REEVES
		BALLANCE	GARWOOD	LUCAS	RUCHO
		BALLANTINE	GULLEY	MARTIN R.	SHAW L.
		BASNIGHT	HARTSELL	MARTIN W.	SHAW R.
		BLUST	HORTON	MILLER	SOLES
		CARPENTER	HOYLE	ODOM	WARREN
		CARRINGTON	JENKINS	PAGE	WEBSTER
		CONDER	JORDAN	PERDUE	WEINSTEIN
		COOPER	KERR	PHILLIPS	WELLONS
		DALTON	KINCAID	PLYLER	WINNER
		EAST			
NO	1	CLARK			
EXCUSED	0				
NOT CAST	3	COCHRANE	DANNELLY	LEDBETTER	
ABSENT	1	MCDANIEL			
PAIRS	0				
AYE					
NO					

GENERAL ASSEMBLY
SENATE

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1997

FILED - SENATE
S 1 1 1 FEB 1 2 1997
PRINCIPAL CLERK

S D

SENATE DRS2527-RD002(2.11)

Short Title: Citizen Water Quality Monitoring. (Public)

Sponsors: Senator Perdue.

Referred to:

A BILL TO BE ENTITLED

AN ACT TO ESTABLISH A CITIZEN WATER QUALITY MONITORING PROGRAM IN THE DEPARTMENT OF ENVIRONMENT, HEALTH, AND NATURAL RESOURCES.

The General Assembly of North Carolina enacts:

Section 1. Article 21 of Chapter 143 of the General Statutes is amended by adding a new section to read:

"**§ 143-215A. Citizen Water Quality Monitoring Program.**

The Department shall establish a Citizen Water Quality Monitoring Program to provide an avenue for individuals to play a role in and to take personal responsibility for protecting the State's water quality. The goals of the Citizen Water Quality Monitoring Program are to coordinate monitoring activities among volunteers by river basins; to provide adequate training of volunteers and quality assurance of all data collected; to establish a comprehensive data collection system that supplements the State's data; to incorporate the data collected by volunteers into the State's overall management of water quality; and to provide access of the data to the public through a centralized database located in the Center for Marine Science and Technology."

Section 2. There is appropriated from the General Fund to the Department of Environment, Health, and Natural Resources, Division of Water Quality, the sum of five hundred eighty-seven thousand, seven hundred and one dollars ($587,701) in recurring funds for the 1997-98 fiscal year and the sum of five hundred eighty-seven thousand, seven hundred and one dollars ($587,701) in recurring funds for the 1998-99 fiscal year to implement and cover operating costs of

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1997

S D

FILED - SENATE

SENATE DRS1534*-LG030(2.11)

S 1 1 2 FEB 1 3 1997

PRINCIPAL CLERK

Short Title: Ctr. App. Textile Tech/Cap. Funds. (Public)

Sponsors: Senator Hoyle.

Referred to:

A BILL TO BE ENTITLED

AN ACT TO APPROPRIATE FUNDS FOR CAPITAL EXPENDITURES AT THE CENTER FOR APPLIED TEXTILE TECHNOLOGY.

The General Assembly of North Carolina enacts:

Section 1. There is appropriated from the General Fund to the Department of Community Colleges the sum of two million four hundred twelve thousand six hundred dollars ($2,412,600) for the 1997-98 fiscal year for the following capital projects:

(1)	Maintenance and storage facility	$ 62,800
(2)	Lab and administration building	2,349,800
	TOTAL	$2,412,600.

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

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1997

S D

FILED - SENATE

SENATE DRS7534*-RTZ063.01(1-16) S 1 1 3 FEB 1 3 1997

PRINCIPAL CLERK

Short Title: Wetlands Restoration Prgm. Funds. (Public)

Sponsors: Senator Horton.

Referred to:

A BILL TO BE ENTITLED

AN ACT TO APPROPRIATE FUNDS FOR THE WETLANDS RESTORATION PROGRAM, AS RECOMMENDED BY THE ENVIRONMENTAL REVIEW COMMISSION.

The General Assembly of North Carolina enacts:

Section 1. There is appropriated from the General Fund to the Wetlands Restoration Fund the sum of four million dollars ($4,000,000) for the 1997-98 fiscal year and the sum of four million dollars ($4,000,000) for the 1998-99 fiscal year for the purposes set out in G.S. 143-214.12.

Section 2. There is appropriated from the General Fund to the Department of Environment, Health, and Natural Resources the sum of two million dollars ($2,000,000) for the 1997-98 fiscal year and the sum of two million dollars ($2,000,000) for the 1998-99 fiscal year to establish and support 15 positions and for administrative and other expenses necessary to implement the Wetlands Restoration Program.

Section 3. This act becomes effective 1 July 1997.

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1997

S

FILED - SENATE

D

SENATE DRS7530*-RTZ059.01(1.16)

S 1 1 4

FEB 1 3 1997

PRINCIPAL CLERK

Short Title: Inactive Haz. Sites Recordation. (Public)

Sponsors: Senator Horton.

Referred to:

A BILL TO BE ENTITLED

AN ACT TO PROVIDE THAT RECORDATION OF AN INACTIVE HAZARDOUS SUBSTANCE OR WASTE DISPOSAL SITE IS NOT REQUIRED IN CERTAIN CASES, AS RECOMMENDED BY THE ENVIRONMENTAL REVIEW COMMISSION.

The General Assembly of North Carolina enacts:

Section 1. G.S. 130A-310.8 reads as rewritten:

"**§ 130A-310.8. Recordation of inactive hazardous substance or waste disposal sites.**

(a) After determination by the Department of the existence and location of an inactive hazardous substance or waste disposal site, the owner of the real property on which the site is located, within 180 days after official notice to him to do so, shall submit to the Department a survey plat of areas designated by the Department which has been prepared and certified by a professional land surveyor, and entitled "NOTICE OF INACTIVE HAZARDOUS SUBSTANCE OR WASTE DISPOSAL SITE". 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 with respect to permanently surveyed benchmarks; and

(2) The type, location, and quantity of hazardous substances disposed of on the site, to the best of the owner's knowledge.

Where an Inactive Hazardous Substance or Waste Disposal Site is located on more than one parcel or tract of land, a composite map or plat showing all such sites may be recorded.

NORTH CAROLINA GENERAL ASSEMBLY
AMENDMENT
Senate Bill 114

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

S114V1-ART-001.01

Date 3/19 ,1997

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

Senator Horton

moves to amend the bill on page 1, line 5
by rewriting that line to read:

"ENVIRONMENTAL REVIEW COMMISSION, AND TO MAKE A LIMITED ADJUSTMENT TO THE LEAKING UNDERGROUND STORAGE TANK CLEANUP PROGRAM." and

on page 3, line 12
by rewriting that line to read:

"Section 2. Notwithstanding the provisions of G.S. 143-215.84 and G.S. 143-215.94E and except as provided in Subsection (d) of Section 1 of Chapter 648 of the 1995 Session Laws (1996 Regular Session), no person shall be required to cleanup a discharge or release from a leaking petroleum underground storage tank that has been classified as having a Class CDE impact pursuant to Subsection (b) of Section 1 of Chapter 648 of the 1995 Session Laws (1996 Regular Session).

Section 3. This act is effective when it becomes law. Section 2 of this act expires when the rules required by G.S. 143-215.94V(b) and Section 5 of Chapter 648 of the 1995 Session Laws (1996 Regular Session) become effective as provided by G.S. 150B-21.3."

SIGNED Horton
Amendment Sponsor

SIGNED _____
Committee Chair if Senate Committee Amendment

ADOPTED _____ FAILED _____ TABLED _____

NORTH CAROLINA GENERAL ASSEMBLY
SENATE

RECORDED VOTE

1997 SESSION

SEQ. 188/4-- 7:50 PM APRIL 7, 1997 LEGISLATIVE DAY 39

LT. GOVERNOR WICKER -- Presiding

HORTON
INACTIVE HAZ. SITES RECORDATION
2ND EDITION

SENATE BILL 114
READING 2

AYE	48	ALBERTSON	EAST	KINNAIRD	PLYLER
		ALLRAN	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
		COOPER	JORDAN	PAGE	WEINSTEIN
		DALTON	KERR	PERDUE	WELLONS
		DANNELLY	KINCAID	PHILLIPS	WINNER
NO	0				
EXCUSED	0				
NOT CAST	1	CONDER			
ABSENT	1	BALLANCE			
PAIRS	0				
AYE					
NO					

GENERAL ASSEMBLY
SENATE

NORTH CAROLINA GENERAL ASSEMBLY
AMENDMENT
Senate Bill 114

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

S114V3-ART-003.02

Date 8/26 ,1997

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

Representative Insko

moves to amend the bill on page 1, line 15,
by deleting "'Coalition'" and substituting "'Coalition plan'";

on page 2, line 39,
by deleting "materially" and substituting "adversely";

on page 3, line 11,
by rewriting that line to read:

"attaining equivalent compliance with federal and State water quality standards, classifications, and management practices in the";

on page 3, between lines 27 and 28,
by inserting:

"(5) A timetable for reporting to the Commission on progress in implementing the coalition plan.";

on page 3, lines 28 through 42,
by rewriting those lines to read:

"(h) A coalition plan shall cover a specified period. The coalition plan may provide for the phasing in of specific strategies, tasks, or mechanisms by specified dates within the period covered by the plan. The Commission may approve one or more successive coalition plan periods. The coalition plan may include strategies that vary among the subareas or jurisdictions of the geographic area covered by the coalition plan.

NORTH CAROLINA GENERAL ASSEMBLY
AMENDMENT
Senate Bill 114

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

S114V3-ART-003.02

(i) If a local government chooses to withdraw from a coalition of local governments or fails to implement a coalition plan, the remaining members of a coalition of local governments may prepare and submit a revised coalition plan for approval by the Commission. If the Commission determines that an approved coalition plan no longer provides a viable alternative method of attaining equivalent compliance with federal and State water quality standards, classifications, and management practices, the Commission may suspend or revoke its approval of the coalition plan.; and

on page 4, line 25,
by deleting "31 July" and substituting "11 September".

SIGNED Vesla Insko
Amendment Sponsor

SIGNED _____
Committee Chair if Senate Committee Amendment

ADOPTED AUG 2 6 1997 FAILED _____ TABLED _____

109-0 EV

NORTH CAROLINA
HOUSE OF REPRESENTATIVES
ROLL CALL

EV

. # 1501
ISLATIVE DAY 121
S114 HCS
READING 2

8/26/97
2:19 PM
IN CHAIR: SPEAKER

AMEND #1 - REP INSKO
LOCAL WATER QUALITY/ LEAKING UNDERGROUND

AYES - 109

ADAMS	DAUGHTRY	HURLEY	PRESTON
ALDRIDGE	DAVIS	INSKO	RAMSEY
ALEXANDER	DECKER	IVES	RAYFIELD
ALLRED	DEDMON	JARRELL	REDWINE
ARNOLD	DICKSON	JEFFUS	REYNOLDS
BAKER	DOCKHAM	JUSTUS	RUSSELL
BARBEE	EARLE	KINNEY	SAUNDERS
BEALL	EASTERLING	KISER	SEXTON
BLACK	EDDINS	LUEBKE	SHERRILL
BLUE	ELLIS	MCALLISTER	SHUBERT
BONNER	ESPOSITO	MCCOMAS	SMITH
BOWIE	FITCH	MCCOMBS	STARNES
BOYD-MCINTYRE	FOX	MCCRARY	SUTTON
BRASWELL	GARDNER	MCMAHAN	TALLENT
BRAWLEY	GOODWIN	MERCER	TOLSON
BROWN	GRAY	MICHAUX	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	NICHOLS	WOMBLE
CREECH	HILL	NYE	WOOD
CULP	HOLMES	OLDHAM	WRIGHT
CULPEPPER	HUNTER, H.	OWENS	YONGUE
CUNNINGHAM			

NOES - 0

EXCUSED ABSENCE - 4

BADDOUR	BERRY	HOWARD	MILLER

EXCUSED VOTE - 0

NOT VOTING - 7

SPEAKER	GRADY	NESBITT	THOMPSON
GAMBLE	HUNTER, R.	ROGERS	

NORTH CAROLINA
HOUSE OF REPRESENTATIVES
ROLL CALL

EV

. # 1502
ISLATIVE DAY 121
S114 HCS
READING 2

8/26/97
2:20 PM
IN CHAIR: SPEAKER

LOCAL WATER QUALITY/ LEAKING UNDERGROUND

AYES - 111

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

NOES - 0

EXCUSED ABSENCE - 4

BADDOUR	BERRY	HOWARD	MILLER

EXCUSED VOTE - 0

NOT VOTING - 5

GAMBLE	HUNTER, R.	NESBITT	ROGERS
GRADY			

NORTH CAROLINA GENERAL ASSEMBLY
SENATE

RECORDED VOTE

1997 SESSION

SEQ. 1508/23-- 4:59 PM AUGUST 27, 1997 LEGISLATIVE DAY 122

LT. GOVERNOR WICKER -- Presiding

HORTON
LOCAL WATER QUALITY/LUST CLEANUP
HOUSE COM SUB/4TH EDITION

SENATE BILL 114

MOTION 8
TO CONCUR

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

GENERAL ASSEMBLY
SENATE

FILED - SENATE
FEB 13 1997
PRINCIPAL CLERK

GENERAL ASSEMBLY OF NORTH CAROLINA S 115

SESSION 1997

S D

SENATE DRS2530-RGZ006(1.24)

Short Title: Community Penalties/Record Checks. (Public)

Sponsors: Senators Gulley, Odom, and Rand.

Referred to:

A BILL TO BE ENTITLED

AN ACT TO ALLOW COMMUNITY PENALTIES PROGRAMS TO OBTAIN CRIMINAL RECORD CHECKS OF TARGETED OFFENDERS.

The General Assembly of North Carolina enacts:

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

"**§ 7A-778. Criminal record checks of targeted offenders.**

(a) The Department of Justice may provide to the director of a local community penalties program established pursuant to G.S. 7A-772(b) a criminal record check of a targeted offender. The fingerprints of the individual shall be forwarded to the State Bureau of Investigation for a search of the State criminal history record file and the State Bureau of Investigation shall forward a set of fingerprints to the Federal Bureau of Investigation for a national criminal history record check. The community penalties program may use the information in preparing a community penalties plan for the offender and may present the information to the court for sentencing purposes, but the information itself shall not be made a part of any public court record.

(b) The Department of Justice shall charge a reasonable fee for conducting a criminal record check under this section. The fee shall not exceed the actual cost of locating, editing, researching, and retrieving the information. The fee shall be paid by the offender as a condition of probation if the offender's community penalties plan is approved by the court."

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

GENERAL ASSEMBLY OF NORTH CAROLINA FILED - SENATE

SESSION 1997 S 1 1 6 FEB 1 3 1997

S D PRINCIPAL CLERK

SENATE DRSA511-RSZ005(1.24)

Short Title: Jurisdictional Amount Increase. (Public)

Sponsors: Senators Gulley, Odom, and Rand.

Referred to:

A BILL TO BE ENTITLED

AN ACT TO INCREASE THE AMOUNT THAT MAY BE IN CONTROVERSY IN DISTRICT AND SUPERIOR CIVIL COURTS AND TO MAKE CORRESPONDING CHANGES TO THE RULES OF CIVIL PROCEDURE AND NONBINDING ARBITRATION.

The General Assembly of North Carolina enacts:

Section 1. G.S. 7A-243 reads as rewritten:

"**§ 7A-243. Proper division for trial of civil actions generally determined by amount in controversy.**

Except as otherwise provided in this Article, the district court division is the proper division for the trial of all civil actions in which the amount in controversy is ~~ten thousand dollars ($10,000)~~ twenty-five thousand dollars ($25,000) or less; and the superior court division is the proper division for the trial of all civil actions in which the amount in controversy exceeds ~~ten thousand dollars ($10,000).~~ twenty-five thousand dollars ($25,000).

For purposes of determining the amount in controversy, the following rules apply whether the relief prayed is monetary or nonmonetary, or both, and with respect to claims asserted by complaint, counterclaim, cross-complaint or third-party complaint:

(1) The amount in controversy is computed without regard to interest and costs.

(2) Where monetary relief is prayed, the amount prayed for is in controversy unless the pleading in question shows to a legal certainty that the amount claimed cannot be recovered under the applicable measure of damages. The value of any property seized in attachment, claim and delivery, or other ancillary proceeding, is

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1997

S

FILED - SENATE D
S 117 FEB 1 3 1997
PRINCIPAL CLERK

SENATE DRSA522-LJZ011(2.6)

Short Title: Modify Two DMV Definitions. (Public)

Sponsors: Senators Gulley, Hoyle, Horton, Kerr, Martin of Pitt, and Rand.

Referred to:

A BILL TO BE ENTITLED

AN ACT TO MODIFY THE DEFINITIONS OF "OUT-OF-STATE DRIVING CONVICTION" AND "MOPED" USED IN THE MOTOR VEHICLE LAWS.

The General Assembly of North Carolina enacts:

Section 1. G.S. 20-4.01(4a) reads as rewritten:

"(4a) Conviction. -- A conviction for an offense committed in North Carolina or another state:

a. In-State. When referring to an offense committed in North Carolina, the term means any of the following:

1. A final conviction of a criminal offense, including a no contest plea.

2. A determination that a person is responsible for an infraction, including a no contest plea.

3. An unvacated forfeiture of cash in the full amount of a bond required by Article 26 of Chapter 15A of the General Statutes.

4. A third or subsequent prayer for judgment continued within any five-year period.

b. Out-of-State. When referring to an offense committed outside North Carolina, the term means any of the following:

1. An unvacated adjudication of ~~guilt.~~ guilt, including a no contest plea.

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1997

FILED - SENATE

S

S 118

FEB 13 1997

SENATE DRSA527-LK022(1.16)

PRINCIPAL CLERK

Short Title: Accident Preven. Course Reduction. (Public)

Sponsors: Senator Perdue.

Referred to:

A BILL TO BE ENTITLED

AN ACT TO PROVIDE FOR AUTOMOBILE INSURANCE PREMIUM DISCOUNTS OF AT LEAST TEN PERCENT FOR CERTAIN PERSONS WHO COMPLETE ACCIDENT PREVENTION COURSES.

The General Assembly of North Carolina enacts:

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

"**§ 58-36-66. Private passenger motor vehicle insurance premium rate reduction for completion of accident prevention course.**

(a) The classification plan promulgated pursuant to G.S. 58-36-65 shall provide for a reduction in premium rates of at least ten percent (10%) for liability and physical damage coverages to those insureds 55 years of age or older who successfully complete motor vehicle accident prevention courses approved by the Commissioner of Motor Vehicles. Those insureds shall qualify for the reduction for a three-year period after the policy issuance or renewal that follows the completion of the course. Each insured shall successfully complete an approved course every three years to be eligible for the reduction.

(b) Upon successfully completing an approved course, each insured shall be issued a completion certificate by the course's sponsor, on a form approved by the Commissioner of Motor Vehicles, which shall be the only acceptable evidence of qualification for the reduction in rates.

No reduction in rates shall be allowed for:

(1) Self-instructed courses;

NORTH CAROLINA GENERAL ASSEMBLY
AMENDMENT
SENATE BILL 118

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

S118-ALE-01

Date 4/29 ,1997

Comm. Sub. [YES]
Amends Title []
S118-PCS7642

Senator Perdue

moves to amend the bill on page 1, line 11, by rewriting the line to read: "an appropriate reduction in premium rates for liability and physical"; and

on page 1, line 17, by adding after the period the following new sentence: "Any reduction used by an insurer shall be presumed appropriate unless credible data demonstrates otherwise."

SIGNED _____
Amendment Sponsor

SIGNED _____
Committee Chair if Senate Committee Amendment

ADOPTED _____ FAILED _____ TABLED _____

NORTH CAROLINA GENERAL ASSEMBLY
AMENDMENT
Senate Bill 118

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

S118-ARN-001

Date 4/29 ,1997

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

Senator Rand

moves to amend the bill on page 1, line 3, which changes the title, by deleting the words "OF AT LEAST TEN PERCENT";

and on page 1, line 10, by deleting the word "shall" and inserting the word "may";

and on page 1, line 11, by deleting the phrase "of at least ten percent (10%)".

SIGNED Tony Rand
Amendment Sponsor

SIGNED _____
Committee Chair if Senate Committee Amendment

ADOPTED V 33-16 FAILED _____ TABLED _____

4/29/97 S. Pruitt

Substitute and. for and. #1

NORTH CAROLINA GENERAL ASSEMBLY
SENATE

RECORDED VOTE

1997 SESSION

SEQ. 411/5-- 4:15 PM APRIL 29, 1997 LEGISLATIVE DAY 52

LT. GOVERNOR WICKER -- Presiding

PERDUE
ACCIDENT PREVENTION COURSE
2ND EDITION

REDUCTION

SENATE BILL 118

AMEND 2

AYE	33	ALBERTSON	EAST	KERR	RAND
		ALLRAN	FORRESTER	KINCAID	RUCHO
		BALLANTINE	FOXX	LEDBETTER	SHAW R.
		BLUST	GARWOOD	LEE	SOLES
		CARPENTER	HARTSELL	MCDANIEL	WARREN
		CARRINGTON	HORTON	ODOM	WEBSTER
		CLARK	HOYLE	PAGE	WEINSTEIN
		COCHRANE	JORDAN	PLYLER	WELLONS
		DALTON			
NO	16	BALLANCE	DANNELLY	MARTIN R.	PHILLIPS
		BASNIGHT	JENKINS	MARTIN W.	REEVES
		CONDER	KINNAIRD	MILLER	SHAW L.
		COOPER	LUCAS	PERDUE	WINNER

EXCUSED 0

NOT CAST 0

ABSENT 1 GULLEY

PAIRS 0
AYE
NO

GENERAL ASSEMBLY
SENATE

NORTH CAROLINA GENERAL ASSEMBLY AMENDMENT

(Please type or use ballpoint pen)

EDITION No. _____

H. B. No. _____ DATE 4-29-97

S. B. No. 118 Amendment No. 3

(to be filled in by Principal Clerk)

COMMITTEE SUBSTITUTE _____

Rep.)
Sen.) WEBSTER

1 moves to amend the bill on page 1, line 12
2 ( ) WHICH CHANGES THE TITLE
3 by DELETING THE WORDS
4 "55 YEARS OF AGE OR OLDER"
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19

SIGNED _____

ADOPTED _____ FAILED ✓ 20-29 TABLED _____

J. Pruitt 4/29/97

GA-33-A

PRINCIPAL CLERK'S OFFICE (FOR ENGROSSMENT)

NORTH CAROLINA GENERAL ASSEMBLY
SENATE

RECORDED VOTE

1997 SESSION

SEQ. 412/6-- 4:18 PM APRIL 29, 1997 LEGISLATIVE DAY 52

LT. GOVERNOR WICKER -- Presiding

PERDUE
ACCIDENT PREVENTION COURSE
2ND EDITION

REDUCTION

SENATE BILL 118

AMEND 3

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

EXCUSED 0

NOT CAST 0

ABSENT 1 GULLEY

PAIRS 0
AYE
NO

GENERAL ASSEMBLY
SENATE

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1997

RECEIVED - SENATE
S 119 FEB 13 1997
PRINCIPAL CLERK

S D

SENATE DRS7517*-LLZ009(1.1)

Short Title: Ports Capital Funds. (Public)

Sponsors: Senator Perdue.

Referred to:

A BILL TO BE ENTITLED

AN ACT TO IMPLEMENT THE RECOMMENDATION OF THE STATE PORTS STUDY COMMISSION TO APPROPRIATE FUNDS FOR CAPITAL IMPROVEMENTS AT THE STATE PORTS.

The General Assembly of North Carolina enacts:

Section 1. There is appropriated from the General Fund to the North Carolina State Ports Authority the sum of ten million dollars ($10,000,000) for the 1997-98 fiscal year and the sum of ten million dollars ($10,000,000) for the 1998-99 fiscal year for capital improvements at the State Ports facilities in Wilmington and Morehead City.

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

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1997

S D

FILED - SENATE
S 120 FEB 13 1997
PRINCIPAL CLERK

SENATE DRS1542-ROZ002(2.12)

Short Title: Agriculture Cost Share Funding Limits. (Public)

Sponsors: Senators Kerr, Warren, Webster, Foxx, and McDaniel.

Referred to:

A BILL TO BE ENTITLED

AN ACT TO PROHIBIT THE SOIL AND WATER CONSERVATION COMMISSION FROM SETTING LOWER FUNDING CAPS FOR APPLICANTS UNDER THE AGRICULTURE COST SHARE PROGRAM BASED UPON THE TYPE OF AGRICULTURAL OPERATION.

The General Assembly of North Carolina enacts:

Section 1. G.S. 143-215.74(b) reads as rewritten:

"(b) The program shall be subject to the following requirements and limitations:

(1) The purpose of the program shall be to reduce the input of agricultural nonpoint source pollution into the water courses of the State.

(2) The program shall initially include the present 16 nutrient sensitive watershed counties and 17 additional counties.

(3) Subject to subdivision (7) of this subsection, priority designations for inclusions in the program shall be under the authority of the Soil and Water Conservation Commission and the Commission. The Soil and Water Conservation Commission shall retain the authority to allocate the cost share funds.

(4) Areas shall be included in the program as the funds are appropriated and the technical assistance becomes available from the local Soil and Water Conservation District.

(5) Funding may be provided to assist practices including conservation tillage, diversions, filter strips, field borders, critical area plantings, sediment control structures, sod-based rotations, grassed waterways, strip-cropping, terraces, cropland conversion to permanent

FILED - SENATE
S 121 FEB 1 3 1997
PRINCIPAL CLERK

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1997

S D

SENATE DRSA534-LL064(2.12)

Short Title: Statewide Taking of Beaver. (Local)

Sponsors: Senator Ledbetter.

Referred to:

A BILL TO BE ENTITLED

AN ACT TO INCLUDE BUNCOMBE, MADISON, MCDOWELL, AND YANCEY COUNTIES IN THE STATEWIDE SEASONS FOR TAKING BEAVER.

The General Assembly of North Carolina enacts:

Section 1. Subsection (f) of Chapter 33 of the 1993 Session Laws is repealed.

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

FILED - SENATE
FEB 13 1997
PRINCIPAL CLERK

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1997

S 122

S D

SENATE DRS2529-LK037(2.4)

Short Title: Lake Royale Motor Vehicle Laws. (Local)

Sponsors: Senator Wellons.

Referred to:

A BILL TO BE ENTITLED

AN ACT TO PROVIDE THAT THE LAWS RELATING TO MOTOR VEHICLES APPLY WITHIN THE LAKE ROYALE COMMUNITY IN FRANKLIN AND NASH COUNTIES.

The General Assembly of North Carolina enacts:

Section 1. 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.

Section 2. This act 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.

Section 3. Pursuant to this act, golf carts, all terrain vehicles (ATVs), go-carts, dirt bikes, and mopeds may be operated within the confines of the Lake Royale Community, if:

(1) The vehicle displays a banner or pennant not less than 24 inches square and which is attached to a support or antenna extending at least six feet above the pavement;

NORTH CAROLINA GENERAL ASSEMBLY
AMENDMENT
Senate Bill 122

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

S122-ARN-001

Page 1 of 1

Date AUG 2 8 1997, 1997

Comm. Sub. [X]
Amends Title [ ]
Draft Edition S122-PCS6742

Representative Cansler

moves to amend the bill on page 2, line 5, by inserting immediately before the quotation mark a new sentence to read:

"For purposes of this section, the phrase "owner or its agent" does not include prime contractors or their subcontractors."

SIGNED _____
Amendment Sponsor

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

ADOPTED AUG 2 8 1997 FAILED _____ TABLED _____

108-0 EV

NORTH CAROLINA
HOUSE OF REPRESENTATIVES
ROLL CALL

EV

SEQ. # 1567
LEGISLATIVE DAY 123
S122 HCS
READING 2

8/28/97
2:05 PM
IN CHAIR: SPEAKER

AMEND #1 - REP. CANSLER
PUBLIC CONTRACTS

AYES - 108

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

NOES - 0

EXCUSED ABSENCE - 7

BERRY	GARDNER	MCMAHAN	WATSON
DICKSON	HARDAWAY	RUSSELL	

EXCUSED VOTE - 0

NOT VOTING - 5

SPEAKER	GAMBLE	HOLMES	RAYFIELD
ALDRIDGE			

NORTH CAROLINA
HOUSE OF REPRESENTATIVES
ROLL CALL

EV

SEQ. # 1568
LEGISLATIVE DAY 123
S122 HCS
READING 2

8/28/97
2:06 PM
IN CHAIR: SPEAKER

PUBLIC CONTRACTS

AYES - 109

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

NOES - 0

EXCUSED ABSENCE - 7

BERRY	GARDNER	MCMAHAN	WATSON
DICKSON	HARDAWAY	RUSSELL	

EXCUSED VOTE - 0

NOT VOTING - 4

ALDRIDGE	GAMBLE	HOLMES	RAYFIELD

NORTH CAROLINA GENERAL ASSEMBLY
SENATE

RECORDED VOTE

1997 SESSION

SEQ. 1563/41-- 5:15 PM AUGUST 28, 1997 LEGISLATIVE DAY 123

SENATOR BASNIGHT -- Presiding

WELLONS
PUBLIC CONTRACTS
HOUSE COM SUB/3RD EDITION

SENATE BILL 122

MOTION 8
TO CONCUR

AYE	37	ALBERTSON	FORRESTER	KERR	ODOM
		ALLRAN	FOXX	KINNAIRD	PAGE
		BALLANTINE	GARWOOD	LEDBETTER	PERDUE
		BASNIGHT	GULLEY	LEE	PHILLIPS
		BLUST	HARTSELL	LUCAS	PURCELL
		CARPENTER	HORTON	MARTIN R.	REEVES
		COCHRANE	HOYLE	MCDANIEL	SHAW R.
		COOPER	JENKINS	MILLER	SOLES
		DALTON	JORDAN	MOORE	WELLONS
		DANNELLY			
NO	0				
EXCUSED	0				
NOT CAST	5	BALLANCE	PLYLER	SHAW L.	WINNER
		MARTIN W.			
ABSENT	8	CARRINGTON	EAST	RUCHO	WEBSTER
		CLARK	RAND	WARREN	WEINSTEIN
PAIRS	0				
AYE					
NO					

GENERAL ASSEMBLY
SENATE

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1997

FILED - SENATE
S 123 - FEB 13 1997
PRINCIPAL CLERK

S D

SENATE DRS7528-LC84(2.12)

Short Title: Exempt Audiovisual Masters. (Public)

Sponsors: Senator Ballantine.

Referred to:

A BILL TO BE ENTITLED

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

The General Assembly of North Carolina enacts:

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

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

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

FILED - SENATE
S 124 - FEB 13 1997
PRINCIPAL CLERK

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1997

S D

SENATE DRS2533-LDX046(2.6)

Short Title: Amend White Goods Tax. (Public)

Sponsors: Senator Odom.

Referred to:

A BILL TO BE ENTITLED

AN ACT TO REDUCE THE WHITE GOODS DISPOSAL TAX RATE TO ONE RATE FOR ANY WHITE GOOD REGARDLESS OF WHETHER THE WHITE GOOD CONTAINS CHLOROFLUOROCARBONS, TO REPEAL THE WHITE GOODS DISPOSAL TAX SUNSET, TO PROVIDE THAT WHITE GOODS TAX REVENUE THAT IS NOT NEEDED FOR THE MANAGEMENT OF DISCARDED WHITE GOODS MAY BE USED TO CLEAN UP ILLEGAL DUMP SITES, AND TO ALTER THE DISTRIBUTION OF THE TAX PROCEEDS FROM THIS TAX.

The General Assembly of North Carolina enacts:

Section 1. G.S. 105-187.21 reads as rewritten:

"**§ 105-187.21. Tax imposed.**

A privilege tax is imposed on a white goods retailer at a flat rate for each new white good that is sold by the retailer. An excise tax is imposed on a new white good purchased outside the State for storage, use, or consumption in this State. The rate of the privilege tax and the excise tax is five dollars ~~($5.00) if the new white good does not contain chlorofluorocarbon refrigerants and is ten dollars ($10.00) if the new white good contains chlorofluorocarbon refrigerants. These taxes are~~ ($5.00). This tax is in addition to all other taxes."

