

JOURNAL
OF THE
SENATE
OF THE
2003 GENERAL ASSEMBLY
OF THE
STATE OF NORTH CAROLINA

THIRD EXTRA SESSION

2004

**OFFICERS AND MEMBERS
OF
THE SENATE OF THE NORTH CAROLINA
GENERAL ASSEMBLY
2003 SESSION
THIRD EXTRA SESSION 2004**

BEVERLY E. PERDUE, President New Bern
 MARC BASNIGHT, President *Pro Tempore* Manteo
 CHARLIE S. DANNELLY, Deputy President *Pro Tempore* Charlotte
 JANET B. PRUITT, Principal Clerk Raleigh
 TED HARRISON, Reading Clerk Cary
 CECIL GOINS, Sergeant-at-Arms Raleigh

| DISTRICT | NAME OF SENATOR | CITY OF RESIDENCE |
|----------|---|-------------------|
| 1 | MARC BASNIGHT (D)..... | Manteo |
| 2 | SCOTT THOMAS (D)..... | New Bern |
| 3 | S. CLARK JENKINS (D)..... | Tarboro |
| 4 | ROBERT L. HOLLOMAN (D)..... | Ahoskie |
| 5 | TONY P. MOORE (R) (Party Switch 11/24/03)..... | Winterville |
| 6 | CECIL HARGETT (D)..... | Richlands |
| 7 | JOHN H. KERR III (D)..... | Goldsboro |
| 8 | R. C. SOLES, JR. (D)..... | Tabor City |
| 9 | HAYWOOD E. "WOODY" WHITE (R) (Appointed 5-5-04) | Wilmington |
| | PATRICK J. BALLANTINE (R) (Resigned 4-19-04)..... | Wilmington |
| 10 | CHARLES W. ALBERTSON (D)..... | Beulaville |
| 11 | A. B. SWINDELL IV (D)..... | Nashville |
| 12 | FRED SMITH (R)..... | Clayton |
| 13 | DAVID F. WEINSTEIN (D)..... | Lumberton |
| 14 | VERNON MALONE (D)..... | Raleigh |
| 15 | JOHN H. CARRINGTON (R)..... | Raleigh |
| 16 | ERIC M. REEVES (D)..... | Raleigh |
| 17 | RICHARD Y. STEVENS (R)..... | Cary |
| 18 | RALPH A. HUNT (D) (Appointed 4-21-04)..... | Durham |
| | WIB GULLEY (D) (Resigned 3-19-04)..... | Durham |
| 19 | TONY RAND (D)..... | Fayetteville |
| 20 | JEANNE H. LUCAS (D)..... | Durham |
| 21 | LARRY SHAW (D)..... | Fayetteville |

| | | |
|----|---|------------------|
| 22 | HARRIS BLAKE (R) | Pinehurst |
| 23 | ELEANOR KINNAIRD (D) | Carrboro |
| 24 | HUGH WEBSTER (R) | Burlington |
| 25 | WILLIAM R. PURCELL (D) | Laurinburg |
| 26 | PHILIP E. BERGER (R) | Eden |
| 27 | KAY R. HAGAN (D) | Greensboro |
| 28 | KATIE G. DORSETT (D) | Greensboro |
| 29 | JERRY W. TILLMAN (R) | Archdale |
| 30 | JOHN A. GARWOOD (R) | North Wilkesboro |
| 31 | HAMILTON C. HORTON, JR. (R) | Winston-Salem |
| 32 | LINDA GARROU (D) | Winston-Salem |
| 33 | STAN BINGHAM (R) | Denton |
| 34 | ANDREW C. BROCK (R) | Mocksville |
| 35 | FERN SHUBERT (R) | Marshville |
| 36 | FLETCHER L. HARTSELL, JR. (R) | Concord |
| 37 | DANIEL G. CLODFELTER (D) | Charlotte |
| 38 | CHARLIE S. DANNELLY (D) | Charlotte |
| 39 | ROBERT A. RUCHO (R) | Matthews |
| 40 | ROBERT PITTENGER (R) | Charlotte |
| 41 | R. B. SLOAN, JR. (R) | Mooresville |
| 42 | JAMES FORRESTER (R) | Stanley |
| 43 | DAVID W. HOYLE (D) | Dallas |
| 44 | AUSTIN M. ALLRAN (R) | Hickory |
| 45 | VIRGINIA FOXX (R) | Banner Elk |
| 46 | WALTER H. DALTON (D) | Rutherfordton |
| 47 | JOE SAM QUEEN (D) | Waynesville |
| 48 | TOM APODACA (R) | Hendersonville |
| 49 | MARTIN L. NESBITT, JR. (D) (Appointed 2-6-04) | Asheville |
| | STEVE METCALF (D) (Resigned 2-2-04) | Weaverville |
| 50 | ROBERT C. CARPENTER (R) | Franklin |

SENATE JOURNAL

THIRD EXTRA SESSION

2004

FIRST DAY

Senate Chamber

Thursday, November 4, 2004

In accordance with law, as set forth in the Constitution of the State of North Carolina and pursuant to the Proclamation issued by the Governor, the Honorable Michael F. Easley, on October 27, 2004, the Senate of the 2003 General Assembly convenes in Third Extra Session at the hour of 2:00 PM in the Senate Chamber of the Legislative Building in the City of Raleigh.

The Honorable Beverly E. Perdue, Lieutenant Governor, presides and calls the Senate to order.

Prayer is offered by The Reverend Mike Morris, Senate Chaplain, as follows:

"Dear Lord, it is unusual for the Senate to convene only two days after a general election. While some votes are still being counted, most of us are left processing what has or might yet happen.

"Of those present today, some chose not to seek office again. Some have won. Some colleagues were not re-elected. We gratefully acknowledge each member - the convictions by which they serve, their hard work in behalf of North Carolinians, their contributions of service in the Senate.

"But let us move forward with the assurance that You have a plan for each of us. A plan that promises our best interests as we are guided by Your will for our lives. We pray in Your Holy Name, Amen."

PLEDGE OF ALLEGIANCE

Led by the President, members and guests remain standing and pledge allegiance to the flag of the United States of America.

PROCLAMATION

The President instructs the Reading Clerk to read the Proclamation issued by Governor Michael F. Easley, on October 27, 2004, as follows:



PROCLAMATION OF AN EXTRA SESSION

Pursuant to the authority vested in the Governor by Article III, Section 5(7) of the Constitution of North Carolina, and by and with the advice of the Council of State, the General Assembly shall convene for an extra session on Thursday, November 4, 2004, at 2:00 p.m. regarding the economic development incentives that manufacturing companies in current discussions with the Governor have indicated are customary and necessary to make their decisions to locate large-scale projects in North Carolina, before the General Assembly regularly convenes on January 26, 2005. These incentives are limited to those projects that would provide the state with significant jobs and investments in computer manufacturing.

Done in Raleigh, North Carolina on October 27, 2004.



Michael F. Easley
Governor



November 4, 2004

CALL OF THE ROLL

The Chair calls for an electronic call of the roll of the members of the Senate heretofore elected to the 2003 General Assembly and the following answer the call:

Senators Albertson, Allran, Apodaca, Basnight, Berger, Bingham, Blake, Brock, Carpenter, Clodfelter, Dalton, Dannelly, Dorsett, Forrester, Garrou, Garwood, Hagan, Hargett, Hartsell, Holloman, Horton, Hoyle, Jenkins, Hunt, Kerr, Kinnaird, Lucas, Malone, Moore, Nesbitt, Pittenger, Purcell, Queen, Rand, Reeves, Rucho, Shaw, Shubert, Sloan, Smith, Soles, Stevens, Swindell, Thomas, Tillman, Webster, Weinstein, and White - 48.

With the members present having properly received and subscribed to the Oath of Office, the President announces a quorum present.

The Chair grants leaves of absence for today to Senator Carrington and Senator Foxx.

OFFICERS

Without objection, the Officers of the Senate of the 2003 Regular Session shall serve as the Officers of this Third Extra Session.

ADOPTION OF RULES

The Chair recognizes Senator Rand who submits Senate Resolution 1 which is read and disposed of as follows:

S.R. 1, A SENATE RESOLUTION ADOPTING THE PERMANENT RULES OF THE SENATE FOR THE 2004 EXTRA SESSION OF THE 2003 GENERAL ASSEMBLY.

Upon motion of Senator Rand, the resolution is placed before the Senate for immediate consideration upon adoption.

The text of Senate Resolution 1 is as follows:

A SENATE RESOLUTION ADOPTING THE PERMANENT RULES OF THE SENATE FOR THE 2004 EXTRA SESSION OF THE 2003 GENERAL ASSEMBLY.

Be it resolved by the Senate:

SECTION 1. The permanent rules of the 2003 Regular Session, with the following amendments, are the rules governing the 2004 Extra Session of the 2003 General Assembly:

RULE 32. List of standing/select committees. – The standing committees shall be:

Appropriations.

Finance.

Rules and Operations of the Senate.

All committees shall be comprised of the members who were appointed to those committees during the 2003 Regular Session.

November 4, 2004

RULE 40. Introduction of bills. – Every bill introduced shall contain on the outside cover the title of the document and the name of the Senator or Senators presenting it. The Principal Clerk of the Senate shall receive, number, and present each bill to the Senate for first reading.

RULE 40.1. Limitation on introduction and consideration of resolutions and bills. – The only resolutions that may be introduced or considered in the Senate are resolutions adjourning the 2004 Extra Session sine die. The only bills, parts of bills, or amendments to bills that may be introduced or considered in the Senate are bills, parts of bills, or amendments regarding economic development incentives for projects that would encourage investment in the production and distribution of computer products and related technology and provide the State with significant jobs.

RULE 41. (Reserved).

RULE 43. First reading; reference to committee. – All bills introduced and all House bills received upon a message from the House of Representatives, upon presentation to the Senate, shall be read in the regular order of business by their number and title which shall constitute the first reading of the bill. The Chair of the Rules and Operations of the Senate Committee or, in the Chair's absence, the Vice-Chair of the Committee shall refer to a Senate committee all bills introduced in the Senate. Upon the referral being made, the Chair of the Committee on Rules and Operations of the Senate shall notify the Principal Clerk of the Senate of the referral, and the Reading Clerk shall announce the referral of the bill. The Principal Clerk shall inform the Presiding Officer of the referral. The title and referral shall be entered upon the Journal.

RULE 43.1. Second reading. – All bills reported by committee shall be placed before the Senate for second reading and immediate consideration upon passage.

RULE 50. Third reading requirements. – When a bill or resolution has passed its second reading, it shall be placed on the calendar for immediate consideration on its third reading, unless prohibited by Article II, Section 23, of the North Carolina Constitution.

RULE 56.1. Amendments and committee substitutes adopted by the House to bills originating in the Senate. – (a) Whenever the House has adopted an amendment or a committee substitute for a bill originating in the Senate and has returned the bill to the Senate for concurrence in that amendment or committee substitute, the Senate may concur in that amendment or committee substitute on the same legislative day.

RULE 59. (Reserved).

SECTION 2. This resolution is effective upon adoption.

Upon motion of Senator Rand, Senate Resolution 1 is adopted (45-2).

The President orders a special message sent to the House of Representatives informing that Honorable Body that the Senate is organized and ready to proceed with the public business of the Third Extra Session of the 2003 General Assembly as stated in the Proclamation issued by the Governor.

November 4, 2004

SPECIAL MESSAGE FROM THE HOUSE OF REPRESENTATIVES

The following special message is received from the House of Representatives:

House of Representatives
November 4, 2004

Madame President:

Pursuant to a Proclamation issued by Governor Michael F. Easley on October 27, 2004, it is ordered that a message be sent to the Senate informing that Honorable Body that the House of Representatives is organized and is now ready to proceed with the public business of the State for the Third Extra Session of the 2003 General Assembly.

You are further advised that Representative Connie Wilson resigned from the North Carolina House of Representatives, effective October 15, 2004, thus creating a vacancy in the 104th House District.

Respectfully,
S/Denise G. Weeks
Principal Clerk

The Senate recesses at 2:30 P.M. to reconvene at 2:45 P.M.