Section 2. G.S. 130A-309.82 reads as rewritten:

"**§ 130A-309.82. Use of disposal tax proceeds by counties.**

Article 5C of Chapter 105 of the General Statutes imposes a tax on new white goods to provide funds for the management of discarded white goods. A county ~~may~~ must use proceeds of the tax distributed to it under that Article ~~only~~ for the management of discarded white goods. If a county has a surplus of tax proceeds after

NORTH CAROLINA GENERAL ASSEMBLY
SENATE

RECORDED VOTE

1997 SESSION

SEQ. 652/5-- 7:27 PM MAY 12, 1997 LEGISLATIVE DAY 59

LT. GOVERNOR WICKER -- Presiding

ODOM
AMEND WHITE GOODS TAX
2ND EDITION

SENATE BILL 124
READING 2

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

GENERAL ASSEMBLY
SENATE

NORTH CAROLINA
HOUSE OF REPRESENTATIVES
ROLL CALL

EV

SEQ. # 1683
LEGISLATIVE DAY 149
S124 HCS
READING 2

6/23/98
2:52 PM
IN CHAIR: SPEAKER

AMEND WHITE GOODS TAX

AYES - 109

SPEAKER	DAUGHTRY	HUNTER, R.	OWENS
ADAMS	DAVIS	HURLEY	PRESTON
ALEXANDER	DECKER	INSKO	RAMSEY
ALLEN	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	FOX	MCCOMAS	SHERRILL
BLACK	GARDNER	MCCOMBS	SHUBERT
BLUE	GOODWIN	MCCRARY	SMITH
BONNER	GRADY	MCMAHAN	STARNES
BOWIE	GRAY	MERCER	SUTTON
BOYD-MCINTYRE	GULLEY	MICHAUX	TALLENT
BRASWELL	HACKNEY	MILLER	THOMPSON
BROWN	HALL	MINER	TOLSON
BUCHANAN	HARDAWAY	MITCHELL	WAINWRIGHT
CANSLER	HARDY	MORGAN	WARNER
CAPPS	HENSLEY	MORRIS	WATSON
CARPENTER	HIATT	MOSLEY	WEATHERLY
CLARY	HIGHTOWER	NEELY	WILSON, C.
COLE	HILL	NESBITT	WILSON, G.
CRAWFORD	HOLMES	NICHOLS	WOMBLE
CREECH	HOWARD	NYE	WRIGHT
CULP	HUNTER, H.	OLDHAM	YONGUE
CUNNINGHAM			

NOES - 0

EXCUSED ABSENCE - 9

BRAWLEY	ESPOSITO	MCALLISTER	WARWICK
CHURCH	GAMBLE	MOORE	WOOD
CULPEPPER			

EXCUSED VOTE - 0

NOT VOTING - 2

ALDRIDGE	FITCH

NORTH CAROLINA GENERAL ASSEMBLY
SENATE

RECORDED VOTE

1997 SESSION
SECOND SESSION 1998

SEQ. 1716/13--11:36 AM JUNE 25, 1998 LEGISLATIVE DAY 151

LT. GOVERNOR WICKER -- Presiding

ODOM
AMEND WHITE GOODS TAX
HOUSE COM SUB/3RD EDITION

SENATE BILL 124

MOTION 8
TO CONCUR

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

EXCUSED	0		
NOT CAST	1	HORTON	
ABSENT	2	CARPENTER	DALTON
PAIRS	0		
AYE			
NO			

GENERAL ASSEMBLY
SENATE

NORTH CAROLINA GENERAL ASSEMBLY
CONFERENCE REPORT
Senate Bill 124

S124-CRLB-1

[ ] Title Change

[YES] For Committee Substitute

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

The conferees appointed to resolve the differences between the Senate and the House of Representatives on Senate Bill 124, A BILL TO BE ENTITLED AN ACT TO REDUCE THE WHITE GOODS DISPOSAL TAX RATE TO ONE RATE FOR ANY WHITE GOOD REGARDLESS OF WHETHER THE WHITE GOOD CONTAINS CHLOROFLUOROCARBONS, TO EXTEND THE WHITE GOODS DISPOSAL TAX SUNSET, TO ALTER THE DISTRIBUTION OF THE TAX PROCEEDS FROM THIS TAX, TO CLARIFY HOW THE COUNTIES MAY USE THE TAX PROCEEDS, AND TO LIMIT THE AMOUNT OF SURPLUS A COUNTY MAY ACCUMULATE BY HOLDING FURTHER TAX DISTRIBUTIONS UNTIL THE SURPLUS IS REDUCED, House Committee Substitute Favorable 6/17/98, submit the following report:

The Senate concurs in the House Committee Substitute Favorable 6/17/98, and the House agrees to the same.

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

Date conferees approved report: June 29, 1998.

Conferees for the Senate

Fountain Odom

Eleanor Kinnaird

Conferees for the House of Representatives

Frank Mitchell

Connie Wilson

Julia Howard

Submitted JUN 29 1998 calendar for 6-30-98
ADOPTED _____ (/) Message Received _____
ADOPTED _____ (/) Ordered Enrolled _____

NORTH CAROLINA GENERAL ASSEMBLY
SENATE

RECORDED VOTE

1997 SESSION
SECOND SESSION 1998

SEQ. 1719/2-- 7:18 PM JUNE 29, 1998 LEGISLATIVE DAY 152

LT. GOVERNOR WICKER -- Presiding

ODOM
AMEND WHITE GOODS TAX
HOUSE COM SUB/3RD EDITION

SENATE BILL 124

MOTION 0
RECALL FROM ENROLLING

AYE	47	ALBERTSON	DANNELLY	LEDBETTER	PURCELL
		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	HARTSELL	MILLER	WARREN
		CARRINGTON	HOYLE	MOORE	WEBSTER
		CLARK	JENKINS	ODOM	WEINSTEIN
		COCHRANE	JORDAN	PERDUE	WELLONS
		COOPER	KERR	PHILLIPS	WINNER
		DALTON	KINNAIRD	PLYLER	
NO	0				
EXCUSED	0				
NOT CAST	2	HORTON	PAGE		
ABSENT	1	SOLES			
PAIRS	0				
AYE					
NO					

GENERAL ASSEMBLY
SENATE

NORTH CAROLINA GENERAL ASSEMBLY
SENATE

RECORDED VOTE

1997 SESSION
SECOND SESSION 1998

SEQ. 1720/3-- 7:19 PM JUNE 29, 1998 LEGISLATIVE DAY 152

LT. GOVERNOR WICKER -- Presiding

ODOM SENATE BILL 124
AMEND WHITE GOODS TAX
HOUSE COM SUB/3RD EDITION

MOTION 6
TO RECONSIDER

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

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

GENERAL ASSEMBLY
SENATE

NORTH CAROLINA GENERAL ASSEMBLY
SENATE

RECORDED VOTE

1997 SESSION
SECOND SESSION 1998

SEQ. 1721/4-- 7:24 PM JUNE 29, 1998 LEGISLATIVE DAY 152

LT. GOVERNOR WICKER -- Presiding

ODOM
AMEND WHITE GOODS TAX
HOUSE COM SUB/3RD EDITION

SENATE BILL 124

AFTER RECONSIDERATION

MOTION 8
TO CONCUR

AYE	0				
NO	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	WARREN
		CLARK	JENKINS	ODOM	WEBSTER
		COCHRANE	JORDAN	PAGE	WEINSTEIN
		COOPER	KERR	PERDUE	WELLONS
		DALTON	KINNAIRD	PHILLIPS	WINNER
		DANNELLY			

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

GENERAL ASSEMBLY
SENATE

NORTH CAROLINA GENERAL ASSEMBLY
SENATE

RECORDED VOTE

1997 SESSION
SECOND SESSION 1998

SEQ. 1722/5-- 7:25 PM JUNE 29, 1998 LEGISLATIVE DAY 152

LT. GOVERNOR WICKER -- Presiding

ODOM
AMEND WHITE GOODS TAX
HOUSE COM SUB/3RD EDITION

SENATE BILL 124

MOTION 0
TO APPOINT CONFEREES

AYE	47	ALBERTSON	EAST	LEE	PURCELL
		ALLRAN	FORRESTER	LUCAS	RAND
		BALLANCE	FOXX	MARTIN R.	REEVES
		BALLANTINE	GARWOOD	MARTIN W.	RUCHO
		BASNIGHT	GULLEY	MCDANIEL	SHAW L.
		CARPENTER	HARTSELL	MILLER	SHAW R.
		CARRINGTON	HOYLE	MOORE	WARREN
		CLARK	JENKINS	ODOM	WEBSTER
		COCHRANE	JORDAN	PAGE	WEINSTEIN
		COOPER	KERR	PERDUE	WELLONS
		DALTON	KINNAIRD	PHILLIPS	WINNER
		DANNELLY	LEDBETTER	PLYLER	
NO	2	BLUST	HORTON		

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

GENERAL ASSEMBLY
SENATE

NORTH CAROLINA GENERAL ASSEMBLY
SENATE

RECORDED VOTE

1997 SESSION
SECOND SESSION 1998

SEQ. 1726/9-- 7:39 PM JUNE 29, 1998 LEGISLATIVE DAY 152

LT. GOVERNOR WICKER -- Presiding

ODOM
AMEND WHITE GOODS TAX
HOUSE COM SUB/3RD EDITION

SENATE BILL 124

CONFERENCE REPORT

MOTION 0
IMMEDIATE CONSIDERATION

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	WARREN
		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	SOLES
PAIRS	0	
AYE		
NO		

GENERAL ASSEMBLY
SENATE

NORTH CAROLINA GENERAL ASSEMBLY
SENATE

RECORDED VOTE

1997 SESSION
SECOND SESSION 1998

SEQ. 1727/10-- 7:41 PM JUNE 29, 1998 LEGISLATIVE DAY 152

LT. GOVERNOR WICKER -- Presiding

ODOM
AMEND WHITE GOODS TAX
HOUSE COM SUB/3RD EDITION

SENATE BILL 124
READING 2
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	WARREN
		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	SOLES
PAIRS	0	
AYE		
NO		

GENERAL ASSEMBLY
SENATE

NORTH CAROLINA GENERAL ASSEMBLY
CONFERENCE REPORT
Senate Bill 124

S124-CRLB-1

[ ] Title Change [YES] For Committee Substitute

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

The conferees appointed to resolve the differences between the Senate and the House of Representatives on Senate Bill 124, A BILL TO BE ENTITLED AN ACT TO REDUCE THE WHITE GOODS DISPOSAL TAX RATE TO ONE RATE FOR ANY WHITE GOOD REGARDLESS OF WHETHER THE WHITE GOOD CONTAINS CHLOROFLUOROCARBONS, TO EXTEND THE WHITE GOODS DISPOSAL TAX SUNSET, TO ALTER THE DISTRIBUTION OF THE TAX PROCEEDS FROM THIS TAX, TO CLARIFY HOW THE COUNTIES MAY USE THE TAX PROCEEDS, AND TO LIMIT THE AMOUNT OF SURPLUS A COUNTY MAY ACCUMULATE BY HOLDING FURTHER TAX DISTRIBUTIONS UNTIL THE SURPLUS IS REDUCED, House Committee Substitute Favorable 6/17/98, submit the following report:

The Senate concurs in the House Committee Substitute Favorable 6/17/98, and the House agrees to the same.

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

Date conferees approved report: June 29, 1998.

Conferees for the Senate

Fountain Odom

Eleanor Kinnaird

Conferees for the House of Representatives

Frank Mitchell

Connie Wilson

Julia Howard

House Submitted JUN 29 1998 calendar for 6-30-98
ADOPTED 2nd Reading (110/0 RC) Message Received 6-30-98
ADOPTED (/) Ordered Enrolled

Conference Report ruled to be material thus constituting 1st reading. 6-29-98

NORTH CAROLINA
HOUSE OF REPRESENTATIVES
ROLL CALL

RC

. # 1701
ISLATIVE DAY 153
S124 HCS
CONFERENCE REPORT

6/30/98
2:11 PM
IN CHAIR: SPEAKER

AMEND WHITE GOODS TAX - 2nd reading, Ruled material

AYES - 110

SPEAKER	CULP	HOWARD	OLDHAM
ADAMS	CULPEPPER	HUNTER, H.	OWENS
ALDRIDGE	CUNNINGHAM	HURLEY	PRESTON
ALEXANDER	DAUGHTRY	INSKO	RAMSEY
ALLEN	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	MCCOMAS	SHERRILL
BLACK	ELLIS	MCCOMBS	SHUBERT
BLUE	ESPOSITO	MCCRARY	STARNES
BONNER	FOX	MCMAHAN	SUTTON
BOWIE	GARDNER	MERCER	THOMPSON
BOYD-MCINTYRE	GRADY	MICHAUX	TOLSON
BRASWELL	GRAY	MINER	WAINWRIGHT
BRAWLEY	GULLEY	MITCHELL	WARNER
BROWN	HACKNEY	MOORE	WARWICK
BUCHANAN	HALL	MORGAN	WATSON
CANSLER	HARDAWAY	MORRIS	WEATHERLY
CAPPS	HARDY	MOSLEY	WILSON, C.
CARPENTER	HENSLEY	NEELY	WILSON, G.
CHURCH	HIATT	NESBITT	WOOD
CLARY	HIGHTOWER	NICHOLS	WRIGHT
CRAWFORD	HILL	NYE	YONGUE
CREECH	HOLMES		

NOES - 0

EXCUSED ABSENCE - 7

COLE	GOODWIN	MILLER	WOMBLE
GAMBLE	MCALLISTER	SMITH	

EXCUSED VOTE - 0

NOT VOTING - 3

FITCH	HUNTER, R.	TALLENT

NORTH CAROLINA GENERAL ASSEMBLY
SENATE

RECORDED VOTE

1997 SESSION
SECOND SESSION 1998

SEQ. 1732/2--10:09 AM | JUNE 30, 1998 | LEGISLATIVE DAY 153

LT. GOVERNOR WICKER -- Presiding

ODOM
AMEND WHITE GOODS TAX
HOUSE COM SUB/3RD EDITION

SENATE BILL 124
READING 3
CONFERENCE REPORT

MOTION 7
TO ADOPT

AYE	43	ALBERTSON	DANNELLY	LUCAS	PURCELL
		ALLRAN	EAST	MARTIN R.	REEVES
		BALLANCE	FORRESTER	MARTIN W.	RUCHO
		BALLANTINE	FOXX	MCDANIEL	SHAW L.
		BLUST	GARWOOD	MILLER	SHAW R.
		CARPENTER	HARTSELL	MOORE	WARREN
		CARRINGTON	HORTON	ODOM	WEBSTER
		CLARK	JENKINS	PAGE	WEINSTEIN
		COCHRANE	JORDAN	PERDUE	WELLONS
		COOPER	LEDBETTER	PHILLIPS	WINNER
		DALTON	LEE	PLYLER	
NO	0				
EXCUSED	0				
NOT CAST	5	BASNIGHT	HOYLE	KERR	RAND
		GULLEY			
ABSENT	2	KINNAIRD	SOLES		
PAIRS	0				
AYE					
NO					

GENERAL ASSEMBLY
SENATE

OLL CALL

NORTH CAROLINA GENERAL ASSEMBLY
CONFERENCE REPORT
Senate Bill 124

S124-CRLB-1

[ ] Title Change [YES] For Committee Substitute

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

The conferees appointed to resolve the differences between the Senate and the House of Representatives on Senate Bill 124, A BILL TO BE ENTITLED AN ACT TO REDUCE THE WHITE GOODS DISPOSAL TAX RATE TO ONE RATE FOR ANY WHITE GOOD REGARDLESS OF WHETHER THE WHITE GOOD CONTAINS CHLOROFLUOROCARBONS, TO EXTEND THE WHITE GOODS DISPOSAL TAX SUNSET, TO ALTER THE DISTRIBUTION OF THE TAX PROCEEDS FROM THIS TAX, TO CLARIFY HOW THE COUNTIES MAY USE THE TAX PROCEEDS, AND TO LIMIT THE AMOUNT OF SURPLUS A COUNTY MAY ACCUMULATE BY HOLDING FURTHER TAX DISTRIBUTIONS UNTIL THE SURPLUS IS REDUCED, House Committee Substitute Favorable 6/17/98, submit the following report:

The Senate concurs in the House Committee Substitute Favorable 6/17/98, and the House agrees to the same.

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

Date conferees approved report: June 29, 1998.

Conferees for the Senate

Fountain Odom

Eleanor Kinnaird

Conferees for the House of Representatives

Frank Mitchell

Connie Wilson

Julia Howard

Senate Submitted 6/29/98
Senate ADOPTED 6/29/98 (49 10) Message Received 7/1/98
2nd rdg ADOPTED 6/30/98 (43 10) Ordered Enrolled 7/1/98
3rd rdg

ORDERED SENT TO GOVERNOR
BY SPECIAL MESSENGER

Conference ruled material - 1st reading 6/29/98
2nd reading 6/29/98

NORTH CAROLINA
HOUSE OF REPRESENTATIVES
ROLL CALL

RC

SEQ. # 1716
LEGISLATIVE DAY 154
S124 HCS
CONFERENCE REPORT

7/01/98
2:10 PM
IN CHAIR: SPEAKER

AMEND WHITE GOODS TAX - TO CONCUR IN CONFERENCE REPORT

AYES - 111

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

NOES - 0

EXCUSED ABSENCE - 3

GAMBLE	MCALLISTER	THOMPSON

EXCUSED VOTE - 0

NOT VOTING - 6

BROWN	HIGHTOWER	INSKO	WILSON, C.
GRAY	HUNTER, H.		

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1997

FILED - SENATE
S 125 FEB 13 1997
PRINCIPAL CLERK

S D

SENATE DRSA535*-RTZ056.01(2.5)

Short Title: Inactive Haz. Sites/Property Use Restrict. (Public)

Sponsors: Senator Odom.

Referred to:

A BILL TO BE ENTITLED

AN ACT TO AUTHORIZE THE SECRETARY OF ENVIRONMENT, HEALTH, AND NATURAL RESOURCES TO APPROVE THE IMPOSITION OF RESTRICTIONS ON INACTIVE HAZARDOUS SUBSTANCE OR WASTE DISPOSAL SITES, AS RECOMMENDED BY THE ENVIRONMENTAL REVIEW COMMISSION.

The General Assembly of North Carolina enacts:

Section 1. G.S. 130-310.3 is amended by adding a new subsection to read:

"(f) In order to reduce or eliminate the endangerment of public health or the environment posed by an inactive hazardous substance or waste disposal site, the Secretary may approve, in accordance with standards set out in rules adopted pursuant to Chapter 150B of the General Statutes, the imposition of restrictions on the current or future use of property comprising any part of the site. The restrictions shall be included in a remedial action program approved by the Secretary and agreed to by the landowner. Activities on, over, or under the land, including, but not limited to, building, filling, grading, excavating, or mining may be restricted. Any restriction approved by the Secretary on the current or future use of the site may be enforced by any and all responsible parties. Such restrictions may also be enforced by the Department or by any unit of local government having jurisdiction over any part of the site. A restriction shall not be declared unenforceable on account of lack of privity of estate or contract or lack of benefit to particular land."

Section 2. G.S. 130A-310.8(a) reads as rewritten:

"(a) After determination by the Department of the existence and location of an inactive hazardous substance or waste disposal site, the owner of the real property on

NORTH CAROLINA GENERAL ASSEMBLY
SENATE

RECORDED VOTE

1997 SESSION

SEQ. 339/17-- 4:52 PM APRIL 23, 1997 LEGISLATIVE DAY 49

LT. GOVERNOR WICKER -- Presiding

ODOM
INACTIVE HAZARDOUS SITES/ PROPERTY
2ND EDITION

USE RESTRICTED

SENATE BILL 125
READING 2

AYE	42	ALLRAN	DANNELLY	LEDBETTER	RAND
		BALLANCE	FORRESTER	LEE	REEVES
		BASNIGHT	FOXX	LUCAS	RUCHO
		BLUST	GARWOOD	MARTIN W.	SHAW L.
		CARPENTER	GULLEY	MCDANIEL	SHAW R.
		CARRINGTON	HARTSELL	ODOM	SOLES
		CLARK	HORTON	PAGE	WARREN
		COCHRANE	HOYLE	PERDUE	WEINSTEIN
		CONDER	JENKINS	PHILLIPS	WELLONS
		COOPER	JORDAN	PLYLER	WINNER
		DALTON	KINNAIRD		
NO	1	BALLANTINE			

EXCUSED	0				
NOT CAST	5	ALBERTSON	KERR	MILLER	WEBSTER
		EAST			
ABSENT	2	KINCAID	MARTIN R.		
PAIRS	0				
AYE					
NO					

GENERAL ASSEMBLY
SENATE

NORTH CAROLINA
HOUSE OF REPRESENTATIVES
ROLL CALL

EV

SEQ. # 1285
LEGISLATIVE DAY 104
S125 HCS
READING 2

7/29/97
11:51 AM
IN CHAIR: SPEAKER

BROWNFIELDS/PROPERTY USE RESTRICTIONS

AYES - 112

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

NOES - 0

EXCUSED ABSENCE - 3

FOX	NICHOLS	SHUBERT

EXCUSED VOTE - 0

NOT VOTING - 5

SPEAKER	HURLEY	MOSLEY	STARNES
BARBEE			

NORTH CAROLINA GENERAL ASSEMBLY
SENATE

RECORDED VOTE

1997 SESSION

SEQ. 1273/4-- 7:33 PM AUGUST 4, 1997 LEGISLATIVE DAY 107

LT. GOVERNOR WICKER -- Presiding

ODOM
BROWNFIELDS/PROPERTY USE RESTRICTED
HOUSE COMM. SUB./3RD EDITION

SENATE BILL 125

MOTION 8
TO CONCUR

AYE	45	ALBERTSON	FOXX	LEE	PURCELL
		BALLANTINE	GARWOOD	LUCAS	RAND
		BASNIGHT	GULLEY	MARTIN R.	REEVES
		BLUST	HARTSELL	MARTIN W.	RUCHO
		CARPENTER	HORTON	MCDANIEL	SHAW R.
		CARRINGTON	HOYLE	MILLER	SOLES
		CLARK	JENKINS	ODOM	WARREN
		COCHRANE	JORDAN	PAGE	WEBSTER
		COOPER	KERR	PERDUE	WEINSTEIN
		DALTON	KINNAIRD	PHILLIPS	WELLONS
		EAST	LEDBETTER	PLYLER	WINNER
		FORRESTER			
NO	0				
EXCUSED	0				
NOT CAST	1	ALLRAN			
ABSENT	3	BALLANCE	DANNELLY	SHAW L	
PAIRS	0				
AYE					
NO					

GENERAL ASSEMBLY
SENATE

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1997

FILED - SENATE
FEB 13 1997
PRINCIPAL CLERK

S

S 126

D

SENATE DRS1545*-RTZ060.01(1.16)

Short Title: Solid Waste Mgt. Permit Requirements. (Public)

Sponsors: Senator Odom.

Referred to:

A BILL TO BE ENTITLED

AN ACT TO REQUIRE THAT AN APPLICANT FOR A PERMIT UNDER THE STATUTES GOVERNING SOLID WASTE MANAGEMENT BE FINANCIALLY QUALIFIED AND DEMONSTRATE SUBSTANTIAL COMPLIANCE WITH ENVIRONMENTAL LAWS, AS RECOMMENDED BY THE ENVIRONMENTAL REVIEW COMMISSION.

The General Assembly of North Carolina enacts:

Section 1. G.S. 130A-290 is amended by recodifying subdivision (1) as subdivision (1a), subdivision (1a) as subdivision (1b), subdivision (1b) as subdivision (1c), subdivision (41a) as subdivision (41b), and by adding three new subdivisions to read:

"(1) 'Affiliate' has the same meaning as in 17 Code of Federal Regulations § 240.12(b)-2 (1 June 1993 Edition), which defines 'affiliate' as a person that directly, or indirectly through one or more intermediaries, controls, is controlled by, or is under common control of another person.

(21a) 'Parent' has the same meaning as in 17 Code of Federal Regulations § 240.12(b)-2 (1 June 1993 Edition), which defines 'parent' as an affiliate that directly, or indirectly through one or more intermediaries, controls another person.

(41a) 'Subsidiary' has the same meaning as in 17 Code of Federal Regulations § 240.12(b)-2 (1 June 1993 Edition), which defines 'subsidiary' as an affiliate that is directly, or indirectly through one or more intermediaries, controlled by another person."

NORTH CAROLINA GENERAL ASSEMBLY
SENATE

RECORDED VOTE

1997 SESSION

SEQ. 94/8-- 3:12 PM MARCH 12, 1997 LEGISLATIVE DAY 25

SENATOR BASNIGHT -- Presiding

ODOM
SOLID WASTE MANAGEMENT PERMIT REQS.
2ND EDITION

SENATE BILL 126
READING 2

AYE	49	ALBERTSON	EAST	KINNAIRD	PLYLER
		ALLRAN	FORRESTER	LEDBETTER	RAND
		BALLANCE	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	1	BALLANTINE			

EXCUSED	0
NOT CAST	0
ABSENT	0
PAIRS	0
AYE	
NO	

PY)

GENERAL ASSEMBLY
SENATE

NORTH CAROLINA

HOUSE OF REPRESENTATIVES

ROLL CALL

EV

[redacted] # 272
[redacted]ISLATIVE DAY 41
S126 5CS
READING 2

4/09/97
3:17 PM
IN CHAIR: SPEAKER

SOLID WASTE MGMT. PERMIT REQUIREMENTS

AYES - 114

SPEAKER	DEDMON	IVES	RAMSEY
ADAMS	DICKSON	JARRELL	RAYFIELD
ALDRIDGE	DOCKHAM	JEFFUS	REDWINE
ALEXANDER	EARLE	JUSTUS	REYNOLDS
ALLRED	EASTERLING	KINNEY	ROGERS
ARNOLD	EDDINS	KISER	RUSSELL
BADDOUR	ELLIS	LUEBKE	SAUNDERS
BAKER	FITCH	MCALLISTER	SEXTON
BEALL	FOX	MCCOMAS	SHERRILL
BLACK	GAMBLE	MCCOMBS	SHUBERT
BONNER	GARDNER	MCCRARY	SMITH
BOWIE	GOODWIN	MCMAHAN	STARNES
BOYD-MCINTYRE	GRADY	MERCER	SUTTON
BRASWELL	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
DAUGHTRY	HURLEY	PRESTON	YONGUE
DECKER	INSKO		

NOES - 0

EXCUSED ABSENCE - 5

BARBEE	BLUE	CRAWFORD	ESPOSITO
BERRY			

EXCUSED VOTE - 0

NOT VOTING - 1

[redacted] DAVIS

S127

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1997

S FILED - SENATE D

SENATE DRS8520*-RTXZ(2.10) S 127 FEB 1 3 1997

PRINCIPAL CLERK

Short Title: Dry-Cleaning Solvent Cleanup Act. (Public)

Sponsors: Senator Odom.

Referred to:

A BILL TO BE ENTITLED

AN ACT TO PROVIDE FOR CLEANUP OF DRY-CLEANING SOLVENT RELEASES IN NORTH CAROLINA, AS RECOMMENDED BY THE ENVIRONMENTAL REVIEW COMMISSION.

The General Assembly of North Carolina enacts:

Section 1. Article 21A of Chapter 143 of the General Statutes is amended by adding a new Part to read:

"Part 6. Dry-Cleaning Solvent Cleanup.

"**§ 143-215.104A. Title.**

This Part is the 'North Carolina Dry-Cleaning Solvent Cleanup Act' and may be cited by that name.

"**§ 143-215.104B. Definitions.** -- The following definitions apply in this Part:

(1) Abandoned dry-cleaning facility site. -- Any real property or individual leasehold space on which a dry-cleaning facility formerly operated.

(2) Commission. -- Defined in G.S. 143-215.77.

(3) Department. -- Defined in G.S. 143-215.77.

(4) Dry-cleaning facility. -- A place of business located in this State and engaged in on-site dry-cleaning operations, other than any of the following:

a. A facility located on a United States military base or owned by the United States or a department or agency of the United States.

b. A commercial uniform service or commercial linen supply facility.

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1997

FILED - SENATE
FEB 13 1997
PRINCIPAL CLERK

S D

SENATE DRS6511-RGZ02(1.24) S 128

Short Title: No Ins. Points for Infractions. (Public)

Sponsors: Senators Odom and Rand.

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

NORTH CAROLINA GENERAL ASSEMBLY
SENATE

RECORDED VOTE

1997 SESSION

SEQ. 450/7-- 3:58 PM APRIL 30, 1997 LEGISLATIVE DAY 53

LT. GOVERNOR WICKER -- Presiding

ODOM
NO INS. POINTS FOR INFRACTIONS
2ND EDITION

SENATE BILL 128

MOTION 5
TO REFER

AYE	26	ALBERTSON	COCHRANE	HOYLE	PLYLER
		ALLRAN	COOPER	KINCAID	RAND
		BALLANTINE	DALTON	LEE	REEVES
		BASNIGHT	FORRESTER	MCDANIEL	SHAW R.
		BLUST	FOXX	MILLER	WARREN
		CARPENTER	HARTSELL	PERDUE	WELLONS
		CARRINGTON	HORTON		
NO	22	BALLANCE	GULLEY	MARTIN W.	SHAW L.
		CLARK	JENKINS	ODOM	SOLES
		CONDER	JORDAN	PAGE	WEBSTER
		DANNELLY	KINNAIRD	PHILLIPS	WEINSTEIN
		EAST	LEDBETTER	RUCHO	WINNER
		GARWOOD	LUCAS		

EXCUSED	0		
NOT CAST	2	KERR	MARTIN R.
ABSENT	0		
PAIRS	0		
AYE			
NO			

GENERAL ASSEMBLY
SENATE

~~Reading~~

Reading

NORTH CAROLINA GENERAL ASSEMBLY
AMENDMENT
Senate Bill 128

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

S128-ARS-001

Date 4/30 ,1997

Comm. Sub. [YES]
Amends Title ~~N~~
First Edition
Proposed Committee Substitute S128-PCS2736

Senator Odom

moves to amend the bill on page 1, line 8, by deleting the word "limit'" and by substituting the phrase "~~limit'~~ limit or 10 miles per hour over the speed limit where the speed limit is 70 miles per hour or more,'";

and on page 1, line 22, by deleting the word "limit'" and by substituting the phrase "~~limit'~~ limit, or 10 miles per hour over the speed limit where the speed limit is 70 miles per hour or more,'".

SIGNED _____
Amendment Sponsor

SIGNED _____
Committee Chair if Senate Committee Amendment

ADOPTED _____ FAILED _____ TABLED _____

J. Pruitt

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1997

FILED - SENATE
FEB 13 1997
PRINCIPAL CLERK

S

S 129

D

SENATE DRS8528*-RVZ001(2.12)

Short Title: DAPP Performance Audit. (Public)

Sponsors: Senator Odom.

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

FILED - SENATE
S 130 FEB 13 1997
PRINCIPAL CLERK

S D

SENATE DRS6529-LR016(1.29)

Short Title: Davidson Sphere of Influence. (Local)

Sponsors: Senator Odom.

Referred to:

A BILL TO BE ENTITLED

AN ACT AUTHORIZING THE TOWN OF DAVIDSON TO EXERCISE EXTRATERRITORIAL JURISDICTION WITHIN ITS SPHERE OF INFLUENCE.

The General Assembly of North Carolina enacts:

Section 1. Section 1 of Chapter 161 of the 1991 Session Laws reads as rewritten:

"Section 1. Notwithstanding Section 12 of Chapter 860 of the 1971 Session Laws, as amended by Chapter 966 of the 1983 Session Laws (Regular Session 1984), the Towns of Matthews, Mint Hill, and Pineville and the City of Charlotte may exercise the powers granted by Article 19 of Chapter 160A of the General Statutes within extraterritorial areas in Mecklenburg County not to exceed one mile of their respective corporate limits, subject to the limitations set forth in this act. Notwithstanding Section 12 of Chapter 860 of the 1971 Session Laws, as amended by Section 1 of Chapter 966 of the 1983 Session Laws, the Town of Davidson may exercise in Mecklenburg County the powers granted by Article 19 of Chapter 160A of the General Statutes within the sphere of influence as defined by the annexation agreement described in Chapter 953 of the 1983 Session Laws, subject to the limitations set forth in this act."

Section 2. Ordinances authorized under this act may be adopted as provided by law at any time after ratification of this act but may not become effective prior to July 1, 1997.

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

NORTH CAROLINA
HOUSE OF REPRESENTATIVES
ROLL CALL

EV

. # 742
ISLATIVE DAY 69
0 SCS
READING 2

5/28/97
2:54 PM
IN CHAIR: SPEAKER

MECKLENBURG SPHERES OF INFLUENCE

AYES - 99

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

NOES - 12

ALDRIDGE	BERRY	CARPENTER	RAYFIELD
ALLRED	BROWN	DAVIS	REYNOLDS
BAKER	CAPPS	ELLIS	WOOD

EXCUSED ABSENCE - 5

ALEXANDER	CUNNINGHAM	HILL	NICHOLS
CREECH			

EXCUSED VOTE - 0

NOT VOTING - 4

SPEAKER	GARDNER	MICHAUX	SUTTON

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1997

FILED - SENATE

FEB 13 1997

PRINCIPAL CLERK

S

S 131 - D

SENATE DRS6519-LN049(1.31)

Short Title: Western Carolina Center $. (Public)

Sponsors: Senator Odom.

Referred to:

A BILL TO BE ENTITLED

AN ACT TO APPROPRIATE FUNDS FOR CRITICAL NEEDS AND CAPITAL IMPROVEMENTS AT THE WESTERN CAROLINA CENTER.

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 seven million five hundred thirty-three thousand four hundred dollars ($7,533,400) for the 1997-98 fiscal year. These funds shall be used for critical equipment and staffing needs at the Western Carolina Center.

Section 2. There is appropriated from the Highway Fund to the Department of Human Resources the sum of three hundred ninety-three thousand nine hundred dollars ($393,900) for the 1997-98 fiscal year for perimeter road resurfacing at the Western Carolina Center.

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

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1997

FILED - SENATE

S

S 132 - FEB 13 1997 D

SENATE DRS8514-RGZ003(1.24)

PRINCIPAL CLERK

Short Title: Clerks/Year's Allowance. (Public)

Sponsors: Senators Odom and Rand.

Referred to:

A BILL TO BE ENTITLED

AN ACT TO AUTHORIZE CLERKS TO ALLOCATE SPOUSE'S AND CHILDREN'S YEAR'S ALLOWANCE FROM A DECEDENT'S ESTATE.

The General Assembly of North Carolina enacts:

Section 1. G.S. 30-16 reads as rewritten:

"**§ 30-16. Duty of personal representative or magistrate to assign allowance.**

It shall be the duty of every administrator, collector, or executor of a will, on application in writing, signed by the surviving spouse, at any time within one year after the death of the deceased spouse, to assign to the surviving spouse the year's allowance as provided in this Article.

If there shall be no administration, or if the personal representative shall fail or refuse to apply to a ~~magistrate,~~ magistrate or clerk of court, as provided in G.S. 30-20, for 10 days after the surviving spouse has filed the aforesaid application, or if the surviving spouse is the personal representative, the surviving spouse may make application to the ~~magistrate,~~ magistrate or clerk, and it shall be the duty of the magistrate or clerk to proceed in the same manner as though the application had been made by the personal representative.

Where any personal property of the deceased spouse shall be located outside the township or county where the deceased spouse resided at the time of his death, the personal representative or the surviving spouse may apply to any magistrate or to any clerk of court of any township or county where such personal property is located, and it shall be the duty of such magistrate or clerk to assign the year's allowance as if the deceased spouse had resided and died in that township."

Section 2. G.S. 30-17 reads as rewritten:

"**§ 30-17. When children entitled to an allowance.**

NORTH CAROLINA GENERAL ASSEMBLY
AMENDMENT
Senate Bill 132

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

S132-ARU-001

Date 4-17 ,1997

Comm. Sub. [ ]
Amends Title [ ]

Senator

moves to amend the bill on page 2, line 42,
by rewriting the line to read:
"of the county. ~~The magistrate~~ The clerk of court, or magistrate upon assignment, shall ascertain"; and

on page 3, lines 7 and 8,
by rewriting the lines to read:
"'**§ 30-21. Report of clerk or magistrate.**
The ~~magistrate~~ clerk of court, or magistrate upon assignment, shall make and sign three".

SIGNED Brad Sike
Amendment Sponsor

SIGNED
Committee Chair if Senate Committee Amendment

ADOPTED V FAILED _____ TABLED _____
4-17-97 J. Pruitt

NORTH CAROLINA GENERAL ASSEMBLY
SENATE

RECORDED VOTE

1997 SESSION

SEQ. 304/6-- 7:56 PM APRIL 21, 1997 LEGISLATIVE DAY 47

LT. GOVERNOR WICKER -- Presiding

ODOM
CLERK'S YEARS ALLOWANCE
2ND EDITION

SENATE BILL 132
READING 2

AYE	44	ALBERTSON	COOPER	JORDAN	PAGE
		ALLRAN	DALTON	KERR	PERDUE
		BALLANCE	DANNELLY	KINCAID	PHILLIPS
		BALLANTINE	EAST	KINNAIRD	PLYLER
		BASNIGHT	FORRESTER	LEDBETTER	RAND
		BLUST	FOXX	LEE	REEVES
		CARPENTER	GARWOOD	LUCAS	RUCHO
		CARRINGTON	GULLEY	MARTIN W.	SHAW L.
		CLARK	HORTON	MCDANIEL	SHAW R.
		COCHRANE	HOYLE	MILLER	WARREN
		CONDER	JENKINS	ODOM	WELLONS
NO	0				
EXCUSED	0				
NOT CAST	0				
ABSENT	6	HARTSELL	SOLES	WEINSTEIN	WINNER
		MARTIN R.	WEBSTER		
PAIRS	0				
AYE					
NO					

GENERAL ASSEMBLY
SENATE

NORTH CAROLINA
HOUSE OF REPRESENTATIVES
ROLL CALL

EV

SEQ. # 1044
LEGISLATIVE DAY 88
[illegible]2
READING 2

7/01/97
10:19 AM
IN CHAIR: SPEAKER

AMEND #1: REP. R HUNTER
CLERKS/YEAR'S ALLOWANCE

AYES - 105

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

NOES - 0

EXCUSED ABSENCE - 6

ALEXANDER	BRASWELL	EASTERLING	NESBITT
BADDOUR	CUNNINGHAM		

EXCUSED VOTE - 0

NOT VOTING - 9

SPEAKER	DECKER	GAMBLE	HOLMES
CRAWFORD	FITCH	HARDAWAY	STARNES
CREECH			

NORTH CAROLINA
HOUSE OF REPRESENTATIVES
ROLL CALL

RC

SEQ. # 1045
LEGISLATIVE DAY 88
[redacted]2
READING 2

7/01/97
10:20 AM
IN CHAIR: SPEAKER

CLERKS/YEAR'S ALLOWANCE

AYES - 104

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

NOES - 1

ALLRED

EXCUSED ABSENCE - 6

ALEXANDER	BRASWELL	EASTERLING	NESBITT
BADDOUR	CUNNINGHAM		

EXCUSED VOTE - 0

NOT VOTING - 9

SPEAKER	CREECH	GAMBLE	HOLMES
CANSLER	FITCH	HACKNEY	STARNES
CRAWFORD			

NORTH CAROLINA
HOUSE OF REPRESENTATIVES
ROLL CALL

RC

. # 1059
ISLATIVE DAY 89
S132
READING 3

7/02/97
10:21 AM
IN CHAIR: SPEAKER

CLERKS/YEAR'S ALLOWANCE

AYES - 111

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

NOES - 0

EXCUSED ABSENCE - 3

CARPENTER	EASTERLING	NESBITT

EXCUSED VOTE - 0

NOT VOTING - 6

SPEAKER	HUNTER, H.	MICHAUX	WILSON, C.
FITCH	MCALLISTER		

NORTH CAROLINA GENERAL ASSEMBLY
SENATE

RECORDED VOTE

1997 SESSION

SEQ. 1089/7-- 7:37 PM JULY 7, 1997 LEGISLATIVE DAY 91

SENATOR BASNIGHT -- Presiding

ODOM
CLERK'S/YEARS ALLOWANCE
2ND EDITION

SENATE BILL 132

SECOND READING ROLL CALL

MOTION 8
TO CONCUR

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

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

GENERAL ASSEMBLY
SENATE

NORTH CAROLINA GENERAL ASSEMBLY
SENATE

RECORDED VOTE

1997 SESSION

SEQ. 1096/7--12:25 PM JULY 8, 1997 LEGISLATIVE DAY 92

SENATOR BASNIGHT -- Presiding

ODOM
CLERK'S/YEARS ALLOWANCE
2ND EDITION

SENATE BILL 132

THIRD READING ROLL CALL

MOTION 8
TO CONCUR

AYE	49	ALBERTSON	EAST	KINNAIRD	PLYLER
		ALLRAN	FORRESTER	LEDBETTER	RAND
		BALLANCE	FOXX	LEE	REEVES
		BALLANTINE	GARWOOD	LUCAS	RUCHO
		BASNIGHT	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	BLUST
ABSENT	0	
PAIRS	0	
AYE		
NO		

GENERAL ASSEMBLY
SENATE

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1997

FILED - SENATE

S

S 133 - FEB 13 1997

SENATE DRS4516*-LL045(2.4) PRINCIPAL CLERK

Short Title: Pineville Telephone System. (Local)

Sponsors: Senator Odom.

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

FILED - SENATE

S 134- FEB 13 1997

S D

SENATE DRS4501-LE001(1.16) PRINCIPAL CLERK

Short Title: Fire Protection Grant Funds. (Public)

Sponsors: Senators Odom, Perdue, and Plyler.

Referred to:

A BILL TO BE ENTITLED

AN ACT TO ESTABLISH THE STATE FIRE PROTECTION FUND.

The General Assembly of North Carolina enacts:

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

"ARTICLE 85A.

"State Fire Protection Grant Fund.

"§ 58-85A-1. Creation of Fund; allocation to local fire districts and political subdivisions of the State.

(a) There is created in the Office of State Budget and Management the State Fire Protection Grant Fund. The purpose of the Fund is to compensate local fire districts and political subdivisions of the State for providing local fire protection to State-owned buildings and their contents.

(b) The Office of State Budget and Management shall develop and implement an equitable and uniform statewide method for distributing these funds to the State's local fire districts and political subdivisions. This formula shall ensure that no grant recipient receives less funding in subsequent fiscal years than it received under G.S. 143-3.7 for the 1996-97 fiscal year for providing local fire protection to State-owned buildings and their contents.

Upon the request of the Director of the Budget, the Department of Insurance shall provide the Office of State Budget and Management all information necessary to develop and implement the formula.

(c) It is the intent of the General Assembly to appropriate annually to the State Fire Protection Grant Fund at least three million eighty thousand dollars ($3,080,000) from the General Fund, one hundred fifty thousand dollars ($150,000) from the

FILED - SENATE

FEB 1 3 1997

PRINCIPAL CLERK

GENERAL ASSEMBLY OF NORTH CAROLINA S 135

SESSION 1997

S D

SENATE DRS6517*-LLZ026(1.9)

Short Title: Clarify Sex Offender Registration. (Public)

Sponsors: Senator Odom.

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.

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1997

FILED - SENATE

FEB 13 1997

PRINCIPAL CLERK

S

S 136

D

SENATE DRS7535*-LDZ032(1/6)

Short Title: Natural Resources Leadership Funds. (Public)

Sponsors: Senator Odom.

Referred to:

A BILL TO BE ENTITLED

AN ACT TO APPROPRIATE FUNDS FOR THE NATURAL RESOURCES LEADERSHIP INSTITUTE, A PROJECT OF THE NORTH CAROLINA COOPERATIVE EXTENSION SERVICE, AS RECOMMENDED BY THE ENVIRONMENTAL REVIEW COMMISSION.

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 one hundred fifty thousand dollars ($150,000) for the 1997-98 fiscal year and the sum of one hundred fifty thousand dollars ($150,000) for the 1998-99 fiscal year for the Natural Resources Leadership Institute, a project of the North Carolina Cooperative Extension Service at North Carolina State University, to teach leadership, teamwork, communication, conflict resolution and collaborative problem-solving skills to North Carolinians involved in natural resources management and policy.

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

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1997

FILED - SENATE
S 137 - FEB 13 1997
PRINCIPAL CLERK

S D

SENATE DRS2531*-LDZ016(1.16)

Short Title: State Revolving Water Fund Account. (Public)

Sponsors: Senator Odom.

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.

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1997

FILED - SENATE

S

S 138 - FEB 13 1997

D

SENATE DRS6531*-LDZ015(1.16)

PRINCIPAL CLERK

Short Title: Drinking Water/Conform with Fed. Law. (Public)

Sponsors: Senator Odom.

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 GENERAL ASSEMBLY
SENATE

RECORDED VOTE

1997 SESSION

SEQ. 68/6-- 2:59 PM MARCH 5, 1997 LEGISLATIVE DAY 21

LT. GOVERNOR WICKER -- Presiding

ODOM
DRINKING WATER CONFORM WITH FEDERAL

SENATE BILL 138
READING 2

LAW

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

GENERAL ASSEMBLY
SENATE

NORTH CAROLINA

HOUSE OF REPRESENTATIVES

ROLL CALL

SEQ. # 1904
LEGISLATIVE DAY 177
S138 HCS #2
READING 2

EV
8/11/98
2:14 PM
IN CHAIR: SPEAKER

DISSOLVE SANITARY DISTRICT

AYES - 103

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

NOES - 0

EXCUSED ABSENCE - 14

ALDRIDGE	HACKNEY	HOWARD	MOSLEY
CAPPS	HARDAWAY	HURLEY	WILSON, C.
DECKER	HIGHTOWER	KISER	WOOD
GARDNER	HOLMES		

EXCUSED VOTE - 0

NOT VOTING - 3

EASTERLING	FITCH	MOORE

NORTH CAROLINA GENERAL ASSEMBLY
SENATE

RECORDED VOTE

1997 SESSION
SECOND SESSION 1998

SEQ. 1977/8-- 2:00 PM AUGUST 19, 1998 LEGISLATIVE DAY 182

LT. GOVERNOR WICKER -- Presiding

ODOM
DISSOLVE SANITARY DIST.
HOUSE COM SUB #2/4TH EDITION

SENATE BILL 138

MOTION 8
TO CONCUR

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

EXCUSED	0	
NOT CAST	1	WINNER
ABSENT	1	PAGE
PAIRS	0	
AYE		
NO		

GENERAL ASSEMBLY
SENATE

FILED - SENATE
S 139 - FEB 13 1997
PRINCIPAL CLERK

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1997

S D

SENATE DRS6532*-LDZ020(1.16)

Short Title: Environmental Education Trust Fund. (Public)

Sponsors: Senator Odom.

Referred to:

A BILL TO BE ENTITLED

AN ACT TO ESTABLISH THE ENVIRONMENTAL EDUCATION TRUST FUND TO ASSURE THE FUNDING OF ENVIRONMENTAL EDUCATION AND TO APPROPRIATE FUNDS TO THAT FUND, AS RECOMMENDED BY THE ENVIRONMENTAL REVIEW COMMISSION.

The General Assembly of North Carolina enacts:

Section 1. Part 4B of Article 7 of Chapter 143B of the General Statutes is amended by adding a new section to read:

"**§ 143-285.26. Environmental Education Trust Fund.**

(a) Fund Established. -- There is established under the control and direction of the Department of Environment, Health, and Natural Resources the Environmental Education Trust Fund. This Fund shall be a nonreverting fund consisting of any monies appropriated to it by the General Assembly or available to it from contributions or grants from public or private sources. This Fund is a special trust fund and shall be credited with interest by the State Treasurer pursuant to G.S. 147-69.2 and G.S. 147-69.3. This Fund shall be used to finance grants and awards made under the provisions and for the purposes of this Part.

(b) Report. -- The Department of Environment, Health, and Natural Resources shall report annually no later than September 1 to the Environmental Review Commission as to the condition of the Environmental Education Trust Fund and as to the use of all funds allocated from the Environmental Education Trust Fund."

Section 2. There is appropriated from the General Fund to the Environmental Education Trust Fund, created in Section 1 of this act, the sum of two hundred thousand dollars ($200,000) for the 1997-98 fiscal year and the sum of two

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1997

FILED - SENATE
S 140 - FEB 13 1997
PRINCIPAL CLERK

S D

SENATE DRS7529*-LDZ021A(1.16)

Short Title: Increase ERC Membership. (Public)

Sponsors: Senator Odom.

Referred to:

A BILL TO BE ENTITLED

AN ACT TO ADD TWO MEMBERS TO THE ENVIRONMENTAL REVIEW COMMISSION, AS RECOMMENDED BY THE ENVIRONMENTAL REVIEW COMMISSION.

The General Assembly of North Carolina enacts:

Section 1. G.S. 120-70.42 reads as rewritten:

"**§ 120-70.42. Membership; ~~cochairmen~~ cochairs; vacancies; quorum.**

The Environmental Review Commission shall consist of ~~five~~ six Senators appointed by the President Pro Tempore of the Senate, ~~five~~ six Representatives appointed by the Speaker of the House of Representatives, who shall serve at the pleasure of their appointing officer, the ~~Chairman~~ Chair of the Senate Committee on Environment and Natural Resources, and the ~~Chairman~~ Chair of the House of Representatives Committee on the Environment. The President Pro Tempore of the Senate shall designate one Senator to serve as ~~cochairman~~ cochair and the Speaker of the House of Representatives shall designate one Representative to serve as ~~cochairman~~ cochair. Any vacancy which occurs on the Environmental Review Commission shall be filled in the same manner as the original appointment. A quorum of the Environmental Review Commission shall consist of ~~seven~~ eight members."

Section 2. This act is effective when it becomes law and applies to any appointments for terms beginning on or after that date.

NORTH CAROLINA GENERAL ASSEMBLY
SENATE

RECORDED VOTE

1997 SESSION

SEQ. 57/5--11:24 AM FEBRUARY 27, 1997 LEGISLATIVE DAY 18

LT. GOVERNOR WICKER -- Presiding

ODOM
INCREASE ERC MEMBERSHIP

SENATE BILL 140
READING 2

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

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

GENERAL ASSEMBLY
SENATE

NORTH CAROLINA

HOUSE OF REPRESENTATIVES

ROLL CALL

EV

273
ISLATIVE DAY 41
S140
READING 2

4/09/97
3:18 PM
IN CHAIR: SPEAKER

INCREASE ENVIRON. REVIEW COMM.

AYES - 113

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

NOES - 0

EXCUSED ABSENCE - 5

BARBEE	BLUE	CRAWFORD	ESPOSITO
BERRY			

EXCUSED VOTE - 0

NOT VOTING - 2

BRASWELL	BROWN

FILED - SENATE
S 141 FEB 13 1997
PRINCIPAL CLERK

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1997

S D

SENATE DRS2517*-LLZ039(1.1)

Short Title: Exempt State Ports Purchase & Contract. (Public)

Sponsors: Senator Rand.

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.

NORTH CAROLINA GENERAL ASSEMBLY
SENATE

RECORDED VOTE

1997 SESSION

SEQ. 58/6--11:26 AM | FEBRUARY 27, 1997 | LEGISLATIVE DAY 18

LT. GOVERNOR WICKER -- Presiding

RAND
EXEMPT STATE PORTS PURCHASE
2ND EDITION

SENATE BILL 141
READING 2

PURCHASE AND CONTRACT

AYE	48	ALBERTSON	DALTON	KERR	PHILLIPS
		ALLRAN	DANNELLY	KINCAID	PLYLER
		BALLANCE	EAST	KINNAIRD	RAND
		BALLANTINE	FORRESTER	LEDBETTER	REEVES
		BASNIGHT	FOXX	LEE	RUCHO
		BLUST	GARWOOD	LUCAS	SHAW L.
		CARPENTER	GULLEY	MARTIN R.	SHAW R.
		CARRINGTON	HARTSELL	MARTIN W.	SOLES
		CLARK	HORTON	MILLER	WARREN
		COCHRANE	HOYLE	ODOM	WEINSTEIN
		CONDER	JENKINS	PAGE	WELLONS
		COOPER	JORDAN	PERDUE	WINNER
NO	1	WEBSTER			

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

GENERAL ASSEMBLY
SENATE

NORTH CAROLINA GENERAL ASSEMBLY
SENATE

RECORDED VOTE

1997 SESSION

SEQ. 153/7-- 3:18 PM MARCH 26, 1997 LEGISLATIVE DAY 33

LT. GOVERNOR WICKER -- Presiding

RAND
EXEMPT STATE PORTS PURCHASE
3RD EDITION

SENATE BILL 141
READING 3

PURCHASE AND CONTRACT

AYE	48	ALBERTSON	DALTON	KERR	PERDUE
		ALLRAN	DANNELLY	KINCAID	PHILLIPS
		BALLANCE	EAST	KINNAIRD	PLYLER
		BALLANTINE	FORRESTER	LEDBETTER	RAND
		BASNIGHT	FOXX	LEE	REEVES
		BLUST	GARWOOD	LUCAS	RUCHO
		CARPENTER	GULLEY	MARTIN R.	SHAW L.
		CARRINGTON	HARTSELL	MARTIN W.	SOLES
		CLARK	HORTON	MCDANIEL	WARREN
		COCHRANE	HOYLE	MILLER	WEINSTEIN
		CONDER	JENKINS	ODOM	WELLONS
		COOPER	JORDAN	PAGE	WINNER
NO	1	WEBSTER			

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

GENERAL ASSEMBLY
SENATE

NORTH CAROLINA
HOUSE OF REPRESENTATIVES
ROLL CALL

EV

SEQ. # 1119
LEGISLATIVE DAY 93
S141 HCS
READING 2

7/09/97
10:49 AM
IN CHAIR: SPEAKER

STATE CONTRACT EXEMPTIONS

AYES - 100

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

NOES - 8

ALLRED	HACKNEY	HIGHTOWER	LUEBKE
ELLIS	HENSLEY	INSKO	WOOD

EXCUSED ABSENCE - 7

BERRY	EASTERLING	ROGERS	WILSON, C.
BRASWELL	MCCRARY	SHERRILL	

EXCUSED VOTE - 0

NOT VOTING - 5

SPEAKER	HOLMES	HUNTER, H.	HUNTER, R.
ESPOSITO			

NORTH CAROLINA
HOUSE OF REPRESENTATIVES
ROLL CALL

SEQ. # 1134
LEGISLATIVE DAY 94
S141 HCS
READING 3

7/10/97
11:29 AM
IN CHAIR: SPEAKER

STATE CONTRACT EXEMPTIONS

AYES - 99

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

NOES - 6

ELLIS	HENSLEY	LUEBKE	MICHAUX
HACKNEY	INSKO		

EXCUSED ABSENCE - 11

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

EXCUSED VOTE - 0

NOT VOTING - 4

SPEAKER	BLACK	EARLE	STARNES

NORTH CAROLINA GENERAL ASSEMBLY
SENATE

RECORDED VOTE

1997 SESSION

SEQ. 1144/14--11:56 AM JULY 15, 1997 LEGISLATIVE DAY 96

LT. GOVERNOR WICKER -- Presiding

RAND
STATE CONTRACT EXEMPTIONS
HOUSE COMM. SUB./4TH EDITION

SENATE BILL 141

MOTION 8
TO CONCUR

AYE	47	ALBERTSON	DANNELLY	KINCAID	PLYLER
		ALLRAN	EAST	KINNAIRD	RAND
		BALLANCE	FORRESTER	LEDBETTER	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
		CLARK	HOYLE	ODOM	WEINSTEIN
		COCHRANE	JENKINS	PAGE	WELLONS
		COOPER	JORDAN	PERDUE	WINNER
		DALTON	KERR	PHILLIPS	
NO	0				
EXCUSED	0				
NOT CAST	1	CONDER			
ABSENT	2	LEE	REEVES		
PAIRS	0				
AYE					
NO					

GENERAL ASSEMBLY
SENATE

GENERAL ASSEMBLY OF NORTH CAROLINA

FILED - SENATE

SESSION 1997

S 142

FEB 13 1997

S

D

SENATE DRS1526*-LLZ006A(1.1)

Short Title: Port User on Ports Board. (Public)

Sponsors: Senator Rand.

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 GENERAL ASSEMBLY
SENATE

RECORDED VOTE

1997 SESSION

SEQ. 52/4-- 2:01 PM | FEBRUARY 26, 1997 | LEGISLATIVE DAY 17

LT. GOVERNOR WICKER -- Presiding

RAND
PORT USER ON PORTS BOARD

SENATE BILL 142
READING 2

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

EXCUSED	0
NOT CAST	0
ABSENT	0
PAIRS	0
AYE	
NO	

GENERAL ASSEMBLY
SENATE

NORTH CAROLINA
HOUSE OF REPRESENTATIVES
ROLL CALL

EV

SEQ. # 890
LEGISLATIVE DAY 77
S142 HCS
READING 2

6/11/97
2:36 PM
IN CHAIR: SPEAKER

PORT USER ON PORTS BOARD

AYES - 109

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

NOES - 2

HACKNEY	LUEBKE

EXCUSED ABSENCE - 1

HARDAWAY

EXCUSED VOTE - 0

NOT VOTING - 8

SPEAKER	HUNTER, R.	OLDHAM	WILSON, C.
BARBEE	MICHAUX	REYNOLDS	YONGUE

NORTH CAROLINA GENERAL ASSEMBLY
SENATE

RECORDED VOTE

1997 SESSION

SEQ. 918/8-- 8:06 PM JUNE 16, 1997 LEGISLATIVE DAY 79

LT. GOVERNOR WICKER -- Presiding

RAND
PORT USER ON PORTS BOARD
HOUSE COMM. SUB./2ND EDITION

SENATE BILL 142

MOTION 8
TO CONCUR

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

GENERAL ASSEMBLY
SENATE

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1997

FILED - SENATE
S 143 - FEB 13 1997
PRINCIPAL CLERK

S D

SENATE DRS6530-LH066(2.6)

Short Title: Ban Tobacco Sales to Minors. (Public)

Sponsors: Senators Rand and Hartsell.

Referred to:

A BILL TO BE ENTITLED

AN ACT TO PROHIBIT THE SALE OR PURCHASE OF TOBACCO PRODUCTS TO PERSONS LESS THAN EIGHTEEN YEARS OF AGE.

The General Assembly of North Carolina enacts:

Section 1. G.S. 14-313(a) reads as rewritten:

"(a) Definitions. -- The following definitions apply in this section:

(1) Distribute. -- To sell, furnish, give, or provide tobacco products, including tobacco product samples, or cigarette wrapping papers to the ultimate consumer.

(2) Proof of age. -- A drivers license or other ~~documentary or written evidence~~ photographic identification that includes the bearer's date of birth that purports to establish that the person is 18 years of age or older.

(3) Sample. -- A tobacco product distributed to members of the general public at no cost for the purpose of promoting the product.

(4) Tobacco product. -- Any product that contains tobacco and is intended for human consumption."

Section 2. G.S. 14-313(b) reads as rewritten:

"(b) Sale or distribution to persons under the age of 18 years. -- If any person shall ~~knowingly~~ distribute, or ~~knowingly~~ aid, assist, or abet any other person in distributing tobacco products or cigarette wrapping papers to any person under the age of 18 years, or if any person shall ~~knowingly~~ purchase tobacco products or cigarette wrapping papers on behalf of a person, less than 18 years, the person shall be guilty of a Class 2 misdemeanor; provided, however, that it shall not be unlawful to distribute tobacco products or cigarette wrapping papers to an employee when

NORTH CAROLINA GENERAL ASSEMBLY
AMENDMENT
Senate Bill 143

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

S143-ALH-1.5

Date March 11 ,1997

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

Senator Blust

moves to amend the bill on page 2, line 37,
by striking through the words "or assist"; and

on page 2, line 39,
by inserting immediately after the comma the following:
"or if any person shall aid or abet a person who is less than 18 years of age in purchasing, acquiring, or receiving or attempting to purchase, acquire or receive tobacco products or cigarette wrapping papers,"

SIGNED John M. Blust
Amendment Sponsor

SIGNED _____
Committee Chair if Senate Committee Amendment

ADOPTED V FAILED _____ TABLED _____
48-0 J. Pruitt 3/11/97

NORTH CAROLINA GENERAL ASSEMBLY
SENATE

RECORDED VOTE

1997 SESSION

SEQ. 83/2-- 2:22 PM MARCH 11, 1997 LEGISLATIVE DAY 24

LT. GOVERNOR WICKER -- Presiding

RAND
BAN TOBACCO SALES TO MINORS
2ND EDITION

SENATE BILL 143

AMEND 1

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

GENERAL ASSEMBLY
SENATE

NORTH CAROLINA GENERAL ASSEMBLY
SENATE

RECORDED VOTE

1997 SESSION

SEQ. 84/3-- 2:40 PM MARCH 11, 1997 LEGISLATIVE DAY 24

LT. GOVERNOR WICKER -- Presiding

RAND
BAN TOBACCO SALES TO MINORS
2ND EDITION

SENATE BILL 143
READING 2

AYE	42	ALBERTSON	DANNELLY	LUCAS	RAND
		ALLRAN	FORRESTER	MARTIN R.	REEVES
		BALLANCE	FOXX	MARTIN W.	RUCHO
		BALLANTINE	GULLEY	MCDANIEL	SHAW L.
		BASNIGHT	HARTSELL	MILLER	SHAW R.
		BLUST	HOYLE	ODOM	SOLES
		CARPENTER	JENKINS	PAGE	WARREN
		CARRINGTON	JORDAN	PERDUE	WEINSTEIN
		CONDER	KINNAIRD	PHILLIPS	WELLONS
		COOPER	LEDBETTER	PLYLER	WINNER
		DALTON	LEE		
NO	8	CLARK	EAST	HORTON	KINCAID
		COCHRANE	GARWOOD	KERR	WEBSTER

EXCUSED	0
NOT CAST	0
ABSENT	0
PAIRS	0
AYE	
NO	

GENERAL ASSEMBLY
SENATE

NORTH CAROLINA GENERAL ASSEMBLY
AMENDMENT
Senate Bill 143

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

S143-ALH-5

Date 3/12 ,1997

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

Senator Kincaid

moves to amend the bill on page 1, lines 20-23,
and on page 2, lines 1-23,
by rewriting those lines to read:

"Section 2. G.S. 14-313(b) reads as rewritten:

'(b) Sale or distribution to persons under the age of 18 years. -- If any person shall ~~knowingly~~ distribute, or ~~knowingly~~ aid, assist, or abet any other person in distributing tobacco products or cigarette wrapping papers to any person under the age of 18 ~~years, or if~~ years, the person shall have committed an infraction if it is the person's first violation of this offense; however, no penalty or court cost shall be assessed against the person. If the person commits a second violation of this offense, the person shall be guilty of a Class 3 misdemeanor. If the person commits a third or subsequent violation of this offense the person shall be guilty of a Class 2 misdemeanor. If any person shall ~~knowingly~~ purchase tobacco products or cigarette wrapping papers on behalf of a person, less than 18 years, the person shall be guilty of a Class 2 ~~misdemeanor; provided, however, that~~ misdemeanor. However, it shall not be unlawful to distribute tobacco products or cigarette wrapping papers to an employee when required in the performance of the employee's duties. Retail distributors of tobacco products shall prominently display near the point of sale a sign in letters at least five-eighths of an inch high which states the following:

N.C. LAW STRICTLY PROHIBITS
THE PURCHASE OF TOBACCO PRODUCTS
BY PERSONS UNDER THE AGE OF 18.
PROOF OF AGE REQUIRED.

Failure to post the required sign shall be an infraction punishable by a fine of twenty-five dollars ($25.00) for the first offense and seventy-five dollars ($75.00) for each succeeding offense.

A person engaged in the sale of tobacco products shall demand proof of age from a prospective purchaser if the person has reasonable grounds to believe that the prospective purchaser is

NORTH CAROLINA GENERAL ASSEMBLY
AMENDMENT
Senate Bill 143

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

S143-ALH-5

under 18 years of age. Failure to demand proof of age as required by this subsection is ~~a Class 2 misdemeanor.~~ an infraction if in fact the prospective purchaser is under 18 years of age and this is the person's first violation of this offense. However, no penalty or court cost shall be assessed against the person for the infraction. If the person commits a second violation of this offense, the person shall be guilty of a Class 3 misdemeanor. If the person commits a third or subsequent violation of this offense the person shall be guilty of a Class 2 misdemeanor. Proof that the defendant demanded, was shown, and reasonably relied upon proof of age in the case of a retailer, or any other documentary or written evidence of age in the case of a nonretailer, shall be a defense to any action brought under this subsection. Retail distributors of tobacco products shall ~~train their sales~~ employees in the requirements of this law.'"