RECESS

The Senate meets pursuant to recess and is called to order by The Honorable Beverly Eaves Perdue, Lieutenant Governor.

INTRODUCTION OF A BILL

A bill filed for introduction is presented to the Senate, read the first time, and disposed of, as follows:

By Senators Hoyle, Purcell, Hagan, Garrou, Dorsett; Bingham, Hunt, Jenkins, Kerr, Malone, Moore, Rand and Weinstein:

S.B. 2, A BILL TO BE ENTITLED AN ACT TO PROVIDE A TAX CREDIT FOR CERTAIN MAJOR COMPUTER MANUFACTURING FACILITIES AND TO ENHANCE CERTAIN EXISTING TAX INCENTIVES FOR THOSE FACILITIES.

Referred to the **Finance Committee**.

The Senate recesses at 2:47 P.M. for the purpose of a Finance Committee meeting to reconvene at 3:30 P.M.

RECESS

The Senate meets pursuant to recess and is called to order by The Honorable Beverly Eaves Perdue, Lieutenant Governor.

November 4, 2004

REPORTS OF COMMITTEES

A standing committee report is submitted as follows:

By Senator Kerr for the **Finance Committee**:

S.B. 2, A BILL TO BE ENTITLED AN ACT TO PROVIDE A TAX CREDIT FOR CERTAIN MAJOR COMPUTER MANUFACTURING FACILITIES AND TO ENHANCE CERTAIN EXISTING TAX INCENTIVES FOR THOSE FACILITIES, with a favorable report.

Pursuant to Senate Resolution 1, Rule 43.1, the bill is placed on today's Calendar for immediate consideration.

CALENDAR

A bill on today's Calendar is taken up and disposed of, as follows:

S.B. 2, A BILL TO BE ENTITLED AN ACT TO PROVIDE A TAX CREDIT FOR CERTAIN MAJOR COMPUTER MANUFACTURING FACILITIES AND TO ENHANCE CERTAIN EXISTING TAX INCENTIVES FOR THOSE FACILITIES.

Senator Webster offers Amendment No. 1 which fails of adoption (23-25).

Senator Rand calls the previous question on Senate Bill 2 through its passage, seconded by Senator Dalton, which motion prevails (36-16).

The bill passes its second (33-15) and third readings and is ordered sent to the House of Representatives by special message.

The Senate recesses at 4:27 P.M. to reconvene at 6:00 P.M.

RECESS

The Senate meets pursuant to recess and is called to order by The Honorable Marc Basnight, President *Pro Tempore*, who presides in the absence of the Lieutenant Governor.

The Chair grants leaves of absence for the remainder of today's session to Senator Forrester and Senator White.

SPECIAL MESSAGE FROM THE HOUSE OF REPRESENTATIVES

The following special message is received from the House of Representatives:

H.J.R. 2, A JOINT RESOLUTION PROVIDING FOR ADJOURNMENT SINE DIE OF THE 2004 EXTRA SESSION.

Upon motion of Senator Rand, the rules are suspended and the joint resolution is placed on today's Calendar for immediate consideration.

November 4, 2004

CALENDAR (*continued*)

H.J.R. 2, A JOINT RESOLUTION PROVIDING FOR ADJOURNMENT SINE DIE OF THE 2004 EXTRA SESSION.

The joint resolution passes its second (31-0) and third readings and is ordered enrolled.

ENROLLED BILLS

The Enrolling Clerk reports the following bill duly ratified for presentation to the Governor:

S.B. 2, AN ACT TO PROVIDE A TAX CREDIT FOR CERTAIN MAJOR COMPUTER MANUFACTURING FACILITIES AND TO ENHANCE CERTAIN EXISTING TAX INCENTIVES FOR THOSE FACILITIES.

The Enrolling Clerk reports the following joint resolution duly ratified, properly enrolled, and presented to the Office of the Secretary of State:

H.J.R. 2, A JOINT RESOLUTION PROVIDING FOR ADJOURNMENT SINE DIE OF THE 2004 EXTRA SESSION. (Res. 2004-14)

SPECIAL MESSAGE FROM THE HOUSE OF REPRESENTATIVES

The following special message is received from the House of Representatives:

House of Representatives
November 4, 2004

Madame President:

It is ordered that a message be sent to the Senate respectively advising your Honorable Body that the House of Representatives has concluded the public business before it and stands ready to adjourn sine die pursuant to **H.J.R. 2**, A JOINT RESOLUTION PROVIDING FOR ADJOURNMENT SINE DIE OF THE 2004 EXTRA SESSION.

Respectfully,
S/Denise Weeks
Principal Clerk

Senator Rand offers a motion pursuant to **H.J.R. 2**, A JOINT RESOLUTION PROVIDING FOR ADJOURNMENT SINE DIE OF THE 2004 EXTRA SESSION (Res. 14) that the Senate adjourn *sine die*, seconded by Senator Bingham, which motion prevails with unanimous consent.

November 4, 2004

The President *Pro Tempore* of the Senate declares the Senate of the 2003 General Assembly sitting in Third Extra Session adjourned at 8:44 P.M., *sine die*.

BEVERLY E. PERDUE
President of the Senate

JANET B. PRUITT
Principal Clerk

November 4, 2004

ADDENDUM

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ADDENDUM**CHAPTERED BILL**

The Enrolling Clerk reports the following bill properly enrolled, assigned the following Chapter Number, and presented to the Office of the Secretary of State after the Third Extra Session adjourned on November 4, 2004.

S.B. 2. AN ACT TO PROVIDE A TAX CREDIT FOR CERTAIN MAJOR COMPUTER MANUFACTURING FACILITIES AND TO ENHANCE CERTAIN EXISTING TAX INCENTIVES FOR THOSE FACILITIES. (Became law upon approval of the Governor, November 5, 2004 - S.L. 2004-204.)

EDITOR'S NOTES

A bill and a resolution passed second reading and were read a third time on the same day, pursuant to Senate Rule 50.

Rule 50 in the Senate Rules adopted for the Third Extra Session 2004 states:
“When a bill or resolution has passed its second reading, it shall be placed on the calendar for immediate consideration on its third reading, unless prohibited by Article II, Section 23 of the North Carolina Constitution.”