SIGNED _____
Amendment Sponsor

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

ADOPTED 2 FAILED ✓ TABLED _____

20-30 Jane Pruitt
3/12/97

NORTH CAROLINA GENERAL ASSEMBLY
SENATE

RECORDED VOTE

1997 SESSION

SEQ. 91/5-- 2:40 PM MARCH 12, 1997 LEGISLATIVE DAY 25

SENATOR BASNIGHT -- Presiding

RAND
BAN TOBACCO SALES TO MINORS
2ND EDITION

SENATE BILL 143

AMEND 2

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

EXCUSED	0
NOT CAST	0
ABSENT	0
PAIRS	0
AYE	
NO	

GENERAL ASSEMBLY
SENATE

NORTH CAROLINA GENERAL ASSEMBLY
SENATE

RECORDED VOTE

1997 SESSION

SEQ. 92/6-- 3:04 PM MARCH 12, 1997 LEGISLATIVE DAY 25

SENATOR BASNIGHT -- Presiding

RAND
BAN TOBACCO SALES TO MINORS
2ND EDITION

SENATE BILL 143

MOTION 2
FOR PREVIOUS QUESTION

AYE	35	ALBERTSON	GARWOOD	LEE	PLYLER
		BALLANCE	GULLEY	LUCAS	REEVES
		BASNIGHT	HORTON	MARTIN R.	SHAW L.
		CARPENTER	HOYLE	MARTIN W.	SOLES
		CARRINGTON	JENKINS	MILLER	WARREN
		CONDER	JORDAN	ODOM	WEINSTEIN
		COOPER	KERR	PAGE	WELLONS
		DALTON	KINNAIRD	PERDUE	WINNER
		DANNELLY	LEDBETTER	PHILLIPS	
NO	14	ALLRAN	COCHRANE	HARTSELL	RUCHO
		BALLANTINE	EAST	KINCAID	SHAW R.
		BLUST	FORRESTER	MCDANIEL	WEBSTER
		CLARK	FOXX		

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

GENERAL ASSEMBLY
SENATE

NORTH CAROLINA GENERAL ASSEMBLY
SENATE

RECORDED VOTE

1997 SESSION

SEQ. 93/7-- 3:05 PM MARCH 12, 1997 LEGISLATIVE DAY 25

SENATOR BASNIGHT -- Presiding

RAND
BAN TOBACCO SALES TO MINORS
2ND EDITION

SENATE BILL 143
READING 3

AYE	40	ALBERTSON	DALTON	KINNAIRD	PHILLIPS
		ALLRAN	DANNELLY	LEDBETTER	PLYLER
		BALLANCE	FORRESTER	LEE	RAND
		BALLANTINE	GARWOOD	LUCAS	REEVES
		BASNIGHT	GULLEY	MARTIN R.	SHAW L.
		BLUST	HARTSELL	MARTIN W.	SOLES
		CARPENTER	HORTON	MILLER	WARREN
		CARRINGTON	HOYLE	ODOM	WEINSTEIN
		CONDER	JENKINS	PAGE	WELLONS
		COOPER	JORDAN	PERDUE	WINNER
NO	10	CLARK	FOXX	MCDANIEL	SHAW R.
		COCHRANE	KERR	RUCHO	WEBSTER
		EAST	KINCAID		

EXCUSED 0

NOT CAST 0

ABSENT 0

PAIRS 0
AYE
NO

GENERAL ASSEMBLY
SENATE

PLEASE PRESS HARD - 5 COPIES

NORTH CAROLINA GENERAL ASSEMBLY AMENDMENT

(Please type or use ballpoint pen)

EDITION No. _____

H. B. No. _____ DATE 7-2-97

S. B. No. 1143 Amendment No. 1

(to be filled in by Principal Clerk)

COMMITTEE SUBSTITUTE _____

(Rep.) (Sen.) Sutton

moves to amend the bill on page 3, line 37

( ) WHICH CHANGES THE TITLE

by _____

by deleting the date July 31, 1997 and substituting the date: November 30, 1997

Page 4, line 4:
By deleting the date August 1, 1997 and substituting the date: December 1, 1997

SIGNED _____

ADOPTED 7-2-97 FAILED _____ TABLED _____

109-0 EV

NORTH CAROLINA
HOUSE OF REPRESENTATIVES
ROLL CALL

EV

. # 1061
ISLATIVE DAY 89
S143 HCS
READING 2

7/02/97
10:30 AM
IN CHAIR: SPEAKER

AMEND #1 - REP. SUTTON
STOP TOBACCO SALES TO MINORS

AYES - 109

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

NOES - 0

EXCUSED ABSENCE - 3

CARPENTER	EASTERLING	NESBITT

EXCUSED VOTE - 0

NOT VOTING - 8

SPEAKER	FITCH	HUNTER, H.	MICHAUX
ELLIS	HOWARD	MCALLISTER	MORRIS

NORTH CAROLINA
HOUSE OF REPRESENTATIVES
ROLL CALL

EV

. # 1062
ISLATIVE DAY 89
S143 HCS
READING 2

7/02/97
10:40 AM
IN CHAIR: SPEAKER

STOP TOBACCO SALES TO MINORS

AYES - ~~93~~ 94 DWeeks

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

NOES - ~~18~~ 17 DWeeks

ADAMS	FITCH	LUEBKE	~~WATSON~~ DWeeks
ALEXANDER	GARDNER	MILLER	WOMBLE
BLUE	HACKNEY	MOSLEY	WOOD
CULPEPPER	HENSLEY	NYE	WRIGHT
EARLE	INSKO		

EXCUSED ABSENCE - 3

CARPENTER	EASTERLING	NESBITT

EXCUSED VOTE - 0

NOT VOTING - 6

DAUGHTRY	HUNTER, H.	RUSSELL	SUTTON
DECKER	MICHAUX		

NORTH CAROLINA GENERAL ASSEMBLY
SENATE

RECORDED VOTE

1997 SESSION

SEQ. 1097/8--12:27 PM JULY 8, 1997 LEGISLATIVE DAY 92

SENATOR BASNIGHT -- Presiding

RAND
STOP TOBACCO SALES TO MINORS
HOUSE COMM. SUB./5TH EDITION

SENATE BILL 143

MOTION 8
TO CONCUR

AYE	4	CLARK	LEDBETTER	MCDANIEL	WEBSTER
NO	46	ALBERTSON	DANNELLY	KINCAID	PLYLER
		ALLRAN	EAST	KINNAIRD	RAND
		BALLANCE	FORRESTER	LEE	REEVES
		BALLANTINE	FOXX	LUCAS	RUCHO
		BASNIGHT	GARWOOD	MARTIN R.	SHAW L.
		BLUST	GULLEY	MARTIN W.	SHAW R.
		CARPENTER	HARTSELL	MILLER	SOLES
		CARRINGTON	HORTON	ODOM	WARREN
		COCHRANE	HOYLE	PAGE	WEINSTEIN
		CONDER	JENKINS	PERDUE	WELLONS
		COOPER	JORDAN	PHILLIPS	WINNER
		DALTON	KERR		

EXCUSED 0

NOT CAST 0

ABSENT 0

PAIRS 0
AYE
NO

GENERAL ASSEMBLY
SENATE

NORTH CAROLINA GENERAL ASSEMBLY
CONFERENCE REPORT
Senate Bill 143

S143-CRRU-001

[YES] Title Change [YES] For Committee Substitute

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

The conferees appointed to resolve the differences between the Senate and the House of Representatives on Senate Bill 143, AN ACT TO PROHIBIT THE SALE OR PURCHASE OF TOBACCO PRODUCTS TO PERSONS LESS THAN EIGHTEEN YEARS OF AGE AND TO REQUIRE THAT CERTAIN PERSONS BE TRAINED REGARDING THESE LAWS, House Committee Substitute Favorable 6/26/97, Fifth Edition Engrossed 7/2/97, submit the following report:

The Senate and House agree to the following amendment to the House Committee Substitute Favorable 6/26/97, Fifth Edition Engrossed 7/2/97, and the Senate concurs in the House Committee Substitute Favorable 6/26/97, Fifth Edition Engrossed 7/2/97, as amended:

Delete the entire House Committee Substitute Favorable 6/26/97, Fifth Edition Engrossed 7/2/97, and substitute the attached Proposed Conference Committee Substitute S143-PCCS2806.

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

NORTH CAROLINA GENERAL ASSEMBLY
CONFERENCE REPORT
Senate Bill 143

S143-CRRU-001

Date conferees approved report: August 14, 1997.

Conferees for the Senate	Conferees for the House of Representatives
Senator Anthony E. Rand, Chairman	Rep. Gene G. Arnold, Chair
Senator Walter H. Dalton	Rep. Lanier M. Cansler
Senator James S. Forrester	Rep. Milton F. Fitch, Jr.
Senator Jeanne H. Lucas	Rep. Bobby Ray Hall
Senator Robert A. Rucho	Rep. Dewey L. Hill

Senate Submitted 8/14/97 — Placed on calendar 8/18/97
Senate ADOPTED 8/18/97 (38/4) Message Received ✓
House ADOPTED 8/18/97 (/) Ordered Enrolled 8/19/97

8/18/97 Janet Pruitt

ORDERED SENT TO GOVERNOR

CONFEREES

House ADOPTED Conference report AUG 18 1997

Senate ADOPTED Conference Report AUG 18 1997 38-4

NORTH CAROLINA
HOUSE OF REPRESENTATIVES
ROLL CALL

EV

SEQ. # 1405
LEGISLATIVE DAY 115
DATE 8/18/97
TIME 4:12 PM
CONFERENCE REPORT
IN CHAIR: SPEAKER

STOP TOBACCO SALES TO MINORS

85 D Wheeler

AYES - ~~84~~

ADAMS	DAUGHTRY	IVES	OWENS
ALEXANDER	DAVIS	JARRELL	RAYFIELD
ARNOLD	DECKER	JEFFUS	REDWINE
BAKER	DEDMON	JUSTUS	REYNOLDS
BARBEE	DICKSON	KINNEY	ROGERS
BLACK	DOCKHAM	KISER	RUSSELL
BLUE	EASTERLING	LUEBKE	SAUNDERS
BONNER	EDDINS	MCCOMAS	SEXTON
BOWIE	ESPOSITO	MCCOMBS	SHERRILL
BOYD-MCINTYRE	FOX	MCCRARY	SHUBERT
BRASWELL	GAMBLE	MERCER	SMITH
BRAWLEY	GRADY	MICHAUX	TALLENT
BROWN	GULLEY	MILLER	THOMPSON
BUCHANAN	HALL	MITCHELL	TOLSON
CAPPS	HARDY	MOORE	WARWICK
CARPENTER	HENSLEY	MORRIS	WATSON
CHURCH	HIGHTOWER	MOSLEY	WEATHERLY
CLARY	HILL	NEELY	WILKINS
COLE	HOWARD	NICHOLS	WILSON, G.
CULP	HURLEY	NYE	WOMBLE
CULPEPPER	INSKO	OLDHAM	YONGUE

CRAWFORD D Wheeler

NOES - 1

SUTTON

EXCUSED ABSENCE - ~~13~~ 12 NV

CANSLER	ELLIS	HUNTER, R.	WARNER
~~CRAWFORD~~ NV	HARDAWAY	MCMAHAN	WOOD
CREECH	HOLMES	WAINWRIGHT	WRIGHT
CUNNINGHAM			

EXCUSED VOTE - 0

NOT VOTING - 22

SPEAKER	EARLE	HIATT	NESBITT
ALDRIDGE	FITCH	HUNTER, H.	PRESTON
ALLRED	GARDNER	MCALLISTER	RAMSEY
BADDOUR	GOODWIN	MINER	STARNES
BEALL	GRAY	MORGAN	WILSON, C.
BERRY	HACKNEY		

NORTH CAROLINA GENERAL ASSEMBLY
SENATE

RECORDED VOTE

1997 SESSION

SEQ. 1395/11-- 7:45 PM AUGUST 18, 1997 LEGISLATIVE DAY 115

LT. GOVERNOR WICKER -- Presiding

RAND
STOP TOBACCO SALES TO MINORS
HOUSE COMM. SUB./5TH EDITION

SENATE BILL 143

CONFERENCE REPORT

MOTION 7
TO ADOPT

AYE	38	ALBERTSON	DALTON	LEDBETTER	PHILLIPS
		ALLRAN	DANNELLY	LEE	PLYLER
		BALLANCE	EAST	LUCAS	PURCELL
		BALLANTINE	FORRESTER	MARTIN R.	RAND
		BASNIGHT	FOXX	MARTIN W.	REEVES
		BLUST	HORTON	MILLER	RUCHO
		CARPENTER	JENKINS	ODOM	SHAW R.
		CARRINGTON	JORDAN	PAGE	SOLES
		COCHRANE	KERR	PERDUE	WELLONS
		COOPER	KINNAIRD		
NO	4	CLARK	MCDANIEL	MOORE	WEBSTER
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

FILED - SENATE

FEB 13 1997

PRINCIPAL CLERK

S D

S 144-

SENATE DRSA533*-LE005(1.15)

Short Title: Comm. College Scholarship Program. (Public)

Sponsors: Senators Rand and Shaw of Cumberland.

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

FILED - SENATE

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1997

S 145

FEB 13 1997

PRINCIPAL CLERK

S D

SENATE DRS1540-RSZ003.1(1.24)

Short Title: IV-D UIFSA Cases/Represent. (Public)

Sponsors: Senators Rand and Odom.

Referred to:

A BILL TO BE ENTITLED

AN ACT TO PROVIDE THAT THE CHILD SUPPORT ENFORCEMENT AGENCY SHALL REPRESENT OBLIGEES IN IV-D UIFSA CASES AND TO APPROPRIATE FUNDS.

The General Assembly of North Carolina enacts:

Section 1. G.S. 52C-3-308 reads as rewritten:

"**§ 52C-3-308. Representation of obligee.**

~~It shall be the duty of the district attorney to represent the obligee in proceedings authorized by this Chapter unless alternative arrangements are made by the obligee.~~ In a IV-D case, the support enforcement agency shall represent the obligee in proceedings authorized by this Chapter unless the obligee makes alternative arrangements. In a non-IV-D case, the district attorney shall represent the obligee in proceedings authorized by this Chapter unless the obligee makes alternative arrangements. An obligee may employ private counsel to represent the obligee in proceedings authorized by this Chapter."

Section 2. There is appropriated from the General Fund to the Department of Human Resources the sum of four hundred twenty thousand dollars ($420,000) for the 1997-98 fiscal year and the sum of four hundred twenty thousand dollars ($420,000) for the 1998-99 fiscal year to implement the provisions of this act, to be distributed among both county and State child support agencies.

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

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1997

FILED - SENATE
FEB 13 1997
PRINCIPAL CLERK

S

S 146 - D

SENATE DRS8515-RGZ004(1.24)

Short Title: Clerks of Court on Commissions. (Public)

Sponsors: Senators Rand and Odom.

Referred to:

A BILL TO BE ENTITLED

AN ACT TO ADD CLERKS OF COURT TO THE SENTENCING AND POLICY ADVISORY COMMISSION, THE CRIMINAL JUSTICE ADVISORY BOARD, AND THE GOVERNOR'S CRIME COMMISSION.

The General Assembly of North Carolina enacts:

Section 1. G.S. 164-37 reads as rewritten:

"**§ 164-37. Membership; chairman; meetings; quorum.**

The Commission shall consist of ~~28~~ 29 members as follows:

(1) The Chief Justice of the North Carolina Supreme Court shall appoint a sitting or former Justice or judge of the General Court of Justice, who shall serve as Chairman of the Commission;

(2) The Chief Judge of the North Carolina Court of Appeals, or another judge on the Court of Appeals, serving as his designee;

(3) The Secretary of Correction or his designee;

(4) The Secretary of Crime Control and Public Safety or his designee;

(5) The Chairman of the Parole Commission, or his designee;

(6) The President of the Conference of Superior Court Judges or his designee;

(7) The President of the District Court Judges Association or his designee;

(8) The President of the North Carolina Sheriff's Association or his designee;

(9) The President of the North Carolina Association of Chiefs of Police or his designee;

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1997

FILED - SENATE

S

S 147 - FEB 13 1997

SENATE DRS1539*-LKX048(2.6) PRINCIPAL CLERK

Short Title: Birth/Death Certificate Fee Upped. (Public)

Sponsors: Senator Winner.

Referred to:

A BILL TO BE ENTITLED

AN ACT TO INCREASE THE UNIFORM FEE FOR A CERTIFIED BIRTH, DEATH, OR MARRIAGE CERTIFICATE.

The General Assembly of North Carolina enacts:

Section 1. G.S. 161-10(a) reads as rewritten:

"(a) Except as provided in G.S. 161-11.1 or 161-11.2, all fees collected under this section shall be deposited into the county general fund. In the performance of his duties, the register of deeds shall collect the following fees which shall be uniform throughout the State:

(1) Instruments in General. -- For registering or filing any instrument for which no other provision is made by this section, whether written, printed, or typewritten, the fee shall be six dollars ($6.00) for the first page, which page shall not exceed 8 1/2 inches by 14 inches, plus two dollars ($2.00), for each additional page or fraction thereof. A page exceeding 8 1/2 inches by 14 inches shall be considered two pages.

When a document is presented for registration that consists of multiple instruments, the fee shall be ten dollars ($10.00) for each additional instrument. A document consists of multiple instruments when it contains two or more instruments with different legal consequences or intent, each of which is separately executed and acknowledged and could be recorded alone.

(1a) Deeds of Trust, Mortgages, and Cancellation of Deeds of Trust and Mortgages. -- For registering or filing any deed of trust or mortgage, whether written, printed, or typewritten, the fee shall be

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1997

FILED - SENATE
FEB 13 1997
PRINCIPAL CLERK

S

D

S148-

SENATE DRS7526*-LKZ025C(1.23)

Short Title: Motor Vehicle Occupant Restraints. (Public)

Sponsors: Senators Winner and Allran.

Referred to:

A BILL TO BE ENTITLED

AN ACT TO ENHANCE MOTOR VEHICLE OCCUPANT RESTRAINT SAFETY.

The General Assembly of North Carolina enacts:

Section 1. G.S. 20-135.2A(a) reads as rewritten:

"(a) Each ~~front seat~~ occupant who is 16 years of age or older and each driver of a passenger motor vehicle manufactured with seat safety belts ~~in compliance with Federal Motor Vehicle Safety Standard No. 208~~ shall have such a safety belt properly fastened about his body at all times when the vehicle is in forward motion on a street or highway in this State. ~~Each driver of a passenger motor vehicle manufactured with seat safety belts in compliance with Federal Motor Vehicle Safety Standard No. 208, who is transporting in the front seat a person who is (1) under 16 years of age and (2) not required to be restrained in accordance with G.S. 20-137.1, shall have the person secured by such a safety belt at all times when the vehicle is operated in forward motion on a street or highway in this State. Persons required to be restrained in accordance with G.S. 20-137.1 shall be secured as required by that section.~~"

Section 2. G.S. 20-135.2A(e) reads as rewritten:

"(e) ~~Any person violating this section during the period from October 1, 1985, to December 31, 1986, shall be given a warning of violation only. Thereafter, any~~ Any person violating this section shall have committed an infraction and shall pay a fine of ~~twenty-five dollars ($25.00).~~ fifty dollars ($50.00). ~~An infraction is an unlawful act that is not a crime. The procedure for charging and trying an infraction is the same as for a misdemeanor, but conviction of an infraction has no consequence other than payment of a fine.~~ A person ~~convicted of an infraction~~ found responsible for a violation of this section may not be assessed court costs."

Section 3. G.S. 20-135.2A(f) reads as rewritten:

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1997

FILED - SENATE

FEB 13 1997

PRINCIPAL CLERK

S 149

S D

SENATE DRS1538*-LKZ025B(1.23)

Short Title: Graduated Drivers Licenses. (Public)

Sponsors: Senators Cooper and Allran.

Referred to:

A BILL TO BE ENTITLED

AN ACT TO IMPLEMENT GRADUATED DRIVERS LICENSES.

The General Assembly of North Carolina enacts:

Section 1. G.S. 20-11 reads as rewritten:

"**§ 20-11. Application of minors.**

(a) The Division shall not grant the application of any minor between the ages of 16 and 18 years for a driver's license or a learner's permit unless such application is signed both by the applicant and by the parent, guardian, husband, wife or employer of the applicant, or, if the applicant has no parent, guardian, husband, wife or employer residing in this State, by some other responsible adult person. It shall be unlawful for any person to sign the application of a minor under the provisions of this section when such application misstates the age of the minor and any person knowingly violating this provision shall be guilty of a Class 2 misdemeanor.

The Division shall not grant the application of any minor between the ages of 16 and 18 years for a driver's license unless such minor presents evidence of having satisfactorily completed the driver training and safety education courses offered at the public high schools as provided in G.S. 20-88.1 or upon having satisfactorily completed a course of driving instruction offered at a licensed commercial driver training school or an approved nonpublic secondary school, provided instruction offered in such schools shall be approved by the State Commissioner of Motor Vehicles and the State Superintendent of Public Instruction and all expenses for such instruction shall be paid by the persons enrolling in such courses and/or by the schools offering them. All approved driver training and safety education courses and courses of driving instruction shall include at least six hours of actual driving experience.

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

S

FILED - SENATE D

SENATE DRS2535*-RTZ058.01(1.16) S.150 - FEB 13 1997

PRINCIPAL CLERK

Short Title: Inactive Haz. Sites/Reports & Notice. (Public)

Sponsors: Senator Cooper.

Referred to:

A BILL TO BE ENTITLED

AN ACT TO REDUCE THE FREQUENCY OF THE REPORT ON THE INACTIVE HAZARDOUS SUBSTANCE RESPONSE ACT OF 1987 FROM ANNUALLY TO EVERY TWO YEARS AND TO CLARIFY THE PUBLIC COMMENT PERIOD ON REMEDIAL ACTION PLANS, AS RECOMMENDED BY THE ENVIRONMENTAL REVIEW COMMISSION.

The General Assembly of North Carolina enacts:

Section 1. G.S. 130A-310.10 reads as rewritten:

"**§ 130A-310.10. Annual reports.**

(a) The Secretary shall present ~~an annual~~ a report on inactive hazardous sites to ~~the General Assembly and~~ the Environmental Review ~~Commission which~~ Commission. The report shall include at ~~least the following:~~ least:

(1) The Inactive Hazardous Waste Sites Priority List;

(2) A list of remedial action plans requiring State funding through the Inactive Hazardous Sites Cleanup Fund;

(3) A comprehensive budget to implement these remedial action plans and the adequacy of the Inactive Hazardous Sites Cleanup Fund to fund the cost of said plans;

(4) A prioritized list of sites that are eligible for remedial action under CERCLA/SARA together with recommended remedial action plans and a comprehensive budget to implement such plans. The budget for implementing a remedial action plan under CERCLA/SARA shall include a statement as to any appropriation that may be necessary to pay the State's share of such plan;

NORTH CAROLINA GENERAL ASSEMBLY
SENATE

RECORDED VOTE

1997 SESSION

SEQ. 89/3-- 2:17 PM MARCH 12, 1997 LEGISLATIVE DAY 25

SENATOR BASNIGHT -- Presiding

COOPER
INACTIVE HAZ. SITES/REPORTS

SENATE BILL 150
READING 2

AND NOTICE

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

EXCUSED 0

NOT CAST 0

ABSENT 0

PAIRS 0
AYE
NO

GENERAL ASSEMBLY
SENATE

NORTH CAROLINA
HOUSE OF REPRESENTATIVES
ROLL CALL

EV

. # 274
ISLATIVE DAY 41
S150
READING 2

4/09/97
3:20 PM
IN CHAIR: SPEAKER

INACTIVE HAZARDOUS SITES/RPTS & NOTICES

AYES - 115

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

NOES - 0

EXCUSED ABSENCE - 5

BARBEE	BLUE	CRAWFORD	ESPOSITO
BERRY			

EXCUSED VOTE - 0

NOT VOTING - 0

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1997

FILED - SENATE

S 151 FEB 13 1997

PRINCIPAL CLERK

S D

SENATE DRS1546*-RTZ057.01(1.16)

Short Title: Inactive Haz. Sites Info. (Public)

Sponsors: Senator Cooper.

Referred to:

A BILL TO BE ENTITLED

AN ACT TO CLARIFY THE DUTY OF AN OWNER, OPERATOR, OR OTHER RESPONSIBLE PARTY OF AN INACTIVE HAZARDOUS SUBSTANCE OR WASTE DISPOSAL SITE TO NOTIFY THE DEPARTMENT OF ENVIRONMENT, HEALTH, AND NATURAL RESOURCES OF THE EXISTENCE OF THE SITE, TO REQUIRE OWNERS, OPERATORS, AND OTHER RESPONSIBLE PARTIES TO FURNISH INFORMATION REGARDING THE SITE, AND TO SIMPLIFY THE INACTIVE HAZARDOUS SUBSTANCE OR WASTE DISPOSAL SITE INVENTORY, AS RECOMMENDED BY THE ENVIRONMENTAL REVIEW COMMISSION.

The General Assembly of North Carolina enacts:

Section 1. G.S. 130A-310.1 reads as rewritten:

"**§ 130A-310.1. Identification, inventory, and monitoring of inactive hazardous substance or waste disposal ~~sites.~~ sites; duty of owners, operators, and responsible parties to provide information and access; remedies.**

(a) ~~Within six months of July 1, 1987, the~~ The Department shall develop and implement a program for locating, cataloguing, and monitoring all inactive hazardous substance or waste disposal sites in North Carolina. The Secretary shall compile and maintain an inventory of all ~~such~~ inactive hazardous substance or waste disposal sites based on information submitted by owners, operators, and responsible parties, and on data obtained directly by the Secretary. The ~~inventory shall include~~ Secretary shall maintain records of any evidence of contamination to the air, surface water, groundwater, surface or subsurface soils, or waste ~~streams.~~ streams for inventoried sites. The ~~inventory shall indicate~~ records shall include all available information on

NORTH CAROLINA GENERAL ASSEMBLY
SENATE

RECORDED VOTE

1997 SESSION

SEQ. 172/4-- 2:41 PM APRIL 2, 1997 LEGISLATIVE DAY 37

LT. GOVERNOR WICKER -- Presiding

COOPER
INACTIVE HAZ. SITES INFO

SENATE BILL 151
READING 2

AYE	48	ALBERTSON	EAST	KINNAIRD	PLYLER
		ALLRAN	FORRESTER	LEDBETTER	RAND
		BALLANCE	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	WEBSTER
		COOPER	JORDAN	PAGE	WEINSTEIN
		DALTON	KERR	PERDUE	WELLONS
		DANNELLY	KINCAID	PHILLIPS	WINNER
NO	2	BALLANTINE	CLARK		

EXCUSED 0

NOT CAST 0

ABSENT 0

PAIRS 0
AYE
NO

GENERAL ASSEMBLY
SENATE

NORTH CAROLINA
HOUSE OF REPRESENTATIVES
ROLL CALL

EV

597
ISLATIVE DAY 56
S151
READING 2

5/06/97
2:30 PM
IN CHAIR: SPEAKER

INACTIVE HAZARDOUS SITES INFORMATION

AYES - 115

ADAMS	DAUGHTRY	HUNTER, H.	PRESTON
ALDRIDGE	DAVIS	HUNTER, R.	RAMSEY
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	KISER	SEXTON
BLACK	ELLIS	LUEBKE	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	NEELY	WILSON, C.
CRAWFORD	HIATT	NESBITT	WILSON, G.
CREECH	HIGHTOWER	NICHOLS	WOMBLE
CULP	HILL	NYE	WOOD
CULPEPPER	HOLMES	OLDHAM	YONGUE
CUNNINGHAM	HOWARD	OWENS	

NOES - 0

EXCUSED ABSENCE - 4

BERRY	KINNEY	MOSLEY	WRIGHT

EXCUSED VOTE - 0

NOT VOTING - 1

SPEAKER

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1997

S D

SENATE DRS2537*-LDZ009(1.16)

FILED - SENATE
S 152- FEB 13 1997
PRINCIPAL CLERK

Short Title: Admin. Search Warrants/When Served. (Public)

Sponsors: Senator Cooper.

Referred to:

A BILL TO BE ENTITLED

AN ACT TO AUTHORIZE ADMINISTRATIVE SEARCH WARRANTS TO BE SERVED AT HOURS OTHER THAN BETWEEN 8:00 A.M. AND 8:00 P.M. WHEN THERE IS PROBABLE CAUSE TO BELIEVE THAT THE ACTIVITY THAT JUSTIFIES THE ADMINISTRATIVE SEARCH WARRANT WILL OCCUR AT OTHER HOURS, AS RECOMMENDED BY THE ENVIRONMENTAL REVIEW COMMISSION.

The General Assembly of North Carolina enacts:

Section 1. G.S. 15-27.2(e) reads as rewritten:

"(e) Any warrant issued under this section for a search or inspection shall be valid for only 24 hours after its issuance, must be personally served upon the owner or possessor of the property between the hours of 8:00 A.M. and 8:00 P.M. and must be returned within 48 hours. However, if there is probable cause to believe that the condition, object, activity, or circumstance that legally justifies the search or inspection is occurring or will occur at times other than between the hours of 8:00 A.M. and 8:00 P.M., then the warrant may authorize the search or inspection to be made during times in addition to the hours between 8:00 A.M. and 8:00 P.M., in which case the times during which the search or inspection may occur shall be specifically set out on the face of the warrant. If the warrant, however, was procured pursuant to an investigation authorized by G.S. 58-79-1, the warrant may be executed at any hour, is valid for 48 hours after its issuance, and must be returned without unnecessary delay after its execution or after the expiration of the 48 hour period if it is not executed. If the owner or possessor of the property is not present on the property at the time of the search or inspection and reasonable efforts to locate the owner or possessor have been made and have failed, the warrant or a copy thereof

NORTH CAROLINA GENERAL ASSEMBLY
SENATE

RECORDED VOTE

1997 SESSION

SEQ. 135/9-- 8:08 PM MARCH 24, 1997 LEGISLATIVE DAY 31

LT. GOVERNOR WICKER -- Presiding

COOPER
ADMIN. SEARCH WARRANTS/WHEN SERVED

SENATE BILL 152
READING 2

AYE	46	ALBERTSON	EAST	LEE	RAND
		ALLRAN	FORRESTER	LUCAS	REEVES
		BALLANCE	FOXX	MARTIN R.	RUCHO
		BALLANTINE	GARWOOD	MARTIN W.	SHAW L.
		BASNIGHT	GULLEY	MCDANIEL	SHAW R.
		BLUST	HORTON	MILLER	SOLES
		CARPENTER	HOYLE	ODOM	WARREN
		COCHRANE	JENKINS	PAGE	WEBSTER
		CONDER	KERR	PERDUE	WEINSTEIN
		COOPER	KINCAID	PHILLIPS	WELLONS
		DALTON	KINNAIRD	PLYLER	WINNER
		DANNELLY	LEDBETTER		
NO	2	CARRINGTON	CLARK		

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

(COPY)

GENERAL ASSEMBLY
SENATE

NORTH CAROLINA

HOUSE OF REPRESENTATIVES

ROLL CALL

EV

[redacted] # 654
[redacted]ISLATIVE DAY 61
S152
READING 2

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

ADMIN. SEARCH WARRANTS/WHEN SERVE.

AYES - 100

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

NOES - 10

ALLRED	CARPENTER	HENSLEY	MERCER
BERRY	ELLIS	KISER	RAYFIELD
BOYD-MCINTYRE	FITCH		

EXCUSED ABSENCE - 5

ALEXANDER	HIATT	WEATHERLY	WOOD
DICKSON			

EXCUSED VOTE - 0

NOT VOTING - 5

SPEAKER	BOWIE	HUNTER, R.	MICHAUX
BLUE			

GENERAL ASSEMBLY OF NORTH CAROLINA

FILED - SENATE

SESSION 1997

S 153

FEB 1 3 1997

PRINCIPAL CLERK

S D

SENATE DRS4523*-LDZX017.03(2.5)

Short Title: Scrap Tire Disposal Tax Amend. (Public)

Sponsors: Senator Odom.

Referred to:

A BILL TO BE ENTITLED

AN ACT TO EXTEND THE SCRAP TIRE DISPOSAL TAX AT ITS CURRENT RATE, TO AMEND THE SCRAP TIRE DISPOSAL ACT TO DISCOURAGE THE DISPOSAL OF SCRAP TIRES FROM OUTSIDE THE STATE, AND TO COMPLETE THE CLEANUP OF NUISANCE TIRE COLLECTION SITES, AS RECOMMENDED BY THE ENVIRONMENTAL REVIEW COMMISSION.

The General Assembly of North Carolina enacts:

Section 1. Section 9 of Chapter 548 of the 1993 Session Laws reads as rewritten:

"Sec. 9. Section 4 of this act becomes effective January 1, 1994. ~~Section 8 of this act becomes effective June 30, 1997.~~ All other sections of this act become effective October 1, 1993. ~~Sections 1 through 6 of this act expire June 30, 1997.~~ Section 7 of this act expires June 30, 1995. ~~Any funds remaining in the Scrap Tire Disposal Account created by this act on June 30, 1997, shall be transferred to the Solid Waste Management Trust Fund. The expiration of the additional tax imposed by Section 1 of this act does not affect the rights or liabilities of the State, a taxpayer, or another person that arise during the time the additional tax is in effect.~~ The first quarterly report required by G.S. 130A-309.63(e), as enacted by this act, is due within 60 days after the quarter that ends on December 31, 1993."

Section 2. G.S. 130A-309.63 reads as rewritten:

"**§ 130A-309.63. Scrap Tire Disposal Account.**

(a) Creation. -- The Scrap Tire Disposal Account is established as a nonreverting account within the Department. The Account consists of revenue credited to the Account from the proceeds of the scrap tire disposal tax imposed by Article 5B of Chapter 105 of the General Statutes.

NORTH CAROLINA GENERAL ASSEMBLY
SENATE

RECORDED VOTE

1997 SESSION

SEQ. 197/4-- 2:58 PM APRIL 8, 1997 LEGISLATIVE DAY 40

LT. GOVERNOR WICKER -- Presiding

ODOM
SCRAP TIRE DISPOSAL TAX AMEND
COM SUB/2ND EDITION

SENATE BILL 153
READING 2

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
		CARRINGTON	HORTON	MILLER	WARREN
		COCHRANE	HOYLE	ODOM	WEBSTER
		CONDER	JENKINS	PAGE	WEINSTEIN
		COOPER	JORDAN	PERDUE	WELLONS
		DALTON	KINCAID	PHILLIPS	WINNER
NO	1	CLARK			

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

(COPY)

GENERAL ASSEMBLY
SENATE

NORTH CAROLINA

HOUSE OF REPRESENTATIVES

ROLL CALL

RC

SEQ. # 717
LEGISLATIVE DAY 67
S153 HCS
READING 2

5/26/97
7:32 PM
IN CHAIR: SPEAKER

SCRAP TIRE TAX CHANGES

AYES - 106

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

NOES - 1

DECKER

EXCUSED ABSENCE - 7

BONNER	DOCKHAM	HIGHTOWER	WOOD
CREECH	HARDAWAY	HOLMES	

EXCUSED VOTE - 0

NOT VOTING - 6

SPEAKER	BERRY	HOWARD	HUNTER, H.
ALEXANDER	FITCH		

NORTH CAROLINA
HOUSE OF REPRESENTATIVES
ROLL CALL

RC

. # 772
ISLATIVE DAY 71
S153 HCS
READING 3

6/02/97
7:16 PM
IN CHAIR: SPEAKER

SCRAP TIRE TAX CHANGES

AYES - 97

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

NOES - 2

ALDRIDGE	WILSON, C.

EXCUSED ABSENCE - 10

ALEXANDER	DOCKHAM	RUSSELL	WOOD
COLE	HUNTER, R.	SHUBERT	WRIGHT
CREECH	IVES		

EXCUSED VOTE - 0

NOT VOTING - 11

SPEAKER	CUNNINGHAM	HOLMES	OLDHAM
BLACK	EARLE	JEFFUS	WARNER
CLARY	HIGHTOWER	NESBITT	

NORTH CAROLINA GENERAL ASSEMBLY
SENATE

RECORDED VOTE

1997 SESSION

SEQ. 831/12-- 1:46 PM JUNE 5, 1997 LEGISLATIVE DAY 74

LT. GOVERNOR WICKER -- Presiding

ODOM
SCRAP TIRE TAX CHANGES
HOUSE COMM. SUB./3RD EDITION

SENATE BILL 153

2ND READING ROLL CALL

MOTION 8
TO CONCUR

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

NORTH CAROLINA GENERAL ASSEMBLY
SENATE

RECORDED VOTE

1997 SESSION

SEQ. 879/11-- 8:38 PM JUNE 9, 1997 LEGISLATIVE DAY 75

SENATOR BASNIGHT -- Presiding

ODOM
SCRAP TIRE TAX CHANGES
HOUSE COMM. SUB./3RD EDITION

SENATE BILL 153

3RD READING ROLL CALL

MOTION 8
TO CONCUR

AYE	46	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	HARTSELL	MCDANIEL	SOLES
		CARRINGTON	HORTON	MILLER	WARREN
		CLARK	HOYLE	ODOM	WEBSTER
		COCHRANE	JENKINS	PAGE	WEINSTEIN
		CONDER	JORDAN	PHILLIPS	WELLONS
		COOPER	KERR		
NO	0				
EXCUSED	0				
NOT CAST	2	KINCAID	PERDUE		
ABSENT	2	GULLEY	WINNER		
PAIRS	0				
AYE					
NO					

GENERAL ASSEMBLY
SENATE

FILED - SENATE
FEB 1 3 1997
PRINCIPAL CLERK

GENERAL ASSEMBLY OF NORTH CAROLINA S 154

SESSION 1997

S **D**

SENATE DRS7531*-RTZ052.01(2.5)

Short Title: Dam Safety Funds. (Public)

Sponsors: Senator Odom.