The numerical figures which appear within parentheses throughout the Senate Journal represent the affirmative and negative votes cast and recorded electronically, pursuant to Rule 25. Copies of the voting printout are on file in the Legislative Library and the original is deposited in the Division of Archives and History of the Department of Cultural Resources.

SENATE DISTRICTS

A complete listing of the North Carolina Senatorial Districts can be found in the Addendum of the *2003 Senate Journal, Second Session 2004*.

Janet B. Pruitt
Principal Clerk

APPENDIX

SENATE JOURNAL

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SENATE STAFF**OFFICE OF THE PRESIDENT**

| | |
|------------------------------|-----------------------|
| Lieutenant Governor | Beverly Eaves Perdue |
| Administrative Assistant | Sharon Nelson |
| Chief of Staff | Betsy Conti |
| Assistant to Chief of Staff | Sally Holloman |
| Communications Director | Lew Borman |
| Legislative Assistant | Anne Canady |
| Office Manager | Effie Jackson |
| Research and Policy | Tamara Jones |
| Scheduler | Cornelia McMillan |
| Public Liaison | Donice Harbor |
| Constituent Outreach Liaison | Alicia Johnson |
| Receptionist | Americo Rodriguez |
| Security | Trooper Scott Parrish |
| | Trooper Gary Simpson |

OFFICE OF THE PRESIDENT *PRO TEMPORE*

| | |
|--|------------------------|
| President <i>Pro Tempore</i> | Marc Basnight |
| General Counsel | Tonya Williams |
| Chief of Staff | Rolf Blizzard |
| Administrative Assistant | Claudette Parrish |
| Executive Assistant | Angela Talton Williams |
| Director, Boards & Commissions and Constituent Services | Lea Dunn Tackett |
| Assistant for Constituent Services and Research | Chris Dillon |
| Communications and Research Director | Amy Fulk |
| Special Assistant for Citizens Affairs and Research | Mary King |
| Director, Hispanic/ Latino Affairs | Matty Lazo-Chadderton |

OFFICE OF THE DEPUTY PRESIDENT *PRO TEMPORE*

| | |
|-------------------------------------|------------------------|
| Deputy President <i>Pro Tempore</i> | Charlie Smith Dannelly |
| Administrative Assistant | Dee Hodge |
| Legal Counsel | Wayne Yancey |

OFFICE OF THE SENATE MAJORITY LEADER

| | |
|--------------------------|-----------------|
| Majority Leader | Tony Rand |
| Administrative Assistant | Evelyn Costello |
| General Counsel | Chris Evans |
| Office Assistant | Judy Tardiff |

OFFICE OF THE SENATE REPUBLICAN LEADER

| | |
|--------------------------|--------------------|
| Republican Leader | James S. Forrester |
| Administrative Assistant | Mary Watson |
| Legislative Aide | Joel Raupe |
| Research Assistant | Eric Hunter |
| Research Assistant | Virginia Hebert |

OFFICE OF THE PRINCIPAL CLERK

| | |
|-----------------------|--------------------|
| Principal Clerk | Janet B. Pruitt |
| Administrative Clerks | Leigh Goodman |
| | Harriette McKoy |
| Assistants | Marty Carrara |
| | Ingrid Eubanks |
| | Leslie Heath |
| | Charlotte Johnston |
| | Shirley Parker |
| | Wayne White |

READING CLERK

Ted Harrison

OFFICE OF THE SERGEANT-AT-ARMS

| | |
|------------------|-----------------|
| Sergeant-at-Arms | Cecil Goins |
| Deputy/Secretary | Martha Dunn |
| Assistants | |
| Curtis Dowd | Ernie Sherrell |
| Jon Fitchett | Ronald Spann |
| Stanley Johnson | Richard Telfair |
| Charles Marsalis | Leslie Wright |
| Mary Perry | Robert Young |
| George Robinson | |

OFFICE OF LEGISLATIVE ASSISTANTS

| | |
|-----------------------|----------------|
| Director | Dot Waugaman |
| Assistant to Director | Bonnie McNeil |
| Page Coordinator | Cindy Garrison |
| Committee Assistant | Anne Wilson |

SENATE LEGISLATIVE ASSISTANTS

| | |
|----------------------|--------------------|
| Avent-Hurst, Irma | Senator Holloman |
| Bagley, Dee | Senator Weinstein |
| Bishop, Gail | Senator Garrou |
| Black, Janet | Senator Foxx |
| Blake, Lorraine | Senator Purcell |
| Blalock, Janet | Senator Soles |
| Brothers, Nancy | Senator Queen |
| Carpenter, Helen | Senator Carpenter |
| Chriscoe, Judy | Senator Bingham |
| Clark, Genie | Senator Horton |
| Costello, Evelyn | Senator Rand |
| Dalton, Brian | Senator Dalton |
| David-Yerumo, Bernie | Senator Lucas |
| Davis, Cindy | Senator Albertson |
| Davis, Kathy | Senator Carrington |
| Eldridge, Barbara | Senator Berger |