Referred to:

A BILL TO BE ENTITLED

AN ACT TO APPROPRIATE FUNDS TO PROTECT PUBLIC HEALTH AND SAFETY BY ASSURING ADEQUATE INSPECTION OF DAMS AND TO IMPROVE THE IMPLEMENTATION OF THE DAM SAFETY ACT OF 1967, AS RECOMMENDED BY THE ENVIRONMENTAL REVIEW COMMISSION.

The General Assembly of North Carolina enacts:

Section 1. There is appropriated from the General Fund to the Department of Environment, Health, and Natural Resources the sum of two hundred seventy-four thousand three hundred thirty-six dollars ($274,336) for the 1997-98 fiscal year and the sum of two hundred fifty-five thousand three hundred thirty-six dollars ($255,336) for the 1998-99 fiscal year to establish five additional positions to ensure adequate inspection of dams in the State and to improve implementation of the Dam Safety Act of 1967.

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

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1997

FILED - SENATE

B 155 FEB 13 1997

PRINCIPAL CLERK

S D

SENATE DRS7533-LD013A(1.9)

Short Title: Adm. Rules/Scope of Review. (Public)

Sponsors: Senator Odom.

Referred to:

A BILL TO BE ENTITLED

AN ACT TO LIMIT THE SCOPE OF REVIEW BY THE RULES REVIEW COMMISSION TO THE SPECIFIC RULE CHANGE SUBMITTED FOR REVIEW.

The General Assembly of North Carolina enacts:

Section 1. G.S. 150B-21.8(c) reads as rewritten:

"(c) Scope. -- When the Commission reviews an amendment to a rule, it may review only the amendment that is submitted for approval. It shall not review the entire rule that is being amended. ~~The procedure in G.S. 150B-21.12 applies when the Commission objects to a part of a rule that is within its scope of review but is not changed by a rule amendment.~~"

Section 2. This act is effective when it becomes law and applies to all amendments to rules for which the Rules Review Commission has not made a determination on or after that date regarding its approval.

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1997

S D

SENATE DRS7527*-LDZ050(2.6)

FILED - SENATE

S 156 - FEB 13 1997

Short Title: Amend Medical Providers' Liens. (Public)

PRINCIPAL CLERK

Sponsors: Senator Hartsell.

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.

FILED - SENATE
S 157 FEB 1 3 1997
PRINCIPAL CLERK

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1997

S D

SENATE DRS8525*-LTZX030A(2.4)

Short Title: Corporate Amendments. (Public)

Sponsors: Senator Hartsell.

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."

NORTH CAROLINA GENERAL ASSEMBLY
SENATE

RECORDED VOTE

1997 SESSION

SEQ. 198/5-- 3:00 PM APRIL 8, 1997 LEGISLATIVE DAY 40

LT. GOVERNOR WICKER -- Presiding

HARTSELL
CORPORATE AMENDMENTS
COM SUB/2ND EDITION

SENATE BILL 157
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

(PRY)

GENERAL ASSEMBLY
SENATE

NORTH CAROLINA
HOUSE OF REPRESENTATIVES
ROLL CALL

RC

SEQ. # 1340
LEGISLATIVE DAY 109
S157 HCS #3
READING 2

8/06/97
11:05 AM
IN CHAIR: SPEAKER

CORPORATE AMENDMENTS

AYES - 97

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

NOES - 1

ALLRED

EXCUSED ABSENCE - 15

ALDRIDGE	CUNNINGHAM	HIGHTOWER	SHUBERT
BARBEE	DAVIS	HURLEY	SUTTON
BLUE	HACKNEY	MCALLISTER	WOOD
BRAWLEY	HARDAWAY	SAUNDERS	

EXCUSED VOTE - 0

NOT VOTING - 7

SPEAKER	BONNER	DEDMON	FITCH
BEALL	BRASWELL	EARLE	

NORTH CAROLINA GENERAL ASSEMBLY
AMENDMENT
Senate Bill 157

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

S157-ALC-8/7B

Date AUG 7 1997, 1997

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

Representative Allred

moves to amend the bill on page 6, line 12, by rewriting the line to read:

"(23) Annual Report 10.00";

and on page 21, lines 40 - 41, by renumbering Section 30.12 as Section 30.14 and adding the following new sections between the lines to read:

"Section 30.12. G.S. 55-1-22(a)(23) is repealed.

Section 30.13. G.S. 105-256.1, as enacted by this act, reads as rewritten:

'**§ 105-256.1. Corporate annual report.**

~~A corporation that files its annual report with the Secretary must pay the amount provided in G.S. 55-1-22 when it files the report. Amounts collected under this section shall be credited to the General Fund as tax revenue.~~ The Secretary must transmit an annual report filed with the Secretary in accordance with G.S. 55-16-22 to the Secretary of State.'";

and on page 21, line 42, by adding the following after the phrase "1997.": "Sections 30.12 and 30.13 of this act become effective July 1, 1999."

SIGNED _____
Amendment Sponsor

SIGNED _____
Committee Chair if Senate Committee Amendment

ADOPTED AUG 7 1997 FAILED _____ TABLED _____

57-37 EV

NORTH CAROLINA
HOUSE OF REPRESENTATIVES
ROLL CALL

EV

SEQ. # 1345
LEGISLATIVE DAY 110
S157 HCS #3
READING 3

8/07/97
10:30 AM
IN CHAIR: SPEAKER

AMEND #1 – REP ALLRED
CORPORATE AMENDMENTS

AYES - 57

ADAMS	CREECH	HOLMES	OWENS
ALLRED	CULP	HOWARD	RAYFIELD
ARNOLD	DECKER	HUNTER, R.	REYNOLDS
BADDOUR	DOCKHAM	KISER	RUSSELL
BAKER	EDDINS	MCCOMAS	SEXTON
BERRY	ELLIS	MCMAHAN	STARNES
BLACK	ESPOSITO	MERCER	THOMPSON
BROWN	FOX	MITCHELL	WARNER
BUCHANAN	GARDNER	MOORE	WARWICK
CANSLER	GRADY	MORGAN	WATSON
CAPPS	GULLEY	MORRIS	WILSON, C.
CARPENTER	HALL	NESBITT	WOMBLE
CLARY	HARDY	NICHOLS	WRIGHT
COLE	HIATT	NYE	YONGUE
CRAWFORD			

NOES - 37

ALEXANDER	GRAY	MCCOMBS	ROGERS
BEALL	HENSLEY	MCCRARY	SHERRILL
BOWIE	HILL	MICHAUX	SMITH
CHURCH	HUNTER, H.	MILLER	SUTTON
CULPEPPER	HURLEY	MINER	TOLSON
DEDMON	IVES	NEELY	WAINWRIGHT
DICKSON	JARRELL	OLDHAM	WEATHERLY
EASTERLING	JEFFUS	PRESTON	WILKINS
GAMBLE	KINNEY	RAMSEY	WILSON, G.
GOODWIN			

EXCUSED ABSENCE - 20

ALDRIDGE	CUNNINGHAM	HIGHTOWER	REDWINE
BARBEE	DAUGHTRY	INSKO	SAUNDERS
BLUE	DAVIS	LUEBKE	SHUBERT
BRASWELL	HACKNEY	MCALLISTER	TALLENT
BRAWLEY	HARDAWAY	MOSLEY	WOOD

EXCUSED VOTE - 0

NOT VOTING - 6

SPEAKER	BOYD-MCINTYRE	FITCH	JUSTUS
BONNER	EARLE		

NORTH CAROLINA

HOUSE OF REPRESENTATIVES

ROLL CALL

RC

SEQ. # 1346
LEGISLATIVE DAY 110
S157 HCS #3
READING 3

8/07/97
10:30 AM
IN CHAIR: SPEAKER

CORPORATE AMENDMENTS

AYES - 94

ADAMS	DICKSON	JEFFUS	RAMSEY
ALEXANDER	DOCKHAM	JUSTUS	RAYFIELD
ALLRED	EASTERLING	KINNEY	REYNOLDS
ARNOLD	EDDINS	KISER	ROGERS
BADDOUR	ELLIS	MCCOMAS	RUSSELL
BAKER	ESPOSITO	MCCOMBS	SEXTON
BEALL	FOX	MCCRARY	SHERRILL
BERRY	GARDNER	MCMAHAN	SMITH
BLACK	GOODWIN	MERCER	STARNES
BOWIE	GRADY	MICHAUX	SUTTON
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	HILL	NEELY	WEATHERLY
COLE	HOLMES	NESBITT	WILKINS
CRAWFORD	HOWARD	NICHOLS	WILSON, C.
CREECH	HUNTER, H.	NYE	WILSON, G.
CULP	HUNTER, R.	OLDHAM	WOMBLE
CULPEPPER	HURLEY	OWENS	WRIGHT
DECKER	IVES	PRESTON	YONGUE
DEDMON	JARRELL		

NOES - 1

GAMBLE

EXCUSED ABSENCE - 20

ALDRIDGE	CUNNINGHAM	HIGHTOWER	REDWINE
BARBEE	DAUGHTRY	INSKO	SAUNDERS
BLUE	DAVIS	LUEBKE	SHUBERT
BRASWELL	HACKNEY	MCALLISTER	TALLENT
BRAWLEY	HARDAWAY	MOSLEY	WOOD

EXCUSED VOTE - 0

NOT VOTING - 5

SPEAKER	BOYD-MCINTYRE	EARLE	FITCH
BONNER			

NORTH CAROLINA GENERAL ASSEMBLY
SENATE

RECORDED VOTE

1997 SESSION

SEQ. 1378/21--12:42 PM AUGUST 14, 1997 LEGISLATIVE DAY 114

SENATOR BASNIGHT -- Presiding

HARTSELL
CORPORATE AMENDMENTS
HOUSE COM SUB #3/6TH EDITION

SENATE BILL 157

MOTION 8
TO CONCUR

AYE	0				
NO	44	ALBERTSON	FORRESTER	LEE	PLYLER
		ALLRAN	FOXX	LUCAS	PURCELL
		BALLANTINE	GARWOOD	MARTIN R.	RAND
		BASNIGHT	HARTSELL	MARTIN W.	REEVES
		BLUST	HORTON	MCDANIEL	RUCHO
		CARPENTER	HOYLE	MILLER	SHAW L.
		COCHRANE	JENKINS	MOORE	SHAW R.
		COOPER	JORDAN	ODOM	SOLES
		DALTON	KERR	PAGE	WARREN
		DANNELLY	KINNAIRD	PERDUE	WEINSTEIN
		EAST	LEDBETTER	PHILLIPS	WELLONS
EXCUSED	0				
NOT CAST	0				
ABSENT	6	BALLANCE	CLARK	WEBSTER	WINNER
		CARRINGTON	GULLEY		
PAIRS	0				
AYE					
NO					

GENERAL ASSEMBLY
SENATE

NORTH CAROLINA GENERAL ASSEMBLY
CONFERENCE REPORT
Senate Bill 157

S157-CRRG-001

[YES] Title Change

[YES] For Committee Substitute

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

The conferees appointed to resolve the differences between the Senate and the House of Representatives on Senate Bill 157, A BILL TO BE ENTITLED AN ACT TO EXPAND THE TIME CORPORATIONS AND LIMITED LIABILITY COMPANIES MAY APPLY FOR REINSTATEMENT FROM ADMINISTRATIVE DISSOLUTION, 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 AND OTHERS, AND TO AUTHORIZE THE CREATION OF SINGLE MEMBER LIMITED LIABILITY COMPANIES, TO ALLOW A PARENT CORPORATION TO BE MERGED INTO ITS SUBSIDIARY CORPORATION IN CERTAIN CIRCUMSTANCES, TO REMOVE THE REQUIREMENT THAT A PUBLIC CORPORATION MUST WAIT THIRTY DAYS BEFORE IT CAN FILE ITS ARTICLES OF MERGER WITH THE SECRETARY OF STATE, TO INCREASE THE FEES FOR THE FILING OF CERTAIN DOCUMENTS, AND TO PROVIDE THAT ANNUAL REPORTS OF MOST BUSINESS CORPORATIONS AND LIMITED LIABILITY COMPANIES SHALL BE FILED WITH THE DEPARTMENT OF REVENUE RATHER THAN THE SECRETARY OF STATE, Sixth Edition Engrossed 8/7/97, submit the following report:

The Senate and the House of Representatives agree to the following amendments to the Sixth Edition Engrossed 8/7/97, and the Senate concurs in the Sixth Edition Engrossed 8/7/97 as amended:

on page 1, line 18 through page 2, line 2, by rewriting those lines to read:
"INCREASE THE FEES FOR THE FILING OF CERTAIN DOCUMENTS.";

and on page 15, line 31 through page 22, line 18, by deleting those lines;

and by renumbering the remaining Parts and sections accordingly;

NORTH CAROLINA GENERAL ASSEMBLY
CONFERENCE REPORT
Senate Bill 157

S157-CRRG-001

and on page 22, line 22,
by deleting the number "31" and substituting the number "30";

and on page 22, lines 25-27, by rewriting the lines to read:
"of this act, becomes effective September 1, 1997. Except as otherwise".

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

Date conferees approved report: August 20, 1997.

Conferees for the Senate	Conferees for the House of Representatives
Fletcher Hartsell, Jr., Chairman	N. Leo Daughtry, Chairman
John H. Kerr III	Philip A. Baddour, Jr.
R.C. Soles, Jr.	Walter W. Dickson
	Edwin M. Hardy
	Charles B. Neely, Jr.

House Submitted 8/21/97 placed on the calendar 8/22/97
ADOPTED _____(/) Message Received_____
ADOPTED _____(/) Ordered Enrolled_____

NORTH CAROLINA GENERAL ASSEMBLY
CONFERENCE REPORT
Senate Bill 157

S157-CRRG-001

[YES] 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
Senate Bill 157

S157-CRRG-001

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Date conferees approved report: August 20, 1997.

Conferees for the Senate

Fletcher Hartsell, Jr., Chairman

John H. Kerr III

R.C. Soles, Jr.

Conferees for the House of Representatives

N. Leo Daughtry, Chairman

Philip A. Baddour, Jr.

Walter W. Dickson

Edwin M. Hardy

Charles B. Neely, Jr.

Senate Submitted 8/21/97 Placed on Calendar for 8/22/97.
Senate ADOPTED 8/22/97 (42/0) Message Received
ADOPTED (/) Ordered Enrolled

CHANGES TITLE

Conference report read non roll-call.

NORTH CAROLINA GENERAL ASSEMBLY
CONFERENCE REPORT
Senate Bill 157

S157-CRRG-001

[YES] Title Change [YES] For Committee Substitute

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

The conferees appointed to resolve the differences between the Senate and the House of Representatives on Senate Bill 157, A BILL TO BE ENTITLED AN ACT TO EXPAND THE TIME CORPORATIONS AND LIMITED LIABILITY COMPANIES MAY APPLY FOR REINSTATEMENT FROM ADMINISTRATIVE DISSOLUTION, 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 AND OTHERS, AND TO AUTHORIZE THE CREATION OF SINGLE MEMBER LIMITED LIABILITY COMPANIES, TO ALLOW A PARENT CORPORATION TO BE MERGED INTO ITS SUBSIDIARY CORPORATION IN CERTAIN CIRCUMSTANCES, TO REMOVE THE REQUIREMENT THAT A PUBLIC CORPORATION MUST WAIT THIRTY DAYS BEFORE IT CAN FILE ITS ARTICLES OF MERGER WITH THE SECRETARY OF STATE, TO INCREASE THE FEES FOR THE FILING OF CERTAIN DOCUMENTS, AND TO PROVIDE THAT ANNUAL REPORTS OF MOST BUSINESS CORPORATIONS AND LIMITED LIABILITY COMPANIES SHALL BE FILED WITH THE DEPARTMENT OF REVENUE RATHER THAN THE SECRETARY OF STATE, Sixth Edition Engrossed 8/7/97, submit the following report:

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and on page 15, line 31 through page 22, line 18, by deleting those lines;

and by renumbering the remaining Parts and sections accordingly;

NORTH CAROLINA GENERAL ASSEMBLY
CONFERENCE REPORT
Senate Bill 157

S157-CRRG-001

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"of this act, becomes effective September 1, 1997. Except as otherwise".

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

Date conferees approved report: August 20, 1997.

Conferees for the Senate

Fletcher Hartsell, Jr., Chairman

John H. Kerr III

R.C. Soles, Jr.

Conferees for the House of Representatives

N. Leo Daughtry, Chairman

Philip A. Baddour, Jr.

Walter W. Dickson

Edwin M. Hardy

Charles B. Neely, Jr.

House Submitted 8/21/97 placed on the calendar 8/22/97
ADOPTED _____(/) Message Received_____
ADOPTED _____(/) Ordered Enrolled_____

On motion of Rep. Morgan postponed to 8/25/97

NORTH CAROLINA GENERAL ASSEMBLY
SENATE

RECORDED VOTE

1997 SESSION

SEQ. 1460/15--11:00 AM AUGUST 22, 1997 LEGISLATIVE DAY 119

LT. GOVERNOR WICKER -- Presiding

HARTSELL
CORPORATE AMENDMENTS
HOUSE COM SUB #3/6TH EDITION

SENATE BILL 157

CONFERENCE REPORT

MOTION 7
TO ADOPT

AYE	42	ALBERTSON	EAST	LUCAS	PURCELL
		ALLRAN	FORRESTER	MARTIN R.	RAND
		BALLANCE	FOXX	MARTIN W.	REEVES
		BALLANTINE	HARTSELL	MILLER	SHAW L.
		BASNIGHT	HORTON	MOORE	SHAW R.
		BLUST	HOYLE	ODOM	SOLES
		CARPENTER	JENKINS	PAGE	WEBSTER
		COCHRANE	JORDAN	PERDUE	WEINSTEIN
		COOPER	KINNAIRD	PHILLIPS	WELLONS
		DALTON	LEDBETTER	PLYLER	WINNER
		DANNELLY	LEE		
NO	0				
EXCUSED	0				
NOT CAST	1	KERR			
ABSENT	7	CARRINGTON	GARWOOD	MCDANIEL	WARREN
		CLARK	GULLEY	RUCHO	
PAIRS	0				
AYE					
NO					

GENERAL ASSEMBLY
SENATE

NORTH CAROLINA GENERAL ASSEMBLY
CONFERENCE REPORT
Senate Bill 157

S157-CRRG-001

[YES] Title Change [YES] For Committee Substitute

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

The conferees appointed to resolve the differences between the Senate and the House of Representatives on Senate Bill 157, A BILL TO BE ENTITLED AN ACT TO EXPAND THE TIME CORPORATIONS AND LIMITED LIABILITY COMPANIES MAY APPLY FOR REINSTATEMENT FROM ADMINISTRATIVE DISSOLUTION, 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 AND OTHERS, AND TO AUTHORIZE THE CREATION OF SINGLE MEMBER LIMITED LIABILITY COMPANIES, TO ALLOW A PARENT CORPORATION TO BE MERGED INTO ITS SUBSIDIARY CORPORATION IN CERTAIN CIRCUMSTANCES, TO REMOVE THE REQUIREMENT THAT A PUBLIC CORPORATION MUST WAIT THIRTY DAYS BEFORE IT CAN FILE ITS ARTICLES OF MERGER WITH THE SECRETARY OF STATE, TO INCREASE THE FEES FOR THE FILING OF CERTAIN DOCUMENTS, AND TO PROVIDE THAT ANNUAL REPORTS OF MOST BUSINESS CORPORATIONS AND LIMITED LIABILITY COMPANIES SHALL BE FILED WITH THE DEPARTMENT OF REVENUE RATHER THAN THE SECRETARY OF STATE, Sixth Edition Engrossed 8/7/97, submit the following report:

The Senate and the House of Representatives agree to the following amendments to the Sixth Edition Engrossed 8/7/97, and the Senate concurs in the Sixth Edition Engrossed 8/7/97 as amended:

on page 1, line 18 through page 2, line 2, by rewriting those lines to read:
"INCREASE THE FEES FOR THE FILING OF CERTAIN DOCUMENTS.";

and on page 15, line 31 through page 22, line 18, by deleting those lines;

and by renumbering the remaining Parts and sections accordingly;

NORTH CAROLINA GENERAL ASSEMBLY
CONFERENCE REPORT
Senate Bill 157

S157-CRRG-001

and on page 22, line 22,
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and on page 22, lines 25-27, by rewriting the lines to read: "of this act, becomes effective September 1, 1997. Except as otherwise".

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

Date conferees approved report: August 20, 1997.

Conferees for the Senate	Conferees for the House of Representatives
Fletcher Hartsell, Jr., Chairman	N. Leo Daughtry, Chairman
John H. Kerr III	Philip A. Baddour, Jr.
R.C. Soles, Jr.	Walter W. Dickson
	Edwin M. Hardy
	Charles B. Neely, Jr.

House Submitted 8/21/97 placed on the calendar 8/22/97
House ADOPTED 8/25/97 (~~88 1 EV~~) Message Received
ADOPTED (88 1 EV (adjusted)) Ordered Enrolled

On motion of Rep. Morgan postponed to 8/25/97
Senate notified

Special Message

AUG 25 1997

D Weeks

NORTH CAROLINA GENERAL ASSEMBLY
CONFERENCE REPORT
Senate Bill 157

S157-CRRG-001

[YES] Title Change [YES] For Committee Substitute

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

The conferees appointed to resolve the differences between the Senate and the House of Representatives on Senate Bill 157, A BILL TO BE ENTITLED AN ACT TO EXPAND THE TIME CORPORATIONS AND LIMITED LIABILITY COMPANIES MAY APPLY FOR REINSTATEMENT FROM ADMINISTRATIVE DISSOLUTION, 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 AND OTHERS, AND TO AUTHORIZE THE CREATION OF SINGLE MEMBER LIMITED LIABILITY COMPANIES, TO ALLOW A PARENT CORPORATION TO BE MERGED INTO ITS SUBSIDIARY CORPORATION IN CERTAIN CIRCUMSTANCES, TO REMOVE THE REQUIREMENT THAT A PUBLIC CORPORATION MUST WAIT THIRTY DAYS BEFORE IT CAN FILE ITS ARTICLES OF MERGER WITH THE SECRETARY OF STATE, TO INCREASE THE FEES FOR THE FILING OF CERTAIN DOCUMENTS, AND TO PROVIDE THAT ANNUAL REPORTS OF MOST BUSINESS CORPORATIONS AND LIMITED LIABILITY COMPANIES SHALL BE FILED WITH THE DEPARTMENT OF REVENUE RATHER THAN THE SECRETARY OF STATE, Sixth Edition Engrossed 8/7/97, submit the following report:

The Senate and the House of Representatives agree to the following amendments to the Sixth Edition Engrossed 8/7/97, and the Senate concurs in the Sixth Edition Engrossed 8/7/97 as amended:

on page 1, line 18 through page 2, line 2, by rewriting those lines to read:
"INCREASE THE FEES FOR THE FILING OF CERTAIN DOCUMENTS.";

and on page 15, line 31 through page 22, line 18, by deleting those lines;

and by renumbering the remaining Parts and sections accordingly;

NORTH CAROLINA GENERAL ASSEMBLY
CONFERENCE REPORT
Senate Bill 157

S157-CRRG-001

and on page 22, line 22,
by deleting the number "31" and substituting the number "30";

and on page 22, lines 25-27, by rewriting the lines to read:
"of this act, becomes effective September 1, 1997. Except as otherwise".

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

Date conferees approved report: August 20, 1997.

Conferees for the Senate

Fletcher Hartsell, Jr., Chairman

John H. Kerr III

R.C. Soles, Jr.

Conferees for the House of Representatives

N. Leo Daughtry, Chairman

Philip A. Baddour, Jr.

Walter W. Dickson

Edwin M. Hardy

Charles B. Neely, Jr.

Senate Submitted 5/21/97 Placed on Calendar for 5/22/97.
Senate ADOPTED 5/22/97 (42/0) Message Received
ADOPTED (/) Ordered Enrolled

CHANGES TITLE

Conference report read and roll-called.

NORTH CAROLINA
HOUSE OF REPRESENTATIVES
ROLL CALL

EV

SEQ. # 1479
LEGISLATIVE DAY 120
DATE 8/25/97
TIME 6:07 PM
CONFERENCE REPORT
IN CHAIR: SPEAKER

CORPORATE AMENDMENTS

AYES - 88

ADAMS	CUNNINGHAM	INSKO	NICHOLS
ALEXANDER	DAUGHTRY	IVES	NYE
ARNOLD	DAVIS	JARRELL	OWENS
BADDOUR	DEDMON	JEFFUS	PRESTON
BAKER	DICKSON	JUSTUS	RAYFIELD
BARBEE	DOCKHAM	KINNEY	REDWINE
BERRY	EDDINS	KISER	REYNOLDS
BLACK	ESPOSITO	MCALLISTER	RUSSELL
BLUE	FOX	MCCOMAS	SEXTON
BONNER	GARDNER	MCCOMBS	SHERRILL
BRAWLEY	GOODWIN	MCCRARY	SHUBERT
BROWN	GRADY	MCMAHAN	SMITH
BUCHANAN	GULLEY	MERCER	STARNES
CANSLER	HACKNEY	MICHAUX	SUTTON
CAPPS	HALL	MILLER	THOMPSON
CARPENTER	HARDY	MINER	WARNER
CHURCH	HENSLEY	MITCHELL	WARWICK
CLARY	HIATT	MOORE	WILKINS
COLE	HILL	MORGAN	WILSON, G.
CRAWFORD	HOLMES	MORRIS	WOMBLE
CREECH	HOWARD	MOSLEY	WRIGHT
CULPEPPER	HUNTER, H.	NEELY	YONGUE

ALLRED DWicker

NOES - ~~0~~ 1 DWicker

EXCUSED ABSENCE - 3

HIGHTOWER	HUNTER, R.	ROGERS

EXCUSED VOTE - 0

NOT VOTING - ~~29~~ 28

SPEAKER	DECKER	HARDAWAY	TALLENT
ALDRIDGE	EARLE	HURLEY	TOLSON
~~ALLRED~~ DW	EASTERLING	LUEBKE	WAINWRIGHT
BEALL	ELLIS	NESBITT	WATSON
BOWIE	FITCH	OLDHAM	WEATHERLY
BOYD-MCINTYRE	GAMBLE	RAMSEY	WILSON, C.
BRASWELL	GRAY	SAUNDERS	WOOD
CULP			

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1997

FILED - SENATE

FEB 13 1997

PRINCIPAL CLERK

S

S 158

D

SENATE DRS7525*-RBZX023E(2-12)

Short Title: Administrative Dissolution/Annual Rept. (Public)

Sponsors: Senator Hartsell.

Referred to:

A BILL TO BE ENTITLED

AN ACT TO EXPAND THE TIME CORPORATIONS AND LIMITED LIABILITY COMPANIES MAY APPLY FOR REINSTATEMENT FROM ADMINISTRATIVE DISSOLUTION, TO INCREASE THE FEE CORPORATIONS MUST PAY FOR REINSTATEMENT AFTER ADMINISTRATIVE DISSOLUTION, TO ESTABLISH A FEE LIMITED LIABILITY COMPANIES MUST PAY FOR REINSTATEMENT AFTER ADMINISTRATIVE DISSOLUTION, AND TO PROVIDE THAT ANNUAL REPORTS OF BUSINESS CORPORATIONS AND LIMITED LIABILITY COMPANIES SHALL BE FILED WITH THE DEPARTMENT OF REVENUE RATHER THAN THE SECRETARY OF STATE, AS RECOMMENDED BY THE GENERAL STATUTES STUDY COMMISSION.

The General Assembly of North Carolina enacts:

PART I. ADMINISTRATIVE DISSOLUTIONS.

Section 1. G.S. 55-14-22(a) reads as rewritten:

"(a) A corporation administratively dissolved under G.S. 55-14-21 may apply to the Secretary of State for reinstatement ~~within two years~~ not later than five years after the effective date of dissolution. The application must:

(1) Recite the name of the corporation and the effective date of its administrative dissolution; and

(2) State that the ground or grounds for dissolution either did not exist or have been eliminated.

(3) Reserved.

(4) Repealed by Session Laws 1995, c. 539, s. 6."

Section 2. G.S. 55A-14-22(a) reads as rewritten:

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1997

FILED - SENATE
FEB 13 1997
PRINCIPAL CLERK

S D

S 159 -

SENATE DRS7524*-LDZ051(2.6)

Short Title: Courts Supplement Clark's Calendar. (Public)

Sponsors: Senator Hartsell.

Referred to:

A BILL TO BE ENTITLED

AN ACT TO SUPPLEMENT CLARK'S CALENDAR, WHICH MAY BE INTRODUCED IN EVIDENCE, AS RECOMMENDED BY THE GENERAL STATUTES COMMISSION.

The General Assembly of North Carolina enacts:

Section 1. G.S. 8-48 reads as rewritten:

"**§ 8-48. Clark's Calendar; proof of dates.**

(a) In any controversy or inquiry in any court or before any fact finding board, commission, administrative agency or other body, where it becomes necessary or pertinent to determine any information which may be established by reference to a calendar for any year between the years ~~one thousand seven hundred and fifty-three~~ 1753 A.D. and ~~two thousand and two, anno domini,~~ 2002 A.D., inclusive, it is permissible to introduce in evidence 'Clark's Calendar, a Calendar Covering 250 Years, 1753 A.D. to 2002 A.D.,' as supplemented, copyrighted, 1940, by E. D. Clark, Entry: Class AA, Number ~~three hundred and twenty-eight thousand five hundred and seventy-three,~~ 328,573, Copyright Office of the United States of America, Washington, or any reprint of ~~said one thousand nine hundred and forty~~ the 1940 edition certified by the Secretary of State to be an accurate copy ~~thereof;~~ of it, and ~~such~~ the calendar or reprint, when so introduced, shall be prima facie evidence that the information disclosed by ~~said~~ the calendar or reprint ~~thereof~~ is true and correct.

(b) The Secretary of State shall prepare and publish a perpetual calendar similar to Clark's Calendar covering years beginning with 2003 A.D. The perpetual calendar published by the Secretary of State shall be admissible in evidence to the same degree and in the same manner as Clark's Calendar for years beginning with 2003."

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

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1997

FILED - SENATE

FEB 13 1997

PRINCIPAL CLERK

S

S 160

D

SENATE DRS2528*-LDZ040(2.4)

Short Title: Increase Minimum Upset Amount. (Public)

Sponsors: Senator Hartsell.

Referred to:

A BILL TO BE ENTITLED

AN ACT TO INCREASE THE MINIMUM AMOUNT BY WHICH AN UPSET BID ON REAL PROPERTY IN JUDICIAL SALES AND EXECUTION SALES MUST EXCEED THE REPORTED SALE PRICE, AS RECOMMENDED BY THE GENERAL STATUTES COMMISSION.

The General Assembly of North Carolina enacts:

Section 1. G.S. 1-339.25(a) reads as rewritten:

"(a) An upset bid is an advanced, increased or raised bid whereby a person offers to purchase real property theretofore sold, for an amount exceeding the reported sale price by ten percent (10%) of the first ~~$1000~~ one thousand dollars ($1,000) thereof plus five percent (5%) of any excess above ~~$1000~~ one thousand dollars ($1,000), but in any event with a minimum increase of ~~$25,~~ seven hundred fifty dollars ($750.00), such increase being deposited in cash, or by certified check or cashier's check satisfactory to the said clerk, with the clerk of the superior court, with whom the report of the sale was filed, within ten days after the filing of such report; such deposit to be made with the clerk of superior court before the expiration of the tenth day, and if the tenth day shall fall upon a Sunday or holiday, or upon a day in which the office of the clerk is not open for the regular dispatch of its business, the deposit may be made on the day following when said office is open for the regular dispatch of its business. An upset bid need not be in writing, and the timely deposit with the clerk of the required amount, together with an indication to the clerk as to the sale to which it is applicable, is sufficient to constitute the upset bid, subject to the provisions of subsection (b)."

Section 2. G.S. 1-339.64(a) reads as rewritten:

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1997

FILED - SENATE
S 161 - FEB 13 1997
PRINCIPAL CLERK

S D

SENATE DRS1532*-LKZ043A(2.4)

Short Title: Judicial Timber Sale/Sealed Bid. (Public)

Sponsors: Senator Hartsell.

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."

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1997

FILED - SENATE

S

S 162 - FEB 13 1997

SENATE DRS4520*-LNZ056(2.6)V2

PRINCIPAL CLERK

Short Title: Adoption Technical/Minor Amendments. (Public)

Sponsors: Senator Hartsell.

Referred to:

A BILL TO BE ENTITLED

AN ACT TO MAKE TECHNICAL, CLARIFYING, AND SIMILAR MINOR CHANGES TO CHAPTER 48 OF THE GENERAL STATUTES AS RECOMMENDED BY THE GENERAL STATUTES COMMISSION.