| | |
|--------------------|--------------------|
| Evans, Chris | Senator Rand |
| Fitzgerald, Mona | Senator Dalton |
| Gheen, Bill | Senator Webster |
| Gooden, Carolyn | Senator Jenkins |
| Gunter, Susanne | Senator Thomas |
| Halifax, Peggy | Senator Pittenger |
| Hall, Yvonne | Senator Tillman |
| Hartsell, Evelyn | Senator Kerr |
| Hebert, Virginia | Senator Forrester |
| Henderson, Surena | Senator Hargett |
| Hodge, Dee | Senator Dannelly |
| Hodge, Joyce | Senator Dorsett |
| Howell, Claudette | Senator Malone |
| Hudson, Mo | Senator Swindell |
| Johnson, Gerry | Senator Hartsell |
| Johnson, Luci | Senator White |
| Joyner, Wanda | Senator Clodfelter |
| Keen, Blair | Senator Smith |
| Kendall, June | Senator Moore |
| Kidd, Anna | Senator Blake |
| Krishnaaraj, Sarah | Senator Kinnaird |
| Laton, Linda | Senator Moore |
| Leatherman, Joan | Senator Soles |
| Lee, Barbara | Senator Shaw |
| Lee, Jan | Senator Nesbitt |
| Long, Helen | Senator Rucho |
| Midgett, Melissa | Senator Hagan |
| Minard, Chris | Senator Garrou |
| Penven, Margie | Senator Reeves |
| Phillips, Marian | Senator Hagan |
| Porter, Phyllis | Senator Garwood |
| Pulley, Nancy | Senator Apodaca |
| Raupe, Joel | Senator Forrester |
| Resar, Carol | Senator Hunt |
| Rhodes, Kleist | Senator Stevens |
| Sears, Sylvia | Senator Kerr |
| Sloan, Megan | Senator Sloan |
| Sommer, Jan | Senator Hoyle |
| Spears, Vickie | Senator Thomas |
| Tardiff, Judy | Senator Rand |
| Walker, Carole | Senator Allran |
| Walker, Tabatha | Senator Brock |
| Watson, Mary | Senator Forrester |
| Williams, Penny | Senator Hoyle |
| Wilson, Carol | Senator Shubert |
| Yancey, Wayne | Senator Dannelly |
| Young, Kathie | Senator Kinnaird |

NUMERICAL INDEX

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SENATE BILLS

The identical bill number, when applicable, and the final action on each bill is noted following the title. If the bill was ratified, the Chapter Number of the 2004 - Extra Session Session Laws is reflected. The abbreviated term appearing in parenthesis refers to the standing committee to which the bill was referred.

| | | | |
|---|---|---|----------------|
| S | 1 | Senate Rules for Extra Session 2004 | 7. |
| S | 2 | Computer Manufacturing Tax Incentives (S.L. 2004-204.) | 9, 10, 11, 15. |

NUMERICAL INDEX

HOUSE BILLS

The identical bill number, when applicable, and the final action on each bill is noted following the title. If the bill was ratified, the Chapter Number of the 2004 - Extra Session Session Laws is reflected. The abbreviated term appearing in parenthesis refers to the standing committee to which the bill was referred.

| | | | |
|---|---|--|---------|
| H | 2 | Adjourn 2004 Extra Session (Res. 14.) | 10, 11. |
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ALPHABETICAL INDEX

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ALPHABETICAL INDEX

The North Carolina General Statutes titles form the basis for the Alphabetical Index. Following each bill title, the last action or the present status for the bill is reflected. For example, a ratified bill is followed by its Chapter Number in the 2004 Extra Session Session Laws. Identical bill numbers, when applicable, are reflected following the short title. Bills which are included in whole or in part in other measures are reflected as such, if known.

Bills and resolutions introduced by a specific Senator are found under the Senator's name and are noted as to whether or not the Senator is the primary sponsor or a co-sponsor.

ADJOURNMENT, SINE DIE

H 2 Adjourn 2004 Extra Session
(Res. 14.)..... 10, 11.

ALAMANCE COUNTY—District 24—Senator Hugh Webster

ALBERTSON, SENATOR CHARLES W. **10th District**—**Duplin,**
Harnett (part), Sampson.

Bills and Resolutions---(Senate Bills)
Primary Sponsor None.
Co-Sponsor None.

ALEXANDER COUNTY—District 41—Senator R.B. Sloan, Jr.

ALLEGHANY COUNTY—District 45—Senator Virginia Foxx

ALLRAN, SENATOR AUSTIN M......**44th District**—**Burke, Catawba (part).**

Bills and Resolutions---(Senate Bills)
Primary Sponsor None.
Co-Sponsor None.

ANSON COUNTY—District 25—Senator William R. Purcell

APODACA, SENATOR TOM...... **48th District**—**Buncombe (part),**
Henderson, Polk.

Bills and Resolutions---(Senate Bills)
Primary Sponsor None.
Co-Sponsor None.

ASHE COUNTY—District 45—Senator Virginia Foxx

AVERY COUNTY—District 47—Senator Joe Sam Queen

BASNIGHT, SENATOR MARC (*President Pro Tempore*) **1st District**—
 Beaufort, Camden, Chowan, Currituck,
Dare, Hyde, Pasquotank, Perquimans.

Adjournment Motion 12.
 Presides—
 Daily Session 10.
 Bills and Resolutions---(Senate Bills)
 Primary Sponsor None.
 Co-Sponsor None.

BEAUFORT COUNTY—District 1—Senator Marc Basnight

BERGER, SENATOR PHILIP E. “PHIL” **26th District**—
 Guilford (part), **Rockingham**.

Bills and Resolutions---(Senate Bills)
 Primary Sponsor None.
 Co-Sponsor None.

BERTIE COUNTY—District 3—Senator S. Clark Jenkins

BINGHAM, SENATOR STAN **33rd District**—**Davidson**, Guilford (part).
 Bills and Resolutions---(Senate Bills)
 Primary Sponsor None.
 Co-Sponsor 2.

BLADEN COUNTY—District 19—Senator Tony Rand

BLAKE, SENATOR HARRIS **22nd District**— Harnett (part), Lee, **Moore**.
 Bills and Resolutions---(Senate Bills)
 Primary Sponsor None.
 Co-Sponsor None.

BROCK, SENATOR ANDREW C. **34th District**—**Davie**,
 Rowan (part), Yadkin.

Bills and Resolutions---(Senate Bills)
 Primary Sponsor None.
 Co-Sponsor None.

BRUNSWICK COUNTY—District 8—Senator R. C. Soles, Jr.

BUNCOMBE COUNTY—District 48—Senator Tom Apodaca
 District 49—Senator Martin L. Nesbitt, Jr.

BURKE COUNTY—District 44—Senator Austin Allran

CABARRUS COUNTY—District 36—Senator Fletcher Hartsell, Jr.

CALDWELL COUNTY—District 45—Senator Virginia Foxx

CALL OF THE ROLL 7.

CAMDEN COUNTY—District 1—Senator Marc Basnight

CARPENTER, SENATOR ROBERT C......**50th District**— Cherokee, Clay,
Graham, Haywood (part),
Jackson, **Macon**, Swain, Transylvania.

Bills and Resolutions---(Senate Bills)

Primary Sponsor None.

Co-Sponsor None.

CARRINGTON, SENATOR JOHN H. **15th District**—Wake (part).

Absent of Leave 7.

Bills and Resolutions---(Senate Bills)

Primary Sponsor None.

Co-Sponsor None.

CARTERET COUNTY—District 2—Senator Scott Thomas

CASWELL COUNTY—District 24—Senator Hugh Webster

CATAWBA COUNTY—District 42—Senator James Forrester

District 44—Senator Austin Allran

CHAPLAIN, The Reverend Mike Morris (See Prayers.)

CHAPTERED BILLS (Bills Chaptered After Adjournment)..... 15.

CHATHAM COUNTY—District 23—Senator Ellie Kinnaird

CHEROKEE COUNTY—District 50—Senator Robert Carpenter

CHOWAN COUNTY—District 1—Senator Marc Basnight

CLAY COUNTY—District 50—Senator Robert Carpenter

CLEVELAND COUNTY—District 46—Senator Walter Dalton

CLODFELTER, SENATOR DANIEL G...... **37th District**—
Mecklenburg (part).

Bills and Resolutions---(Senate Bills)

Primary Sponsor None.

Co-Sponsor None.

COLUMBUS COUNTY—District 8—Senator R. C. Soles, Jr.

CRAVEN COUNTY—District 2—Senator Scott Thomas

COMPUTER MANUFACTURING TAX INCENTIVES

S 2 Computer Manufacturing Tax Incentives
(S.L. 2004-204.)..... 9, 10, 11, 15.

CUMBERLAND COUNTY—District 19—Senator Tony Rand
District 21—Senator Larry Shaw

CURRITUCK COUNTY—District 1—Senator Marc Basnight

DALTON, SENATOR WALTER H.**46th District**—Cleveland, **Rutherford**.
Bills and Resolutions---(Senate Bills)
Primary Sponsor..... None.
Co-Sponsor..... None.

DANNELLY, SENATOR CHARLIE SMITH.....**38th District**—**Mecklenburg** (part).
Bills and Resolutions---(Senate Bills)
Primary Sponsor..... None.
Co-Sponsor..... None.

DARE COUNTY—District 1—Senator Marc Basnight

DAVIDSON COUNTY—District 33—Senator Stan Bingham

DAVIE COUNTY—District 34—Senator Andrew Brock

DEPUTY PRESIDENT PRO TEMPORE (Senator Charlie S. Dannelly)

DORSETT, SENATOR KATIE G.**28th District**—**Guilford** (part).
Bills and Resolutions---(Senate Bills)
Primary Sponsor..... None.
Co-Sponsor..... 2.

DUPLIN COUNTY—District 10—Senator Charles Albertson

DURHAM COUNTY—District 18—Senator Ralph A. Hunt
District 20—Senator Jeanne Lucas

EASLEY, THE HONORABLE MICHAEL F., Governor

EDGECOMBE COUNTY—District 3—Senator S. Clark Jenkins

FORRESTER, SENATOR JAMES**42nd District**—Catawba (part),
Gaston (part), Lincoln.
Absent of Leave..... 10 (portion).
Bills and Resolutions---(Senate Bills)
Primary Sponsor..... None.
Co-Sponsor..... None.

FORSYTH COUNTY—District 31—Senator Hamilton Horton, Jr.
District 32—Senator Linda Garrou

FOXX, SENATOR VIRGINIA.....**45th District**—Alleghany, Ashe,
Caldwell, **Watauga**, Wilkes (part).
Absent of Leave..... 7.
Bills and Resolutions---(Senate Bills)
Primary Sponsor..... None.
Co-Sponsor..... None.

FRANKLIN COUNTY—District 11—Senator A. B. Swindell IV

GARROU, SENATOR LINDA.....**32nd District**—Forsyth (part).
Bills and Resolutions---(Senate Bills)
Primary Sponsor..... None.
Co-Sponsor..... 2.

GARWOOD, SENATOR JOHN A......**30th District**—Stokes,
Surry, **Wilkes** (part).
Bills and Resolutions---(Senate Bills)
Primary Sponsor..... None.
Co-Sponsor..... None.

GASTON COUNTY—District 42—Senator James Forrester
District 43—Senator David Hoyle

GATES COUNTY—District 4—Senator Robert Holloman

GOINS, CECIL (Sergeant-at-Arms)

GOVERNOR (The Honorable Michael F. Easley)

GRAHAM COUNTY—District 50—Senator Robert Carpenter

GRANVILLE COUNTY—District 18—Senator Ralph A. Hunt

GREENE COUNTY—District 7—Senator John H. Kerr III

GUILFORD COUNTY—District 26—Senator Phil Berger
District 27—Senator Kay Hagan
District 28—Senator Katie Dorsett
District 33—Senator Stan Bingham

HAGAN, SENATOR KAY R......**27th District**—Guilford (part).
Bills and Resolutions---(Senate Bills)
Primary Sponsor..... None.
Co-Sponsor..... 2.

HALIFAX COUNTY—District 4—Senator Robert Holloman

HARGETT, SENATOR CECIL.....**6th District**—Jones, Onslow.
 Bills and Resolutions---(Senate Bills)
 Primary Sponsor None.
 Co-Sponsor None.

HARNETT COUNTY—District 10—Senator Charles Albertson
 District 22—Senator Harris Blake

HARRISON, TED (Reading Clerk)

HARTSELL, SENATOR FLETCHER L., JR.**36th District**—
Cabarrus, Rowan (part).
 Bills and Resolutions---(Senate Bills)
 Primary Sponsor None.
 Co-Sponsor None.

HAYWOOD COUNTY—District 47—Senator Joe Sam Queen
 District 50—Senator Robert Carpenter

HENDERSON COUNTY—District 48—Senator Tom Apodaca

HERTFORD COUNTY—District 4—Senator Robert Holloman

HOKE COUNTY—District 13—Senator David Weinstein

HOLLOMAN, SENATOR ROBERT L......**4th District**—Gates, Halifax,
Hertford, Northampton, Vance (part), Warren.
 Bills and Resolutions---(Senate Bills)
 Primary Sponsor None.
 Co-Sponsor None.