The General Assembly of North Carolina enacts:

Section 1. G.S. 48-2-305 reads as rewritten:

"**§ 48-2-305. Petition for adoption; additional documents.**

At the time the petition is filed, the petitioner shall file or cause to be filed the following documents:

(1) Any required affidavit of parentage executed pursuant to G.S. 48-3-206;

(2) Any required consent or relinquishment that has been executed;

(3) A certified copy of any court order terminating the rights and duties of a parent or a guardian of the adoptee;

(4) A certified copy of any court order or pleading in a pending proceeding concerning custody of or visitation with the adoptee;

(5) A copy of any required preplacement assessment certified by the agency that prepared it or an affidavit from the petitioner stating why the assessment is not available;

(6) A ~~certified~~ copy of any document containing the information required under G.S. 48-3-205 concerning the health, social, educational, and genetic history of the adoptee and the adoptee's original family which the petitioner received before the placement or at any later time, certified by the person that prepared it, or if

NORTH CAROLINA GENERAL ASSEMBLY
SENATE

RECORDED VOTE

1997 SESSION

SEQ. 340/18-- 4:53 PM APRIL 23, 1997 LEGISLATIVE DAY 49

LT. GOVERNOR WICKER -- Presiding

HARTSELL
ADOPTION TECHNICAL/MINOR AMENDMENTS
2ND EDITION

SENATE BILL 162
READING 2

AYE	45	ALBERTSON	DALTON	JORDAN	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	ODOM	WARREN
		CLARK	HORTON	PAGE	WEINSTEIN
		COCHRANE	HOYLE	PERDUE	WELLONS
		CONDER	JENKINS	PHILLIPS	WINNER
		COOPER			
NO	0				
EXCUSED	0				
NOT CAST	3	KERR	MILLER	WEBSTER	
ABSENT	2	KINCAID	MARTIN R.		
PAIRS	0				
AYE					
NO					

GENERAL ASSEMBLY
SENATE

NORTH CAROLINA
HOUSE OF REPRESENTATIVES
ROLL CALL

EV

SEQ. # 787
LEGISLATIVE DAY 72
S162 HCS
READING 2

6/03/97
3:47 PM
IN CHAIR: SPEAKER

ADOPTION LAW TECHNICAL AMMENDS

AYES - 110

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

NOES - 0

EXCUSED ABSENCE - 4

CREECH	SHUBERT	WILSON, C.	WOOD

EXCUSED VOTE - 0

NOT VOTING - 6

SPEAKER	GAMBLE	RAMSEY	STARNES
DICKSON	MINER		

NORTH CAROLINA GENERAL ASSEMBLY
SENATE

RECORDED VOTE

1997 SESSION

SEQ. 855/36-- 3:04 PM JUNE 5, 1997 LEGISLATIVE DAY 74

LT. GOVERNOR WICKER -- Presiding

HARTSELL
ADOPTION LAW TECHNICAL AMENDMENTS
HOUSE COMM. SUB./3RD EDITION

SENATE BILL 162

MOTION 8
TO CONCUR

AYE	47	ALBERTSON	DANNELLY	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	WEBSTER
		CLARK	JENKINS	ODOM	WEINSTEIN
		COCHRANE	JORDAN	PAGE	WELLONS
		COOPER	KERR	PERDUE	WINNER
		DALTON	KINCAID	PHILLIPS	
NO	0				
EXCUSED	0				
NOT CAST	2	CONDER	EAST		
ABSENT	1	WARREN			
PAIRS	0				
AYE					
NO					

GENERAL ASSEMBLY
SENATE

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1997

FILED - SENATE
FEB 13 1997
PRINCIPAL CLERK

S

S 163 - ID

SENATE DRS8522-LTZ128(1.10)

Short Title: Securities Transfer on Death. (Public)

Sponsors: Senators Hartsell and Odom.

Referred to:

A BILL TO BE ENTITLED

AN ACT TO ENACT THE UNIFORM TRANSFER ON DEATH (TOD) SECURITY REGISTRATION ACT AS RECOMMENDED BY THE GENERAL STATUTES COMMISSION.

The General Assembly of North Carolina enacts:

Section 1. The General Statutes are amended by rewriting the title of Chapter 41 to read "Estates and Interests in Property", and Chapter 41 of the General Statutes is amended by adding a new Article to read:

"ARTICLE 4.

"The Uniform Transfer on Death (TOD) Security Registration Act.

"**§ 41-40. Definitions.**

In this Article, unless the context otherwise requires:

(1) 'Beneficiary form' means a registration of a security which indicates the present owner of the security and the intention of the owner regarding the person who will become the owner of the security upon the death of the owner.

(2) 'Devisee' means any person designated in a will to receive a disposition of real or personal property.

(3) 'Heirs' means those persons, including the surviving spouse, who are entitled under Chapter 29 of the General Statutes or the statutes of intestate succession of other states to take the property of a decedent by intestate succession.

(4) 'Person' means an individual, a corporation, an organization, or other legal entity.

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1997

FILED - SENATE

FEB 13 1997

PRINCIPAL CLERK

S

S 164 - D

SENATE JOINT RESOLUTION DRSJR4511-LG026(1.31)

Sponsors: Senators Plyler and Conder.

Referred to:

A JOINT RESOLUTION HONORING THE LIFE AND MEMORY OF WESLEY DAVIS WEBSTER, FORMER MEMBER OF THE GENERAL ASSEMBLY.

Whereas, Wesley Davis Webster was born in Madison, North Carolina, on September 15, 1923, to Henry Samuel Webster and Mabel Gray Davis Webster; and

Whereas, Wesley Davis Webster attended the Madison City Schools; and

Whereas, Wesley Davis Webster served proudly in the United States Army during World War II in the European Theater and was awarded a Purple Heart; and

Whereas, Wesley Davis Webster later served as Commander of both the Madison Veterans of Foreign Wars and the American Legion; and

Whereas, Wesley Davis Webster took an active and significant part in the business affairs of his community serving as vice-president of H. Grogan Hardware, Inc., vice-president and director of Peoples Bank of North Carolina, trustee of Rockingham Community College, president of the Madison Merchants Association, and member of the Board of Directors of First Citizens Bank in Madison; and

Whereas, Wesley Davis Webster served on the Rockingham County Board of County Commissioners from 1958 to 1970, serving as Chair from 1964 to 1970, and also serving as a member of the North Carolina Association of County Commissioners for two years; and

Whereas, Wesley Davis Webster served the people of North Carolina with distinction as a member of the North Carolina House of Representatives in the 1971 Session of the General Assembly and as a member of the Senate in the 1973, 1975, and 1977 Sessions; and

Whereas, Wesley Davis Webster continued to serve the State after leaving the General Assembly, being appointed to the post of Deputy Secretary of the Department of Transportation, where he served until his retirement in 1989; and

NORTH CAROLINA GENERAL ASSEMBLY
SENATE

RECORDED VOTE

1997 SESSION

SEQ. 749/2-- 7:51 PM MAY 26, 1997 LEGISLATIVE DAY 67

SENATOR BASNIGHT -- Presiding

PLYLER
HONORING THE LIFE AND MEMORY OF

WESLEY DAVIS WEBSTER

SENATE RES. 164
READING 2

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

NORTH CAROLINA
HOUSE OF REPRESENTATIVES
ROLL CALL

EV

SEQ. # 725
LEGISLATIVE DAY 67
SJR164
READING 2

5/26/97
8:41 PM
IN CHAIR: SPEAKER

AYES - 108

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

NOES - 0

EXCUSED ABSENCE - 7

BONNER	DOCKHAM	HIGHTOWER	WOOD
CREECH	HARDAWAY	HOLMES	

EXCUSED VOTE - 0

NOT VOTING - 5

ALEXANDER	DECKER	FITCH	HOWARD
BERRY			

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1997

FILED - SENATE

S 165 FEB 13 1997

PRINCIPAL CLERK

S D

SENATE DRS1520*-LC040(1.21)

Short Title: Increase Nonitemizer Charity Credit. (Public)

Sponsors: Senator Hoyle.

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.

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1997

S

FILED - SENATE D

SENATE DRS1521*-LC041(1.21) S 166 FEB 13 1997

PRINCIPAL CLERK

Short Title: Expand Corporate Charitable Deduction. (Public)

Sponsors: Senator Hoyle.

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.~~

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1997

S D

SENATE DRS8517*-RWZ233(2.5)

FILED - SENATE

S 167 FEB 1 3 1997

PRINCIPAL CLERK

Short Title: 60 Days to Change DMV Info. (Public)

Sponsors: Senator Hoyle.

Referred to:

A BILL TO BE ENTITLED

AN ACT 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:

(1) Class A. -- A Class A license authorizes the holder to drive any of the following:

a. A Class A motor vehicle that is exempt under G.S. 20-37.16 from the commercial drivers license requirements.

NORTH CAROLINA GENERAL ASSEMBLY
SENATE

RECORDED VOTE

1997 SESSION

SEQ. 74/6--12:16 PM MARCH 6, 1961 LEGISLATIVE DAY 22

LT. GOVERNOR WICKER -- Presiding

HOYLE
60 DAYS TO CHANGE DMV INFO

SENATE BILL 167
READING 2

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

EXCUSED	0		
NOT CAST	1	KINCAID	
ABSENT	2	GULLEY	PERDUE
PAIRS	0		
AYE			
NO			

GENERAL ASSEMBLY
SENATE

NORTH CAROLINA
HOUSE OF REPRESENTATIVES
ROLL CALL

RC

[redacted]. # 665
[redacted]ISLATIVE DAY 63
[redacted]167
READING 2

5/19/97
7:13 PM
IN CHAIR: SPEAKER

SIXTY DAYS TO CHANGE DMV INFORMATION

AYES - 109

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

NOES - 0

EXCUSED ABSENCE - 4

ALEXANDER	BERRY	ELLIS	MCCOMBS

EXCUSED VOTE - 0

NOT VOTING - 7

SPEAKER	CUNNINGHAM	INSKO	WRIGHT
BRASWELL	HIGHTOWER	PRESTON	

NORTH CAROLINA
HOUSE OF REPRESENTATIVES
ROLL CALL

RC

[redacted]. # 673
[redacted]ISLATIVE DAY 64
S167
READING 3

5/20/97
2:13 PM
IN CHAIR: SPEAKER

SIXTY DAYS TO CHANGE DMV INFORMATION

AYES - 111

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

NOES - 0

EXCUSED ABSENCE - 1

MCCOMBS

EXCUSED VOTE - 0

NOT VOTING - 8

SPEAKER	CREECH	HARDAWAY	MICHAUX
ALEXANDER	FITCH	HUNTER, H.	PRESTON

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1997

FILED - SENATE

FEB D 3 1997

PRINCIPAL CLERK

S

S 168

SENATE DRS4517-LMQQ034(2.5)

Short Title: Up Nurses Fees. (Public)

Sponsors: Senator Hoyle.

Referred to:

A BILL TO BE ENTITLED

AN ACT TO INCREASE THE EXAMINATION AND CERTIFICATION FEES COLLECTED UNDER THE NURSING PRACTICE ACT.

The General Assembly of North Carolina enacts:

Section 1. G.S. 90-171.27(b) reads as rewritten:

"(b) The schedule of fees shall not exceed the following rates:

Application for examination leading to certificate and license as registered nurse	~~$45.00~~	$75.00
Application for certificate and license as registered nurse by endorsement	~~75.00~~	150.00
Application for each re-examination leading to certificate and license as registered nurse	~~45.00~~	75.00
Renewal of license to practice as registered nurse (two-year period)	~~50.00~~	100.00
Reinstatement of lapsed license to practice as a registered nurse and renewal fee	~~90.00~~	180.00
Application for examination leading to certificate and license as licensed practical nurse by examination	~~45.00~~	75.00
Application for certificate and license as licensed practical nurse by endorsement	~~75.00~~	150.00
Application for each re-examination leading to certificate and license as licensed practical nurse	~~45.00~~	75.00
Renewal of license to practice as a licensed practical nurse (two-year period)	~~50.00~~	100.00
Reinstatement of lapsed license to practice as a licensed practical nurse and renewal fee	~~90.00~~	180.00
Reasonable charge for duplication services and materials."		

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

NORTH CAROLINA
HOUSE OF REPRESENTATIVES
ROLL CALL

RC

. # 1252
GISLATIVE DAY 102
S168 HCS
READING 2

7/24/97
10:14 AM
IN CHAIR: SPEAKER

INCREASE NURSES' FEES

AYES - 89

ADAMS	DEDMON	JEFFUS	RAMSEY
ALDRIDGE	DOCKHAM	JUSTUS	REDWINE
ALEXANDER	EARLE	KINNEY	REYNOLDS
ARNOLD	ESPOSITO	KISER	ROGERS
BADDOUR	FOX	LUEBKE	RUSSELL
BARBEE	GAMBLE	MCCOMBS	SEXTON
BEALL	GARDNER	MCCRARY	SHERRILL
BLACK	GRADY	MCMAHAN	SHUBERT
BONNER	GRAY	MERCER	SMITH
BOYD-MCINTYRE	GULLEY	MICHAUX	TALLENT
BRASWELL	HACKNEY	MILLER	THOMPSON
BRAWLEY	HALL	MINER	TOLSON
BROWN	HARDAWAY	MITCHELL	WAINWRIGHT
BUCHANAN	HENSLEY	MOORE	WARNER
CANSLER	HIGHTOWER	MORGAN	WARWICK
CARPENTER	HILL	MORRIS	WATSON
CHURCH	HOLMES	NEELY	WILKINS
CLARY	HOWARD	NESBITT	WILSON, C.
CRAWFORD	HUNTER, H.	NYE	WILSON, G.
CULP	HURLEY	OLDHAM	WOOD
CULPEPPER	INSKO	OWENS	WRIGHT
DAUGHTRY	IVES	PRESTON	YONGUE
DECKER			

NOES - 11

BERRY	CREECH	ELLIS	SAUNDERS
CAPPS	DAVIS	NICHOLS	STARNES
COLE	EDDINS	RAYFIELD	

EXCUSED ABSENCE - 13

BAKER	DICKSON	HIATT	MOSLEY
BLUE	EASTERLING	HUNTER, R.	SUTTON
BOWIE	GOODWIN	MCCOMAS	WOMBLE
CUNNINGHAM			

EXCUSED VOTE - 0

NOT VOTING - 7

SPEAKER	FITCH	JARRELL	WEATHERLY
ALLRED	HARDY	MCALLISTER	

NORTH CAROLINA
HOUSE OF REPRESENTATIVES
ROLL CALL

RC

. # 1275
ISLATIVE DAY 103
S168 HCS
READING 3

7/28/97
7:01 PM
IN CHAIR: SPEAKER

INCREASE NURSES' FEES

AYES - 92

ADAMS	CULP	HURLEY	NYE
ALDRIDGE	CULPEPPER	INSKO	OLDHAM
ALEXANDER	DAVIS	IVES	OWENS
ARNOLD	DEDMON	JARRELL	PRESTON
BADDOUR	DICKSON	JEFFUS	RAMSEY
BAKER	DOCKHAM	JUSTUS	REDWINE
BARBEE	EARLE	KINNEY	ROGERS
BEALL	EASTERLING	KISER	RUSSELL
BLACK	EDDINS	MCALLISTER	SEXTON
BLUE	ELLIS	MCCOMAS	SHERRILL
BONNER	ESPOSITO	MCCOMBS	SUTTON
BOWIE	GARDNER	MCCRARY	THOMPSON
BOYD-MCINTYRE	GRAY	MCMAHAN	TOLSON
BRAWLEY	GULLEY	MERCER	WAINWRIGHT
BROWN	HACKNEY	MILLER	WARWICK
BUCHANAN	HALL	MINER	WATSON
CANSLER	HARDY	MITCHELL	WEATHERLY
CAPPS	HENSLEY	MOORE	WILKINS
CARPENTER	HIGHTOWER	MORGAN	WILSON, C.
CHURCH	HILL	MORRIS	WILSON, G.
CLARY	HOWARD	MOSLEY	WOMBLE
CRAWFORD	HUNTER, H.	NEELY	WRIGHT
CREECH	HUNTER, R.	NESBITT	YONGUE

NOES - 17

ALLRED	GAMBLE	HIATT	SMITH
COLE	GOODWIN	LUEBKE	STARNES
CUNNINGHAM	GRADY	RAYFIELD	WARNER
DECKER	HARDAWAY	SAUNDERS	WOOD
FITCH			

EXCUSED ABSENCE - 4

BERRY	FOX	NICHOLS	SHUBERT

EXCUSED VOTE - 0

NOT VOTING - 7

SPEAKER	DAUGHTRY	MICHAUX	TALLENT
BRASWELL	HOLMES	REYNOLDS	

NORTH CAROLINA GENERAL ASSEMBLY
SENATE

RECORDED VOTE

1997 SESSION

SEQ. 1259/17--12:08 PM JULY 30, 1997 LEGISLATIVE DAY 105

LT. GOVERNOR WICKER -- Presiding

HOYLE
INCREASE NURSES FEE
HOUSE COMM. SUB./3RD EDITION

SENATE BILL 168

MOTION 8
TO CONCUR

AYE	47	ALBERTSON	DANNELLY	KINNAIRD	PURCELL
		ALLRAN	EAST	LEDBETTER	RAND
		BALLANCE	FORRESTER	LEE	REEVES
		BALLANTINE	FOXX	LUCAS	RUCHO
		BASNIGHT	GARWOOD	MARTIN R.	SHAW L.
		BLUST	GULLEY	MARTIN W.	SHAW R.
		CARPENTER	HARTSELL	MILLER	SOLES
		CARRINGTON	HORTON	ODOM	WARREN
		CLARK	HOYLE	PAGE	WEINSTEIN
		COCHRANE	JENKINS	PERDUE	WELLONS
		COOPER	JORDAN	PHILLIPS	WINNER
		DALTON	KERR	PLYLER	
NO	2	MCDANIEL	WEBSTER		

EXCUSED 0

NOT CAST 0

ABSENT 0

PAIRS 0
AYE
NO

NTINUED)

GENERAL ASSEMBLY
SENATE

NORTH CAROLINA GENERAL ASSEMBLY
SENATE

RECORDED VOTE

1997 SESSION

SEQ. 1269/8--10:58 AM JULY 31, 1997 LEGISLATIVE DAY 106

LT. GOVERNOR WICKER -- Presiding

HOYLE
INCREASE NURSES FEE
HOUSE COMM. SUB./3RD EDITION

SENATE BILL 168

MOTION 8
TO CONCUR

RECORDED
AYE 1 MCDANIEL
NO -1
ADJUSTED TOTAL
AYE 48
NO 1
NOT CAST 0
ABSENT 0

(COPY)

GENERAL ASSEMBLY
SENATE

NORTH CAROLINA GENERAL ASSEMBLY
SENATE

RECORDED VOTE

1997 SESSION

SEQ. 1269/8--10:58 AM JULY 31, 1997 LEGISLATIVE DAY 106

LT. GOVERNOR WICKER -- Presiding

HOYLE
INCREASE NURSES FEE
HOUSE COMM. SUB./3RD EDITION

SENATE BILL 168

MOTION 8
TO CONCUR

AYE	48	ALBERTSON	DANNELLY	KINNAIRD	PLYLER
		ALLRAN	EAST	LEDBETTER	PURCELL
		BALLANCE	FORRESTER	LEE	RAND
		BALLANTINE	FOXX	LUCAS	REEVES
		BASNIGHT	GARWOOD	MARTIN R.	RUCHO
		BLUST	GULLEY	MARTIN W.	SHAW L.
		CARPENTER	HARTSELL	MCDANIEL	SHAW R.
		CARRINGTON	HORTON	MILLER	SOLES
		CLARK	HOYLE	ODOM	WARREN
		COCHRANE	JENKINS	PAGE	WEINSTEIN
		COOPER	JORDAN	PERDUE	WELLONS
		DALTON	KERR	PHILLIPS	WINNER
NO	1	WEBSTER			

EXCUSED	0
NOT CAST	0
ABSENT	0
PAIRS	0
AYE	
NO	

(COPY)

GENERAL ASSEMBLY
SENATE

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1997

S D

FILED - SENATE

SENATE DRS7536*-RTZ054.01(2.5) S 169 FEB 13 1997

PRINCIPAL CLERK

Short Title: Env. Tech. Corrections. (Public)

Sponsors: Senator Albertson.

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 GENERAL ASSEMBLY
SENATE

RECORDED VOTE

1997 SESSION

SEQ. 341/19-- 4:54 PM APRIL 23, 1997 LEGISLATIVE DAY 49

LT. GOVERNOR WICKER -- Presiding

ALBERTSON
ENV. TECH. CORRECTIONS
2ND EDITION

SENATE BILL 169
READING 2

AYE	42	ALBERTSON	DALTON	JORDAN	RAND
		ALLRAN	DANNELLY	LEDBETTER	REEVES
		BALLANTINE	EAST	LUCAS	RUCHO
		BASNIGHT	FORRESTER	MARTIN W.	SHAW L.
		BLUST	FOXX	MCDANIEL	SHAW R.
		CARPENTER	GARWOOD	ODOM	SOLES
		CARRINGTON	GULLEY	PAGE	WARREN
		CLARK	HARTSELL	PERDUE	WEINSTEIN
		COCHRANE	HORTON	PHILLIPS	WELLONS
		CONDER	HOYLE	PLYLER	WINNER
		COOPER	JENKINS		
NO	0				
EXCUSED	0				
NOT CAST	6	BALLANCE	KINNAIRD	MILLER	WEBSTER
		KERR	LEE		
ABSENT	2	KINCAID	MARTIN R.		
PAIRS	0				
AYE					
NO					

GENERAL ASSEMBLY
SENATE

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1997

S D

SENATE DRS1536-LD043(2.6)

FILED - SENATE
S 170 FEB 17 1997
PRINCIPAL CLERK

Short Title: Equine Activity Liability. (Public)

Sponsors: Senators Carpenter, and Martin of Pitt.

Referred to:

A BILL TO BE ENTITLED

AN ACT TO PROVIDE IMMUNITY FROM LIABILITY FOR EQUINE ACTIVITIES.

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 67.

"Equine Activity Liability Immunity.

"**§ 106-801. 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 that this Article is necessary for the immediate preservation of the public peace, health, and safety. It is the intent of the General Assembly to encourage equine activities by limiting the civil liability of those involved in such activities.

"**§ 106-802. 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. 'Engage in an equine activity' does not include being a spectator at an equine activity, except in cases in which the spectator places himself or herself in an unauthorized area and in immediate proximity to the equine activity.

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1997

FILED - SENATE
S 171 FEB 17 1997
PRINCIPAL CLERK

S D

SENATE DRS7543-LE025(2.12)

Short Title: NC LEAF Funds. (Public)

Sponsors: Senator Ballance.

Referred to:

A BILL TO BE ENTITLED

AN ACT TO APPROPRIATE FUNDS TO THE NORTH CAROLINA LEGAL EDUCATION ASSISTANCE FOUNDATION FOR ITS LOAN REPAYMENT ASSISTANCE PROGRAM FOR NORTH CAROLINA PUBLIC SERVICE ATTORNEYS.

Whereas, the North Carolina Legal Education Assistance Foundation is the nation's first nonprofit organization dedicated to providing loan repayment assistance to public service attorneys; and

Whereas, the North Carolina Legal Education Assistance Foundation's mission is to help ensure the quality of legal services given in North Carolina to the poor, the underrepresented, and the public by enabling dedicated and competent lawyers to enter, and remain in, public service; and

Whereas, the North Carolina Legal Education Assistance's Loan Repayment Assistance Program targets those public interest attorneys who are most in need of financial assistance to be able to remain in their jobs; and

Whereas, the North Carolina Legal Education Assistance Foundation serves the best interests of the citizens of North Carolina by promoting public service by North Carolina attorneys; Now, therefore,

The General Assembly of North Carolina enacts:

Section 1. There is appropriated from the General Fund to the North Carolina Legal Education Assistance Foundation the sum of one hundred thousand dollars ($100,000) for the 1997-98 fiscal year to help fund its Loan Repayment Assistance Program.

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

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1997

FILED - SENATE

S 172

FEB 17 1997

PRINCIPAL CLERK

S D

SENATE DRSA532-LL041(2.4)

Short Title: No Safety Course/Disabled Hunters. (Public)

Sponsors: Senator Albertson.

Referred to:

A BILL TO BE ENTITLED

AN ACT TO AUTHORIZE THE ISSUANCE OF HUNTING LICENSES FOR CERTAIN DISABLED HUNTERS WHO HAVE NOT COMPLIED WITH THE HUNTING SAFETY COURSE REQUIREMENT.

The General Assembly of North Carolina enacts:

Section 1. G.S. 113-270.1A reads as rewritten:

"**§ 113-270.1A. Hunter safety course required.**

(a) ~~On~~ Except as provided in subsection (a1) of this section, on or after July 1, 1991, a person, regardless of age, may not procure a hunting license or hunt in this State without producing a certificate of competency or a hunting license issued prior to July 1, 1991, or signing a statement on a form provided by the Wildlife Resources Commission that he had such a license.

(a1) A person who qualifies for a totally disabled resident combination hunting-fishing license under G.S. 113-270.2(c)(12) need not comply with the requirements of subsection (a) of this section in order to receive that license, so long as the person does not make use of the license unless:

(1) The person is accompanied by an adult of at least 21 years of age who is licensed to hunt; and

(2) The adult hunter maintains a proximity to the disabled hunter which enables the adult to take immediate control of the hunting device at all times.

(b) The Wildlife Resources Commission shall institute and coordinate a statewide course of instruction in hunter ethics, wildlife laws and regulations, and competency and safety in the handling of firearms, and in so doing, may cooperate with any political subdivision, or with any reputable organization having as one of its

NORTH CAROLINA GENERAL ASSEMBLY
SENATE

RECORDED VOTE

1997 SESSION

SEQ. 138/3-- 3:05 PM MARCH 25, 1997 LEGISLATIVE DAY 32

LT. GOVERNOR WICKER -- Presiding

ALBERTSON
NO SAFETY COURSE/DISABLED HUNTERS
2ND EDITION

SENATE BILL 172
READING 2

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

GENERAL ASSEMBLY
SENATE

NORTH CAROLINA
HOUSE OF REPRESENTATIVES
ROLL CALL

EV

. # 652
ISLATIVE DAY 61
172 HCS
READING 2

5/14/97
2:59 PM
IN CHAIR: SPEAKER

NO SAFETY COURSE/ DISABLED HUNTERS

AYES - 109

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

NOES - 0

EXCUSED ABSENCE - 5

ALEXANDER	HIATT	WEATHERLY	WOOD
DICKSON			

EXCUSED VOTE - 0

NOT VOTING - 6

SPEAKER	COLE	HOLMES	HUNTER, H.
BLUE	CUNNINGHAM		

NORTH CAROLINA GENERAL ASSEMBLY
SENATE

RECORDED VOTE

1997 SESSION

SEQ. 1202/8--10:40 AM JULY 24, 1997 LEGISLATIVE DAY 102

LT. GOVERNOR WICKER -- Presiding

ALBERTSON
NO SAFETY COURSE/DISABLED HUNTERS
HOUSE COMM. SUB./3RD EDITION

SENATE BILL 172

MOTION 8
TO CONCUR

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

GENERAL ASSEMBLY
SENATE

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1997

FILED - SENATE

S 173

FEB 17 1997

PRINCIPAL CLERK

S D

SENATE DRS8519*-LJZ15(2.6)

Short Title: DMV Head Is a DOT Deputy. (Public)

Sponsors: Senators Hoyle, Gulley, Horton, Kerr, Martin of Pitt, and Rand.

Referred to:

A BILL TO BE ENTITLED

AN ACT TO IMPLEMENT A RECOMMENDATION OF THE PERFORMANCE AUDIT OF THE DIVISION OF MOTOR VEHICLES OF THE DEPARTMENT OF TRANSPORTATION BY ELIMINATING THE POSITION OF COMMISSIONER OF MOTOR VEHICLES AND ALLOWING THE SECRETARY OF TRANSPORTATION TO DESIGNATE A DEPUTY TO BE THE HEAD OF THE DIVISION.

The General Assembly of North Carolina enacts:

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

"**§ 20-1. Division of Motor Vehicles established.**

The Division of Motor Vehicles of the Department of Transportation is established. This Chapter sets out the powers and duties of the Division. The Secretary of Transportation shall administer the Division. The Secretary may delegate to a Deputy of the Department of Transportation or another employee of the Department any duty of the Secretary concerning the administration of the Division."

Section 2. G.S. 20-2 reads as rewritten:

"**§ 20-2. ~~Commissioner of Motor Vehicles;~~ Authority to adopt rules.**

~~(a) Commissioner and Assistants. -- The Division of Motor Vehicles shall be administered by the Commissioner of Motor Vehicles, who shall be appointed by and serve at the pleasure of the Secretary of the Department of Transportation. The Commissioner shall be paid an annual salary to be fixed by the General Assembly in the Current Operations Appropriations Act and allowed his traveling expenses as allowed by law.~~

~~In any action, proceeding, or matter of any kind, to which the Commissioner of Motor Vehicles is a party or in which he may have an interest, all pleadings, legal~~

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1997

S D

SENATE DRS1550-LH026B(1.24)

FILED - SENATE
S 174 FEB 17 1997
PRINCIPAL CLERK

Short Title: Match for Fed. Water Funds. (Public)

Sponsors: Senator Kerr.

Referred to:

A BILL TO BE ENTITLED

AN ACT TO APPROPRIATE FUNDS TO THE DEPARTMENT OF ENVIRONMENT, HEALTH, AND NATURAL RESOURCES TO MATCH FEDERAL WATER SUPPLY ASSISTANCE AND FEDERAL WASTEWATER FUNDS.

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 nine million two hundred thousand dollars ($9,200,000) for the 1997-98 fiscal year to match the federal water supply assistance funds for revolving construction loans and other assistance as set forth in Title I, section 130 of the federal Safe Drinking Water Act Amendments of 1996. The funds are to be deposited in a State fund that is available from year to year for the purpose of providing revolving loans and grants to local government units for water supply assistance.

Section 2. There is appropriated from the General Fund to the Department of Environment, Health, and Natural Resources the sum of four million dollars ($4,000,000) for the 1997-98 fiscal year to be deposited in the State Revolving Water Fund account of the Clean Water Pollution Control Revolving Fund to match the federal wastewater funds for revolving construction loans and other assistance as set forth in Chapter 159G of the General Statutes.

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

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1997

S D

SENATE DRS8529*-LDZ006C(1.7)

FILED - SENATE
S 175 FEB 17 1997
PRINCIPAL CLERK

Short Title: Conservation Easements Funds. (Public)

Sponsors: Senators Kinnaird and Horton.

Referred to:

A BILL TO BE ENTITLED

AN ACT TO APPROPRIATE FUNDS TO THE FACILITATION AND ASSISTANCE GRANT FUND TO SUPPORT A CONSERVATION EASEMENTS PROGRAM FOR THE PROTECTION OF NATURAL RESOURCES, AS RECOMMENDED BY THE ENVIRONMENTAL REVIEW COMMISSION.

The General Assembly of North Carolina enacts:

Section 1. There is appropriated from the General Fund to the Facilitation and Assistance Grant Fund created by G.S. 113A-232, if enacted by the General Assembly, the sum of three hundred thousand dollars ($300,000) for the 1997-98 fiscal year and the sum of three hundred thousand dollars ($300,000) for the 1998-99 fiscal year to implement the provisions of the act that creates that Fund. There is appropriated from the General Fund to the Department of Environment, Health, and Natural Resources the sum of two hundred twenty-two thousand eight hundred and six dollars ($222,806) for the 1997-98 fiscal year and the sum of two hundred seven thousand three hundred and six dollars ($207,306) for the 1998-99 fiscal year to establish and support the positions of Conservation Tax Credit Program Administrator and Administrative Assistant, which positions shall implement the Conservation Easements Program, if enacted by the General Assembly.

Section 2. This act becomes effective 1 July 1997.

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1997

S D

SENATE DRS1545*-LDZX006B(1FILED - SENATE

S 176 FEB 17 1997

Short Title: Conservation Easements/Tax Credit. PRINCIPAL CLERK (Public)

Sponsors: Senators Kinnaird and Horton.

Referred to:

A BILL TO BE ENTITLED

AN ACT TO ESTABLISH A CONSERVATION EASEMENTS PROGRAM THAT USES CONSERVATION TAX CREDITS FOR THE PROTECTION OF NATURAL RESOURCES AND THAT FURTHERS APPROPRIATE PUBLIC USE OF NATURAL RESOURCES, TO CREATE THE FACILITATION AND ASSISTANCE GRANT FUND TO SUPPORT COOPERATIVE CONSERVATION EFFORTS, AND TO INCREASE THE CAP ON THE INCOME TAX CREDIT FOR REAL PROPERTY DONATED FOR CONSERVATION PURPOSES, AS RECOMMENDED BY THE ENVIRONMENTAL REVIEW COMMISSION.

The General Assembly of North Carolina enacts:

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

"ARTICLE 16.

"Conservation Easements Program.

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

The General Assembly finds that past efforts to protect natural resources and to provide for the appropriate public use of natural resources through the provision of income tax credits for the donation of real property interests is fiscally prudent but too limited to meet increasing needs. The General Assembly finds that a statewide network of protected riparian buffers and greenways can best be accomplished through a conservation easements program that entails the cooperative effort of all levels of government, nonprofit organizations, and individuals. It is clear that a more comprehensive approach is required to accomplish riparian buffers and greenways, as well as this program's other conservation purposes, than was previously envisioned

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1997

FILED - SENATE

S

S 177

FEB 17 1997

D

SENATE DRS2534*-LDZ037(1.30)

PRINCIPAL CLERK

Short Title: Clean Water Trust Fund/Loans Okay. (Public)

Sponsors: Senator Kinnaird.

Referred to:

A BILL TO BE ENTITLED

AN ACT TO AUTHORIZE THE USE OF THE CLEAN WATER MANAGEMENT TRUST FUND FOR LOANS, AS RECOMMENDED BY THE ENVIRONMENTAL REVIEW COMMISSION.