HORTON, SENATOR HAMILTON C., JR.**31st District**—**Forsyth** (part).
 Bills and Resolutions---(Senate Bills)
 Primary Sponsor None.
 Co-Sponsor None.

HOYLE, SENATOR DAVID W......**43rd District**—**Gaston** (part).
 Bills and Resolutions---(Senate Bills)
 Primary Sponsor 2.
 Co-Sponsor None.

HUNT, SENATOR RALPH A......**18th District**—
Durham (part), Granville, Person.
 (Appointed April 21, 2004 to replace Senator Wib Gulley who resigned effective
 March 19, 2004.)
 Bills and Resolutions---(Senate Bills)
 Primary Sponsor None.
 Co-Sponsor 2.

HYDE COUNTY—District 1—Senator Marc Basnight

IREDELL COUNTY—District 41—Senator R. B. Sloan, Jr.

JACKSON COUNTY—District 50—Senator Robert Carpenter

JENKINS, SENATOR S. CLARK **3rd District**—Bertie, **Edgecombe**, Martin,
Pitt (part), Tyrrell, Washington.

Bills and Resolutions---(Senate Bills)

Primary Sponsor None.

Co-Sponsor 2.

JOHNSTON COUNTY—District 12—Senator Fred Smith

JONES COUNTY—District 6—Senator Cecil Hargett

KERR, SENATOR JOHN H., III **7th District**—Greene, Lenoir, **Wayne** (part).

Bills and Resolutions---(Senate Bills)

Primary Sponsor None.

Co-Sponsor 2.

KINNAIRD, SENATOR ELEANOR **23rd District**—Chatham, **Orange**.

Bills and Resolutions---(Senate Bills)

Primary Sponsor None.

Co-Sponsor None.

LEE COUNTY—District 22—Senator Harris Blake

LENOIR COUNTY—District 7—Senator John H. Kerr III

LIEUTENANT GOVERNOR (Beverly E. Perdue)

LINCOLN COUNTY—District 42—Senator James Forrester

LUCAS, SENATOR JEANNE HOPKINS **20th District**—**Durham** (part).

Adjournment Motion—Second 22, 234, 397, 443.

Bills and Resolutions---(Senate Bills)

Primary Sponsor None.

Co-Sponsor None.

MACON COUNTY—District 50—Senator Robert Carpenter

MADISON COUNTY—District 47—Senator Joe Sam Queen

MALONE, SENATOR VERNON **14th District**—**Wake** (part).

Bills and Resolutions---(Senate Bills)

Primary Sponsor None.

Co-Sponsor 2.

MARTIN COUNTY—District 3—Senator S. Clark Jenkins

MCDOWELL COUNTY—District 47—Senator Joe Sam Queen

MECKLENBURG COUNTY—District 35—Senator Fern Shubert
District 37—Senator Daniel Clodfelter
District 38—Senator Charlie Dannelly
District 39—Senator Bob Rucho
District 40—Senator Robert Pittenger

MITCHELL COUNTY—District 47—Senator Joe Sam Queen

MONTGOMERY COUNTY—District 29—Senator Jerry Tillman

MOORE COUNTY—District 22—Senator Harris Blake

MOORE, SENATOR TONY P......**5th District**—Pitt (part), Wilson.
Bills and Resolutions---(Senate Bills)
Primary Sponsor..... None.
Co-Sponsor..... 2.

NASH COUNTY—District 11—Senator A. B. Swindell IV

NESBITT, SENATOR MARTIN L., JR......**49th District**—**Buncombe** (part).
(Appointed February 6, 2004 to replace Senator Steve Metcalf who resigned effective February 2, 2004.)
Bills and Resolutions---(Senate Bills)
Primary Sponsor..... None.
Co-Sponsor..... None.

NEW HANOVER COUNTY—District 9—Senator Haywood E. (Woody) White

NORTHAMPTON COUNTY—District 4—Senator Robert Holloman

ONslow COUNTY—District 6—Senator Cecil S. Hargett, Jr.

ORANGE COUNTY—District 23—Senator Ellie Kinnaird

PAMLICO COUNTY—District 2—Senator Scott Thomas

PASQUOTANK COUNTY—District 1—Senator Marc Basnight

PENDER COUNTY—District 8—Senator R. C. Soles, Jr.

PERDUE, BEVERLY EAVES—Lieutenant Governor (President of the Senate)

PERQUIMANS COUNTY—District 1—Senator Marc Basnight

PERSON COUNTY—District 18—Senator Ralph A. Hunt

PITT COUNTY—District 3—Senator S. Clark Jenkins
District 5—Senator Tony Moore

PITTENGER, SENATOR ROBERT **40th District**—**Mecklenburg** (part).
Bills and Resolutions---(Senate Bills)
Primary Sponsor None.
Co-Sponsor None.

PLEDGE OF ALLEGIANCE..... 5.

POLK COUNTY—District 48—Senator Tom Apodaca

PRAYERS OFFERED TO OPEN SESSION

Morris, The Reverend Mike (Senate Chaplain) 5.

PRESIDENT OF THE SENATE (Beverly E. Perdue, Lieutenant Governor)

Journal Signature... 12.
Presides—
Daily Session..... 5, 9.

PRESIDENT PRO TEMPORE (SENATOR MARC BASNIGHT)

PRINCIPAL CLERK (Janet B. Pruitt)

Editor’s Notes 15.
Journal Signature 12.
Renewal of Election..... 7.

PROCLAMATIONS FROM THE GOVERNOR

Proclamation of an Extra Session 6.

PRUITT, JANET B. (Principal Clerk)

PURCELL, SENATOR WILLIAM R. **25th District**—Anson, Richmond,
Scotland, Stanly.

Bills and Resolutions---(Senate Bills)
Primary Sponsor None.
Co-Sponsor 2.

PRUITT, JANET B. (Principal Clerk)

QUEEN, SENATOR JOE SAM **47th District**—Avery, **Haywood** (part),
Madison, McDowell, Mitchell, Yancey.

Bills and Resolutions---(Senate Bills)
Primary Sponsor None.
Co-Sponsor None.