The General Assembly of North Carolina enacts:

Section 1. G.S. 113-145.4 reads as rewritten:

"**§ 113-145.4. Clean Water Management Trust Fund: eligibility for ~~grants;~~ loans or grants; grant matching ~~funds or property requirement.~~ funds; loan limit.**

(a) Eligible ~~Grant~~ Applicants. -- Any of the following are eligible to apply for a loan or grant from the Fund for the purpose of protecting and enhancing water quality:

(1) A State agency.

(2) A local government or other political subdivision of the State or a combination of such entities.

(3) A nonprofit corporation whose primary purpose is the conservation, preservation, and restoration of our State's environmental and natural resources.

(b) Grant Matching Requirement. -- The Board of Trustees shall establish matching requirements for grants awarded under this Article. The Board of Trustees may require a match of up to twenty percent (20%) of the amount of the grant awarded. This requirement may be satisfied by the donation of land to a public or private nonprofit conservation organization as approved by the Board of Trustees. The Board of Trustees may also waive the requirement to match a grant pursuant to guidelines adopted by the Board of Trustees.

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1997

S

FILED - SENATE D

SENATE DRS4521*-LDZ014(1.16) S 178 FEB 17 1997

PRINCIPAL CLERK

Short Title: Amend Natural Heritage Trust Fund. (Public)

Sponsors: Senator Horton.

Referred to:

A BILL TO BE ENTITLED

AN ACT TO IMPROVE AND EXTEND THE PROTECTION OF THE STATE'S NATURAL LANDS BY EXTENDING THE AUTHORIZED EXPENDITURES FROM THE NATURAL HERITAGE TRUST FUND AND BY ALLOWING QUALIFIED PRIVATE NONPROFIT LAND TRUST ORGANIZATIONS TO HOLD TITLE TO ACQUIRED LANDS, AS RECOMMENDED BY THE ENVIRONMENTAL REVIEW COMMISSION.

The General Assembly of North Carolina enacts:

Section 1. G.S. 113-77.9(c) reads as rewritten:

"(c) The Trustees may authorize expenditures from the Fund to pay for the ~~inventory~~ inventory, the conservation and protection planning, or the identification and education of owners of natural areas by the Secretary's Natural Heritage Program conducted pursuant to Chapter 113A, Article 9A, of the General Statutes."

Section 2. G.S. 113-77.9(d) reads as rewritten:

"(d) The Department of Administration may, pursuant to G.S. 143-341, acquire by purchase, gift, or devise all lands selected by the Trustees for acquisition pursuant to this Article. Title to any land acquired pursuant to this Article shall be vested in the ~~State.~~ State or in private nonprofit land trust organizations qualified pursuant to G.S. 105-151.12 and G.S. 105-130.34 and certified under section 501(c)(3) of the Internal Revenue Code. State agencies with management responsibilities for lands acquired pursuant to this Article may enter into management agreements in the form of leases with counties, cities, ~~and towns~~ towns, or these qualified private nonprofit land trust organizations to aid in managing the lands, and such lease agreements shall be executed by the Department of Administration pursuant to G.S. 143-341."

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

NORTH CAROLINA GENERAL ASSEMBLY
SENATE

RECORDED VOTE

1997 SESSION

SEQ. 342/20-- 4:56 PM APRIL 23, 1997 LEGISLATIVE DAY 49

LT. GOVERNOR WICKER -- Presiding

HORTON
AMEND NATURAL HERITAGE TRUST FUND
2ND EDITION

SENATE BILL 178
READING 2

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

GENERAL ASSEMBLY
SENATE

NORTH CAROLINA
HOUSE OF REPRESENTATIVES
ROLL CALL

GV

SEQ. # 1216
LEGISLATIVE DAY 100
S178 HCS
READING 2

7/22/97
10:38 AM
IN CHAIR: SPEAKER

AMEND NATURAL HERITAGE TRUST FUND

AYES - 107

ADAMS	DAVIS	HURLEY	PRESTON
ALDRIDGE	DECKER	INSKO	RAMSEY
ALEXANDER	DEDMON	IVES	RAYFIELD
ALLRED	DOCKHAM	JARRELL	REDWINE
ARNOLD	EARLE	JEFFUS	REYNOLDS
BADDOUR	EASTERLING	JUSTUS	ROGERS
BAKER	EDDINS	KINNEY	RUSSELL
BARBEE	ELLIS	KISER	SAUNDERS
BEALL	ESPOSITO	LUEBKE	SEXTON
BERRY	FITCH	MCALLISTER	SHERRILL
BLACK	FOX	MCCOMAS	SHUBERT
BLUE	GARDNER	MCCOMBS	STARNES
BONNER	GOODWIN	MCCRARY	TALLENT
BOYD-MCINTYRE	GRADY	MCMAHAN	THOMPSON
BROWN	GRAY	MERCER	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	HIGHTOWER	NEELY	WILSON, C.
CRAWFORD	HILL	NESBITT	WILSON, G.
CREECH	HOLMES	NICHOLS	WOOD
CULP	HOWARD	NYE	WRIGHT
CULPEPPER	HUNTER, H.	OLDHAM	YONGUE
DAUGHTRY	HUNTER, R.	OWENS	

NOES - 0

EXCUSED ABSENCE - 7

BOWIE	CUNNINGHAM	MILLER	WOMBLE
BRASWELL	HIATT	SMITH	

EXCUSED VOTE - 0

NOT VOTING - 6

SPEAKER	DICKSON	MICHAUX	SUTTON
BRAWLEY	GAMBLE		

S178 HCS

NORTH CAROLINA GENERAL ASSEMBLY
SENATE

RECORDED VOTE

1997 SESSION

SEQ. 1203/9--10:41 AM JULY 24, 1997 LEGISLATIVE DAY 102

LT. GOVERNOR WICKER -- Presiding

HORTON
AMEND NATURAL HERITAGE TRUST FUND
HOUSE COMM. SUB./3RD EDITION

SENATE BILL 178

MOTION 8
TO CONCUR

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

GENERAL ASSEMBLY
SENATE

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1997

S D

SENATE DRS7540-LC081(2.11)

FILED - SENATE
S 179 FEB 17 1997
PRINCIPAL CLERK

Short Title: Exempt All Intangible Property. (Public)

Sponsors: Senators Blust and Webster.

Referred to:

A BILL TO BE ENTITLED

AN ACT TO EXEMPT ALL INTANGIBLE PROPERTY FROM PROPERTY TAX.

The General Assembly of North Carolina enacts:

Section 1. G.S. 105-275(31) reads as rewritten:

"(31) ~~Money, whether on hand or on deposit at a bank, a credit union, a savings and loan association, or an insurance company.~~ Intangible personal property."

Section 2. G.S. 105-275(31a), (31b), (31c), and 31(d) are repealed.

Section 3. G.S. 105-276 reads as rewritten:

"**§ 105-276. ~~Taxation~~ Exemption of intangible personal property.**

Intangible personal property ~~that is not~~ is excluded from taxation under G.S. 105-275 ~~is~~ and is not, therefore, subject to this Subchapter."

Section 4. This act is effective for taxes imposed for taxable years beginning on or after July 1, 1997.

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1997

FILED - SENATE

S 180 FEB 18 1997

PRINCIPAL CLERK

S D

SENATE DRS7544-LR038(2.13)

Short Title: 18th Senate Dist. Local Act-1. (Local)

Sponsors: Senator Soles.

Referred to:

A BILL TO BE ENTITLED

AN ACT RELATING TO THE COUNTIES AND MUNICIPALITIES IN THE 18TH SENATORIAL DISTRICT.

The General Assembly of North Carolina enacts:

Section 1. This act relates to the governance of the counties and municipalities in the 18th Senatorial District only.

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

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1997

FILED - SENATE

FEB 18 1997

PRINCIPAL CLERK

S

S 181

D

SENATE DRS7545-LR039(2.3)

Short Title: 18th Senate Dist. Local Act-2. (Local)

Sponsors: Senator Soles.

Referred to:

A BILL TO BE ENTITLED

AN ACT RELATING TO THE COUNTIES AND MUNICIPALITIES IN THE 18TH SENATORIAL DISTRICT.

The General Assembly of North Carolina enacts:

Section 1. This act relates to the governance of the counties and municipalities in the 18th Senatorial District only.

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

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1997

FILED - SENATE
FEB 18 1997
PRINCIPAL CLERK

S

S 182

D

SENATE DRS1541-LL052(2.5)

Short Title: Wildlife Rules Become Effective. (Public)

Sponsors: Senator Kincaid.

Referred to:

A BILL TO BE ENTITLED

AN ACT TO ALLOW CERTAIN PERMANENT RULES ADOPTED BY THE WILDLIFE RESOURCES COMMISSION TO BECOME EFFECTIVE UPON APPROVAL BY THE RULES REVIEW COMMISSION.

The General Assembly of North Carolina enacts:

Section 1. G.S. 150B-21.3 is amended by adding a new subsection to read:

"(c1) Wildlife Commission Exception. -- The North Carolina Wildlife Resources Commission may make effective permanent rules regarding boating safety and hunting and fishing activities that have been approved by the Rules Review Commission and have not become effective under subsection (b) of this section. Under this exception, a rule becomes effective on the date the Rules Review Commission approves it. When the Codifier of Rules enters in the North Carolina Administrative Code a rule falling within the exception provided for in this subsection, the entry must reflect that fact.

A rule that is made effective under the provisions of this subsection remains in effect unless it is specifically disapproved by the General Assembly in a bill ratified on or before the day of adjournment of the regular session of the General Assembly that begins at least 25 days after the date the rule becomes effective. A rule that is made effective under this subsection and that is specifically disapproved by a bill ratified by the General Assembly is repealed as of the date specified in the bill. If a rule that is made effective by the provisions of this subsection is not specifically disapproved by a bill ratified by the General Assembly within the time set by this subsection, the Codifier of Rules must note this in the North Carolina Administrative Code."

NORTH CAROLINA GENERAL ASSEMBLY
AMENDMENT
Senate Bill 182

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

S182-ALJ-4/15

Date 4-15, 1997

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

Senator Kincaid

moves to amend the bill on page 1, lines 8 through 12, by rewriting those lines to read:

'"(c1) Wildlife Commission Exception. -- A permanent rule regarding no wake zones, hunting or fishing seasons, hunting or fishing bag limits, or public game land management that is adopted by the Wildlife Resources Commission and approved by the Rules Review Commission becomes effective on the first day of the month after the";

and on page 2, lines 3 through 5, by rewriting those lines to read:

"Section 2. This act is effective when it becomes law and applies to Wildlife Resources Commission rules approved by the Rules Review Commission on or after January 1, 1997. Notwithstanding G.S. 150B-21.3(c1), as enacted by this act, the effective date of a Wildlife Resources Commission rule that was approved by the Rules Review Commission after January 1, 1997, but before the effective date of this act is the first day of the month after this act becomes effective."

SIGNED Ted R Kincaid
Amendment Sponsor

SIGNED _____
Committee Chair if Senate Committee Amendment

ADOPTED V 46-0 D. Pruitt FAILED _____ TABLED _____

NORTH CAROLINA GENERAL ASSEMBLY
SENATE

RECORDED VOTE

1997 SESSION

SEQ. 268/12-- 2:42 PM APRIL 15, 1997 LEGISLATIVE DAY 44

LT. GOVERNOR WICKER -- Presiding

KINCAID
WILDLIFE RULES BECOME EFFECTIVE
2ND EDITION

SENATE BILL 182

AMEND 1

AYE	46	ALBERTSON	EAST	KINNAIRD	PLYLER
		ALLRAN	FORRESTER	LEDBETTER	RAND
		BALLANCE	FOXX	LEE	REEVES
		BALLANTINE	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	PAGE	WEINSTEIN
		COOPER	JORDAN	PERDUE	WELLONS
		DALTON	KERR	PHILLIPS	WINNER
		DANNELLY	KINCAID		
NO	0				
EXCUSED	0				
NOT CAST	3	BASNIGHT	CONDER	ODOM	
ABSENT	1	WEBSTER			
PAIRS	0				
AYE					
NO					

GENERAL ASSEMBLY
SENATE

NORTH CAROLINA GENERAL ASSEMBLY
SENATE

RECORDED VOTE

1997 SESSION

SEQ. 269/13-- 2:43 PM APRIL 15, 1997 LEGISLATIVE DAY 44

LT. GOVERNOR WICKER -- Presiding

KINCAID
WILDLIFE RULES BECOME EFFECTIVE
2ND EDITION

SENATE BILL 182
READING 3

AYE	45	ALBERTSON	EAST	KINNAIRD	PLYLER
		ALLRAN	FORRESTER	LEDBETTER	RAND
		BALLANCE	FOXX	LEE	REEVES
		BALLANTINE	GARWOOD	LUCAS	RUCHO
		BLUST	GULLEY	MARTIN R.	SHAW L.
		CARPENTER	HARTSELL	MARTIN W.	SHAW R.
		CARRINGTON	HORTON	MCDANIEL	SOLES
		CLARK	JENKINS	MILLER	WARREN
		COCHRANE	JORDAN	PAGE	WEINSTEIN
		COOPER	KERR	PERDUE	WELLONS
		DALTON	KINCAID	PHILLIPS	WINNER
		DANNELLY			
NO	0				
EXCUSED	0				
NOT CAST	4	BASNIGHT	CONDER	HOYLE	ODOM
ABSENT	1	WEBSTER			
PAIRS	0				
AYE					
NO					

(CONTINUED)

GENERAL ASSEMBLY
SENATE

NORTH CAROLINA GENERAL ASSEMBLY
SENATE

RECORDED VOTE

1997 SESSION

SEQ. 273/17-- 2:57 PM APRIL 15, 1997 LEGISLATIVE DAY 44

LT. GOVERNOR WICKER -- Presiding

KINCAID
WILDLIFE RULES BECOME EFFECTIVE
2ND EDITION

SENATE BILL 182
READING 3

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

(COPY)

GENERAL ASSEMBLY
SENATE

NORTH CAROLINA GENERAL ASSEMBLY
SENATE

RECORDED VOTE

1997 SESSION

SEQ. 273/17-- 2:57 PM APRIL 15, 1997 LEGISLATIVE DAY 44

LT. GOVERNOR WICKER -- Presiding

KINCAID
WILDLIFE RULES BECOME EFFECTIVE
2ND EDITION

SENATE BILL 182
READING 3

AYE	46	ALBERTSON	EAST	KINNAIRD	PLYLER
		ALLRAN	FORRESTER	LEDBETTER	RAND
		BALLANCE	FOXX	LEE	REEVES
		BALLANTINE	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	PAGE	WEINSTEIN
		COOPER	JORDAN	PERDUE	WELLONS
		DALTON	KERR	PHILLIPS	WINNER
		DANNELLY	KINCAID		
NO	0				
EXCUSED	0				
NOT CAST	3	BASNIGHT	CONDER	ODOM	
ABSENT	1	WEBSTER			
PAIRS	0				
AYE					
NO					

(COPY)

GENERAL ASSEMBLY
SENATE

NORTH CAROLINA
HOUSE OF REPRESENTATIVES
ROLL CALL

EV

SEQ. # 1048
LEGISLATIVE DAY 88
S182 SCS
READING 2

7/01/97
10:49 AM
IN CHAIR: SPEAKER

WILDLIFE RULES BECOME EFFECTIVE
MOTION #6 TO POSTPONE TO A DAY CERTAIN - 7/8/97
REP HIGHTOWER

AYES - 73

ADAMS	FOX	KINNEY	ROGERS
ALLRED	GAMBLE	LUEBKE	SAUNDERS
BADDOUR	GARDNER	MCALLISTER	SEXTON
BARBEE	GOODWIN	MCCOMAS	SHERRILL
BEALL	GULLEY	MCCRARY	SMITH
BLACK	HACKNEY	MERCER	SUTTON
BLUE	HARDAWAY	MICHAUX	TALLENT
BONNER	HENSLEY	MILLER	TOLSON
BOYD-MCINTYRE	HIATT	MOORE	WAINWRIGHT
BUCHANAN	HIGHTOWER	MORRIS	WARNER
CARPENTER	HILL	MOSLEY	WARWICK
CHURCH	HUNTER, H.	NYE	WATSON
CLARY	HUNTER, R.	OLDHAM	WEATHERLY
COLE	HURLEY	OWENS	WILKINS
CRAWFORD	INSKO	RAMSEY	WOMBLE
CULP	IVES	RAYFIELD	WOOD
DAUGHTRY	JARRELL	REDWINE	WRIGHT
DEDMON	JEFFUS	REYNOLDS	YONGUE
EARLE			

NOES - 38

ALDRIDGE	CULPEPPER	HALL	MORGAN
ARNOLD	DAVIS	HARDY	NEELY
BAKER	DECKER	HOLMES	NICHOLS
BERRY	DICKSON	JUSTUS	PRESTON
BOWIE	DOCKHAM	KISER	RUSSELL
BRAWLEY	EDDINS	MCCOMBS	STARNES
BROWN	ELLIS	MCMAHAN	THOMPSON
CANSLER	ESPOSITO	MINER	WILSON, C.
CAPPS	GRADY	MITCHELL	WILSON, G.
CREECH	GRAY		

EXCUSED ABSENCE - 5

ALEXANDER	CUNNINGHAM	EASTERLING	NESBITT
BRASWELL			

EXCUSED VOTE - 0

NOT VOTING - 4

SPEAKER	FITCH	HOWARD	SHUBERT

NORTH CAROLINA GENERAL ASSEMBLY
AMENDMENT
Senate Bill 182

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

S182-ASC-001

Date 7/28/ ,1997

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

Representative Hightower

moves to amend the bill on page 1, lines 10 through 11, by rewriting those lines to read:

"wake zones, hunting or fishing seasons, hunting or fishing bag limits, or management of game lands as defined in G.S. 113-129(8a). When the Wildlife Resources Commission adopts a temporary".

SIGNED _____
Amendment Sponsor

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

ADOPTED JUL 28 1997 FAILED _____ TABLED _____

110-2 ov

NORTH CAROLINA
HOUSE OF REPRESENTATIVES
ROLL CALL

EV

. # 1271
GISLATIVE DAY 103
S182 HCS
READING 2

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

AMEND #1 · REP. HIGHTOWER
WILDLIFE COMMISSION TEMPORARY RULES

AYES - 110

ADAMS	DAUGHTRY	HUNTER, H.	OWENS
ALEXANDER	DAVIS	HURLEY	PRESTON
ALLRED	DECKER	INSKO	RAMSEY
ARNOLD	DEDMON	IVES	RAYFIELD
BADDOUR	DICKSON	JARRELL	REDWINE
BAKER	DOCKHAM	JEFFUS	REYNOLDS
BARBEE	EARLE	JUSTUS	ROGERS
BEALL	EASTERLING	KINNEY	RUSSELL
BLACK	EDDINS	KISER	SAUNDERS
BLUE	ELLIS	LUEBKE	SEXTON
BONNER	ESPOSITO	MCALLISTER	SMITH
BOWIE	FITCH	MCCOMAS	STARNES
BOYD-MCINTYRE	GAMBLE	MCCOMBS	SUTTON
BRASWELL	GARDNER	MCCRARY	THOMPSON
BRAWLEY	GOODWIN	MCMAHAN	TOLSON
BROWN	GRADY	MERCER	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	NEELY	WOMBLE
CREECH	HIGHTOWER	NESBITT	WOOD
CULP	HILL	NYE	WRIGHT
CULPEPPER	HOLMES	OLDHAM	YONGUE
CUNNINGHAM	HOWARD		

NOES - 2

ALDRIDGE	SHERRILL

EXCUSED ABSENCE - 5

BERRY	HUNTER, R.	NICHOLS	SHUBERT
FOX			

EXCUSED VOTE - 0

NOT VOTING - 3

SPEAKER	MICHAUX	TALLENT

NORTH CAROLINA
HOUSE OF REPRESENTATIVES
ROLL CALL

EV

. # 1272
GISLATIVE DAY 103
S182 HCS
READING 2

7/28/97
6:33 PM
IN CHAIR: SPEAKER

WILDLIFE COMMISSION TEMPORARY RULES

AYES - 104

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

NOES - 7

ALDRIDGE	DICKSON	KISER	SHERRILL
DECKER	ELLIS	PRESTON	

EXCUSED ABSENCE - 5

BERRY	HUNTER, R.	NICHOLS	SHUBERT
FOX			

EXCUSED VOTE - 0

NOT VOTING - 4

SPEAKER	GARDNER	MICHAUX	TALLENT

NORTH CAROLINA
HOUSE OF REPRESENTATIVES
ROLL CALL

EV

SEQ. # 1284
[redacted]SLATIVE DAY 104
[redacted]2 HCS
READING 3

7/29/97
11:48 AM
IN CHAIR: SPEAKER

WILDLIFE COMMISSION TEMPORARY RULES
MOTION #6 - REP. BRAWLEY
TO POSTPONE UNTIL 7/31/97

AYES - 34

ALDRIDGE	CREECH	GRAY	MITCHELL
ALLRED	DAUGHTRY	GULLEY	NEELY
BAKER	DAVIS	HIATT	PRESTON
BERRY	DECKER	HOWARD	SHERRILL
BOWIE	DICKSON	JUSTUS	STARNES
BRAWLEY	EDDINS	KISER	WILSON, C.
CANSLER	ELLIS	MCCOMAS	WILSON, G.
CAPPS	GARDNER	MCCOMBS	WOOD
CRAWFORD	GRADY		

NOES - 79

ADAMS	EARLE	JEFFUS	REYNOLDS
ALEXANDER	EASTERLING	KINNEY	ROGERS
ARNOLD	ESPOSITO	LUEBKE	RUSSELL
BADDOUR	FITCH	MCALLISTER	SAUNDERS
BEALL	GAMBLE	MCCRARY	SEXTON
BLACK	GOODWIN	MCMAHAN	SMITH
BLUE	HACKNEY	MERCER	SUTTON
BONNER	HALL	MICHAUX	TALLENT
BOYD-MCINTYRE	HARDAWAY	MILLER	THOMPSON
BRASWELL	HARDY	MINER	TOLSON
BUCHANAN	HENSLEY	MOORE	WAINWRIGHT
CARPENTER	HIGHTOWER	MORGAN	WARNER
CHURCH	HILL	MORRIS	WARWICK
CLARY	HOLMES	NESBITT	WATSON
COLE	HUNTER, H.	NYE	WEATHERLY
CULP	HUNTER, R.	OLDHAM	WILKINS
CULPEPPER	HURLEY	OWENS	WOMBLE
CUNNINGHAM	INSKO	RAMSEY	WRIGHT
DEDMON	IVES	RAYFIELD	YONGUE
DOCKHAM	JARRELL	REDWINE	

EXCUSED ABSENCE - 3

FOX	NICHOLS	SHUBERT

EXCUSED VOTE - 0

NOT VOTING - 4

SPEAKER	BARBEE	BROWN	MOSLEY

NORTH CAROLINA

HOUSE OF REPRESENTATIVES

ROLL CALL

EV

SEQ. # 1292
LEGISLATIVE DAY 105
S182 HCS
READING 3

7/30/97
10:23 AM
IN CHAIR: SPEAKER

AMEND #3 - REP. WECKER
WILDLIFE COMMISSION TEMPORARY RULES

AYES - 106

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

NOES - 0

EXCUSED ABSENCE - 7

BARBEE	HACKNEY	SHUBERT	WARWICK
EDDINS	NICHOLS	WAINWRIGHT	

EXCUSED VOTE - 0

NOT VOTING - 7

SPEAKER	CUNNINGHAM	DOCKHAM	RAMSEY
BRASWELL	DAUGHTRY	HOLMES	

NORTH CAROLINA GENERAL ASSEMBLY
AMENDMENT
Senate Bill 182

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

S182-ALL-005

Date JUL 30 1997 ,1997

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

Representative Decker

moves to amend the bill, as amended by Amendment 1, on page 1, lines 9-11,
by rewriting those lines to read:
"or upon any abbreviated notice or hearing the agency finds practical to protect the public health, safety, or welfare, conserve wildlife resources, or provide for the orderly and efficient operation of game lands by establishing any of the following:

(1) No wake zones;
(2) Hunting or fishing seasons;
(3) Hunting or fishing bag limits;
(4) Management of public game lands as defined in G.S. 113-129(8a).

When the Wildlife Resources Commission adopts a temporary"

SIGNED M. Decker
Amendment Sponsor

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

ADOPTED JUL 30 1997 FAILED _____ TABLED _____

106-0 EV
D Wicks

NORTH CAROLINA GENERAL ASSEMBLY AMENDMENT

(Please type or use ballpoint pen)

EDITION No. _____

H. B. No. ~~[illegible]~~ DATE 7-30-97

S. B. No. 182 Amendment No. 4

(to be filled in by Principal Clerk)

COMMITTEE SUBSTITUTE _____

(Rep.) Sen.) Coppola

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

2 ( ) WHICH CHANGES THE TITLE

3 by substituting the word after in place of the

4 word without.

5

6

7

8

9

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13

14

15

16

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18

19

SIGNED Jim Coppola

ADOPTED 7/30/97 FAILED _____ TABLED _____

108-0 cr DWeb

GA-33-A

PRINCIPAL CLERK'S OFFICE (FOR ENGROSSMENT)

NORTH CAROLINA
HOUSE OF REPRESENTATIVES
ROLL CALL

EV

. # 1293
ISLATIVE DAY 105
182 HCS
READING 3

7/30/97
10:25 AM
IN CHAIR: SPEAKER

AMEND #4 REP. CARPENTER
WILDLIFE COMMISSION TEMPORARY RULES

AYES - 108

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	WOMBLE
CREECH	HOWARD	NESBITT	WOOD
CULP	HUNTER, H.	NYE	WRIGHT
CULPEPPER	HUNTER, R.	OLDHAM	YONGUE

NOES - 0

EXCUSED ABSENCE - 7

BARBEE	HACKNEY	SHUBERT	WARWICK
EDDINS	NICHOLS	WAINWRIGHT	

EXCUSED VOTE - 0

NOT VOTING - 5

SPEAKER	CUNNINGHAM	DOCKHAM	HOLMES
BRASWELL			

NORTH CAROLINA
HOUSE OF REPRESENTATIVES
ROLL CALL

EV

[redacted]. # 1294
[redacted]ISLATIVE DAY 105
[redacted]82 HCS
READING 3

7/30/97
10:25 AM
IN CHAIR: SPEAKER

WILDLIFE COMMISSION TEMPORARY RULES

AYES - 107

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	SUTTON
BOYD-MCINTYRE	GOODWIN	MCMAHAN	TALLENT
BRAWLEY	GRADY	MERCER	THOMPSON
BROWN	GRAY	MICHAUX	TOLSON
BUCHANAN	GULLEY	MILLER	WARNER
CANSLER	HALL	MINER	WATSON
CAPPS	HARDAWAY	MITCHELL	WEATHERLY
CARPENTER	HARDY	MOORE	WILKINS
CHURCH	HENSLEY	MORGAN	WILSON, C.
CLARY	HIATT	MORRIS	WILSON, G.
COLE	HIGHTOWER	MOSLEY	WOMBLE
CRAWFORD	HILL	NEELY	WOOD
CREECH	HOWARD	NESBITT	WRIGHT
CULP	HUNTER, H.	NYE	YONGUE
CULPEPPER	HUNTER, R.	OLDHAM	

NOES - 0

EXCUSED ABSENCE - 7

BARBEE	HACKNEY	SHUBERT	WARWICK
EDDINS	NICHOLS	WAINWRIGHT	

EXCUSED VOTE - 0

NOT VOTING - 6

SPEAKER	CUNNINGHAM	HOLMES	STARNES
BRASWELL	DOCKHAM		

NORTH CAROLINA GENERAL ASSEMBLY
SENATE

RECORDED VOTE

1997 SESSION

SEQ. 1311/16--12:24 PM AUGUST 6, 1997 LEGISLATIVE DAY 109

LT. GOVERNOR WICKER -- Presiding

KINCAID
WILDLIFE COMM. TEMPORARY RULES
HOUSE COMM. SUB./5TH EDITION

SENATE BILL 182

MOTION 8
TO CONCUR

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	WARREN
		CLARK	HOYLE	MOORE	WEBSTER
		COCHRANE	JENKINS	ODOM	WEINSTEIN
		COOPER	JORDAN	PAGE	WELLONS
		DALTON	KERR	PERDUE	WINNER
NO	0				
EXCUSED	0				
NOT CAST	2	SHAW R.	SOLES		
ABSENT	0				
PAIRS	0				
AYE					
NO					

(COPY)

GENERAL ASSEMBLY
SENATE

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1997

S D

FILED - SENATE

FEB 18 1997

PRINCIPAL CLERK

SENATE DRS4522*-RTZ053.01(2.5) 183

Short Title: Cape Fear River Funds. (Public)

Sponsors: Senator Rand.

Referred to:

A BILL TO BE ENTITLED

AN ACT TO APPROPRIATE FUNDS TO IMPROVE WATER QUALITY IN THE CAPE FEAR RIVER, AS RECOMMENDED BY THE ENVIRONMENTAL REVIEW COMMISSION.

Whereas, the Cape Fear River Watershed is the largest river basin entirely within the State of North Carolina, draining 27 counties, containing approximately twenty-seven per cent (27%) of the State's population; and

Whereas, the Cape Fear River is an important drinking water supply and is the most industrialized river basin in the State; and

Whereas, current proposed standards affecting point source discharges, primarily from large manufacturing facilities, are based on previous data that are inconclusive and incomplete; and

Whereas, there is a need for data regarding nonpoint source discharges, including animal operations, into the Cape Fear River Watershed; and

Whereas, more realistic and logical future effluent limitations for users of the Cape Fear River can best be determined from uniform, accurate data; and

Whereas, implementing the Cape Fear River Program will help scientists recognize trends and enable government agencies to adjust regulations as appropriate to protect the river basin; and

Whereas, the Cape Fear River Program will allow for the placement of sampling stations throughout the Cape Fear River Basin for uniform collection of data; and

Whereas, the Cape Fear River Program is supported in part by private contributions from industry, foundations, and local governments; and

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1997

S D

SENATE DRS1554-LGQ032(2.12)

FILED - SENATE
S 184 FEB 18 1997
PRINCIPAL CLERK

Short Title: Autism Foundation Capital Funds. (Public)

Sponsors: Senator Conder.

Referred to:

A BILL TO BE ENTITLED

AN ACT TO APPROPRIATE FUNDS TO THE AUTISM FOUNDATION OF NORTH CAROLINA FOR THE COMPLETION OF SEVERAL CAPITAL PROJECTS.

The General Assembly of North Carolina enacts:

Section 1. There is appropriated from the General Fund to the Autism Foundation of North Carolina, Inc., a nonprofit corporation, the sum of three million four hundred thirty-nine thousand two hundred seventy-five dollars ($3,439,275) for the 1997-98 fiscal year for the completion of following the capital projects:

(1)	Carolina Living and Learning Center	$1,274,275
(2)	Autism Foundation Camp Royall	$2,165,000
	TOTAL	$3,439,275.

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

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1997

S D

SENATE DRSA538-LC097(2.18)

FILED - SENATE

S 185 FEB 18 1997

PRINCIPAL CLERK

Short Title: No Tax on Intangible Property. (Public)

Sponsors: Senator Hoyle.

Referred to:

A BILL TO BE ENTITLED

AN ACT TO EXEMPT INTANGIBLE PERSONAL PROPERTY FROM PROPERTY TAX.

The General Assembly of North Carolina enacts:

Section 1. G.S. 105-275(31) reads as rewritten:

"(31) ~~Money, whether on hand or on deposit at a bank, a credit union, a savings and loan association, or an insurance company.~~ Intangible personal property."

Section 2. G.S. 105-275(31a), (31b), (31c), and (31d) are repealed.

Section 3. G.S. 105-276 reads as rewritten:

"**§ 105-276. ~~Taxation~~ Exemption of intangible personal property.**

Intangible personal property ~~that is not~~ is excluded from taxation under G.S. 105-275 ~~is~~ and is not, therefore, subject to this Subchapter."

Section 4. G.S. 105-282.1(a)(2) reads as rewritten:

"(2) Owners of the special classes of property excluded from taxation under G.S. 105-275(5), (15), (16), (26), (31), ~~(31a), (31b), (31c), (31d),~~ (32a), (33), (34), or (40), or exempted under G.S. 105-278.2 are not required to file applications for the exclusion or exemption of that property."

Section 5. G.S. 105-285(b) reads as rewritten:

"(b) Personal Property; General Rule. -- Except as otherwise provided in this Chapter, the value, ownership, and place of taxation of personal ~~property, both tangible and intangible,~~ property shall be determined annually as of January 1."

Section 6. G.S. 105-294(b)(3) reads as rewritten:

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1997

S D

SENATE DRS1553-LR027(2.6)

FILED - SENATE

S 186 FEB 18 1997

PRINCIPAL CLERK

Short Title: Alleghany/Delinquent Prop. Taxes. (Local)

Sponsors: Senator Foxx.

Referred to:

A BILL TO BE ENTITLED

AN ACT REQUIRING THE PAYMENT OF DELINQUENT TAXES IN ALLEGHANY COUNTY BEFORE RECORDING DEEDS CONVEYING PROPERTY SUBJECT TO DELINQUENT TAXES.

The General Assembly of North Carolina enacts:

Section 1. Section 1 of Chapter 657 of the 1993 Session Laws reads as rewritten:

"Section 1. The ~~Register~~ Registers of Deeds of Ashe ~~County~~ and Alleghany Counties shall not receive for recordation any deed unless the deed is accompanied by a certificate from the ~~Ashe~~ County Tax Collector to the effect that all delinquent taxes upon the property described in the deed offered for recordation have been paid."

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

NORTH CAROLINA
HOUSE OF REPRESENTATIVES
ROLL CALL

EV

. # 1734
ISLATIVE DAY 157
S186 HCS
READING 2

7/07/98
2:26 PM
IN CHAIR: SPEAKER

DELAY GASTON PROP. TAX INTEREST

AYES - 113

SPEAKER	CULPEPPER	HOLMES	NYE
ADAMS	CUNNINGHAM	HOWARD	OWENS
ALDRIDGE	DAUGHTRY	HUNTER, H.	PRESTON
ALEXANDER	DAVIS	HUNTER, R.	RAMSEY
ALLEN	DECKER	HURLEY	RAYFIELD
ALLRED	DEDMON	INSKO	REDWINE
ARNOLD	DICKSON	IVES	REYNOLDS
BADDOUR	DOCKHAM	JARRELL	RUSSELL
BAKER	EARLE	JEFFUS	SAUNDERS
BARBEE	EASTERLING	JUSTUS	SEXTON
BEALL	EDDINS	KINNEY	SHERRILL
BERRY	ELLIS	KISER	SHUBERT
BLACK	ESPOSITO	LUEBKE	SMITH
BONNER	FITCH	MCCOMAS	STARNES
BOWIE	FOX	MCCOMBS	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	WILSON, C.
CLARY	HENSLEY	MOSLEY	WILSON, G.
COLE	HIATT	NEELY	WOOD
CRAWFORD	HIGHTOWER	NESBITT	WRIGHT
CREECH	HILL	NICHOLS	YONGUE
CULP			

NOES - 0

EXCUSED ABSENCE - 6

BLUE	MCALLISTER	OLDHAM	ROGERS
GAMBLE	MCCRARY		

EXCUSED VOTE - 0

NOT VOTING - 1

WOMBLE

NORTH CAROLINA GENERAL ASSEMBLY
SENATE

RECORDED VOTE

1997 SESSION
SECOND SESSION 1998

SEQ. 1820/12--11:40 AM JULY 16, 1998 LEGISLATIVE DAY 163

LT. GOVERNOR WICKER -- Presiding

FOXX
DELAY GASTON PROPERTY TAX INTEREST
HOUSE COM SUB/2ND EDITION

SENATE BILL 186

MOTION 8
TO CONCUR

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

GENERAL ASSEMBLY
SENATE

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1997

S D

SENATE DRS7539*-LJ18Z(1.2)

FILED - SENATE
S 187 FEB 18 1997
PRINCIPAL CLERK

Short Title: APA Technical Changes. (Public)

Sponsors: Senators Kerr, Ballance, and Foxx.

Referred to:

A BILL TO BE ENTITLED

AN ACT TO MAKE TECHNICAL AND CLARIFYING CHANGES TO THE LAWS ON ADMINISTRATIVE PROCEDURE.

The General Assembly of North Carolina enacts:

Section 1. G.S. 150B-4(b) is repealed.

Section 2. G.S. 150B-20(c) reads as rewritten:

"(c) Action. -- If an agency denies a rule-making petition, it must send the person who submitted the petition a written statement of the reasons for denying the petition. If an agency grants a rule-making petition, it must inform the person who submitted the rule-making petition of its decision and must initiate rule-making proceedings. When an agency grants a rule-making ~~petition requesting the creation or amendment of a rule,~~ petition, the notice of ~~rule-making~~ rule-making proceedings it publishes in the North Carolina Register may state that the agency is initiating rule-making proceedings as the result of a rule-making ~~petition,~~ petition and state the name of the person who submitted the rule-making ~~petition,~~ petition. If the rule-making petition requested the creation or amendment of a rule, the notice of text the agency publishes after the notice of rule-making proceedings may set out the text of the requested rule change submitted with the rule-making ~~petition,~~ petition and state whether the agency endorses the proposed ~~rule change.~~ text."

Section 3. G.S. 150B-21.3(f) reads as rewritten:

"(f) Technical Change. -- A permanent rule for which no notice or hearing is required under G.S. ~~150B-21.5(a) or (b)~~ 150B-21.5(a)(1) through (a)(5) or G.S. 150B-21.5(b) becomes effective on the first day of the month following the month the rule is approved by the Rules Review Commission."

Section 4. G.S. 150B-21.5 reads as rewritten:

NORTH CAROLINA GENERAL ASSEMBLY
SENATE

RECORDED VOTE

1997 SESSION

SEQ. 90/4-- 2:20 PM MARCH 12, 1997 LEGISLATIVE DAY 25

SENATOR BASNIGHT -- Presiding

KERR
APA TECHNICAL CHANGES

SENATE BILL 187
READING 2

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

EXCUSED	0
NOT CAST	0
ABSENT	0
PAIRS	0
AYE	
NO	

GENERAL ASSEMBLY
SENATE

NORTH CAROLINA
HOUSE OF REPRESENTATIVES
ROLL CALL

EV

. # 277
ISLATIVE DAY 41
S187
READING 2

4/09/97
3:24 PM
IN CHAIR: SPEAKER

ADMINISTRATIVE PROC. ACT TECH. CHANGES

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

NOES - 0

EXCUSED ABSENCE - 5

BARBEE	BLUE	CRAWFORD	ESPOSITO
BERRY			

EXCUSED VOTE - 0

NOT VOTING - 1

SPEAKER

NORTH CAROLINA
HOUSE OF REPRESENTATIVES
ROLL CALL

EV

. # 280
ISLATIVE DAY 42
S187
READING 3

4/10/97
1:22 PM
IN CHAIR: SPEAKER

ADMINISTRATIVE PROC. ACT TECH. CHANGES

AYES - 111

ADAMS	DAVIS	HUNTER, R.	RAMSEY
ALDRIDGE	DECKER	HURLEY	RAYFIELD
ALEXANDER	DEDMON	IVES	REDWINE
ALLRED	DICKSON	JARRELL	REYNOLDS
ARNOLD	DOCKHAM	JEFFUS	ROGERS
BADDOUR	EARLE	JUSTUS	RUSSELL
BAKER	EASTERLING	KINNEY	SAUNDERS
BEALL	EDDINS	KISER	SEXTON
BLACK	ELLIS	LUEBKE	SHERRILL
BLUE	ESPOSITO	MCCOMAS	SHUBERT
BONNER	FITCH	MCCOMBS	SMITH
BOWIE	FOX	MCCRARY	SUTTON
BOYD-MCINTYRE	GARDNER	MCMAHAN	TALLENT
BRASWELL	GOODWIN	MERCER	THOMPSON
BRAWLEY	GRADY	MICHAUX	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	HENSLEY	NEELY	WILSON, C.
COLE	HIATT	NESBITT	WILSON, G.
CRAWFORD	HIGHTOWER	NICHOLS	WOMBLE
CREECH	HILL	NYE	WOOD
CULPEPPER	HOLMES	OLDHAM	WRIGHT
CUNNINGHAM	HOWARD	OWENS	YONGUE
DAUGHTRY	HUNTER, H.	PRESTON	

NOES - 0

EXCUSED ABSENCE - 6

BARBEE	CULP	MCALLISTER	MILLER
BERRY	GAMBLE		

EXCUSED VOTE - 0

NOT VOTING - 3

SPEAKER	INSKO	STARNES

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1997

S D

SENATE DRS6527(2.11)

FILED - SENATE
S 188 FEB 18 1997
PRINCIPAL CLERK

Short Title: ECU Science and Tech. Bldg. Funds. (Public)

Sponsors: Senator Warren.

Referred to:

A BILL TO BE ENTITLED

AN ACT TO APPROPRIATE FUNDS TO THE BOARD OF GOVERNORS OF THE UNIVERSITY OF NORTH CAROLINA FOR PLANNING THE SCIENCE LABORATORIES AND TECHNOLOGY BUILDING AT EAST CAROLINA 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 two million dollars ($2,000,000) for the 1997-98 fiscal year for planning the Science Laboratories and Technology Building at East Carolina University.

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

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1997

S D

SENATE DRS4525-LH078(2.13)

FILED - SENATE

S 189 FEB 18 1997

PRINCIPAL CLERK

Short Title: ECU Stadium Expansion Funds. (Public)

Sponsors: Senators Warren, Conder, and Martin of Pitt.

Referred to:

A BILL TO BE ENTITLED

AN ACT TO APPROPRIATE FUNDS TO THE BOARD OF GOVERNORS OF THE UNIVERSITY OF NORTH CAROLINA TO COMPLETE THE EXPANSION OF THE DOWDY-FICKLEN STADIUM AT EAST CAROLINA UNIVERSITY.

Whereas, the addition of 2,350 seats at the Dowdy-Ficklen Stadium at East Carolina University will bring the seating capacity to 44,350; and

Whereas, a larger Dowdy-Ficklen Stadium will meet the demands of football fans, but it will also increase revenue, promote tourism, provide a facility for special events, and enhance the ECU football team's potential in Conference USA; and

Whereas, State funding is needed to complete the expansion of the stadium to benefit Eastern North Carolina; Now, therefore,

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 seven million dollars ($7,000,000) for the 1997-98 fiscal year to complete the expansion of the Dowdy-Ficklen Stadium at East Carolina University, provided these funds are matched on the basis of two dollars ($2.00) of non-State funds for every one dollar ($1.00) of State funds.

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

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1997

S

FILED - SENATE

D

SENATE DRS2525-LL049(2.5)

S 1 9 0 FEB 1 8 1997

PRINCIPAL CLERK

Short Title: Increase Pension Benefits. (Public)

Sponsors: Senator Warren.

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 fifty dollars ($150.00) 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 fifty dollars ($150.00) 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

FILED - SENATE
S 1 91 FEB 1 8 1997
PRINCIPAL CLERK

S D

SENATE DRS7532*-LDZ030(2.5)

Short Title: Remove Odor Control Study Match. (Public)

Sponsors: Senator Albertson.

Referred to:

A BILL TO BE ENTITLED

AN ACT TO REMOVE THE MATCHING FUNDS REQUIREMENT FOR THE FUNDS APPROPRIATED IN 1996 TO CONDUCT AN ODOR CONTROL TECHNOLOGY STUDY, AS RECOMMENDED BY THE ENVIRONMENTAL REVIEW COMMISSION.

The General Assembly of North Carolina enacts:

Section 1. Section 27.3 of Chapter 18 of the Session Laws of the 1996 Second Extra Session reads as rewritten:

"Sec. 27.3. Of the funds appropriated to the Department of Environment, Health, and Natural Resources in this act, the sum of six hundred thousand dollars ($600,000) for the 1996-97 fiscal year shall be transferred to the Board of Governors of The University of North Carolina for the North Carolina Agricultural Research Service at North Carolina State University to conduct research into economically feasible odor control technologies and to provide detailed economic analysis of odor management ~~alternatives; provided these funds are matched with an equal sum from private sources.~~ alternatives. No later than January 1, 1997, the Board of Governors shall report to the Environmental Review Commission and the Fiscal Research Division on progress under the research, including any findings and recommendations at that time."

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

FILED - SENATE
S 192
FEB 18 1997
PRINCIPAL CLERK

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1997

S D

SENATE DRS8530*-RTZ051.01(2.5)

Short Title: Facilitate Animal Waste Mgt. Research. (Public)

Sponsors: Senator Albertson.

Referred to:

A BILL TO BE ENTITLED

AN ACT TO ENCOURAGE OWNERS AND OPERATORS OF ANIMAL WASTE MANAGEMENT SYSTEMS TO PARTICIPATE IN CERTAIN RESEARCH STUDIES DIRECTED BY THE GENERAL ASSEMBLY BY LIMITING ENFORCEMENT ACTIONS FOR UNINTENTIONAL AND NONNEGLIGENT VIOLATIONS OF WATER QUALITY STANDARDS THAT ARE IDENTIFIED IN THE COURSE OF THOSE RESEARCH STUDIES AND TO CLARIFY THE REPORTING DATES FOR THOSE RESEARCH STUDIES, AS RECOMMENDED BY THE ENVIRONMENTAL REVIEW COMMISSION.

The General Assembly of North Carolina enacts:

Section 1. The Department of Environment, Health, and Natural Resources shall not take any enforcement action against any person for any unintentional and nonnegligent violation of water quality standards that are identified in the course of any of the research studies directed by Sections 27.3 (odor control technology), 27.7 (groundwater impacts of lagoons), 27.9 (atmospheric deposition of nitrogen in the Neuse Estuary), 27.32(b) (sources of nitrogen through isotope markers and other topics), and 27.35 (alternative animal waste technologies) of Chapter 18 of the 1995 Session Laws (Second Extra Session). This section shall not be construed to limit an enforcement action for any negligent or intentional act or for any violation that poses an immediate threat to public health or the environment. This section shall not be construed to relieve any person from any duty otherwise imposed by law to take remedial or corrective action to correct the violation.

Section 2. Notwithstanding the provisions of G.S. 143-215.10E(a), an employee of a State agency or unit of local government who identifies an unintentional or nonnegligent violation listed in subdivisions (1) through (4) of G.S.

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1997

FILED - SENATE
S 193 FEB 18 1997
PRINCIPAL CLERK

S D

SENATE DRSA531-RD004(1.15)

Short Title: Fund Evaluation of Septic Tank Problems. (Public)

Sponsors: Senator Albertson.

Referred to:

A BILL TO BE ENTITLED

AN ACT TO APPROPRIATE FUNDS TO THE DEPARTMENT OF ENVIRONMENT, HEALTH, AND NATURAL RESOURCES TO EVALUATE SEPTIC TANKS IN THE NEUSE RIVER BASIN.

The General Assembly of North Carolina enacts:

Section 1. There is appropriated to the Department of Environment, Health, and Natural Resources, the sum of one hundred fifty thousand dollars ($150,000) for the 1997-98 fiscal year to be used to evaluate septic tanks in the Neuse River Basin including: (i) the number of septic tanks; (ii) the condition of the tanks; (iii) potential groundwater contamination from malfunctioning septic tank systems; (iv) impact of hurricane damage and flooding on septic tank systems; (v) the cost to repair or replace septic tanks; and (vi) viable alternatives to septic tanks.

Section 2. The Department shall report its findings on septic tanks to the Environmental Review Commission on or before December 1, 1997. The Environmental Review Commission shall report on its findings and recommendations to the General Assembly on the first day of the 1997 (1998 Regular Session) Legislative Session.

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

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1997

FILED - SENATE

S 194 FEB 18 1997

PRINCIPAL CLERK

S D

SENATE DRS1543*-RTZ055.01(2.5)

Short Title: Amend Env. Laws. (Public)

Sponsors: Senator Albertson.

Referred to:

A BILL TO BE ENTITLED

AN ACT TO AMEND VARIOUS ENVIRONMENTAL LAWS, AS RECOMMENDED BY THE ENVIRONMENTAL REVIEW COMMISSION.

The General Assembly of North Carolina enacts:

Section 1. Part 1 of Article 3 of Chapter 90A is amended by adding a new section to read:

"**§ 90A-46.1. Renewal of certificates.**

A certificate issued under this Part expires on 31 December of the year in which it is issued or renewed. The Commission may establish minimum continuing education requirements that an applicant must meet to renew a certificate. The Commission shall renew a certificate if the applicant meets the continuing education requirement and pays the required renewal fee, any renewal fee in arrears, and any late application penalty."

Section 2. G.S. 113A-120(b1) reads as rewritten:

"(b1) In addition to those factors set out in subsection (a) of this section, and notwithstanding the provisions of subsection (b) of this section, the responsible official or body may deny an application for a permit upon finding that an applicant, or any parent or subsidiary corporation if the applicant is a corporation:

(1) Is conducting or has conducted any activity causing significant environmental damage for which a major development permit is required under this Article without having previously obtained such permit or has received a notice of violation with respect to any activity governed by this Article and has not complied with the notice within the time specified in the notice;

NORTH CAROLINA GENERAL ASSEMBLY
SENATE

RECORDED VOTE

1997 SESSION

SEQ. 413/7-- 4:20 PM APRIL 29, 1997 LEGISLATIVE DAY 52

LT. GOVERNOR WICKER -- Presiding

ALBERTSON
AMEND ENV. LAWS
2ND EDITION

SENATE BILL 194
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	HARTSELL	MARTIN W.	SHAW R.
		CARPENTER	HORTON	MCDANIEL	SOLES
		CARRINGTON	HOYLE	MILLER	WARREN
		CLARK	JENKINS	ODOM	WEBSTER
		COCHRANE	JORDAN	PAGE	WEINSTEIN
		CONDER	KERR	PERDUE	WELLONS
		COOPER	KINCAID	PHILLIPS	WINNER
		DALTON			
NO	0				

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

GENERAL ASSEMBLY
SENATE

NORTH CAROLINA GENERAL ASSEMBLY
AMENDMENT
Senate Bill 194

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

S194-ALD-37

Date JUL 29 1997 ,1997

Comm. Sub. [YES]
Amends Title []
S194-PCS1826

Representative Morgan

moves to amend the bill on page 1, line ~~14~~ 13, by deleting "application" and substituting "payment"; and

on page 1, line ~~15~~ 14, by rewriting that line to read:
"Section 2. G.S. 113A-120(b1), as amended by Section 2 of Chapter 337 of the 1997 Session Laws, reads as rewritten:"; and

on page 1, line ~~18~~ 16, by deleting "section," and substituting "section or of G.S. 113A-120.2,".

SIGNED _____
Amendment Sponsor

SIGNED _____
Committee Chair if Senate Committee Amendment

ADOPTED JUL 29 1997 FAILED _____ TABLED _____

111-0 EV DWicks

NORTH CAROLINA

HOUSE OF REPRESENTATIVES

ROLL CALL

EV

SEQ. # 1286
LEGISLATIVE DAY 104
S194 HCS
READING 2

7/29/97
11:53 AM
IN CHAIR: SPEAKER

AMEND #1 - REP MORGAN
AMEND ENVIRONMENTAL LAWS

AYES - 111

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

NOES - 0

EXCUSED ABSENCE - 3

FOX	NICHOLS	SHUBERT

EXCUSED VOTE - 0

NOT VOTING - 6

SPEAKER	DOCKHAM	MCCOMBS	MOSLEY
BARBEE	ESPOSITO		

NORTH CAROLINA
HOUSE OF REPRESENTATIVES
ROLL CALL

EV

SEQ. # 1287
LEGISLATIVE DAY 104
S194 HCS
READING 2

7/29/97
12:01 PM
IN CHAIR: SPEAKER

AMEND ENVIRONMENTAL LAWS

AYES - 101

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

NOES - 4

BROWN	CARPENTER	DAVIS	WARWICK

EXCUSED ABSENCE - 3

FOX	NICHOLS	SHUBERT

EXCUSED VOTE - 1

NEELY

NOT VOTING - 11

SPEAKER	BLUE	DICKSON	MCALLISTER
BARBEE	CREECH	DOCKHAM	MOSLEY
BEALL	DAUGHTRY	FITCH	

NORTH CAROLINA
HOUSE OF REPRESENTATIVES
ROLL CALL

EV

SEQ. # 1288
LEGISLATIVE DAY 104
S194 HCS
READING 3

7/29/97
12:14 PM
IN CHAIR: SPEAKER

AMEND ENVIRONMENTAL LAWS

AYES - 106

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

NOES - 7

BERRY	BROWN	CREECH	WARWICK
BRAWLEY	CARPENTER	DAVIS	

EXCUSED ABSENCE - 3

FOX	NICHOLS	SHUBERT

EXCUSED VOTE - 1

NEELY

NOT VOTING - 3

BARBEE	HUNTER, R.	MOSLEY

S194 HCS

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1997

S D

SENATE DRS8526*-RFZ11(1.29) FILED - SENATE

S 195 FEB 18 1997

PRINCIPAL CLERK

Short Title: Ag Dept. Name Change. (Public)

Sponsors: Senator Albertson.

Referred to:

A BILL TO BE ENTITLED

AN ACT TO CHANGE THE NAME OF THE NORTH CAROLINA DEPARTMENT OF AGRICULTURE TO THE NORTH CAROLINA DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES.

The General Assembly of North Carolina enacts:

Section 1. G.S. 19A-22 reads as rewritten:

"**§ 19A-22. Animal Welfare Section in Animal Health Division of Department of Agriculture created; Director.**

There is hereby created within the Animal Health Division of the North Carolina Department of ~~Agriculture,~~ Agriculture and Consumer Services, a new section thereof, to be known as the Animal Welfare Section of said division.

The Commissioner of Agriculture is hereby authorized to appoint a Director of said section whose duties and authority shall be determined by the Commissioner subject to the approval of the Board of Agriculture and subject to the provisions of this Article.

Section 2. G.S. 19A-23(8) reads as rewritten:

"(8) 'Director' means the Director of the Animal Welfare Section of the Animal Health Division of the Department of ~~Agriculture.~~ Agriculture and Consumer Services."

Section 3. G.S. 62-102(b)(6) reads as rewritten:

"(6) The Department of ~~Agriculture;~~ Agriculture and Consumer Services;".

Section 4. G.S. 66-58(b)(2) reads as rewritten:

"(2) The Department of Human Resources, the Department of Environment, Health, and Natural Resources, or the Department of

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1997

S D

FILED - SENATE
S 196
PRINCIPAL CLERK

SENATE DRS8532-LE017(2.5)

Short Title: Three Strikes for Disruptive Students. (Public)

Sponsors: Senator Shaw of Guilford.

Referred to:

A BILL TO BE ENTITLED

AN ACT TO PROVIDE FOR THE REMOVAL OF DISRUPTIVE STUDENTS FROM THE CLASSROOM OR SCHOOL.

The General Assembly of North Carolina enacts:

Section 1. G.S. 115C-391 reads as rewritten:

"**§ 115C-391. Corporal punishment, suspension, or expulsion of pupils.**

(a) Local boards of education shall adopt policies not inconsistent with the provisions of the Constitutions of the United States and North Carolina, governing the conduct of students and establishing procedures to be followed by school officials in suspending or expelling any ~~student,~~ student or removing any chronically disruptive student from the classroom or the school, or in disciplining any student if the offensive behavior could result in suspension, expulsion, ~~or~~ the administration of corporal ~~punishment.~~ punishment, or the removal of any student from the classroom or the school.

(a1) The policies that shall be adopted for the administration of corporal punishment shall include at a minimum the following conditions:

(1) Corporal punishment shall not be administered in a classroom with other children present;

(2) The student body shall be informed beforehand what general types of misconduct could result in corporal punishment;

(3) Only a teacher, substitute teacher, principal, or assistant principal may administer corporal punishment and may do so only in the presence of a principal, assistant principal, teacher, substitute teacher, teacher assistant, or student teacher, who shall be

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1997

FILED - SENATE
S 1 97 FEB 19 1997
PRINCIPAL CLERK

S D

SENATE DRS6534-LR028(2.6)

Short Title: Repeal Sunset on FICA Saving Use. (Public)

Sponsors: Senator Wellons.

Referred to:

A BILL TO BE ENTITLED

AN ACT TO MAKE PERMANENT A PROVISION ALLOWING SAVINGS IN EMPLOYER FICA CONTRIBUTIONS TO BE USED TO PAY FOR ADMINISTRATIVE EXPENSES OF FLEXIBLE COMPENSATION PROGRAMS FOR STATE EMPLOYEES AND EMPLOYEES OF EDUCATIONAL INSTITUTIONS SUPPORTED BY THE STATE.

The General Assembly of North Carolina enacts:

Section 1. Section 14(i) of Chapter 1044 of the 1991 Session Laws, as amended by Section 42 of Chapter 561 of the 1993 Session Laws and Section 7.28A of Chapter 769 of the 1993 Session Laws, reads as rewritten:

"(i) Subsections (a) through (d) of this section are effective January 1, 1990. Subsections (e) through (h) of this section are effective January 1, 1991. ~~Subsections (a) throught (h) of this section shall expire December 31, 1997.~~"

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

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1997

FILED - SENATE

S D

SENATE DRSA537-LM042(2.12) S198 - FEB 19 1997

PRINCIPAL CLERK

Short Title: Henderson Co. Annexation Agreements. (Local)

Sponsors: Senator Jenkins.

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.

NORTH CAROLINA GENERAL ASSEMBLY
SENATE

RECORDED VOTE

1997 SESSION

SEQ. 122/3-- 2:41 PM MARCH 20, 1997 LEGISLATIVE DAY 30

LT. GOVERNOR WICKER -- Presiding

JENKINS
HENDERSON COUNTY ANNEXATION

SENATE BILL 198
READING 2

AGREEMENTS

AYE	45	ALBERTSON	DANNELLY	KINCAID	PHILLIPS
		ALLRAN	FORRESTER	KINNAIRD	PLYLER
		BALLANCE	FOXX	LEDBETTER	RAND
		BASNIGHT	GARWOOD	LEE	REEVES
		BLUST	GULLEY	LUCAS	RUCHO
		CARPENTER	HARTSELL	MARTIN R.	SHAW L.
		CARRINGTON	HORTON	MARTIN W.	SOLES
		CLARK	HOYLE	MILLER	WARREN
		COCHRANE	JENKINS	ODOM	WEINSTEIN
		CONDER	JORDAN	PAGE	WELLONS
		COOPER	KERR	PERDUE	WINNER
		DALTON			
NO	3	EAST	MCDANIEL	WEBSTER	

EXCUSED	0	
NOT CAST	1	BALLANTINE
ABSENT	1	SHAW R.
PAIRS	0	
AYE		
NO		

GENERAL ASSEMBLY
SENATE

NORTH CAROLINA GENERAL ASSEMBLY
SENATE

RECORDED VOTE

1997 SESSION

SEQ. 148/2-- 2:27 PM MARCH 26, 1997 LEGISLATIVE DAY 33

LT. GOVERNOR WICKER -- Presiding

JENKINS
HENDERSON COUNTY ANNEXATION

SENATE BILL 198
READING 3

AGREEMENTS

AYE	45	ALBERTSON	DANNELLY	KINCAID	PERDUE
		ALLRAN	FORRESTER	KINNAIRD	PHILLIPS
		BALLANCE	FOXX	LEDBETTER	PLYLER
		BALLANTINE	GARWOOD	LEE	RAND
		BASNIGHT	GULLEY	LUCAS	REEVES
		BLUST	HARTSELL	MARTIN R.	RUCHO
		CARPENTER	HORTON	MARTIN W.	SOLES
		CARRINGTON	HOYLE	MCDANIEL	WARREN
		COCHRANE	JENKINS	MILLER	WEINSTEIN
		CONDER	JORDAN	ODOM	WELLONS
		COOPER	KERR	PAGE	WINNER
		DALTON			
NO	3	CLARK	EAST	WEBSTER	

EXCUSED	0	
NOT CAST	1	SHAW L.
ABSENT	1	SHAW R.
PAIRS	0	
AYE		
NO		

GENERAL ASSEMBLY
SENATE

NORTH CAROLINA

HOUSE OF REPRESENTATIVES

ROLL CALL

RC

867
LEGISLATIVE DAY 76
S198
READING 2

6/10/97
1:30 PM
IN CHAIR: SPEAKER

HENDERSON COUNTY ANNEX. AGREEMENTS

AYES - 114

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

NOES - 0

EXCUSED ABSENCE - 2

BRASWELL	ELLIS

EXCUSED VOTE - 0

NOT VOTING - 4

SPEAKER	BLUE	PRESTON	SMITH

NORTH CAROLINA
HOUSE OF REPRESENTATIVES
ROLL CALL

RC

. # 922
ISLATIVE DAY 79
S198
READING 3

6/16/97
6:23 PM
IN CHAIR: SPEAKER

HENDERSON COUNTY ANNEX. AGREEMENTS

AYES - 93

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

NOES - 4

BOYD-MCINTYRE	CARPENTER	KISER	TOLSON

EXCUSED ABSENCE - 14

CUNNINGHAM	GOODWIN	NESBITT	WAINWRIGHT
EASTERLING	HUNTER, R.	REDWINE	WILKINS
EDDINS	LUEBKE	SUTTON	WOOD
ELLIS	MILLER		

EXCUSED VOTE - 0

NOT VOTING - 9

SPEAKER	COLE	DECKER	JUSTUS
BRASWELL	DAUGHTRY	FITCH	TALLENT
CHURCH			

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1997

S D

SENATE DRS2543-LM049A(2.13)

FILED - SENATE

S 199 - FEB 19 1997

PRINCIPAL CLERK

Short Title: Town Managers/Dual Office Holding. (Public)

Sponsors: Senator Soles.

Referred to:

A BILL TO BE ENTITLED

AN ACT TO ALLOW TOWN MANAGERS OF SMALL TOWNS TO HOLD CONCURRENTLY APPOINTIVE AND ELECTIVE OFFICES UNDER CERTAIN CIRCUMSTANCES.

The General Assembly of North Carolina enacts:

Section 1. G.S. 160A-147 reads as rewritten:

"**§ 160A-147. Appointment of city manager; dual office holding.**

(a) In cities whose charters provide for the council-manager form of government, the council shall appoint a city manager to serve at its pleasure. The manager shall be appointed solely on the basis of ~~his~~ the manager's executive and administrative qualifications. ~~He~~ The manager need not be a resident of the city or State at the time of ~~his~~ appointment. The office of city manager is hereby declared to be an office that may be held concurrently with other appointive (but not elective) offices pursuant to Article VI, Sec. 9, of the Constitution.

(b) Notwithstanding the provisions of subsection (a), a city manager may serve on a county board of education ~~which~~ that is elected on a non-partisan basis if the following criteria are met:

(1) The population of the city by which the city manager is employed does not exceed 10,000;

(2) The city is located in two counties; and

(3) The population of the county in which the city manager resides does not exceed 40,000.

(c) Notwithstanding the provisions of subsection (a), a city manager may hold elective office if the following criteria are met:

NORTH CAROLINA GENERAL ASSEMBLY
SENATE
1997 SESSION

VOTING EQUIPMENT INOPERATIVE

Bill No. SB 199

Short Title: Town Managers/Dual Office Holding

Date: February 27, 1997

The following action was taken and the total announced, but no printed vote was recorded due to malfunction:

Reading 2: Aye 48 Nay 0

ACB 2/28/97

From the Office of the Senate Principal Clerk—733-7761

NORTH CAROLINA
HOUSE OF REPRESENTATIVES
ROLL CALL

EV

NO. # 207
LEGISLATIVE DAY 36
S199 HCS
READING 2

4/01/97
2:43 PM
IN CHAIR: SPEAKER

TOWN MANAGERS/DUAL OFFICE HOLDING

AYES - 88

SPEAKER	CULPEPPER	JUSTUS	RAYFIELD
ALEXANDER	DECKER	KINNEY	REDWINE
ARNOLD	DEDMON	KISER	REYNOLDS
BAKER	DICKSON	LUEBKE	ROGERS
BARBEE	DOCKHAM	MCALLISTER	RUSSELL
BEALL	EARLE	MCCOMAS	SEXTON
BERRY	EDDINS	MCCOMBS	SHERRILL
BLACK	ESPOSITO	MCCRARY	SMITH
BLUE	GOODWIN	MCMAHAN	STARNES
BOWIE	GRADY	MERCER	SUTTON
BOYD-MCINTYRE	GRAY	MICHAUX	TALLENT
BRASWELL	GULLEY	MILLER	THOMPSON
BRAWLEY	HALL	MINER	TOLSON
BROWN	HARDAWAY	MITCHELL	WAINWRIGHT
BUCHANAN	HARDY	MOORE	WARNER
CANSLER	HIATT	MORGAN	WARWICK
CARPENTER	HILL	MORRIS	WEATHERLY
CHURCH	HOWARD	NEELY	WILKINS
CLARY	HUNTER, H.	NYE	WILSON, C.
COLE	HURLEY	OLDHAM	WILSON, G.
CRAWFORD	JARRELL	OWENS	WRIGHT
CULP	JEFFUS	RAMSEY	YONGUE

NOES - 25

ADAMS	EASTERLING	HENSLEY	NICHOLS
ALLRED	ELLIS	HIGHTOWER	SAUNDERS
BADDOUR	FITCH	HOLMES	SHUBERT
BONNER	FOX	HUNTER, R.	WATSON
CAPPS	GAMBLE	INSKO	WOMBLE
CUNNINGHAM	GARDNER	MOSLEY	WOOD
DAVIS			

EXCUSED ABSENCE - 5

ALDRIDGE	HACKNEY	IVES	PRESTON
CREECH			

EXCUSED VOTE - 0

NOT VOTING - 2

DAUGHTRY	NESBITT

NORTH CAROLINA GENERAL ASSEMBLY
SENATE

RECORDED VOTE

1997 SESSION

SEQ. 183/9-- 2:50 PM APRIL 3, 1997 LEGISLATIVE DAY 38

LT. GOVERNOR WICKER -- Presiding

SOLES
TOWN MANAGERS/DUAL OFFICE HOLDINGS
HOUSE COMM. SUB./2ND EDITION

SENATE BILL 199

MOTION 8
TO CONCUR

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
		CLARK	HOYLE	ODOM	WEINSTEIN
		COCHRANE	JENKINS	PAGE	WELLONS
		COOPER	JORDAN	PHILLIPS	WINNER
		DALTON	KERR	PLYLER	
NO	0				
EXCUSED	0				
NOT CAST	1	CONDER			
ABSENT	2	KINCAID	PERDUE		
PAIRS	0				
AYE					
NO					

GENERAL ASSEMBLY
SENATE

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1997

S D

SENATE DRS6541-LM051(2.14) FILED - SENATE

S 200 FEB 19 1997

Short Title: Amend North Carolina Laws-1. PRINCIPAL CLERK (Public)

Sponsors: Senator Soles.

Referred to:

A BILL TO BE ENTITLED

AN ACT RELATING TO THE LAWS OF NORTH CAROLINA.

The General Assembly of North Carolina enacts:

Section 1. This act relates to the laws of North Carolina.

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