**RAND, SENATOR ANTHONY E. "TONY" 19th District—
Bladen, Cumberland (part).**

Bills and Resolutions---(Senate Bills)

Primary Sponsor 1.

Co-Sponsor 2.

RANDOLPH COUNTY—District 29—Senator Jerry Tillman

RATIFIED BILLS 11, 35.

READING CLERK (Ted Harrison)

Renewal of Election 7.

REEVES, SENATOR ERIC MILLER 16th District—Wake (part).

Bills and Resolutions---(Senate Bills)

Primary Sponsor None.

Co-Sponsor None.

RESOLUTIONS, JOINT

H 2 Adjournment *Sine Die* of The 2004 Extra Session
(Res. 14.) 11, 35.

RESOLUTIONS, SENATE

S 1 Senate Rules for 2004 Extra Session 7, 35.

RICHMOND COUNTY—District 25—Senator William R. Purcell

ROBESON COUNTY—District 13—Senator David Weinstein

ROCKINGHAM COUNTY—District 26—Senator Phil Berger

**ROWAN COUNTY—District 34—Senator Andrew Brock
District 36—Senator Fletcher Hartsell**

RUCHO, SENATOR ROBERT A. 39th District—Mecklenburg (part).

Bills and Resolutions---(Senate Bills)

Primary Sponsor None.

Co-Sponsor None.

RUTHERFORD COUNTY—District 46—Senator Walter Dalton

SAMPSON COUNTY—District 10—Senator Charles Albertson

SCOTLAND COUNTY—District 25—Senator William R. Purcell

SENATE RULES

S 1 Senate Rules for 2004 Extra Session (Adopted) 7.

SENATE STAFF..... 19.

SERGEANT-AT-ARMS (Cecil Goins)
Renewal of Election..... 7.

SHAW, SENATOR LARRY..... **21st District—Cumberland** (part).
Bills and Resolutions---(Senate Bills)
Primary Sponsor..... None.
Co-Sponsor..... None.

SHUBERT, SENATOR FERN..... **35th District—Mecklenburg** (part), **Union**.
Bills and Resolutions---(Senate Bills)
Primary Sponsor..... None.
Co-Sponsor..... None.

SLOAN, SENATOR R. B., JR...... **41st District—Alexander, Iredell**.
Bills and Resolutions---(Senate Bills)
Primary Sponsor..... None.
Co-Sponsor..... None.

SMITH, SENATOR FRED..... **12th District—Johnston**, Wayne (part).
Bills and Resolutions---(Senate Bills)
Primary Sponsor..... None.
Co-Sponsor..... None.

SOLES, SENATOR R. C., JR...... **8th District—Brunswick, Columbus, Pender**.
Bills and Resolutions---(Senate Bills)
Primary Sponsor..... None.
Co-Sponsor..... None.

STANLY COUNTY—District 25—Senator William R. Purcell

STEVENS, SENATOR RICHARD Y...... **17th District—Wake** (part).
Bills and Resolutions---(Senate Bills)
Primary Sponsor..... None.
Co-Sponsor..... None.

STOKES COUNTY—District 30—Senator John Garwood

SURRY COUNTY—District 30—Senator John Garwood

SWAIN COUNTY—District 50—Senator Robert Carpenter

SWINDELL, SENATOR A. B., IV..... **11th District—Franklin, Nash, Vance** (part).
Bills and Resolutions---(Senate Bills)
Primary Sponsor..... None.
Co-Sponsor..... None.

THOMAS, SENATOR SCOTT **2nd District**—Carteret, **Craven**, Pamlico.
 Bills and Resolutions---(Senate Bills)
 Primary Sponsor None.
 Co-Sponsor None.

TILLMAN, SENATOR JERRY W. **29th District**—Montgomery, **Randolph**.
 Bills and Resolutions---(Senate Bills)
 Primary Sponsor None.
 Co-Sponsor None.

TRANSYLVANIA COUNTY—District 50—Senator Robert Carpenter

TYRRELL COUNTY—District 3—Senator S. Clark Jenkins

UNION COUNTY—District 35—Senator Fern Shubert

VANCE COUNTY—District 4—Senator Robert Holloman
 District 11—Senator A. B. Swindell IV

WAKE COUNTY—District 14—Senator Vernon Malone
 District 15—Senator John Carrington
 District 16—Senator Eric Reeves
 District 17—Senator Richard Stevens

WARREN COUNTY—District 4—Senator Robert Holloman

WASHINGTON COUNTY—District 3—Senator S. Clark Jenkins

WATAUGA COUNTY—District 45—Senator Virginia Foxx

WAYNE COUNTY—District 7—Senator John H. Kerr III
 District 12—Senator Fred Smith

WEBSTER, SENATOR HUGH **24th District**—Alamance, Caswell.
 Bills and Resolutions---(Senate Bills)
 Primary Sponsor None.
 Co-Sponsor None.

WEINSTEIN, SENATOR DAVID F. **13th District**—Hoke **Robeson**.
 Bills and Resolutions---(Senate Bills)
 Primary Sponsor None.
 Co-Sponsor 2.

WHITE, SENATOR HAYWOOD E. (WOODY) **9th District**—New **Hanover**.
 (Appointed May 5, 2004 to replace Senator Patrick Ballantine who resigned effective April 19, 2004.)
 Absent of Leave 10 (portion).
 Bills and Resolutions---(Senate Bills)
 Primary Sponsor None.
 Co-Sponsor None.

WILKES COUNTY—District 30—Senator John Garwood
District 45—Senator Virginia Foxx

WILSON COUNTY—District 5—Senator Tony Moore

YADKIN COUNTY—District 34—Senator Andrew Brock

YANCEY COUNTY—District 47—Senator Joe Sam Queen

RATIFIED BILLS—SESSION LAW

- S 2 Computer Manufacturing Tax Incentives
(S.L. 2004-204.).....9, 10, 11, 15.

RATIFIED JOINT RESOLUTION

- H 2 Adjournment *Sine Die* of The 2004 Extra Session
(Res. 2004-14.) 10, 11.

ADOPTED SENATE RESOLUTION

- S 1 Senate Rules for 2004 Extra Session
(Adopted).....7.

